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Deano Thornton
Katherine L. Winters

Stephen Landry
Executive Director

LOUISIANA STATE RACING COMMISSION

MEETING NOTICE

THE LOUISIANA STATE RACING COMMISSION WILL HOLD A PUBLIC MEETING AT 10:00 AM ON THURSDAY, NOVEMBER 12, 2026 IN THE BLACK GOLD ROOM OF FAIR GROUNDS RACE COURSE & SLOTS, 1751 GENTILLY BOULEVARD, NEW ORLEANS, LOUISIANA. THE PUBLIC MAY ATTEND AND PARTICIPATE IN PERSON ONLY.

APPROVAL OF AUGUST 27, 2026 MEETING MINUTES

I. ASSOCIATION REQUESTS/REPORTS

A. BOYD RACING, LLC d/b/a DELTA DOWNS RACETRACK, CASINO & HOTEL

1. **PROGRESS REPORT**

2026-2027 THOROUGHBRED MEET

2. **STEWARDS, OFFICIALS & MANAGEMENT**
   a. **Ratification** of new officials for 2026-2027 thoroughbred meet:
      Shaniqua Dixon – Placing Judge
      Bacarra Pettis – Association Steward

B. THE OLD EVANGELINE DOWNS, LLC d/b/a EVANGELINE DOWNS RACETRACK & CASINO

1. **PROGRESS REPORT**

2026 QUARTER HORSE MEET

2. **RACES**
   a. **Ratification** of first condition book for 2026 quarter horse meet.
   b. **Ratification** of designated races for 2026 quarter horse meet:

10/03/26	EvD Dash
10/09/26	Amelia Belle
10/10/26	Opelousas RG3
10/17/26	Races and Aces
11/20/26	Trials for the EvD Futurity
11/21/26	Trials for the EvD Derby
11/27/26	Trials for the Louisiana Million Futurity
11/28/26	Trials for the LQHBA Breeders Derby
11/28/26	Trials for the LQHBA Breeders Oaks
12/19/26	EvD Derby
12/19/26	LQHBA Breeders Derby RG3

12/19/26	EvD Futurity GR2
12/19/26	LQHBA Louisiana Million RG1
12/19/26	LQHBA Louisiana Million Invitational
12/19/26	EvD 870 Stakes
12/19/26	The EvD Juvenile Stakes
12/19/26	Louisiana Champions Day Juvenile RG2
12/19/26	LQHBA Breeders Oaks
12/19/26	Louisiana Champions Day Derby RG3
12/19/26	Leverne Perry Stakes

3. **STEWARDS, OFFICIALS & MANAGEMENT**
   a. **Ratification** of officials for 2026 quarter horse meet:
   Tracey Coonce – Director of Racing
   Corey Veazey – Racing Secretary
   Ashley Simon – Assistant Racing Secretary/Stakes Coordinator
   Frank Rudis – Association Steward
   Mark Guidry – Association Steward
   Quantis Tezeno – Track Superintendent
   Ashley Courville – Stall Superintendent
   Addison Lucero – Identifier
   *Briana Macias – Paddock Judge
   Harvey Lourd III – Clerk of Scales
   Damon Menard – Jockey Room Custodian
   *Hailey Chiasson – Claims Clerk/Alternate Placing Judge
   Lacy Torres – Placing Judge
   Kaitlyn Jason – Placing Judge
   Myrinda Willis – Placing Judge
   Brett Poole – Clocker
   Ray Sibille – Clocker
   Roberto Ramirez – Starter
   Jacob Deville – Outrider
   John Broussard – Outrider
   Coplen Bouget – Outrider
   **New Officials*

   b. **Ratification** of Charles Ashy, Jr. to serve as State Steward for 2026 quarter horse meet.

C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC d/b/a FAIR GROUNDS RACE COURSE & SLOTS

1. **PROGRESS REPORT**

2026-2027 THOROUGHBRED MEET

2. **RACES**
   a. **Approval** of first condition book for 2026-2027 thoroughbred meet.

