

Agenda Item #11



2024 PROPOSAL

Approved by the Standardbred Breed Development Advisory Committee on November 20, 2023.

Overall Budget

2024 PROJECTED REVENUE

Breakages & Outs	\$200,000
Gaming Revenue	\$14,256,705
Utilize from Budget Reserves	\$600,000*
TOTAL	\$15,056,705

Promotions/Administrative Expenses	\$400,000
Amount Available for Racing	\$14,656,705

**Balance on 12/31/2024 projected to be approximately \$6.3 million after utilizing \$600,000 from reserves for the 2024 program.*

RACING PROGRAM

	2023 Approved Budget	2023 Spent/Est. to be Spent	2024 Budget
Indiana Sires Stakes	\$7,950,000	\$7,831,000	\$8,150,000
Indiana Sired Late Closers	\$400,000	\$355,800	\$425,000
IN Sired Overnight Supplements/Mini Series*	\$3,500,000	\$3,500,000	\$3,500,000
Breeders Awards	\$1,000,000	\$1,000,000	\$1,000,000
Indiana Sired Fair Circuit	\$1,450,000	\$1,415,360	\$1,450,000
Other Races at Fairs	\$86,000	\$86,000	\$86,000
Total	\$14,386,000	\$14,188,160	\$14,611,000

Overview of 2024 Program

Indiana Sires Stakes

Significant changes were made to the structure of the Indiana Sires Stakes program for 2019, and the this structure is serving the program well with minor improvements each year. We would like to continue with this structure for the 2024 Indiana Sires Stakes Program. The 2024 Indiana Sires Stakes Program will feature:

- Six legs for 2-Year-Olds leading up to a \$250,000 Super Final
- Eight legs for 3-Year-Olds leading up to a \$250,000 Super Final
- Super Final Participants finishing 6th through 10th will receive a \$4,000 purse payout each for earning their way into Super Finals
- Increase in the purses for the consolations from \$25,000 to \$50,000. Consolations for all two and three year old categories will be contested at \$50,000. In order to be eligible for the consolation, a horse must have started in at least one leg.
- Budgeting in \$50,000 for rounding of legs and boosting of purses in legs with 11 starters. Even though the purse amounts are fixed, we are including \$50,000 to account for these occurrences.
- Detention program to be implemented for legs with purses of \$75,000 or greater. Conditions have been modified to reflect this.

➤ Structure of the Program as Follows:

INDIANA SIRES STAKES 2 YR C/G PACE NOMINATION FEE - \$500	INDIANA SIRES STAKES 2 YR F PACE NOMINATION FEE - \$500
ENTRY FEE	ENTRY FEE
LEG 1	LEG 1
\$500	\$500
LEG 2	LEG 2
\$500	\$500
LEG 3	LEG 3
\$500	\$500
LEG 4	LEG 4
\$500	\$500
LEG 5	LEG 5
\$500	\$500
LEG 6	LEG 6
\$500	\$500
CONSOLATION	CONSOLATION
\$50,000	\$50,000
SUPER FINAL (top 10 from legs)	SUPER FINAL (top 10 from legs)
\$250,000	\$250,000
<i>*6th - 10th place finisher to receive \$4,000 each</i>	<i>*6th - 10th place finisher to receive \$4,000 each</i>
INDIANA SIRES STAKES 2 YR C/G TROT NOMINATION FEE - \$500	INDIANA SIRES STAKES 2 YR F TROT NOMINATION FEE - \$500

