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LOUISIANA STATE RACING COMMISSION

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Charles A. Gardiner III
Executive Director

January 22, 2024

Senate Commerce Committee
P.O. Box 94183
Baton Rouge, LA 70804-9183

House Commerce Committee
P.O. Box 94486
Baton Rouge, LA 70804-9486

RE: ANNUAL REPORT

Dear Committee Members:

Pursuant to La. R.S. 49:968(K), I am submitting the enclosed report of action taken by the Louisiana State Racing Commission with respect to proposing, amending and adoption of rules. The report contains all actions taken on rules which were proposed or promulgated between January 1, 2023 and December 31, 2023. The report also contains information on the petitions and submissions received by the LSRC as well as the LSRC's responses to those petitions and submissions.

If you have any questions regarding the enclosed material, please contact me at (504) 483-4000.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles A. Gardiner III".

Charles A. Gardiner III
Executive Director

CAG: tm
Enclosures

cc: Office of the State Register
Rules Committee Chairman
DRP Library

LSRC ACTIONS 2023

The following is a summary of the actions taken by the Louisiana State Racing Commission with respect to amendment and adoption of proposed rules. These actions were taken from January 1, 2023 to December 31, 2023.

Commission Meeting Dates are those on which the Louisiana State Racing Commission held public hearings pursuant to La. R.S. 49:953. Oversight submittal dates are those on which documentation was submitted to the Legislative Fiscal Office and the House and Senate Commerce Committees pursuant to La. R.S. 49:968. Publication dates are those on which the notice of intended action was published in the *Louisiana Register* pursuant to La. R.S. 49:953. Public comments are accepted for submission up to 20 days (weekends and state holidays excluded) from the Notice of Intent publication date in the *Louisiana Register* pursuant to La. R.S. 49:953. Final rule promulgation dates are those on which the actions were published in the *Louisiana Register* pursuant to La. R.S. 49:954.

LAC 35:III.Chapter 57

This proposes new and amended rules to Associations' Duties and Obligations.

Adoption of Emergency Rules per R.S. 49:953.1:	April 30, 2023
Oversight Notification of Emergency Rules:	April 28, 2023
Commission Meeting Date (<i>Public Hearing</i>):	October 26, 2022
Oversight Submittal to House & Senate Commerce Committees:	November 18, 2022
Publication Date (Notice of Intent):	December 20, 2022
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	April 14, 2023
Final Rule Promulgation Date:	May 20, 2023

LAC 35:XV.Chapter 123

This proposes new and amended rules to Off-Track Wagering General Rules.

Adoption of Emergency Rules per R.S. 49:953.1:	April 30, 2023
Oversight Notification of Emergency Rules:	April 28, 2023
Commission Meeting Date (<i>Public Hearing</i>):	October 26, 2022
Oversight Submittal to House & Senate Commerce Committees:	November 18, 2022
Publication Date (Notice of Intent):	December 20, 2022
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	April 14, 2023
Final Rule Promulgation Date:	May 20, 2023

LAC 35:V.6335

This proposes an amendment to Owner's Entry of More Than One Horse.

Adoption of Emergency Rules per R.S. 49:953.1:	February 14, 2023
Oversight Notification of Emergency Rules:	February 14, 2023
Commission Meeting Date (<i>Public Hearing</i>):	February 14, 2023
Oversight Submittal to House & Senate Commerce Committees:	February 15, 2023
Publication Date (Notice of Intent):	March 20, 2023
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	June 23, 2023
Final Rule Promulgation Date:	July 20, 2023

LAC 35:V.7907

This proposes an amendment to Horses Disqualified for a Foul.

Adoption of Emergency Rules per R.S. 49:953.1:	February 14, 2023
Oversight Notification of Emergency Rules:	February 14, 2023
Commission Meeting Date (<i>Public Hearing</i>):	February 14, 2023
Oversight Submittal to House & Senate Commerce Committees:	February 15, 2023
Publication Date (Notice of Intent):	March 20, 2023
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	June 23, 2023
Final Rule Promulgation Date:	July 20, 2023

LAC 35:X1.9905

This proposes an amendment to Timing of Entering Next Claiming Race.