D. LOUISIANA DOWNS INVESTMENT COMPANY, LLC d/b/a LOUISIANA DOWNS RACETRACK & CASINO

1. **PROGRESS REPORT**

2027 QUARTER HORSE MEET

2. **STEWARDS, OFFICIALS & MANAGEMENT**
   a. **Approval** of officials for 2027 quarter horse meet:
      Roxanne Tanner – Director of Racing
      TBD – Racing Secretary
      TBD – Assistant Racing Secretary
      Cynthia "Red" Menard – Paddock Judge
      Nanette Welch – Horse Identifier
      Whitney Pellerito – Program Coordinator/Claims Clerk
      Jacque Bohannon – Placing Judge/Entry Clerk
      Kenneth Loggins – Placing Judge/Entry Clerk
      Koleen Karlin – Placing Judge/Entry Clerk
      Gilbert Ortiz – Clerk of Scales
      Gary Powers – Jocks Room Custodian
      Sarah Watson – Clocker
      Jimmy Cordell – Starter
      Cleo Gibbons – Stall Superintendent
      Melvin Holland – Association Steward
      Charles T. McGee – Association Steward
      *Guadalupe Valasquez – Outrider
      **New Official*

   b. **Approval** of Frank Rudis to serve as State Steward for 2027 quarter horse meet.

3. **RACES**
   a. **Approval** of designated races for 2027 quarter horse meet:

03/20/27	Maiden Classic
03/26/27	Mardi Gras Oaks
03/26/27	Mardi Gras Derby
03/27/27	Louisiana Downs Futurity
03/27/27	Mardi Gras Futurity

II. HBPA

A. LOUISIANA HORSEMEN'S BENEVOLENT & PROTECTIVE ASSOCIATION (LAHBPA)

1. **PROGRESS REPORT**
2. **LAHBPA requests approval** from the LSRC, with the agreement of Fair Grounds and Evangeline Downs, to transfer three Champion's Day Quarter Horse races and the corresponding $300,000 in purse funds, from the Fair Grounds 2026-2027 thoroughbred meet to the Evangeline Downs 2026 quarter horse meet.

III. BREEDER UPDATES

A. LOUISIANA THOROUGHBRED BREEDERS ASSOCIATION (LTBA)

1. **PROGRESS REPORT**

B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)

1. **PROGRESS REPORT**

IV. RULES

A. DISCUSSION/NOTICE OF INTENT:

1. LAC 35:I.Chapter 13 – Health Rules
   - §1301. Livestock Sanitary Board Rules [amend]
   - §1309. Insect Control Rules [amend]
   - §1311. Sanitary Conditions [amend]
   - §1317. Maintenance of Equipment [amend]
   - §1319. Sterile/Sanitized Equipment [amend]
   - §1321. Isolation Facilities [amend]

2. LAC 35:I.Chapter 17 – Corrupt and Prohibited Practices
   - §1706. Electric Battery Violation Penalties [amend]
   - §1729. State Chemist/Laboratory Report [amend]
   - §1737. When Horse Found Drugged [amend]
   - §1747. Taking of Sample [amend]
   - §1759. Sample Collection Cleanliness [amend]
   - §1763. Taking Blood/Urine Sample [amend]
   - §1775. Testing of a Split or Referee Sample
   - §1787. Pre-Race Testing [amend]

3. LAC 35:III.Chapter 37 – Veterinarians
   - §3703. Association Appointed Veterinarian [repeal]

4. LAC 35:III.Chapter 57 – Associations' Duties and Obligations
   - §5703. Minor Employees [amend]
   - §5736. Purses from Video Poker [amend]
   - §5759. Health Rules [amend]
   - §5761. Test Sample Barn [amend]
   - §5769. Physical Security Measures [amend]

5. LAC 35:V.Chapter 71 – Dead Heats
   - §7103. Division of Prizes; Dead Heat for Second and Third [amend]

6. LAC 35:XI.Chapter 99 – Claiming Rule
   - §9941. Place and Time of Delivery [amend]

V. LICENSE APPROVALS

A. REQUEST FOR LICENSE APPROVAL/REINSTATEMENT (LA R.S. 4:150B))

1. **Sandra Rashall**

2. **Derrick Williams**

VI. ADJUDICATIONS

A. VIOLATIONS OF LAC § 35:I.1797 (Equine Positives)

1. **Brad Cox, Trainer** (*Adjudication Appealed*)
   Ruling #FG 26443 of 05/22/26 3-Hydroxylidocaine (ARCI Category II)
   **Continued from August 27, 2026 Commission Meeting.*