	ENTRY FEE		ENTRY FEE
LEG 1	\$500	LEG 1	\$500
LEG 2	\$500	LEG 2	\$500
LEG 3	\$500	LEG 3	\$500
LEG 4	\$500	LEG 4	\$500
LEG 5	\$500	LEG 5	\$500
LEG 6	\$500	LEG 6	\$500
CONSOLATION	\$50,000	CONSOLATION	\$50,000
SUPER FINAL (top 10 from legs)	\$250,000	SUPER FINAL (top 10 from legs)	\$250,000
<i>*6th - 10th place finisher to receive \$4,000 each</i>		<i>*6th - 10th place finisher to receive \$4,000 each</i>	
INDIANA SIRES STAKES 3 YR C/G PACE NOMINATION FEE - \$500		INDIANA SIRES STAKES 3 YR F PACE NOMINATION FEE - \$500	
	ENTRY FEE		ENTRY FEE
LEG 1	\$500	LEG 1	\$500
LEG 2	\$500	LEG 2	\$500
LEG 3	\$500	LEG 3	\$500
LEG 4	\$500	LEG 4	\$500
LEG 5	\$500	LEG 5	\$500
LEG 6	\$500	LEG 6	\$500
LEG 7	\$500	LEG 7	\$500
LEG 8	\$500	LEG 8	\$500
CONSOLATION	\$50,000	CONSOLATION	\$50,000
SUPER FINAL (top 10 from legs)	\$250,000	SUPER FINAL (top 10 from legs)	\$250,000
<i>*6th - 10th place finisher to receive \$4,000 each</i>		<i>*6th - 10th place finisher to receive \$4,000 each</i>	
INDIANA SIRES STAKES 3 YR C/G TROT NOMINATION FEE - \$500		INDIANA SIRES STAKES 3 YR F TROT NOMINATION FEE - \$500	
	ENTRY FEE		ENTRY FEE
LEG 1	\$500	LEG 1	\$500
LEG 2	\$500	LEG 2	\$500
LEG 3	\$500	LEG 3	\$500
LEG 4	\$500	LEG 4	\$500
LEG 5	\$500	LEG 5	\$500
LEG 6	\$500	LEG 6	\$500
LEG 7	\$500	LEG 7	\$500

LEG 8	\$500	LEG 8	\$500		
CONSOLATION	\$50,000	CONSOLATION	\$50,000		
SUPER FINAL (top 10 from legs)	\$250,000	SUPER FINAL (top 10 from legs)	\$250,000		
<i>*6th - 10th place finisher to receive \$4,000 each</i>		<i>*6th - 10th place finisher to receive \$4,000 each</i>			
ESTIMATED PURSE STRUCTURED FOR LEGS					
	<u>1 Division</u>	<u>2 Divisions</u>	<u>3 Divisions</u>	<u>4 Divisions</u>	<u>5 Divisions</u>
2 YR Old Legs					
Estimated	\$133,000	\$66,000	\$45,000	\$34,500	\$28,500
3 YR Old Legs					
Estimated	\$95,000	\$48,500	\$33,500	\$26,000	\$21,500
<i>Average Number of Divisions for 2 Year Olds in 2023 was 1.8</i>					
<i>Average Number of Divisions for 3 Year Olds in 2023 was 1.5</i>					
<i>Purses for legs will change based on the number of nominations and divisions for each category.</i>					

INDIANA SIRES STAKES AGED PACE STALLION/GELDING <i>NOMINATION FEE - \$500</i>		INDIANA SIRES STAKES AGED PACE MARE <i>NOMINATION FEE - \$500</i>	
ELIMINATION	\$20,000	ELIMINATION	\$20,000
FINAL	\$50,000	FINAL	\$50,000
INDIANA SIRES STAKES AGED TROT STALLION/GELDING <i>NOMINATION FEE - \$500</i>		INDIANA SIRES STAKES AGED TROT MARE <i>NOMINATION FEE - \$500</i>	
ELIMINATION	\$20,000	ELIMINATION	\$20,000
FINAL	\$50,000	FINAL	\$50,000

Funding for the program will be structured as follows:

- Nomination fees will be retained by the Breed Development Fund. Nomination fees will remain at \$500.
- Entry fee for each leg will be \$500.

- There will not be an entry fee required for the Super Final.
- Breed Development will fund the purse, \$250,000 for the Super Final (for top ten horses from Leg Finals) plus the \$4,000 each 6th through 10th place finisher will receive. For a total payout of \$270,000.
- In legs with a field of 11 starters, an additional 6% of the purse will be paid with 3% to the sixth place finisher, 2% to the seventh place finisher, 1% to the eighth place finisher.
- Hoosier Park agrees to write overnight races for Sires Stakes eligible horses to provide additional racing opportunities. These races will run concurrent with the Sires Stakes program. Breed Development will earmark a minimum of \$500,000 from the funds allocated for IS Overnight/Mini Series Budget.

Indiana Sired Fair Circuit

The fair program continues to be an important part of the Indiana program. In reviewing the program for 2024, the overall budgeted amount for the program will remain the same as 2023, but the purses for the fair racing program at Hoosier Park will be slightly increased. In addition, the championship for series 2 has been eliminated and replaced with a regular series 2 race program. The remaining purse structured will remain the same.

