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Charles A. Gardiner III
Executive Director

LOUISIANA STATE RACING COMMISSION

AMENDED MEETING NOTICE

THE LOUISIANA STATE RACING COMMISSION WILL HOLD A MEETING AT 10:00AM ON MONDAY, AUGUST 28TH, 2023 IN THE EVENT CENTER PREFUNCTION ROOM IN THE EVANGELINE DOWNS RACETRACK & CASINO, 2235 CRESWELL LANE EXTENSION, OPELOUSAS, LOUISIANA. THE PUBLIC MAY ATTEND AND PARTICIPATE IN-PERSON ONLY.

APPROVAL OF APRIL 17TH, 2023 MEETING MINUTES

I. ADJUDICATIONS

A. VIOLATIONS OF LAC 35:V.7901 (Careless Riding)

- Angel Suarez, Jockey.** (*Adjudication Appealed*)
Ruling#LD25317 of 05/20/23 - Careless Riding
- Jose L. Rodriguez, Jockey.** (*Adjudication Appealed*)
Ruling#ED25335 of 06/01/23 - Careless Riding
- Arturo Alvarez, Jockey.** (*Adjudication Appealed*)
Ruling#DD25345 of 06/14/23 - Careless Riding
- Rolando Cabrera, Jockey.** (*Adjudications Appealed*)
Ruling#DD25344 of 06/14/23 - Careless Riding
Ruling#DD25358 of 06/28/23 - Careless Riding

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

- Joy I. Marlin, Trainer.** (*Adjudication Appealed*)
Ruling#LD25040 of 09/03/22 - *Theophylline (ARCI Category III)*
Continued from April 17th, 2023 Commission Meeting
- Homar Garza, Trainer.** (*Adjudications Referred*)
Ruling#ED25063 of 10/06/22 - *Zilpaterol (ARCI Category II)*
& Arsenic (ARCI Category III)
Ruling#ED25064 of 10/06/22 - *Zilpaterol (ARCI Category II)*
Continued from April 17th, 2023 Commission Meeting

- 3. **Juan R. Cano, Trainer.** (*Adjudication Appealed*)
Ruling#FG25265 of 03/18/23 – *Albuterol (ARCI Category III)*
(*Adjudication Appealed & Referred*)
Ruling#FG25266 of 03/18/23 – *Albuterol (ARCI Category III)*

Continued from April 17th, 2023 Commission Meeting

- 4. **Kenneth L. Roberts, Sr., Trainer.** (*Adjudication Referred*)
Ruling#LD25274 of 03/28/23 – *Albuterol (ARCI Category III)*
Ruling#LD25276 of 03/28/23 – *Albuterol (ARCI Category III)*
Ruling#LD25277 of 03/28/23 – *Albuterol (ARCI Category III)*

Continued from April 17th, 2023 Commission Meeting

- 5. **Xavier C. Scott, Trainer.** (*Adjudications Appealed*)
Ruling #DD25330 of 06/01/23 – *Albuterol (Category III)*
Ruling #DD25334 of 06/01/23 – *Albuterol (Category III)*

- 6. **Eduardo L. Morales, Trainer** (*Adjudication Referred*)
Ruling#DD25313 of 05/19/23 – *Modafinil (ARCI Category II)*

C. REQUEST FOR REFUND OF FINE

- 1. **Donald J. Rubin, Trainer**
Ruling#LD24830 of 04/06/22 – *Request for Refund of Fine Paid for an Arsenic Positive*

II. ASSOCIATION REQUESTS

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

1. PROGRESS REPORT

2023 QUARTER HORSE MEET

2. RACING DATE ADDITION

- a. **Ratification** of Amendment to 2023 quarter horse meet to add race date on August 30, 2023 to make up for the races cancelled due to equipment issue on August 12, 2023 race date.

3. RACES

- a. **Ratification** of designated races for Transferred Fair Grounds 2023 quarter horse meet:
 - 07/29/23 Distaff Challenge Trials
 - 08/10/23 The Big Easy Futurity Trials
 - 08/10/23 LQHBA Sales Futurity Trials
 - 08/12/23 Esplanade
 - 08/19/23 Distaff Challenge Final
 - 09/01/23 The Big Easy Futurity Finals
 - 09/02/23 LQHBA Sales Futurity Colts and Geldings Stakes
 - 09/02/23 LQHBA Sales Futurity Filly Stake
 - 09/02/23 Faubourg St. John Stake
 - 09/02/23 Audubon Stake
 - 09/02/23 Mid City Stake
 - 09/02/23 LQHBA Sales Futurity Finals

2023-2024 THOROUGHBRED MEET**4. REQUEST BY BOYD RACING, LLC TO AMEND RACING DATES APPROVED ON April 17, 2023 (R.S. 4:158A) TO REMOVE 10 RACE DAYS, ADD TWO RACE DAYS, AND CHANGE POST TIME (changes highlighted and in bold):****a. Approval for Amended 2023-24 Thoroughbred meet:**

1. Thoroughbred racing on the flat
2. **84 76** thoroughbred race dates (~~10/04/23~~ **10/06/23** through 02/24/24)
 - October **4,5,6,7,11,12,13,14,18,19,20,21,25,26,27,28**
 - November 1,2,3,4,8,9,10,11,15,16,17,18,21,22,24,25,29,30
 - December 1,2,6,7,8,9,13,14,15,16,**18,19,20,21,22,23,27,28,29,30**
 - January ~~3,4,5,6,10~~,11,12,13,~~17~~,18,19,20,~~24,25,26,27,31~~
 - February 1,2,3,7,8,9,10,~~14~~,15,16,17,21,22,23,24
3. Hold minimum of 8 live Thoroughbred races on Wednesdays and Thursdays and hold minimum of 9 live Thoroughbred races on Fridays and Saturdays with the exception of live racing on the following days:
 - Tuesday, November 21, 2023
 - Monday, December 18th, 2023**
 - Tuesday, December 19th, 2023**
4. Dark – no live racing on the following days:
 - Thursday, November 23, 2023
 - ~~Wednesday, December 20, 2023 & Thursday, December 21, 2023~~
 - Friday, December 22nd, 2023 & Saturday, December 23, 2023**
 - Wednesday, January 3, 10, 17, 24, & 31 2023**
 - Wednesday, February 14, 2023**
5. Daily post time **5:15 PM** ~~4:05 PM on Wednesdays & Thursdays and 5:50 PM on Fridays & Saturdays~~ with the following exceptions:
 - 12:55 PM on November 21 & 22, 2023 **and December 18-21, 2023**

