

DECLARATION OF EMERGENCY

**Office of the Governor
Division of Administration
Racing Commission**

The Louisiana State Racing Commission is exercising the emergency provisions of the Administrative Procedures Act, R.S. 49:953(B), and pursuant to the authority granted under R.S. 4:141 et seq., adopts the following emergency rule effective May 13, 2009, and it shall remain in effect for 120 days or until this rule takes effect through the normal promulgation process, whichever comes first.

The Louisiana State Racing Commission finds it necessary to amend this rule. The disparity in jockey mount fees between Louisiana and neighboring states is posing an immediate threat to Louisiana losing its pool of qualified jockeys. The change in fees represents a settlement among industry participants to thwart the threat of a jockey strike which would halt Louisiana racing.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLI. Horseracing Occupations

Chapter 7. Jockeys and Apprentice Jockeys

§725. Jockey Fee Schedule

A. Prior to the start of each race conducted by an association licensed by the commission, sufficient money shall be on deposit with the horsemen's bookkeeper in an amount equal to pay the losing mount fee of a jockey for that race. In the absence of a special agreement, the fee of a jockey shall be as follows.

| Purse | Win | Second | Third | Unplaced |
|-----------------|------------|---------------|--------------|-----------------|
| \$400 and under | \$27 | \$19 | \$17 | \$16 |
| 500 | 30 | 20 | 17 | 16 |
| 600 | 36 | 22 | 17 | 16 |
| 700-900 | 10% | 25 | 22 | 20 |
| 1,000-1,400 | 10% | 30 | 25 | 22 |
| 1,500-1,900 | 10% | 35 | 30 | 28 |
| 2,000-3,400 | 10% | 45 | 35 | 33 |
| 3,500-4,900 | 10% | 70 | 60 | 50 |
| 5,000-9,900 | 10% | 80 | 65 | 60 |
| 10,000-14,900 | 10% | 5% | 70 | 65 |
| 15,000-24,900 | 10% | 5% | 5% | 70 |
| 25,000-49,900 | 10% | 5% | 5% | 75 |
| 50,000-99,900 | 10% | 5% | 5% | 90 |
| 100,000 and up | 10% | 5% | 5% | 115 |

B. Failure, refusal and/or neglect of a trainer to timely deposit or have deposited the aforesaid jockey fee for a horse entered to race, on or before the time specified herein, shall be a violation of this Section. Each such violation shall be punishable by a fine of not less than \$200 and the failure to pay such fine within 48 hours of imposition thereof shall be grounds for suspension. Additionally, an amount equal to the jockey fee actually earned by the jockey in accordance with the aforesaid schedule shall be paid to the jockey earning same within 48 hours of the imposition of the aforesaid fine, and failure to pay said jockey fee within the time specified herein shall be an additional grounds for suspension.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148, R.S. 4:150 and R.S. 4:151.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:431 (December 1976), amended LR 3:28 (January 1977), LR 4:276 (August 1978), LR 5:23 (February 1979), LR 12:12 (January 1986), amended by the Department of Economic Development, Racing Commission, LR 16:112 (February 1990).

Charles A. Gardiner III

Executive Director