The structure of the 2024 program is as follows:

- Purses for the Championship Races at the Indiana State Fair will be from \$25,000 and Consolation races will be contested at \$10,000.
- Earnings cap on Series 2 will be NW \$10,000 up to completion of Series 1.
- Pay \$500 to each 6th – 8th place finisher in the Series 1 Championship races
- Series 1 consisting of up to 14 racing programs, plus Championship/Consolation program at Indiana State Fair.
- Addition of Fair Circuit stop at Hoosier Park Racing & Casino to give ISFC Horses an opportunity to compete at the pari-mutuel track. Purses at Hoosier Park to be contested at \$4,200 a division.
- Series 2 consisting of up to 6 racing programs.

Series 1:

- Purses - \$3,800 Division, with the exception of ISFC races held at Hoosier Park – which will be contested at \$4,200 Division
- Championship - \$25,000
- Consolation - \$10,000

Series 2:

- for NW \$10,000 in 2024 up to and including date to be determined after fair schedule is finalized.
- Purses - \$3,300 Division

Other Races At Fairs

ISA Elite – Breed Development will continue to support this event. ISA Elite Races to be funded at \$7,000 per category as follows:

- 2 YR Filly Pace - \$7,000
- 2 YR Filly Trot - \$7,000
- 2 YR Colt Pace - \$7,000
- 2 YR Colt Trot - \$7,000
- 3 YR Filly Pace - \$7,000
- 3 YR Filly Trot - \$7,000
- 3 YR Colt Pace - \$7,000
- 3 YR Colt Trot - \$7,000
- TOTAL \$56,000**

Elkhart County Races – Breed Development will continue to support this event. Elkhart County Races to be funded at \$15,000 each as follows:

- Elkhart Classic - \$15,000
- Maple City Trot - \$15,000
- TOTAL \$30,000**

Breeder’s Awards

Total Payout for Breeder’s Awards - \$1,000,000

- A horse must win an eligible race to be eligible to the Breeder’s Award Pool. The criteria is as follows:
 - Two & Three - Year Olds – ISB (Indiana Sired & Bred) Horses only that win any race at the Pari-Mutuel Track in Indiana or ISFC (Indiana Sired Fair Circuit) Championship Races.
 - Four - Fourteen Year Olds – ISB Horses that win:
 - Final of any Breed Development Indiana Sired Late Closer Event
 - Elimination or Final of the Indiana Sires Stakes
 - Track’s Open or Invitational Race
- Awards will be distributed to eligible breeder’s based on the percentage of win earnings of the total win earnings available. Please see the example provided below. Note that it includes only a small sample of horses, there will be a much larger number of horses eligible for awards during the race season:

	TOTAL WIN EARNINGS	% OF WIN EARNINGS	BREEDER'S AWD AMOUNT
HORSE A	\$72,000	12.80%	\$128,000
HORSE B	\$200,000	35.56%	\$355,556
HORSE C	\$22,500	4.00%	\$40,000
HORSE D	\$125,000	22.22%	\$222,222
HORSE E	\$15,000	2.67%	\$26,667
HORSE F	\$96,000	17.07%	\$170,667
HORSE G	\$32,000	5.69%	\$56,889
TOTAL	\$562,500	100.00%	\$1,000,000

- Breeder's Awards will be paid on an annual basis, at the completion of the last race meet in Indiana.

Indiana Sired Overnight Supplements/Mini Series

- Total Payout for Indiana Sired Overnights/Mini Series - \$3,500,000
- Overnight races which fill with all Indiana Sired (or ISB) horses will be boosted by 15%. Purses for boosted races will be rounded. Breed Development Fund to cover rounded amount until cap is reached.
- Hoosier Park will be allocated \$3,500,000 to fund overnight races/mini series which fill with all Indiana Sired horses. Once this allocation is met, the purse account will be responsible for funding any remaining races.
- Hoosier Park agrees to write overnight races for Sires Stakes eligible horses to provide additional racing opportunities. These races will run concurrent with the Sires Stakes program. Breed Development will earmark a minimum of \$500,000 from these funds for this purpose.