2. **Nathan D. Hatcher** (Adjudication Referred & Appealed)
   Ruling #DD 26608 of 09/21/26 Gabapentin (ARCI Category III)
   Desmethyltramadol (ARCI Category II)

3. **Lanny D. Keith, Trainer** (*Adjudication Referred & Appealed*)
   Ruling #DD 26140 of 09/12/25 Albuterol (ARCI Category III)
   **Continued from August 27, 2026 Commission Meeting.*

4. **Allen Milligan, Trainer** (*Adjudication Referred & Appealed*)
   Ruling #ED 26571 of 08/07/26 3-Hydroxylidocaine (ARCI Category II)

5. **Adalberto S. Miranda, Trainer** (*Adjudication Referred & Appealed*)
   Ruling #DD 26572 of 08/08/26 Dexamethasone (ARCI Category IV – Gross)

6. **Juan M. Montoya, Jr., Trainer** (*Adjudication Appealed*)
   Ruling #DD 26600 of 09/09/26 Testosterone (ARCI Category III)

7. **Hance Ray Robbins, Trainer** (*Adjudications Referred & Appealed*)
   Ruling #DD 26565 of 08/05/26 D-Methamphetamine (ARCI Category I)
   Ruling #DD 26567 of 08/05/26 D-Methamphetamine (ARCI Category I)
   Ruling #DD 26568 of 08/05/26 D-Methamphetamine (ARCI Category I)
   **Continued from August 27, 2026 Commission Meeting.*

B. VIOLATIONS OF LAC § 46:I.529 (Conditions of a License)

1. **Ashley Huitron, Owner** (*Adjudication Referred*)
   Ruling #DD 26504 of 06/26/26 Falsifying License

2. **Blanca F. Huitron, Owner** (*Adjudication Referred*)
   Ruling #DD 26507 of 06/26/26 Falsifying License

3. **Fructuoso Huitron, Owner** (*Adjudication Referred*)
   Ruling #DD 26505 of 06/26/26 Falsifying License

4. **Marco A. Huitron, Owner/Pony Person** (*Adjudication Referred*)
   Ruling #DD 26506 of 06/26/26 Falsifying License

C. VIOLATION OF LAC § 35:XI.2111, *et al.* (Powers)

1. **Ruben Chavez, Trainer** (*Adjudications Referred*)
   Ruling #ED 24594 of 11/11/22 Powers
   Ruling #ED 24595 of 11/11/22 Powers

D. VIOLATION OF LA. R.S. 4:145.1 & LA. R.S. 49.964, *et al.* (Request for Reconsideration)

1. **Jorge J. Garcia, Jockey** (*Adjudication Referred & Appealed*)
   Ruling #DD 26526 of 07/09/26 Powers

VII. ADJOURNMENT

Stephen Landry
Stephen Landry (Nov 9, 2026 09:26:33 CST)

Stephen Landry
Executive Director

NOTICE OF INTENT
Office of the Governor
Division of Administration
Racing Commission

Health Rules (LAC 35:I.Chapter 13)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to amend LAC 35:I.Chapter 13. The proposed amendment updates the name "Livestock Sanitary Board" to "Board of Animal Health" in order to conform with current statute, replaces the term "association veterinarian" with "association" to reflect that the responsibilities fall on the organization rather than an obsolete job position, and updates applicable health responsibilities. The proposed amendment also updates the association requirements for maintenance of equipment. The proposed amendment also updates the types of equine drug tests performed and equipment cleaning and sanitization to reflect modern practice.

Title 35
HORSE RACING
Part I. General Provisions

Chapter 13. Health Rules
§1301. Livestock Sanitary Board Rules

A. Each association, licensee, and permittee shall comply with all applicable laws, rules, quarantine orders, testing requirements, and other lawful directives of the Board of Animal Health governing equine health, disease control, movement, quarantine, or biosecurity at a licensed racetrack or other facility subject to commission jurisdiction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:142.
HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:423 (December 1976), amended LR 3:19 (January 1977), LR 4:271 (August 1978).

