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LOUISIANA STATE RACING COMMISSION

LSRC COMMITTEE MEETING NOTICE

THE LOUISIANA STATE RACING COMMISSION WILL HOLD A COMMITTEE MEETING AT 10:00AM ON FRIDAY, APRIL 1, 2022 IN MOJO'S SPORTS BAR OF THE EVANGELINE DOWNS RACETRACK & CASINO, 2235 CRESWELL LANE EXTENSION, OPELOUSAS, LOUISIANA. INTERESTED PARTIES AND THE PUBLIC MAY PARTICIPATE IN THE MEETING IN PERSON. ALTERNATELY, INTERESTED PARTIES AND THE PUBLIC MAY PARTICIPATE IN THE MEETING ONLINE VIA ZOOM BY ENTERING MEETING ID 820 3303 6781 AND ENTERING PASSCODE 220798. ALL INTERESTED PARTIES AND THE PUBLIC MAY PARTICIPATE IN THE MEETING BY PHONE USING THE FOLLOWING NUMBERS THAT ARE CLOSEST TO THEIR PROXIMITY: (346) 248-7799 FOR HOUSTON, TX; (669) 900-6833 FOR SAN JOSE, CA; (929) 205-6099 FOR NEW YORK, NY; (253) 215-8782 FOR TACOMA, WA; (301) 715-8592 FOR WASHINGTON DC; (312) 626-6799 FOR CHICAGO, IL. ALL PHONE PARTICIPANTS MUST ENTER MEETING ID 820 3303 6781 AND ENTER PASSCODE 220798. ZOOM AND PHONE GUESTS MUST IDENTIFY THEMSELVES AND REQUEST PERMISSION TO SPEAK BEFORE MAKING COMMENTS.

I. COMMITTEE DISCUSSION

A. RULES COMMITTEE, by Committee Chair Lane T. Cortez

1. Discussion of Proposed Rule Changes:

- a. LAC 35:VII Chapter 89 – Whips
§8902. Use of Riding Crop in Thoroughbred Races [new]
- b. LAC 35:XI Chapter 99 – Claiming Rule
§9911. Claiming Procedures [amend]
§9913. Vesting of Title; Tests [amend]
§9914. Voided and Voidable Claims [new]
§9949. Purse to Claim Price Ratio [new]
- c. LAC 46:XLI Chapter 3 – Trainer
§321. Horses Suspended Concurrent with Trainer [new]

II. ADJOURNMENT

A handwritten signature in blue ink, appearing to read "Charles A. Gardiner III", is written over a horizontal line.

Charles A. Gardiner III
Executive Director

This notice was posted by the entrance of the Louisiana State Racing Commission, Thursday, March 31, 2022 at 10:00AM.

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Website: <http://horseracing.la.gov>

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Title 35
HORSE RACING
Part VII. Equipment and Colors

Chapter 89. Whips

§8902. Use of Riding Crop in Thoroughbred Races

A. Although the use of a riding crop is not required, a jockey who uses a riding crop during a thoroughbred race shall do so only in a manner consistent with exerting his or her best efforts to win.

B. In any thoroughbred race in which a jockey will ride without a riding crop, an announcement of that fact shall be made over the public address system.

C. An electrical or mechanical device or other expedient designed to increase or retard the speed of a horse in a thoroughbred race, other than a riding crop approved by the stewards, shall not be possessed by anyone, or applied by anyone to a horse at any time at a location under the jurisdiction of the commission.

D. A riding crop shall not be used on a two-year-old horse in thoroughbred races before April 1 of each year.

E. Allowable uses of a riding crop in thoroughbred races include the following:

1. the riding crop may be used at any time, without penalty, if, in the opinion of the stewards, the riding crop is used to avoid a dangerous situation or preserve the safety of other riders or horses in a race;

2. use of the riding crop in the overhand fashion for a total of six times from the three-eighths pole to the finish line, only to be used two times in succession and then must give a horse a chance to respond;

3. if necessary during a race, a riding crop may be used in a backhanded fashion on the hindquarters from the three-eighths to the finish line. This use will not be counted toward the use of the crop six times in the overhand fashion;

4. tapping the horse on the shoulder with the crop in the down position, while both hands are holding onto the reins and both hands are touching the neck of the horse; and

5. showing or waving the crop without contact with the horse and giving the horse time to respond before striking the horse.