Indiana Sired Late Closers

- Total BDF Payout for Indiana Sired Late Closers - \$425,000
- Slight increase to Late Closer Purses for 2024.
- Purse Account contribution to remain at \$4,000 per leg
- The Committee would also like to request the ability to review and add additional late closing series for the end of the racing meet if funds are available.
- Purse Structure Proposed as follow:

PACING SERIES

<p><i>"The Jerry Landess"</i></p> <p>Pace - Indiana Sired 3 YR & Up Old C/G NW 1 EXT PM RACE LIFETIME (w/o \$20,000 LT NE) AE: NW 8500 LT through & including 3/15/24</p> <p>1st Leg \$10,000 2nd Leg \$10,000 FINAL \$20,000</p> <p>NOMINATION FEE \$100</p>	<p><i>"The Miss Windfall"</i></p> <p>Pace - Indiana Sired 3 YR & UP Old Fillies NW 1 EXT PM RACE LIFETIME (w/o \$20,000 LT NE) AE: NW 8500 LT through & including 3/15/24</p> <p>1st Leg \$10,000 2nd Leg \$10,000 FINAL \$20,000</p> <p>NOMINATION FEE \$100</p>
<p><i>"The Hal Dale"</i></p> <p>Pace - Indiana Sired Stallions & Geldings NW 2 (3 YO 3) Ext PM Races or \$25,000 LT up to & including 3/15/24.</p> <p>1st Leg \$12,000</p>	<p><i>"The Go On BB"</i></p> <p>Pace - Indiana Sired Fillies & Mares NW 2 (3 YO 3) Ext PM Races or \$25,000 LT up to & including 3/15/24.</p> <p>1st Leg \$12,000</p>

2nd Leg	\$12,000	2nd Leg	\$12,000
FINAL	\$25,000	FINAL	\$25,000
NOMINATION FEE	\$100	NOMINATION FEE	\$100

TROTting SERIES

<i>"The Cardinal"</i>		<i>"The Mya Tri"</i>	
Trot - IN Sired 3 YR & Up Stallions and Geldings NW 1 EXT PM RACE LIFETIME (w/o \$20,000 LT NE) AE: NW 8500 LT through & including 3/15/24		Trot - Indiana Sired 3 YR & Up Old Fillies & Mares NW 1 EXT PM RACE LIFETIME (w/o \$20,000 LT NE) AE: NW 8500 LT through & including 3/15/24	
1st Leg	\$10,000	1st Leg	\$10,000
2nd Leg	\$10,000	2nd Leg	\$10,000
FINAL	\$20,000	FINAL	\$20,000
NOMINATION FEE	\$100	NOMINATION FEE	\$100
<i>"The Expresson"</i>		<i>"The Msnaughtybynature"</i>	
Trot - Indiana Sired Stallions & Geldings NW 2 (3 YO 3) Ext PM Races or \$25,000 LT up to & including 3/15/24		Trot - Indiana Sired Fillies & Mares NW 2 (3 YO 3) Ext PM Races or \$25,000 LT up to & including 3/15/24	
1st Leg	\$12,000	1st Leg	\$12,000
2nd Leg	\$12,000	2nd Leg	\$12,000
FINAL	\$25,000	FINAL	\$25,000
NOMINATION FEE	\$100	NOMINATION FEE	\$100

INDIANA SIRES STAKES

General Conditions for 2024; Two & Three Year Old Divisions

Sponsor: Indiana Standardbred Advisory Board (Board)

For: Foals of 2021 and 2022 sired by stallions registered in the Indiana Stallion Registry the year the foals were conceived.

To be Raced As: Six (6) legs and One (1) Super Final and One (1) Consolation for Two (2) year old Trotters and Pacers in 2024. Eight (8) legs and One (1) Super Final and One (1) Consolation for Three (3) year old Trotters and Pacers in 2024.

To be Raced At: Harrah's Hoosier Park in legs and Super Final as scheduled.

Payments: (U.S. Funds) One (1) nomination payment will allow a horse to be eligible excluding the Aged divisions.

Two year olds in 2024-

April 15, 2024.....\$ 500.00

Leg - Entry Fee (Payable to Harrah's Hoosier Park) per leg.....\$ 500.00

Three year olds in 2024-

March 15, 2024..... \$ 500.00

Leg - Entry Fee (Payable to Harrah's Hoosier Park) per leg..... \$ 500.00

Once a horse is drawn into the leg the entry fee is due, even if the horse is scratched prior to the race.