5. RACES**a. Approval of first condition book for 2023-2024 thoroughbred meet.****b. Approval of designated races for 2023-2024 thoroughbred meet:**

10/06/23	Magnolia
10/06/23	Gold Cup
10/13/23	Louisiana Jewel
10/13/23	Louisiana Legacy
10/28/23	Crimson Tide Special
11/03/23	Treasure Chest
11/03/23	Delta Mile
11/10/23	My Trusty Cat
11/10/23	Jean Lafitte
12/29/23	Rosewater
12/29/23	Boyd Rewards
01/05/24	Orleans
01/05/24	Sam's Town
02/03/24	Premier Lady Starter
02/03/24	Premier Gentlemen Starter
02/03/24	Premier Ragin Cajun Starter
02/03/24	Premier Bon Temps Starter
02/03/24	Premier Prince
02/03/24	Premier Starlet
02/03/24	Premier Distaff
02/03/24	Premier Championship
02/03/24	Premier Matron
02/03/24	Premier Sprint

6. STEWARD

- a. Approval of Tom Davis to serve as state steward for 2023-2024 thoroughbred meet.

2024 QUARTER HORSE MEET

7. LICENSE APPROVALS

- a. Approval for 2024 quarter horse meet:

- 1. 10 year license to own and operate a race track, per R.S. 4:158.
- 2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
- 3. Serve as concessionaire.

8. RACING DATES (R.S. 4:158A), RACES AND POST TIMES

- a. Approval for 2024 quarter horse meet:

- 1. Quarter horse racing on the flat
- 2. 46 quarter horse race dates (4/26/24 through 7/13/24):
April 26,27
May 1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25,29,30,31
June 1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29
July 3,4,5,6,10,11,12,13
- 3. Hold minimum of 8 live quarter horse races daily (Wednesday through Saturday)
- 4. Daily post time 6:10 PM

9. WAGERING (LAC 35:XIII.Ch 103-127)

- a. Approval for 2024 quarter horse meet wagering:

- 1. \$1 minimum WPS & Exacta on all races
- 2. 50¢ Trifecta on all races with five or more entries
- 3. 10¢ Superfecta on all races with six or more entries
- 4. 50¢ Rolling Pick 3 beginning on Race 1
- 5. 50¢ Pick 4 on Races 2-5 and last 4 races using Pick N Wagering Method Number 4
- 6. 50¢ Pick 5 on first 5 races and last 5 races using Pick N Wagering Method Number 4
- 7. \$1 Rolling Daily Double beginning on Race 1

B. THE OLD EVANGELINE DOWNS, LLC

d/b/a EVANGELINE DOWNS RACETRACK & CASINO

1. PROGRESS REPORT

2023 THOROUGHBRED MEET

2. RACES

- a. Ratification of first condition book for 2023 thoroughbred meet.

- b. Ratification of designated races for 2023 thoroughbred meet:

04/07/23	Spotted Horse
04/07/23	Acadiana Stakes
04/08/23	Evangeline Mile
04/08/23	Lafayette Stakes
05/05/23	EvD Distaff
05/05/23	Creole Lady
05/05/23	Cajun Miss
05/06/23	EVD Classic
05/06/23	King Creole
05/06/23	Ragin Cajun
06/03/23	Louisiana Legends Turf
06/03/23	Louisiana Legends Turf Distaff
06/03/23	Louisiana Legends Sprint
06/03/23	Louisiana Legends Mademoiselle
06/03/23	Louisiana Legends Cheval
06/04/23	Louisiana Legends Soiree
07/01/23	Opelousas Stakes
07/01/23	John Henry Stakes (CONTINUED ON NEXT PAGE)

07/07/23 Louisiana Stallion Stakes (FM Division) (Restricted)
07/07/23 D.S. "Shine" Young Futurity (Filly Division)
07/08/23 Louisiana Stallion Stakes (Restricted)
07/08/23 D.S. "Shine" Young Futurity (Colts & Geldings Division)

3. STEWARDS, OFFICIALS & MANAGEMENT

a. Ratification of additional officials for 2023 thoroughbred meet:

*Myrinda Willis – Placing Judge
Coplen Bouget – Outrider
**new officials*

2023 QUARTER HORSE MEET

4. RACES

a. Approval of first condition book for 2023 quarter horse meet.

b. Approval of designated races for 2023 quarter horse meet:

09/30/23 EvD Dash
10/06/23 Amelia Belle
10/07/23 EvD Open Graduation Trials
10/27/23 Race and Aces
10/28/23 EvD Open Graduation Finals
11/04/23 Opelousas
11/17/23 EvD Futurity Trials
11/18/23 EvD Derby Trials
11/24/23 Louisiana Million Futurity Trials
11/25/23 LQHBA Breeders Derby Trials
12/15/23 EvD Derby
12/15/23 EvD Futurity
12/16/23 LQHBA Breeder's Derby
12/16/23 LQHBA Louisiana Million
12/16/23 LQHBA Louisiana Million Invitational
12/16/23 Louisiana Champions Day Juvenile
12/16/23 Louisiana Champions Day Derby
12/16/23 Louisiana Champions Day Classic
12/16/23 Scoopies Leaving You