§1309. Insect Control Rules

A. When a race meeting is in progress or imminent, each association shall implement and maintain a systematic and effective program to control flies, mosquitoes and other insects in stable, paddock, test barn, and other equine areas. The program and the conditions of those areas shall be subject to inspection and reasonable directives of the commission or its authorized representatives.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:142.
HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:423 (December 1976), amended LR 3:19 (January 1977), LR 4:271 (August 1978).

§1311. Sanitary Conditions

A. Each association shall ensure that horses are stabled in individual box stalls with separate feeding and watering facilities, that stables and immediate surrounding area are maintained in a sanitary condition satisfactory to the commission and consistent with applicable animal-health requirements, that satisfactory drainage is provided, and that manure and other refuse are promptly and properly removed. This Section also applies to off-track facilities under the commission's jurisdiction.

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:423 (December 1976), amended LR 3:19 (January 1977), LR 4:271 (August 1978).

§1317. Maintenance of Equipment

A. Paddocks, starting gates, rails, and other equipment or surfaces subject to contact by animals shall be maintained by the association in a clean and safe condition and free of dangerous surfaces or conditions. The association shall also comply with all applicable maintenance, sanitation, and safety requirements contained in LAC 35:III.Chapter 57.

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:423 (December 1976), amended LR 3:19 (January 1977), LR 4:271 (August 1978).

§1319. Sterile/Sanitized Equipment

A. Sterile, single-use, or appropriately sanitized equipment shall be used in the collection of blood, urine, and other specimens Instruments and tools used on horses, including surgical, dental, and similar instruments shall be cleaned, disinfected and/or sterilized, as appropriate to the instrument and intended use, in accordance with manufacturer instructions. Generally accepted veterinary infection-control practices, and any written procedures approved by the commission.

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:423 (December 1976), amended LR 3:19 (January 1977), LR 4:271 (August 1978).

§1321. Isolation Facilities

A. Each association shall provide isolation facilities for horses ordered isolated or quarantined by the state veterinarian or other lawful animal-health authority. Each association shall implement approved sanitary and biosecurity measures in cooperation with the Board of Animal Health and shall comply with all lawful quarantine and disease-control directives.

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:423 (December 1976), amended LR 3:20 (January 1977), LR 4:271 (August 1978).

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Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

Public Comments

The domicile office of the Louisiana State Racing Commission is open from 8:00 a.m. to 4:30 p.m. Monday - Friday, and interested parties may submit oral or written comments, data, views, or arguments relative to this proposed rule for a period up to 20 days (exclusive of weekends and state holidays) from the date of this publication to Brett Bonin, Assistant Attorney General, 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

_____ _____

Stephen Landry
Executive Director

Date

NOTICE OF INTENT
Office of the Governor
Division of Administration
Racing Commission

Corrupt and Prohibited Practices (LAC 35:I.Chapter 17)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to amend LAC 35:I.Chapter 17. The proposed amendment clarifies administrative penalties for conduct prohibited by R.S. 4:175 and maintains the Commission's administrative fine authority within the limit established by R.S. 4:155(A). Criminal penalties under R.S. 4:175(G) remain separate. The proposed amendment also updates the types of equine samples taken from race horses and pre-race sample provisions to reflect modern practice.

Title 35
HORSE RACING
Part I. General Provisions

Chapter 17. Corrupt and Prohibited Practices
§1706. Electric Battery Violation Penalties

A. …

B. In addition to license revocation and any period of ineligibility authorized by law or these rules, the commission may impose upon a licensee who violates this Section an administrative fine of not less than $3,000 and not more than $10,000, consistent with R.S. 4:155. The fine shall be paid within 30 days after the commission's decision becomes effective unless the commission orders otherwise. Failure to timely pay the fine may constitute grounds for continued ineligibility or other action authorized by law.

C. - F. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:155.
HISTORICAL NOTE: Promulgated by the Department of Economic Development, Racing Commission, LR 23:708 (June 1997).

