

John Bel Edwards
Governor

Benjamin J. Guilbeau, Jr.
Chairman

Louis Reine
First Vice Chairman

Dr. Patrick Bernard
Second Vice Chairman



LOUISIANA STATE RACING COMMISSION

Commissioners
Leslie M. Bouie
Thomas B. Calvert
Lane T. Cortez
Donald "Don" Cravins
Eddie J. Delahoussaye
K. R. "Ron" Finkelstein, O.D.
Roy Griggs
Mike R. McHalfey
Ravi K. Sangisetty
Deano Thornton
Charles A. Gardiner III
Executive Director

January 10, 2023

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

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

RE: ANNUAL REPORT

Dear Committee Members:

Pursuant to La. R.S. 49:968(K), I am submitting the enclosed report of action taken by the Louisiana State Racing Commission with respect to proposing, amending and adoption of rules. The report contains all actions taken on rules which were proposed or promulgated between January 1, 2022 and December 31, 2022. The report also contains information on the petitions and submissions received by the LSRC as well as the LSRC's responses to those petitions and submissions.

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

Sincerely,

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

Charles A. Gardiner III
Executive Director

CAG: tm
Enclosures

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

LSRC ACTIONS 2022

The following is a summary of the actions taken by the Louisiana State Racing Commission with respect to amendment and adoption of proposed rules. These actions were taken from January 1, 2022 to December 31, 2022.

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

LAC 35:XVII.Chapter 131

This establishes emergency rules while going through the full rulemaking process and proposes new rules for Wagering on Historical Horse Racing.

Adoption of Emergency Rules per R.S. 49:953.1:	January 28, 2022
Oversight Notification of Emergency Rules:	January 28, 2022
Commission Meeting Date (<i>Public Hearing</i>):	January 28, 2022
Oversight Submittal to House & Senate Commerce Committees:	February 15, 2022
Publication Date (Notice of Intent):	March 20, 2022
Commission Meeting (Public Hearing) Formal Adoption Vote:	June 13, 2022
Final Rule Promulgation Date:	July 20, 2022

LAC 35:VII.8902

This proposes a new rule for Use of Riding Crop in Thoroughbred Races.

Commission Meeting Date (<i>Public Hearing</i>):	April 26, 2022
Oversight Submittal to House & Senate Commerce Committees:	May 12, 2022
Publication Date (Notice of Intent):	June 20, 2022
Commission Meeting (Public Hearing) Formal Adoption Vote:	August 23, 2022
Final Rule Promulgation Date:	September 20, 2022

LAC 35:XI.Chapter 99

This proposes a new rule sections and amendments to Claiming Rule.

Commission Meeting Date (<i>Public Hearing</i>):	April 26, 2022
Oversight Submittal to House & Senate Commerce Committees:	May 12, 2022
Publication Date (Notice of Intent):	June 20, 2022
Commission Meeting (Public Hearing) Formal Adoption Vote:	August 23, 2022
Final Rule Promulgation Date:	September 20, 2022

LAC 46:XLI.321

This proposes a new rule for Horses Suspended Concurrent with Trainer.

Commission Meeting Date (<i>Public Hearing</i>):	April 26, 2022
Oversight Submittal to House & Senate Commerce Committees:	May 12, 2022
Publication Date (Notice of Intent):	June 20, 2022
Commission Meeting (Public Hearing) Formal Adoption Vote:	August 23, 2022
Final Rule Promulgation Date:	September 20, 2022

LAC 35:III.Chapter 57

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

Adoption of Emergency Rules per R.S. 49:953.1:	November 1, 2022
Oversight Notification of Emergency Rules:	October 31, 2022
Adoption of Revised Emergency Rules per R.S. 49:953.1:	November 7, 2022
Oversight Notification of Revised Emergency Rules:	November 7, 2022
Commission Meeting Date (<i>Public Hearing</i>):	October 26, 2022
Oversight Submittal to House & Senate Commerce Committees:	November 18, 2022
Publication Date (Notice of Intent):	December 20, 2022
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	<i>Pending</i>
Final Rule Promulgation Date:	<i>Pending</i>

LAC 35:XV.Chapter 123

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

Adoption of Emergency Rules per R.S. 49:953.1:	November 1, 2022
Oversight Notification of Emergency Rules:	October 31, 2022
Commission Meeting Date (<i>Public Hearing</i>):	October 26, 2022
Oversight Submittal to House & Senate Commerce Committees:	November 18, 2022
Publication Date (Notice of Intent):	December 20, 2022
Commission Meeting (<i>Public Hearing</i>) Formal Adoption Vote:	<i>Pending</i>
Final Rule Promulgation Date:	<i>Pending</i>

PETITIONS AND SUBMISSIONS TO LSRC 2022

The following is a summary of the petitions and submissions received by the Louisiana State Racing Commission (hereinafter "LSRC") with respect to amendment and adoption of rules and the LSRC's response to those petitions and submissions from January 1, 2022 to December 31, 2022.

I. Petitions and Submissions Resulting in Rulemaking

None

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

Petition for Rulemaking regarding removing Piroplasmosis Testing requirement for race horses.

Petition: Mr. Benard Chatters, President of the Louisiana Horsemen's Benevolent and Protective Association (LaHBPA), requested that the LSRC include an Agenda item for its January 18, 2022 Commission Meeting to discuss removing the rule that requires Piroplasmosis Testing in order for horses to be allowed to enter the confines of a racetrack of any licensed association (LAC 35:I.1304.B). At the January 18, 2022 LSRC Meeting, Mr. Chatters advocated for proceeding with rulemaking per LaHBPA Board of Director's vote, and the Commission held open public discussion of the topic with input from the LSRC's Equine Medical Director, Dr. Matt Cooley.

Response: LSRC requested further information about the topic from the Louisiana Department of Agriculture and Forestry and the Texas Racing Commission. After receiving that requested information, the Commission put the topic on the Agenda and voted at the June 13, 2022 LSRC Meeting to keep the Piroplasmosis Testing requirement in place for Quarter Horses but to suspend the Piroplasmosis Testing requirement for Thoroughbreds in practice, unless and until there is a risky uptick in Piroplasmosis in the Thoroughbred population which would trigger a return to the testing requirement as specified in rule. No formal rulemaking was approved.