5. STEWARDS, OFFICIALS & MANAGEMENT

a. Ratification of officials for 2023 quarter horse meet:

Chris Warren – Director of Racing Operations
Corey Veazey – Racing Secretary
Ashley Simon – Assistant Racing Secretary/Stakes Coordinator
Frank Rudis – Association Steward
Mark Guidry – Association Steward
Sara Lopez – Paddock Judge
Traci Vickers – Identifier
Harvey Lourd III – Clerk of Scales
Damon Menard – Jockey Room Custodian
Sandra Calais – Claims Clerk/Alternate Placing Judge
TBD – Placing Judge
Kaitlyn Jason – Placing Judge
*Myrinda Willis – Placing Judge
Brett Poole – Clocker
Ray Sibille – Clocker
Russell Comeaux – Starter
Jacob Deville – Outrider
Coplan Bouget – Outrider
Bradlee Hanks – Outrider
**new officials*

b. Approval of Charles Ashy, Jr. to serve as state steward for 2023 quarter horse meet.

6. RACING DAYS COMMITTEE PROPOSED TB DATES

- a. Discussion of Evangeline Downs and Louisiana Downs 2024 Thoroughbred race dates as proposed by the Racing Days Committee.

2024 THOROUGHBRED MEET**7. LICENSE APPROVALS**

- a. Approval for 2024 thoroughbred meet:
1. 10 year license to own and operate a race track, per R.S. 4:158.
 2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
 3. Serve as concessionaire.

8. RACING DATES (R.S. 4:158A), RACES AND POST TIMES

- a. Approval for 2024 thoroughbred meet:
1. Thoroughbred racing on the flat
 2. 76 thoroughbred race dates (4/3/24 through 8/24/24):

April	3,4,5,6,10,11,12,13,17,18,19,20,24,25,26,27
May	1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25,29,30,31
June	1,5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29
July	4,5,6,11,12,13,18,19,20,25,26,27
August	1,2,3,8,9,10,15,16,17,22,23,24
 3. Hold minimum of 8.5 live thoroughbred races daily (Wednesday through Saturday)
 4. Daily post time 5:30 PM

9. WAGERING (LAC 35:XIII.Ch 103-127)

- a. Approval for 2024 thoroughbred meet wagering:
1. WPS & Exacta on all races
 2. Daily Double on all races
 3. Trifecta on all races complying with the *Rules of Racing*
 4. Rolling Pick 3 beginning with Race 1
 5. Pick 4 on first 4 races and on last 4 races using Pick N Wagering Method Number 4
 6. Pick 5 on first 5 races and on last 5 races using Pick N Wagering Method Number 4
 7. Superfecta on all races complying with the *Rules of Racing*

**C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC
d/b/a FAIR GROUNDS RACE COURSE & SLOTS****1. PROGRESS REPORT****2023-2024 THOROUGHBRED MEET**

2. REQUEST BY CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC TO AMEND RACING DATES APPROVED ON April 17, 2023 (R.S. 4:158A) TO REMOVE 4 RACE DAYS AND ADD EXCEPTIONS TO POST TIME (changes highlighted and in bold):

- a. Approval for amended 2023-2024 thoroughbred meet:

1. **80 76** thoroughbred race dates (11/17/23 through 3/24/24)

November	17,18, 19 ,23,24,25,30
December	1,2,3,7,8,9,10,14,15,16,17, 18 ,21,22,23, 28 ,29,30,31
January	1,4,5,6,7,11,12,13, 14 ,15,18,19,20,21,25,26,27,28
February	1,2,3,4,8,9,10,12,13,15,16,17,18,22,23,24,25,29
March	1,2,3,6,7,8,9,10,13,14,15,16,17,20,21,22,23,24

2. Daily post time 12:45 PM with the following exceptions:

12:00PM post time on **November 23, 2023**, December ~~9~~ & 23, 2023, January 20, 2024, February 17, 2024, and March 23, 2024.

3:00 PM post time on January 27th, 2024.

5:00 PM post time on March 15th, 2024

3. STEWARD

- a. Approval of Charles Ashy, Jr. to serve as state steward for 2023-2024 thoroughbred meet.

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

1. PROGRESS REPORT

2024 QUARTER HORSE MEET

2. LICENSE APPROVALS

- a. Approval for 2024 quarter horse meet:
 - 1. 10 year license to own and operate a race track, per R.S. 4:158.
 - 2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
 - 3. Serve as concessionaire.

3. RACING DATES (R.S. 4:158A), RACES AND POST TIMES

- a. Approval for 2024 quarter horse meet:
 - 1. Quarter horse racing on the flat
 - 2. 46 quarter horse race dates (1/2/24 through 3/31/24):
 - January 2,3,4,9,10,11,15,16,17,22,23,24,29,30,31
 - February 5,6,7,12,13,14,19,20,21,26,27,28
 - March 1,2,3,4,8,9,10,11,15,16,17,18,22,23,24,25,29,30,31
 - 3. Hold minimum of 7 live quarter horse races daily
 - 4. Post time 1:05 PM

4. WAGERING (LAC 35:XIII.Ch 103-127)

- a. Approval for 2024 quarter horse meet wagering:
 - 1. WPS & Exacta on all races
 - 2. Rolling Daily Double beginning with Race 1
 - 3. Rolling Pick 3 beginning with Race 1
 - 4. Trifecta on all races complying with the *Rules of Racing*
 - 5. Superfecta on all races complying with the *Rules of Racing*
 - 6. Pick 4 on last 4 races using Pick N Wagering Method Number 1
 - 7. Pick 5 on last 5 races using Pick N Wagering Method Number 1
 - 8. Pick 6 on last 6 races using Pick N Wagering Method Number 7
 - 9. Super Hi-5 on the last race

2024 THOROUGHBRED MEET

5. LICENSE APPROVALS

- a. Approval for 2024 thoroughbred meet:
 - 1. 10 year license to own and operate a race track, per R.S. 4:158.
 - 2. 10 year license to own and operate OTB locations, per R.S. 4:211 et seq.
 - 3. Serve as concessionaire.