§1729. State Chemist/Laboratory Report

A. A report from the commission's official or approved laboratory reflecting that analysis of blood, urine, or another specimen taken from a horse detected a prohibited drug, substance, metabolite, marker, or other prohibited finding shall constitute prima facie evidence of the presence of that drug, substance, metabolite, marker, or finding in the horse. Nothing in this Section limits or modifies the responsibility imposed upon a trainer or assistant trainer by LAC 35:I.1735 or any other applicable rule.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.
HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:449 (December 1976), amended LR 3:45 (January 1977), LR 4:287 (August 1978).

§1737. When Horse Found Drugged

A. If analysis of blood, urine or other specimen taken from a horse establishes the presence of a drug, substance, metabolite, marker, or other finding prohibited by Chapter 15, this Chapter, or other applicable commission rule, the matter may be referred for disciplinary action in accordance with law and these rules.

B. The trainer shall be afforded any right to request testing of a split or referee sample provided by LAC 35:I.1775. A timely confirmed split-sample result may be considered as evidence in the proceeding. A trainer's waiver or failure to timely request a split sample, or the documented inability to obtain, preserve, or test a split sample for reasons not caused by the Commission's bad faith or material noncompliance with its procedures, shall not by itself bar disciplinary action based upon the primary sample.

C. After notice and hearing, the stewards or commission, as applicable, may impose any sanction authorized by law or these rules. Any person shown to have participated in, caused or contributed to the violation may also be disciplined as authorized by law.

D. Purse, sweepstakes trophy, and disqualification consequences shall be imposed as required by the applicable medication and disqualification rules.

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:449 (December 1976), amended LR 3:45 (January 1977), LR 4:287 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 16:764 (September 1990), LR 18:369 (April 1992).

§1747. Taking of Sample

A. During collection of a specimen by or on behalf of the commission, the owner, trainer, hot walker, groom, authorized agent or other representative of the owner or trainer~~,~~ may be present, subject to test barn procedures. The specimen shall be placed in an authorized container, sealed promptly, identified, and documented in accordance with commission procedures. A representative of the owner or trainer may sign the documentation acknowledging the sealing. The absence of a representative, or a representative's refusal to sign, shall not invalidate the specimen if the commission representative documents the absence or refusal and otherwise complies with the applicable collection and chain-of custody procedures. A veterinarian representing the owner or trainer may observe testing to the extent permitted by the laboratory's security, accreditation, and testing procedures.

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:449 (December 1976), amended LR 3:45 (January 1977), LR 4:288 (August 1978).

§1759. Sample Collection Cleanliness

A. Specimen containers and collection materials shall be new, sterile, sanitized, or otherwise prepared as required by the commission's approved collection procedures and the official laboratory's protocols. Instruments and utensils used in specimen collection shall be cleaned, disinfected, sterilized, or replaced after each use as appropriate to prevent contamination. Specimen containers shall be sealed, stored, and handled in a manner designed to preserve specimen identity and integrity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:148.
HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:450 (December 1976), amended LR 3:46 (January 1977), LR 4:288 (August 1978).

§1763. Taking Blood/Urine Sample

A. The state veterinarian or the state registered veterinary technician shall take a blood, urine, hair or other specimen from horses as directed or recommended by the state steward or commission executive director after a race in the detention or test barn area. If after a horse has remaineds one and one-half hours in the detention or test barn area and an adequate urine specimen has not been obtained, the state veterinarian or state registered veterinary technician may obtain additional blood specimens or other specimens approved by the commission for testing. The horse may thereafter be released upon authorization of the state veterinarian or state registered veterinary technician.

B. The state steward or commission may direct the collection of random or targeted blood, urine, or other authorized equine specimens at any time permitted by law and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141 and R.S. 4:148.
HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:450 (December 1976), amended LR 3:46 (January 1977), LR 4:288 (August 1978), amended by the Department of Economic Development, Racing Commission, LR 16:603 (July 1990).

§1775. Testing of a Split or Referee Sample

A. The following procedure is hereby established for the testing of a split or referee sample.

1. When a urine specimen is collected in sufficient quantity, it shall be divided into approximately equal portions, one for initial commission testing and the remaining portion for potential split or referee testing in accordance with this Section.

2. When blood is collected in sufficient quantity for testing, it shall be divided into portions designated for initial commission testing and potential split or referee testing in accordance with this Section.