F. Use of the riding crop to make contact with a horse to maintain focus and concentration, to control the horse for safety of the horse and rider, or to encourage a horse is allowed in thoroughbred races, with the following exceptions:

1. in any manner, other than backhanded on the hindquarters as set forth in Paragraph 3 of Subsection E, tapping on the shoulder as set forth in Paragraph 4 of Subsection E, or resulting in more than six times in the overhand manner as set forth in Paragraph 2 of Subsection E;

2. the riding crop shall not be used more than twice in succession and the horse must be given a chance to respond before using it again;

a. "Chance to respond" is defined as one of the following actions by a jockey:

i. pausing the use of the riding crop on their horse before resuming again;

ii. pushing on their horse with a rein in each hand, keeping the riding crop in the up or down position;

iii. showing the horse the riding crop without making contact; or

iv. moving the riding crop from one hand to the other.

3. with the rider's wrist above helmet height;

4. on the head, flanks, or on any other part of its body other than the shoulders or hindquarters;

5. during the post parade or after the finish of the race except if necessary to control the horse;

6. excessive or brutal use of the crop causing injury to the horse;

7. causing welts or breaks in the skin;

8. if the horse is clearly out of the race or has obtained its maximum placing; and

9. if the horse is showing no response.

G. A riding crop shall not be used to strike another person.

H. Use of the crop during workouts shall be permitted so long as such use does not violate Subsection F of this rule.

I. The giving of instructions by any licensee that, if obeyed, would lead to a violation of this Section may result in disciplinary action also being taken against the licensee who gave the instructions.

J. Only padded/shock absorbing riding crops approved by the stewards, which have not been modified in any way, may be carried in a thoroughbred race.

K. During a thoroughbred race, if a jockey rides in a manner contrary to this Rule, at the stewards' discretion, the stewards may impose a warning or fine of \$100 to \$500 or a suspension. If in the opinion of the stewards the violation is egregious or intentional, the stewards have the discretion to impose both a fine and a suspension. Factors in determining whether a violation is egregious include, but are not limited to:

1. recent history of similar violations;

2. number of uses over the total and consecutive limits described; and

3. using the crop in the overhanded position more than six times.

Title 35
HORSE RACING
Part XI. Claiming Rules and Engagements

Chapter 99. Claiming Rule

§9911. Claiming Procedures

A. All claims shall be signed, sealed, time stamped and deposited in a locked box provided for that purpose in a designated place, at least 15 minutes prior to post time for each race. The claim box shall be opened by the stewards and all claims shall remain in their possession. The claim envelopes shall not be opened by the stewards earlier than 10 minutes prior to post time for the designated race. Notification will be made by the stewards to the proper officials of any claim or claims, if any. No money shall accompany the claim. Each person desiring to make a claim, unless he shall have such amount to his credit with the horsemen's bookkeeper, must first deposit with the horsemen's bookkeeper the whole amount of his claim in cash, for which a receipt will be given. If more than one person shall enter a claim for the same horse, the disposition of the horse shall be decided by lot by one of the stewards or his deputy, and the person so determined to have the right of the claim shall become the owner of the horse whether it be alive or dead, sound or unsound or injured during the race or after it, except as otherwise provided by voided and voidable claims sections. Any horse, other than the winner, that has been claimed, shall be taken to the paddock after the race has been run, for delivery to the claimant unless sent to the retention barn for delivery to the claimant after the specimen has been collected.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 1:497 (November 1975), amended LR 2:446 (December 1976), LR 3:42 (January 1977), LR 4:285 (August 1978),

§9913. Vesting of Title; Tests

A. Title to a claimed horse shall be vested in the successful claimant at the time the horse becomes a starter. The successful claimant shall then become the owner of the horse whether alive or dead, sound or unsound, or injured at any time after leaving the starting gate, during the race or after, except as otherwise provided by voided and voidable claims section.

~~B. The successful claimant may request on the claim blank at the time he makes his claim that the horse be tested for the presence of equine infectious anemia via a Coggins test and/or erythropoietin and/or darbepoietin.~~

~~1. Should the test for equine infectious anemia prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the state of Louisiana.~~

~~2. Should the test for recombinant erythropoietin and/or darbepoietin prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the state of Louisiana until such time as the horse tests negative.~~

~~C. Additionally, if such erythropoietin and/or darbepoietin positive result is found, the claimant, claimant's trainer or claimant's authorized agent shall have 48 hours in which to request the claim be declared invalid, such request to be made in writing to the stewards.~~