6. RACING DATES (R.S. 4:158A), RACES AND POST TIMES

- a. Approval for 2024 thoroughbred meet:
 - 1. Thoroughbred racing on the flat
 - 2. 57 thoroughbred race dates (5/26/24 through 09/18/24):
 - May 26,27,28
 - June 2,3,4,9,10,11,16,17,18,23,24,25,30
 - July 1,2,7,8,9,14,15,16,21,22,23,28,29,30
 - August 4,5,6,11,12,13,14,18,19,20,21,25,26,27,28
 - September 1,2,3,4,8,9,10,11,15,16,17,18
 - 3. Hold minimum of 8 live thoroughbred races daily
 - 4. Post time 4:05 PM

7. WAGERING (LAC 35:XIII.Ch 103-127)

a. Approval for 2024 thoroughbred meet wagering:

1. WPS & Exacta on all races
2. Rolling Daily Double beginning with Race 1
3. Rolling Pick 3 beginning with Race 1
4. Trifecta on all races complying with the *Rules of Racing*
5. Superfecta on all races complying with the *Rules of Racing*
6. Pick 4 on last 4 races using Pick N Wagering Method Number 1
7. Pick 5 on last 5 races using Pick N Wagering Method Number 1
8. Pick 6 on last 6 races using Pick N Wagering Method Number 7
9. Super Hi-5 on the last race

III. BREEDER UPDATES

A. LOUISIANA THOROUGHBRED BREEDERS ASSOCIATION (LTBA)

1. PROGRESS REPORT

B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)

1. PROGRESS REPORT

IV. COMMITTEE REPORTS

A. MEDICATION COMMITTEE, by Committee Chair Patrick Bernard

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

C. LEGAL COMMITTEE, by Committee Chair Thomas B. Calvert

D. SECURITY COMMITTEE, by Committee Chair Louis Reine

E. RACETRACK/HBPA LIAISON COMMITTEE, by Committee Chair Donald "Don" Cravins

F. FINANCE COMMITTEE, by Committee Chair Leslie Bouie

G. RACING DAYS COMMITTEE, by Committee Chair Mike R. McHalfey

H. INFRASTRUCTURE COMPLIANCE COMMITTEE, by Committee Chair Louis Reine

V. OTHER

A. PRESENTATION ON HORSE SENSOR TECHNOLOGY

1. **Presentation** by Mr. Greg Pachman, General Manager of StrideSAFE, LLC regarding equine sensor technology.

B. 2023 LEGISLATIVE BILLS

1. **Discussion/Review** of Acts 103, 258, & 261 of the 2023 Regular Legislative Session.

C. SPECIAL COUNSEL

1. **Approval** to enter into a Legal Services Contract with/and to designate Paul A. Bonin as Special Counsel in place of AAG Brett Bonin in the LGCB v. Lafourche matter in the 19th JDC and any other matter that may concern the constitutionality of HHR within the Contract period.

VI. RULES

A. DISCUSSION/NOTICE OF INTENT:

1. LAC 35:XI.Chapter 99 – Claiming Rule
§9905. Claiming Procedures [amend]

VII. ADJOURNMENT



Charles A. Gardiner III
Executive Director

**Committee Proposed Evangeline Downs (Blue) &
Louisiana Downs (Yellow) 2024 Thoroughbred Race Meets**

8000 E. Texas St., Bossier City 71111 * (318) 742-5555 * www.ladowns.com

Sun	Mon	Tue	Wed	Thu	Fri	Sat
April 2024						
			03	04	05	06
			10	11	12	13
			17	18	19	20
			24	25	26	27
May 2024						
			01	02	03	04
			08	09	10	11
			15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	
June 2024						
						01
02	03	04	05	06	07	08
09	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						
July 2024						
	01	02	03	04	05	06
07	08	09	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
August 2023						
				01	02	03
04	05	06	07	08	09	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			
September 2024						
01	02	03	04			
08	09	10	11			
15	16	17	18			
22	23	24				

- * Overlap Dates in Green (7 Total)
- * LaD Only Dates in Yellow (69 Total)
- * EvD Only Dates in Blue (69 Total)
- * Minimum 8-9 Races Per Day

SENATE BILL NO. 160

BY SENATOR CORTEZ

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 4:147 and 164(C)(1), and R.S. 27:361(E)(3)(a), relative to the Louisiana State Racing Commission; to provide for powers and duties; to provide for rulemaking authority and prohibitions; to provide for a facility maintenance and improvement fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:147 and 164(C)(1) are hereby amended and reenacted to read as follows:

§147. Specific duties of commission

A. The commission shall carry out the provisions of this Part, including the following specific duties:

(1)(a) To assign the dates race meetings may be conducted in this state at a particular track, including dates which limit racing at a particular track for quarter horses only, provided that:

(i) It shall prohibit the conducting of any thoroughbred race meetings having the same or overlapping dates for such race meetings at thoroughbred race tracks within a radius of one hundred miles of each other.

(ii) It shall prohibit the conducting of any exclusively quarter horse race meetings having the same or overlapping dates for such race meetings at any other exclusively quarter horse track within a radius of one hundred miles of each other.

(b) To set the minimum number of live races required per race day at a particular track.

(2)(a) ~~The commission shall~~ To appoint three stewards to serve each day of each race meeting conducted under the provisions of this Part. One of the stewards shall be appointed by the commission to represent the Louisiana State Racing

1 Commission and shall be designated as the state steward who shall upon appointment
2 be residing in the state.

3 (b) The amount to be paid by the commission to the state steward as
4 compensation for his services shall be at least the same amount paid to the two
5 stewards appointed to represent an association, and the association shall reimburse
6 the commission in an amount equal to the amount paid by it to the state steward as
7 his compensation, as aforesaid, which amount shall be considered an additional fee
8 due the state by an association for the privileges granted in its license.