3. When another specimen matrix is collected, the commission shall preserve a split or referee portion when scientifically appropriate, practicable, and sufficient specimen quantity exists.

4. A licensee’s failure to timely request split-sample testing, express waiver of split-sample testing, or documented inability to create or test a split sample because of insufficient quantity or the nature of the specimen shall not, standing alone, invalidate the initial laboratory result, provided the commission substantially complied with applicable collection and preservation procedures.

5. Within 72 hours from the time the stewards notify a trainer that the initial commission laboratory test on a urine or blood specimen from a horse entered and raced by him was positive for the presence of a prohibited drug or substance, the trainer must request the stewards in writing to have the split or referee sample tested by an approved referee laboratory. The commission shall provide a list of referee laboratories which must be able to demonstrate competency for that drug or substance at the estimated concentration reported by the primary laboratory, from which a trainer must select one. At the time of his request the trainer must forward the necessary fees to cover all expenses to be incurred in shipping and testing the split or referee sample to the referee laboratory. Failure of a trainer to make a request to the stewards for a split

sample within the required 72 hours constitutes a waiver of any and all rights to have the split or referee sample tested.

6. A trainer timely requesting a testing of a split or referee sample shall select one of the laboratories designated by the commission as referee laboratories to perform the testing. The trainer shall sign a hold-harmless agreement for a split sample laboratory and an agreement that the results of the split sample laboratory can be introduced as evidence in any hearing, said agreements shall remain with the stewards of the track at which the positive was reported.

7. If the split portion of the test confirms the findings of the primary laboratory, it shall constitute prima facie evidence of a violation of the applicable provisions of this Chapter.

8. If the split portion of the test does not confirm the findings of the primary laboratory the commission shall not consider the sample to constitute prima facie evidence of a violation of the applicable provisions of this Chapter and no penalty shall be imposed, except as provided in Paragraph 7 hereof.

9. If, through no fault of the commission, its agents or employees, a split portion of the sample cannot be tested because of loss, damage, or decomposition then, and in that event only, the findings of the primary laboratory shall constitute the prima facie evidence of a violation of the applicable provisions of this Chapter.

10. The identity of the drug or substance shall be revealed to the referee laboratory. Any communication between the primary and referee laboratory is limited to the exchange of the analytical method and threshold level used to confirm the identity of the drug or substance.

11. Primary laboratory, for the purpose of this rule, shall mean the laboratory selected by the commission to test urine or blood for the presence of prohibited drugs or substances.

12. Referee laboratory, for the purpose of this rule, shall be one of the referee laboratories approved by the commission to test split portions of urine or blood samples when timely requested by a trainer.

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

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 8:405 (August 1982), amended LR 10:660 (September 1984), amended by the Department of Economic Development, Racing Commission, LR 17:878 (September 1991), LR 18:368 (April 1992).

§1787. Pre-Race Testing

A. A laboratory testing program for the detection of the presence of prohibited medications or drugs in horses prior to a scheduled racing program may be requested by an association, and conducted at that track upon designation by the commission. Such pre-race testing program shall be supervised by the commission. All provisions of the *Rules of Racing*, not inconsistent with this Section, remain in full force and effect. Should any existing provision conflict herewith, the provisions of this rule shall take precedence and govern; however, all existing rules on post-race testing remain in full force and effect.

B. At any track so requesting and designated, the track operator shall provide such facilities, appurtenances, equipment, and trained personnel for a drug detection program as the commission may specify.

C. Blood, urine, or other specimens authorized by the commission may be collected from horses programmed to race as directed by the commission or state steward.

D. The time and location of pre-race specimen collection shall be established by the commission in a manner reasonably calculated to accomplish the testing purpose. If a horse is to

receive an authorized race-day medication, the specimen shall be collected before or after administration when required by the applicable medication rule or testing protocol.

E. A pre-race specimen shall be collected by a state veterinarian or by a state registered veterinary technician when permitted by law and the applicable collection protocol.

F. The trainer or the trainer's representative shall present and manage the horse as directed and shall not impede, prevent, threaten, or interfere with the lawful specimen collection. Willful failure to be present at, or refusal to allow, the taking of any such sample, or any act or threat to impede or prevent or otherwise interfere therewith, shall subject the person or persons therefor to such disciplinary action as the stewards may determine.