Commission Meeting Date (<i>Public Hearing</i>):	August 28, 2023
Oversight Submittal to House & Senate Commerce Committees:	September 14, 2023
Publication Date (Notice of Intent):	October 20, 2023
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	<i>Pending</i>
Final Rule Promulgation Date:	<i>Pending</i>

LAC 35:I.322

This proposes new rule Disability Accommodations.

Commission Meeting Date (<i>Public Hearing</i>):	October 30, 2023
Oversight Submittal to House & Senate Commerce Committees:	November 16, 2023
Publication Date (Notice of Intent):	December 20, 2023
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	<i>Pending</i>
Final Rule Promulgation Date:	<i>Pending</i>

LAC 35:III.5773

This proposes an amendment to Association Annual Plan of Operation Report.

Commission Meeting Date (<i>Public Hearing</i>):	October 30, 2023
Oversight Submittal to House & Senate Commerce Committees:	November 16, 2023
Publication Date (Notice of Intent):	December 20, 2023
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	<i>Pending</i>
Final Rule Promulgation Date:	<i>Pending</i>

PETITIONS AND SUBMISSIONS TO LSRC 2023

The following is a summary of the petitions and submissions received by the Louisiana State Racing Commission (hereinafter "LSRC") with respect to amendment and adoption of rules and the LSRC's response to those petitions and submissions from January 1, 2023 to December 31, 2023.

I. Petitions and Submissions Resulting in Rulemaking

LAC 35:V.6335 "Owner's Entry of More Than One Horse"

Petition: The racing secretaries at each racetrack and the Louisiana Horsemen's Benevolent and Protective Association (LaHBPA) requested that the LSRC consider making Louisiana uncoupling rules less restrictive and more in line with other racing jurisdictions. These industry participants felt strongly that this change would help to fill horse races, which has been struggling due to continuing horse population declines. At the February 14, 2023 Emergency LSRC Meeting, the LSRC provided a draft of language changes for §6335 and §7907 based on the industry participants' feedback and allowed comments to be heard. The Industry participants requested that the LSRC emergency adopt and go through the full rule-making process with the rule amendment.

Response: With no opposition at the February 14, 2023 Emergency LSRC Meeting, LSRC emergency adopted the rule amendment on the same day and also initiated rule-making procedures with a Notice of Intent that was published on March 20, 2023. With no opposition at the June 23, 2023 Emergency LSRC Meeting, LSRC approved Formal Adoption of the rule.

LAC 35:V.7907 "Horses Disqualified for a Foul"

Petition: The racing secretaries at each racetrack and the Louisiana Horsemen's Benevolent and Protective Association (LaHBPA) requested that the LSRC consider making Louisiana uncoupling rules less restrictive and more in line with other racing jurisdictions. These industry participants felt strongly that this change would help to fill horse races, which has been struggling due to continuing horse population declines. At the February 14, 2023 Emergency LSRC Meeting, the LSRC provided a draft of language changes for §6335 and §7907 based on the industry participants' feedback and allowed comments to be heard. The Industry participants requested that the LSRC emergency adopt and go through the full rule-making process with the rule amendment.

Response: With no opposition at the February 14, 2023 Emergency LSRC Meeting, LSRC emergency adopted the rule amendment on the same day and also initiated rule-making procedures with a Notice of Intent that was published on March 20, 2023. With no opposition at the June 23, 2023 Emergency LSRC Meeting, LSRC approved Formal Adoption of the rule.

LAC 35.XI.9905 "Claiming Procedures"

Petition: Mr. Jason Boulet, Director of Racing for Fair Grounds Race Course & Slots, requested via email that the LSRC include an Agenda item for its August 28, 2023 Commission Meeting to discuss changing the language of LAC 35.XI.9905 "Claiming Procedures" to avoid confusion regarding horse eligibility in claiming races.

Response: Following discussion and with no opposition at the August 28, 2023 LSRC Meeting, LSRC initiated rule-making procedures with a Notice of Intent that was published on October 20, 2023.

II. Petitions and Submissions that have not resulted in Rulemaking at this time

None