9 (c) Two of the stewards shall be nominated by the association conducting a
10 race meeting under the provisions of this Part and, prior to serving as such, shall be
11 approved and appointed by the commission. The amounts to be paid these two
12 stewards as compensation for their services shall be paid by the association
13 nominating them, which amounts shall also be considered an additional fee due the
14 state by an association for the privileges granted in its license.

15 (d) The commission may appoint other stewards to be compensated by it and
16 assign to each such duties as are consistent with this Part; however, such other
17 stewards shall not serve as a steward in the stewards stand during any race meeting
18 conducted under the provisions of this Part, except with the written consent of the
19 association conducting such race meeting.

20 (e) The commission shall be required to show just cause for not appointing
21 any racing official submitted to it for its approval.

22 (3) To make an annual report to the governor of its operation, its own actions
23 and rulings, and the receipts derived under the provisions of this Part; and to offer
24 such practical suggestions as it deems proper to accomplish more fully the purposes
25 of this Part.

26 (4) To require of each applicant seeking a license to operate a race meeting
27 an application setting forth:

28 (a) The full name of the person, and if a corporation the name of the state
29 under which it is incorporated, and the names of the corporation's agents for the
30 service of process within Louisiana.

1 (b) If an association or corporation, the names of the stockholders and
2 directors of the corporation or the names of the members of the association.

3 (c) The exact location where it is desired to conduct or hold a racing meet.

4 (d) Whether or not the racing plant is owned or leased, and if leased the name
5 and address of the owner, or if the owner is a corporation, the names of its directors
6 and shareholders. However, nothing in this Part prevents any person from applying
7 to the commission for a permit to conduct races where the racing plant has not yet
8 been constructed.

9 (e) A statement of the assets and liabilities of the person applying for a
10 license.

11 (f) The kind of racing to be conducted and the dates requested.

12 (g) Such other information as the commission may require.

13 (5) To require an oath of every applicant, by the person or executive officer
14 of the association or corporation, stating that the information contained in the
15 application is true.

16 (6) To make rules and regulations for the holding, conducting, and operating
17 of all ~~race tracks~~, race meets; and races held in Louisiana, provided such regulations
18 are uniform in their application and effect.

19 (7) ~~Make~~ To make rules and regulations providing for minimum standards
20 and infrastructure investments required for each association regarding facility
21 maintenance and facility improvements including but not limited to track surface,
22 barns, grandstands, and paddocks in order for the association or licensee to conduct
23 race meets at a particular track.

24 (8) ~~Make~~ To make rules and regulations providing for ~~minimum~~ full-time
25 and seasonal employment ~~requirements including but not limited to food service,~~
26 ~~marketing,~~ recommendations for pari-mutuel windows; and kiosk repair staffing
27 in order for the association or licensee to conduct race meets at a particular track.

28 (9) To make rules and regulations applicable to offtrack wagering facility
29 licensees for pari-mutuel wagering that occurs in a sports book lounge of an entity
30 licensed by the Louisiana Gaming Control Board to conduct sports wagering

1 pursuant to Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950.

2 **B. The commission shall not make rules regarding the operation or hours**
3 **of operation of a racetrack other than matters necessary to the holding of such**
4 **race meetings and pari-mutuel wagering.**

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6 §164. Facility maintenance and improvement fund

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8 C.(1) ~~After July 1, 2023~~ **If an association is found not to be in compliance**
9 **with the minimum standards and infrastructure investments by the date set by**
10 **the commission for compliance**, ten percent of gross profits shall be deposited into
11 the fund, **up to a maximum of three million dollars**, until such time that all
12 commission-required facility maintenance and improvements have been completed
13 as determined by the commission. Such deposits shall be made at the same time as
14 the state tax is paid.

15 * * *

16 Section 2. R.S. 27:361(E)(3)(a) is hereby amended and reenacted to read as follows:

17 §361. Conduct of slot machine gaming; temporary conduct

18 * * *

19 E.(1)

* * *

20 (3)(a) Notwithstanding Paragraph (1) of this Subsection, upon notification
21 from the Louisiana State Racing Commission that the licensed eligible facility is not
22 in compliance with R.S. 4:164 but is cooperating with the commission and working
23 towards compliance, the board may grant or renew a license **pursuant to Paragraph**
24 **(1) of this Subsection or** for a probationary period ~~not to exceed one year. Barring~~
25 ~~extenuating circumstances as determined by the board, the probationary period shall~~
26 ~~not be extended beyond one year. After the probationary period, the board shall~~
27 ~~either grant or renew the license pursuant to Paragraph (1) of this Subsection for the~~
28 ~~remainder of the term or revoke the license: **to be determined by the board.**~~

29 * * *

30 Section 3. This Act shall become effective on July 1, 2023; if vetoed by the governor

SB NO. 160

ENROLLED

- 1 and subsequently approved by the legislature, this Act shall become effective on the day
2 following such approval by the legislature or July 1, 2023, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 144

BY SENATOR CORTEZ AND REPRESENTATIVES BACALA, BRYANT, FISHER,
HUGHES, LARVADAIN, MARCELLE, NEWELL, PIERRE,
SELDERS, THOMPSON AND WILLARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 4:147(1) and (3), 214.1, and 218.1, relative to horse racing; to provide for duties of the commission; to provide for the number of live horse racing dates; to decrease the license fee collected for historical horse racing; to provide for distribution of collected fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:147(1) and (3), 214.1, and 218.1 are hereby amended and reenacted to read as follows:

§147. Specific duties of commission

The commission shall carry out the provisions of this Part, including the following specific duties:

(1)(a) To assign the dates race meetings may be conducted in this state at a any particular track, including dates which limit racing at a particular track for quarter horses only, provided that:

(i) ~~It~~ **To the extent possible, it** shall prohibit the conducting of any thoroughbred race meetings having the same or overlapping dates for such race meetings at thoroughbred race tracks within ~~a radius of one hundred miles of each other~~ **the state**.