G. A horse required by the commission to undergo pre-race testing shall not race unless the testing requirements applicable to that horse have been satisfied or the commission or state steward authorizes otherwise for good cause.

H. Whenever pre-race laboratory test reports indicate the presence of a prohibited medication or drug in the sample taken from a horse scheduled to race, particularly, but not limited to specific maximum by quantitative determination of 2.0 micrograms phenylbutazone per milliliter of blood, stewards shall scratch the horse from the race. On the first offense a penalty of not less than $100, nor more than $200, shall be assessed the trainer. Upon second or multiple offenses for positive tests, the stewards shall take whatever action they deem appropriate, consistent with law and the *Rules of Racing*.

I. The pre-race testing program so conducted at a designated track shall in no way change or interfere with the post-race testing program of the commission. In the event of a conflict between pre-race and post-race tests, the post-race test governs and prevails.

J. The laboratory and/or its representatives performing pre-race chemical testing for a designated association are officials of racing. The laboratory shall:

1. be under the direction of and responsible to the stewards;
2. be approved by the commission.

K. All pre-race specimens shall be identified, sealed, safeguarded, and delivered to the testing laboratory in a manner approved by the commission and consistent with applicable chain-of-custody procedures.

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

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:449 (December 1976), amended LR 3:45 (January 1977), LR 4:288 (August 1978).

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Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

Public Comments

The domicile office of the Louisiana State Racing Commission is open from 8:00 a.m. to 4:30 p.m. Monday - Friday, and interested parties may submit oral or written comments, data, views, or arguments relative to this proposed rule for a period up to 20 days (exclusive of weekends and state holidays) from the date of this publication to Brett Bonin, Assistant Attorney General, 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

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Stephen Landry
Executive Director

Date

NOTICE OF INTENT
Office of the Governor
Division of Administration
Racing Commission

Association Appointed Veterinarian (LAC 35:III.3703)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to repeal LAC 35:III.3703. The proposed repeal is necessary because the association veterinarian is no longer a necessary position for the modern Louisiana racing industry.

Title 35
HORSE RACING
Part III. Personnel, Registration, and Licensing

Chapter 37. Veterinarians
§3703. Association Appointed Veterinarian

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:428 (December 1976), amended LR 3:24 (January 1977), LR 4:273 (August 1978).

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Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

Public Comments

The domicile office of the Louisiana State Racing Commission is open from 8:00 a.m. to 4:30 p.m. Monday - Friday, and interested parties may submit oral or written comments, data, views, or arguments relative to this proposed rule for a period up to 20 days (exclusive of weekends and state holidays) from the date of this publication to Brett Bonin, Assistant Attorney General, 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

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Stephen Landry
Executive Director

Date

NOTICE OF INTENT
Office of the Governor
Division of Administration
Racing Commission

Associations' Duties and Obligations (LAC 35:III.Chapter 57)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to amend LAC 35:III.Chapter 57. The proposed amendment updates the provisions for minor employees of a racing association and adds references to statutes regarding purses from video poker proceeds where appropriate for consistency with current law. The proposed amendment also updates health requirements to be observed by associations, the post-race horse sample types required for winning horses to reflect modern practice, and requirements for physical security measures.

Title 35
HORSE RACING
Part III. Personnel, Registration, and Licensing

Chapter 57. Associations' Duties and Obligations
§5703. Minor Employees

A. No person may be employed in or about the racetrack in violation of applicable Louisiana child-labor law. Each association shall ensure that every minor employee possesses any work permit, employment certificate, or other authorization required by law and shall make such documentation available to the commission upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148 and R.S. 4:157.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:433 (December 1976), amended LR 3:29 (January 1977), LR 4:277 (August 1978).

§5736. Purses from Video Poker

A. Monies appropriated to the commission from the Video Draw Poker Purse Supplement Fund and the Video Draw Poker Device Purse Supplement Subfund shall be allocated, distributed, administered, and used in accordance with R.S. 27:435(D)(4), R.S. 27:439, and other applicable law.

