

## CHAPTER 1. COMMISSION POWERS AND JURISDICTION

### **325:1-1-2. Definitions**

In addition to the definitions provided in Section 200.1 of Title 3A, of the Oklahoma Statutes, the following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Act**" means the Oklahoma Horse Racing Act [3A:200 et seq.].

"**Commissioner**" means a member of the Oklahoma Horse Racing Commission.

"**Controlling Owner**" means a person or family who owns or votes fifty percent (50%) or more of the voting shares of a corporation, partnership, syndicate, or other association or entity or who is the Managing, General, or Limited Partner in a partnership which has been issued a currently valid organization license.

"**Controlled substance**" means any substance included in the five classification schedules of the Oklahoma Uniform Controlled Dangerous Substances Act.

"**Day**" means a 24-hour period ending at midnight.

~~"**Drug (medication)**" means a substance foreign to the normal physiology of the horse.~~

"**Horse**" means:

(A) any equine including and designated as mare, filly, stallion, colt, ridgeling, or gelding registered for racing;

(B) an entire equine male five years of age and older.

"**Occupation license**" means a state requirement for any person acting in any capacity pursuant to provisions of the Act.

"**Organization license**" means a state requirement for any person desiring to conduct a race meeting in Oklahoma within the minimum standards as required by the Act and the rules of the Commission.

"**Race day**" means a day during a race meeting when pari-mutuel wagering occurs on live races conducted at that racetrack.

"**Rules**" means the rules adopted by the Commission to implement the provisions of the Act.

"**Safety Steward**" means a duly appointed Racing Official with powers and duties specified by statutes or rules.

"**Steward**" means a duly appointed Racing Official with powers and duties specified by statutes or rules.

"**Substance violation**" means any violation of medication laws or the rules contained within this Chapter.

"**Year**" means a calendar year.

### **325:1-1-7. Jurisdiction of Stewards to Suspend or Fine**

(a) The Stewards' jurisdiction in any matter is continuous. The Stewards may deny, refuse to issue, or refer to the Commission for revocation, or suspend for not more than one year per violation the occupation license of any person whom they have the authority to supervise; or they may impose a fine not to exceed Ten Thousand Dollars (\$10,000) per violation; or they may exclude from all enclosures in this state; or they may suspend and fine and/or exclude; or they may order that a person be ineligible for a license. All

such suspensions, fines, denials, refusals to issue, referrals or exclusions shall be reported immediately to the Commission.

(b) Upon a first offense for the following rule violations, the Stewards shall assess no less than the Stewards' maximum fine and suspension authorization to any person found to be in violation of Commission rules concerning:

(1) a positive laboratory report involving a United States Drug Enforcement Agency Schedule I or II controlled substance, or

(2) possession of a United States Drug Enforcement Agency Schedule I or II controlled substance within the enclosure, or

(3) possession or use within the enclosure of a prohibited electrical or mechanical device. Any person whose racing record(s) reflects such prior rule violation(s) shall, upon a subsequent violation, be referred by the Stewards to the Commission with the Stewards' recommendation for specific fine and suspension above the Stewards' authorized fine and suspension maximums.

(c) The Stewards may suspend a horse from participating in races if the horse has been involved in violation(s) of the Rules promulgated by the Commission or the provisions of the Oklahoma Horse Racing Act under the following circumstances:

(1) A horse is a confirmed Bleeder as determined by the Official Veterinarian, and the Official Veterinarian recommends to the Stewards that the horse be suspended from participation.

(2) A horse is involved with:

(A) Any violation of ~~medication~~ substance laws and rules;

(B) Any suspension or revocation of an occupation license by the Stewards or the Commission or any racing jurisdiction recognized by the Commission; and/or

Any violation of prohibited devices, laws, and rules.

### **325:1-1-14. Location for Information or Filing with Commission**

When information is requested or a notice or Petition for Appeal in any matter is required to be filed with the Commission, such notice shall be delivered to an authorized representative of the Commission at the office of the Commission on or before the filing deadline. Offices of the Commission are currently located at: Oklahoma Horse Racing Commission, ~~Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, Oklahoma 73107. 2800 N. Lincoln Blvd, Suite 220, Oklahoma City, Oklahoma 73105.~~

### **325:1-1-17. Forms and Instructions**

Additions and deletions to this form list and instructions may be subject to change without notice. The following forms and instructions for their use have been adopted by the Commission:

(1) Chain of Custody ~~Forms~~

(2) Equine and Human ~~Drug~~ Substance Testing ~~Forms~~

(3) Fingerprint Card

(4) Horse Identifier's Daily Report

(5) Notices to Appear

(6) Occupation Licensee's Notice of Prescribed Medication Use

(7) Occupation License Applications/Renewal Applications

(8) Oklahoma-Bred Registry ~~Forms~~

- (9) Oklahoma-Bred Claims Forms
- (10) Open Claim Certificate
- (11) Organization Licensee Daily Report Forms
- (12) Organization License Applications
- (13) Petition for Appeal
- (14) Physician's Certificate of Physical
- (15) Request for Information (Open Records)
- (16) Stewards' Reports
- (17) Subpoena (Steward and Commission)
- (18) Veterinarian Report Forms
- (19) Recipient Mare Report
- (20) Request for Split Sample