(ii) ~~It~~ **To the extent possible, it** shall prohibit the conducting of any exclusively quarter horse race meetings having the same or overlapping dates for such race meetings at any other exclusively quarter horse track within ~~a radius of one hundred miles of each other~~ **the state**.

(b) To set the minimum number of live races required per race day at a any particular track.

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(3)(a) To make an annual report to the governor and the legislature of its operation, its own actions and rulings, and the receipts derived under the provisions of this Part; and to offer such practical suggestions as it deems proper to accomplish more fully the purposes of this Part.

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(b) To make an annual report to the governor and the legislature regarding the race calendar, field size, the number of races, handle, attendance, the effect of overlapping race days compared to previous years, and any other relevant matters along with any recommendations to improve the racing industry in the state.

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§214.1. Minimum live racing dates; offtrack and other authorized wagering

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A. An association shall not be licensed to conduct offtrack or other authorized wagering in the state unless it conducts live horse racing for not less than ~~one hundred thirty~~ **one hundred twenty-two** racing days within each fifty-two week period at the facility designated in its license. Of the required ~~one hundred thirty one~~ **hundred twenty-two** racing days, not less than ~~eighty-four~~ **seventy-six** days shall be thoroughbred horse racing days conducted during **no more than** twenty-one consecutive weeks and not less than forty-six days shall be quarter horse racing days conducted during **no more than** twelve consecutive weeks. The foregoing minimum racing requirements are mandatory unless the association is prevented from live racing as a result of a natural disaster, an act of God, force majeure, a catastrophe, or such other occurrence over which the association has no control. When a pari-mutuel wagering facility and a related offtrack betting facility are sold, the purchaser shall conduct the minimum number of live racing days, including the minimum quarter horse racing days, required by this Section as a condition of operating the offtrack betting facility.

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B. Notwithstanding any provision of law to the contrary, at any facility subject to the provisions of R.S. 27:372.1(A), the facility shall maintain a minimum of ~~eighty~~ **seventy-six** thoroughbred horse racing days conducted during twenty

1 consecutive weeks and not less than fifteen days of quarter horse racing conducted
 2 during five consecutive weeks. The racing days provided for in this Subsection shall
 3 be conducted within a fifty-two week period. The foregoing minimum racing
 4 requirements are mandatory unless the association is prevented from live racing as
 5 a result of a natural disaster, an act of God, force majeure, a catastrophe, or such
 6 other occurrence over which the association has no control. When a pari-mutuel
 7 wagering facility and a related offtrack betting facility are sold, the purchaser shall
 8 conduct the minimum number of live racing days, including the minimum quarter
 9 horse racing days, required by this Section as a condition of operating the offtrack
 10 betting facility.

11 C. Notwithstanding Subsections A and B of this Section, the commission
 12 may reduce the number of race days by up to twenty-one upon a showing by the
 13 association and the Horsemen's Benevolent and Protection Association that the
 14 reduction would be in the best interests of the industry.

15 D. If the association and the Horsemen's Benevolent and Protection
 16 Association cannot reach an agreement pursuant to Subsection C of this
 17 Section, the commission may, by a two-thirds vote of the membership, reduce
 18 the number of race days by up to twenty-one upon a showing by the association
 19 that without the reduction of race days the association would experience
 20 imminent financial distress. The commission shall examine all financial records
 21 of the association and any relevant financial records of any affiliates for the
 22 purpose of determining equitable cost allocation. Any examination of financial
 23 records shall be confidential. After the examination, the commission shall
 24 release a summary of relevant facts, but any proprietary information or trade
 25 secrets shall remain confidential.

26 * * *

27 §218.1. Historical horse racing fee authorization

28 The commission may shall collect a license fee ~~not to exceed four of one and~~
 29 one-half percent of the total amount wagered at each offtrack wagering facility on
 30 historical horse racing ~~to cover administrative costs.~~ The fee shall be allocated as

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follows:

(1) Sixty-seven percent to the commission.

(2) Eleven and one-half percent to the Louisiana Thoroughbred Breeders Association for promotion of the appropriate breeding industry and for breeder awards.

(3) Five percent to the Louisiana Quarterhorse Breeders Association for promotion of the appropriate breeding industry and for breeder awards.

(4) Eight and one-quarter percent to the parish governing authority where the offtrack wagering facility is located. When a facility is located within the corporation limits of a city, town, or municipality, one-half of the total funds allocated pursuant to the provisions of this Paragraph shall be disbursed to the governing authority of that city, town, or municipality.

(5) Eight and one-quarter percent to the sheriff of the parish where the offtrack wagering facility is located. When a facility is located within the corporation limits of a city, town, or municipality, one-half of the total funds allocated pursuant to the provisions of this Paragraph shall be disbursed to the police department of that city, town, or municipality.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

SENATE BILL NO. 173

BY SENATOR FOIL AND REPRESENTATIVES BRYANT, ROBBY CARTER,
FISHER, GLOVER, HUGHES, LARVADAIN, MARCELLE, MARINO,
NEWELL, SELDERS AND WILLARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 4:183(A) and (B)(2) through (4), 183.2(A) and (B)(2) and the introductory paragraph of R.S. 27:361(B)(4)(a), 361(B)(4)(a)(iii), and 438(A), and to enact R.S. 4:183.2(B)(3) and (4), and R.S. 27:361(B)(4)(a)(iv), relative to horse racing; to provide relative to authorized representatives; to provide for disposition of accrued interest on undistributed monies; to provide for the conduct of slot machine gaming activity; to provide relative to purse supplements; to provide for distribution of device revenues; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:183(A) and (B)(2) through (4), 183.2(A) and (B)(2) are hereby amended and reenacted and R.S. 4:183.2(B)(3) and (4) are hereby enacted to read as follows:

§183. Contracts between licensees and permittees licensed to race horses at race meetings conducted in the state

A. The monies to be distributed ~~by a licensee~~ as purses to permittees licensed to race horses in Louisiana and the monies to be distributed ~~by a licensee~~ to the Horsemen's Benevolent and Protective Association for the use and benefit of such permittees, their employees, and others, for hospital and medical benefits and for the administrative expenses in providing these benefits shall be and include:

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B.