B. - E. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S 27:435(D)(4), and R.S. 27:439.

HISTORICAL NOTE: Adopted by the Department of Economic Development, Racing Commission, LR 22:13 (January 1996), amended by the Office of the Governor, Division of Administration, Racing Commission LR 31:3160 (December 2005).

§5759. Health Rules

A. Each association shall comply with all applicable rules, regulations, orders, and requirements of the Louisiana Department of Health governing sanitation, public health, food service, water, sewage, or other health conditions at facilities subject to commission jurisdiction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Racing Commission, LR 2:93 (March 1976), amended LR 2:436 (December 1976), LR 3:32 (January 1977), LR 4:279 (August 1978).

§5761. Test Sample Barn

A. Each racing associations shall provide a test or retention barn, approved by the commission, for the collection of blood, urine, and other specimens authorized by the commission. Horses directed to the test or retention barn shall remain there until required specimens have been collected and the horse is released by an authorized commission representative. The association shall provide or permit the personnel, facilities, utilities, equipment, and access reasonable required by the commission for specimen collection, identification, sealing, storage, safeguarding, and transfer. Specimens shall be collected from horses as ordered by the commission, state steward, or other person authorized by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:436 (December 1976), amended LR 3:32 (January 1977), LR 4:279 (August 1978).

§5769. Physical Security Measures

A. Each association shall maintain physical security measures reasonably necessary to protect racing participants, horses, restricted areas, test and retention barns, wagering operations, commission personnel, and the integrity of racing.

B. The commission, the Louisiana State Police acting under the authority and direction of the commission as out of box stewards, or another qualified person or entity authorized by the commission may conduct random or risk-based physical security reviews of an association's racetrack and related facilities.

C. A written report may identify deficiencies and require corrective action within a reasonable period fixed by the commission or its designee. The association may request review by the commission of a disputed deficiency within the time stated in the notice.

D. Failure to timely correct a deficiency, comply with a lawful security directive, or maintain required security measures may constitute grounds for disciplinary action authorized by law and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by Department of Economic Development, Racing Commission, LR 14:701 (October 1988).

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Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

Public Comments

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_____ _____

Stephen Landry
Executive Director

Date

NOTICE OF INTENT
Office of the Governor
Division of Administration
Racing Commission

Division of Prizes; Dead Heat for Second and Third (LAC 35:V.7103)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to amend LAC 35:V.7103. The proposed amendment rewords and organizes the dead heat situations and solutions for better clarity.

Title 35
HORSE RACING
Part V. Racing Procedures

Chapter 71. Dead Heats
§7103. Division of Prizes; Dead Heats

A. If two or more horses dead heat for first place, the purse monies and other prizes payable for the finishing positions occupied by the dead-heating horses shall be aggregated and divided equally among them.

B. If two or more horses dead heat for second place or any lower purse-paying position, the purse monies and other prizes payable for the finishing positions occupied by the dead-heating horses shall be aggregated and divided equally among them.

C. For purposes of any penalty, allowance, eligibility condition, or other rule based upon money won, each horse involved in a dead heat shall be credited with the amount actually received by that horse as a result of the dead heat.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.
HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated LR 2:441 (December 1976), amended LR 3:37 (January 1977), LR 4:282 (August 1978).

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Family Impact Statement

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Poverty Impact Statement

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_____ _____

Stephen Landry
Executive Director

Date

NOTICE OF INTENT
Office of the Governor
Division of Administration
Racing Commission

Place and Time of Delivery (LAC 35:XI.9941)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to amend LAC 35:XI.9941. The proposed amendment updates the types of specimens and authorized release conditions needed before delivery of a claimed horse to reflect modern practice.

Title 35
HORSE RACING
Part XI. Claiming Rules and Engagements

Chapter 99. Claiming Rule
§9941. Place and Time of Delivery

A. Delivery of a claimed winning horse to the claimant or the claimant's representative shall be made in the commission retention barn only after all blood, urine, or other specimens ordered or approved by the commission have been obtained and the horse has been released by an authorized commission representative. This Section also applies to any claimed horses selected for additional testing ordered by the commission, state steward, or other person authorized by the commission.

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 2:436 (December 1976), amended LR 3:32 (January 1977), LR 4:279 (August 1978).

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Family Impact Statement

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Stephen Landry
Executive Director

Date