~~D. The expense of the tests and the maintenance of the horse during the period requested for the tests shall be absorbed by the successful claimant.~~

~~E. If such tests are requested the claimed horse will be sent to the retention barn of the Louisiana State Racing Commission where the state veterinarian will draw blood samples.~~

~~1. Blood samples drawn to test for equine infectious anemia shall be sent to a laboratory approved by the Louisiana Livestock Sanitary Board for the conduct of such test.~~

~~2. Blood samples drawn to detect by immunoassay recombinant erythropoietin and/or darbepoietin shall be sent to the Louisiana State Racing Commission's state chemist.~~

~~F. Notwithstanding any inconsistent provision of the Part, a horse shall not be subject to disqualification from the race and from any share of the purse in the race, and the trainer of the horse shall not be subject to application of trainer's responsibility based upon the finding by the laboratory that erythropoietin and/or darbepoietin was present in the sample taken from that horse.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:446 (December 1976), amended LR 3:42 (January 1977), LR 4:285 (August 1978), LR 5:136 (June 1979), amended by the Office of the Governor, Division of Administration, Racing Commission LR 30:1476 (July 2004), LR 31:3160 (December 2005), LR 35:2756 (December 2009),

§9914. Voided and Voidable Claims

A. A claim shall be voided if a horse is a starter as determined by the regulatory authority, and the horse:

1. Dies on the racetrack; or
2. Suffers an injury which requires the euthanasia of the horse as determined by the official veterinarian while the horse is on the racetrack.

B. A claim is voidable at the discretion of the new owner for a period of one hour after the race is made official, for any horse:

1. That is vanned off the track at the direction of the official veterinarian; or
2. That is observed by the official veterinarian to be lame or unsound while on the racetrack for that race; or
3. That is observed by the official veterinarian to have bled through its nostrils while on the track.

C. The successful claimant may request on the claim blank at the time he makes his claim that the horse be tested for the presence of equine infectious anemia via a Coggins test and/or erythropoietin and/or darbepoietin.

1. Should the test for equine infectious anemia prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the state of Louisiana.

2. Should the test for recombinant erythropoietin and/or darbepoietin prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the state of Louisiana until such time as the horse tests negative.

3. Additionally, if such erythropoietin and/or darbepoietin positive result is found, the claimant, claimant's trainer or claimant's authorized agent shall have 48 hours in which to request the claim be declared invalid, such request to be made in writing to the stewards.

4. The expense of the tests and the maintenance of the horse during the period requested for the tests shall be absorbed by the successful claimant.

5. If such tests are requested the claimed horse will be sent to the retention barn of the Louisiana State Racing Commission where the state veterinarian will draw blood samples.

a. Blood samples drawn to test for equine infectious anemia shall be sent to a laboratory approved by the Louisiana Livestock Sanitary Board for the conduct of such test.

b. Blood samples drawn to detect by immunoassay recombinant erythropoietin and/or darbepoietin shall be sent to the Louisiana State Racing Commission's state chemist.

6. Notwithstanding any inconsistent provision of the Part, a horse shall not be subject to disqualification from the race and from any share of the purse in the race, and the trainer of the horse shall not be subject to application of trainer's responsibility based upon the finding by the laboratory that erythropoietin and/or darbepoietin was present in the sample taken from that horse.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission LR

§9949. Purse to Claim Price Ratio

A. The purse-to-claim price ratio in claiming races for open bred horses shall not be greater than a 2:1 ratio, except for races where supplements are added for accredited Louisiana bred horses who compete in open bred races, where the purse-to-claim price ratio shall not be greater than 3:1.

B. The purse-to-claim price ratio for restricted accredited Louisiana bred races shall not be greater than 3:1, except where the conditions for the race limit the entries to accredited Louisiana bred horses sired by stallions standing in the state as of the breeding date where the ratio shall not be greater than 5:1.

C. Modifications to Subsections A and B may be made at any duly noticed meeting of the Racing Commission.

1. Approved modifications shall be posted on the Racing Commission's website and posted at the Racing Commission's racetrack offices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission LR

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XLI. Horseracing Occupations

Chapter 3. Trainer

§321. Horses Suspended Concurrent with Trainer

A. All horses in the charge of a trainer whose license has been revoked or suspended shall not be permitted to race during the period of such trainer's suspension. Upon application by the owners of such suspended horses, the stewards may approve the bona fide transfer of such horses to the care of another registered trainer, and upon such approved transfer, such horses may be entered to race.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission LR