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1 (2) In the event the amount distributed as purses is more than the amount
2 required by Subsection A of this Section, the overpayment shall be carried forward
3 to the next race meeting conducted by the same association. It shall be carried on the
4 association books as an asset: unless and until the overpayment is remitted to the
5 Horsemen's Benevolent and Protective Association pursuant to R.S. 4:183.2. If
6 remitted to the Horsemen's Benevolent and Protective Association, the
7 overpayment shall be carried on the Horsemen's Benevolent and Protective
8 Association books as an asset.

9 (3) In the event the amount distributed as purses to persons licensed to race
10 horses at thoroughbred race meetings conducted in the state is less than the amount
11 required by this Section, and more than an amount equal to two times the average
12 daily purse distribution at the thoroughbred race meeting at which generated, it shall
13 be delivered to the Horsemen's Benevolent and Protective Association for further
14 distribution to persons having earned monies during the meeting, in the direct
15 proportion that the underpayment is to the monies earned by that person at that
16 meeting. In the event the underpayment is less than an amount equal to two times the
17 average daily purse distribution at that meeting, it shall be retained by the association
18 or the Horsemen's Benevolent and Protective Association in an interest bearing
19 account to be used for purses at the next thoroughbred meeting conducted by that
20 association. Interest earned on the account shall be added to the purse paid over and
21 above the amount required to be paid as purses by this Section.

22 (4) In the event the amount distributed as purses to persons licensed to race
23 horses at quarter horse race meetings conducted in the state is less than the amount
24 required by this Section and more than an amount equal to two times the average
25 daily purse distribution at the quarter horse race meeting at which generated, it shall
26 be delivered to the Horsemen's Benevolent and Protective Association for further
27 distribution to persons having earned monies during the meeting, in the direct
28 proportion that the underpayment is to the monies earned by that person at that
29 meeting. In the event the underpayment is less than an amount equal to two times the
30 average daily purse distribution at that meeting, it shall be retained by the association

1 or the Horsemen's Benevolent and Protective Association in an interest bearing
 2 account to be used for purses at the next quarter horse meeting conducted by that
 3 association. Interest earned on the account shall be added to the purse paid over and
 4 above the amount required to be paid as purses by this Section.

* * *

6 §183.2. Disposition of accrued interest on undistributed monies at a race meeting

7 A. Monies designated for purses under R.S. 4:183(A) shall be remitted to
 8 the Horsemen's Benevolent and Protective Association within ten business days
 9 to be deposited by the licensee in a separate interest-bearing account when earned
 10 and shall remain in that account until the first day of the next race meeting of the
 11 appropriate breed. Monies earned as interest on that account shall be added to those
 12 designated for purses under R.S. 4:183(A) and shall be considered part of the gross
 13 purses as defined therein.

14 B.

* * *

16 (2) Until all monies have been distributed in accordance with R.S.
 17 4:183(A)(4), the Horsemen's Benevolent and Protective Association or all member
 18 and other horsemen in the state and all other persons or entities that receive
 19 purse or purse supplement funds shall be deemed to hold a perfected security
 20 interest in and to all funds that are deemed to have been earned pursuant to this
 21 Section and that have not yet been distributed in accordance with R.S. 4:183(A)(4).
 22 All earned purse money not yet distributed as purses shall be deemed to be held in
 23 trust for the benefit of the Horsemen's Benevolent and Protective Association by the
 24 licensee until such time as such monies are distributed in accordance with law. ~~A~~
 25 ~~licensee shall have a fiduciary duty to the Horsemen's Benevolent and Protective~~
 26 ~~Association to preserve and account for such monies. or remitted to the~~
 27 Horsemen's Benevolent and Protective Association pursuant to Subsection A of
 28 this Section. Following the remittance to the Horsemen's Benevolent and
 29 Protective Association by the licensee, all earned purse money not yet
 30 distributed shall be deemed to be held in trust for the benefit of all member and

1 other horsemen in the state and all other persons or entities that receive purse
2 funds by the Horsemen's Benevolent and Protective Association until such time
3 as the monies are distributed in accordance with the law.

4 (3) A licensee shall have a fiduciary duty to the Horsemen's Benevolent
5 and Protective Association to preserve and account for such monies until such
6 monies are remitted to the Horsemen's Benevolent and Protective Association.
7 Once the licensee remits the monies designated for purses in accordance with
8 R.S. 4:183(A) to the Horsemen's Benevolent and Protective Association
9 pursuant to Subsection A of this Section, it shall have no fiduciary duty to the
10 Horsemen's Benevolent and Protective Association, any member or other
11 horsemen, or any person or entity that receives purse funds to preserve and
12 account for such monies and shall be indemnified against any loss of monies or
13 other circumstance causing the amount of funds to be less than what the licensee
14 remitted to the Horsemen's Benevolent and Protective Association. The
15 Horsemen's Benevolent and Protective Association shall have a fiduciary duty
16 to all member and other horsemen in the state and all other persons or entities
17 that receive purse funds to preserve and account for such monies.

18 (4) The account containing the monies remit to the Horsemen's
19 Benevolent and Protective Association pursuant to Subsection A of this Section
20 shall be subject to audit at all times by the legislative auditor and shall be
21 included in the annual audit required by R.S. 4:185.1.

22 Section 2. The introductory paragraph of R.S. 27:361(B)(4)(a), 361(B)(4)(a)(iii), and
23 438(A) are hereby amended and reenacted and R.S. 27:361(B)(4)(a)(iv) is hereby enacted
24 to read as follows:

25 §361. Conduct of slot machine gaming; temporary conduct

26 * * *

27 B. As a condition of licensing and to maintain continued authority for the
28 conduct of slot machine gaming at the licensed eligible facility, the owner of the
29 licensed eligible facility shall:

30 * * *

1 (4) Contribute to the support of pari-mutuel wagering facilities in the state
2 at large and the horse breeding industry by paying annually from the annual net slot
3 machine proceeds received from slot machine gaming operations at the licensed
4 eligible facility as provided in this Paragraph:

5 (a) The licensed eligible facility shall ~~pay a fixed percentage of fifteen~~
6 ~~percent of the annual net slot machine proceeds received from slot machine gaming~~
7 ~~operations at the licensed eligible facility to supplement purses as follows: transfer~~
8 ~~to the Horseman's Benevolent and Protective Association by the twentieth day~~
9 ~~of each month a fixed percentage of fifteen percent of the previous month's net~~
10 ~~slot machine proceeds received from slot machine gaming operators at the~~
11 ~~licensed eligible facility to supplement purses including any interest earned as~~
12 ~~follows:~~

13 * * *

14 (iii) The Horsemen's Benevolent and Protective Association, designated and
15 recognized as an authorized representative of the Louisiana horsemen, shall be
16 deemed to hold a perfected security interest in and to the fifteen percent of the annual
17 net slot machine proceeds received from slot machine gaming operations at the
18 licensed eligible facility that is required to supplement purses until such purse
19 supplements have been distributed as purses or distributed to the Horsemen's
20 Benevolent and Protective Association in accordance with law. All such purse
21 supplements shall be deemed to be held in trust for the benefit of the Horsemen's
22 Benevolent and Protective Association by the licensee until such time as such monies
23 are distributed in accordance with law: ~~A licensee shall have a fiduciary duty to the~~
24 ~~Horsemen's Benevolent and Protective Association to preserve and account for such~~
25 ~~purse supplements: or transferred to the Horsemen's Benevolent and Protective~~
26 Association pursuant to this Paragraph. The purse supplements transferred by
27 the licensee to the Horsemen's Benevolent and Protective Association as
28 required in this Subparagraph and not yet distributed shall be deemed to be
29 held in trust for the benefit of all members and other horsemen in the state and
30 all other persons or entities that receive purse supplements by the Horsemen's

1 Benevolent and Protective Association until such time as the monies are
 2 distributed in accordance with the law.

3 (iv) A licensee shall have a fiduciary duty to the Horsemen's Benevolent
 4 and Protective Association to preserve and account for only the purse
 5 supplements in its control. Once the licensee transfers purse supplements to the
 6 Horsemen's Benevolent and Protective Association, it shall have no fiduciary
 7 duty to Horsemen's Benevolent and Protective Association, any member or
 8 other horsemen, or any person or entity that receive purse supplements to
 9 preserve and account for the transferred purse supplements and shall be
 10 indemnified against any loss or other circumstance causing the amount of purse
 11 supplements to be less than what the licensee transferred to the Horsemen's
 12 Benevolent and Protective Association and the Horsemen's Benevolent and
 13 Protective Association shall have a fiduciary duty to all member and other
 14 horsemen in the state and all other persons or entities that receive purse
 15 supplements to preserve and account for such purse supplements. The account
 16 containing the purse supplements transferred to the Horsemen's Benevolent and
 17 Protective Association pursuant to this Paragraph shall be subject to audit at
 18 all times by the legislative auditor and shall be included in the annual audit
 19 required by R.S. 4:185.1.

20 * * *

21 §438. Distribution of device revenues; particular licensed establishments;
 22 pari-mutuel wagering facilities

23 A.(1) The owner of the licensed establishment shall pay twenty percent of the
 24 net video draw poker device revenue derived from the operation of video draw poker
 25 devices at that licensed establishment and at its eligible off-track wagering facilities
 26 to the Horsemen's Benevolent and Protective Association to be used to
 27 supplement purses for horsemen as provided in Subsection B of this Section. Such
 28 monies shall be ~~made available~~ remitted to the Horsemen's Benevolent and
 29 Protective Association for use as purses monthly, prior to the twentieth day of the
 30 month following the month in which they are earned.

RULE FOR NOTICE OF INTENT AT AUGUST 28, 2023 LSRC MEETING

Title 35 HORSE RACING Part XI. Claiming Rules and Engagements

Chapter 99. Claiming Rule

§9905. Claiming Procedures

A. Except as otherwise provided herein, a claimed horse shall not ~~run~~ ~~enter in starter,~~ ~~optional or claiming races~~ for 20 days after being claimed in a race in which the determining eligibility price is less than 25 percent more than the price at which the horse was claimed. For a period of 10 days thereafter, a horse is eligible to run back for the same claiming price or higher. The day claimed shall not count, but the following calendar day shall be the first day and the horse shall be entitled to enter whenever necessary so the horse may start on the thirty-first day following the claim for any claiming price. This provision shall not apply to allowance/optional claiming or starter allowance/optional claiming races in which a horse is entered for the allowance condition, starter handicaps in which the weight to be carried is assigned by the handicapper, starter stakes and starter allowance races. This provision shall apply to allowance/optional claiming and starter allowance/optional claiming races, if a horse is entered for a claiming price. A similar rule in other states will be recognized and enforced.

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 30:1476 (July 2004), amended LR 33:2422 (November 2007), LR 41:1673 (September 2015), LR 44:916 (May 2018).