Please Note: There will not be an entry fee required for the super final.

Declaration: Starters are to declare in at the regular time practiced at Harrah's Hoosier Park. All declarations are subject to Indiana Horse Racing Commission Rules.

The following time requirements must have been met at the time of declaration:

2 Year Old	Pace.....	1:58	Trot.....	2:03
3 Year Old	Pace.....	1:55	Trot.....	2:00

An allowance of two (2) seconds will be allowed for pari-mutuel tracks that are less than 7/8th of a mile. An allowance of three (3) seconds will be allowed for any fair half-mile track. Additionally any fair track rated sloppy will receive two (2) second allowance. Any Pari-mutuel track rated less than fast will receive one (1) second for good and two (2) for sloppy unless otherwise notated.

All horses must have a clean line in qualifying time, without a break, within the last forty-five (45) days from race date to race date.- Any horse eligible to the Super Final must have a clean line in qualifying time, without a break within the last forty-five (45) days from race date to race date.

Entry Fee: To be paid at the Office of the Director of Racing at the host track at least one (1) hour prior to post time.

Money Division: Purses for races will be divided 50-25-12-8-5 percent.

Race Conditions: Each event is to be raced one (1) heat at one (1) mile each. If twelve (12) or more horses declare to start, the leg will be split into divisions according to the attached chart. All finals will be raced. All legs will be contested, regardless of the number of entries. All drug testing samples, taken from horses competing in the Indiana Sires Stakes, may be frozen for future testing.

Legs whose divisions have purses of \$75,000 or more will be subject to detention. All finals will be subject to detention.

The top ten (10) horses from the legs who declare into the box will compete in that super final. If two or more horses are tied, entry will be drawn by lot. A horse must have started in at least one (1) leg in order to be eligible for the super final or consolation. After the super final is determined, the next ten horses from the legs who declare into the box will compete in the consolation. If there is a tie for 10th place, entry will be drawn by lot. All post positions will be drawn. Consolations must have a minimum of five (5) entries to take place. Points will be awarded in each leg final as follows: 1st 50 points; 2nd- 25 points; 3rd-12 points; 4th-8 points; 5th-5 points. All starters will receive one (1) point for each leg raced.

Purses: Legs with eight (8) betting interests, the race may be raced as non-pari-mutuel event at the discretion of the race secretary. If there are fewer than eight (8) betting interests, the race may be raced as a pari-mutuel race for the full advertised purse at the discretion of the race secretary.

Each 6th – 10th place finisher in the Super Final shall receive \$4,000.

Legs with eleven (11) starters, an additional 6% of the total purse will be paid; 3% will be paid to the 6th place finisher, 2% will be paid to the 7th place finisher, and 1% to the eighth-place finisher.

Emergency: If for any reason, including but not limited to, weather, it becomes impossible to race any of the events at

in the finish position, final preference will be drawn by lot. The other horse will be the second "Also Eligible" ("AE2").

All finals will be subject to detention.

Purses:

The purse for the elimination will be paid from the Host Track purse account. Eliminations, if raced, will race for the advertised purse regardless of the number of divisions.

If there are ten (10) or fewer horses entered to race in the elimination, the elimination will not be raced and all horses will be eligible to enter to race in the final. In the event the elimination is not raced, the host track will add the purse money allocated for the elimination to the final.

Purses for eliminations with eleven (11) or more starters will be increased by twenty percent (20%). *(To be paid by the Standardbred Breed Development Fund)*

In eliminations with a field of eleven (11) starters, an additional 6% of the total purse will be paid; 3% will be paid to the 6th place finisher, 2% will be paid to the 7th place finisher, and 1% to the eight place finisher.

Emergency:

If for any reason, including but not limited to, weather, it becomes impossible to race any of the events at the Host Track, it is at the discretion of the Indiana Standardbred Advisory Board (Board) to contest any of these races at a different time and place so designated by the Board. The Board reserves the right to call off the event, and return to the entrants their pro-rate share of the accumulated horsemen portion of the purse, after deducting the clerical and administrative expenses allowed in these conditions. All entrants must abide by this change or forfeit their right to participate in these races or race for any part of the purse. In all circumstances, the Board will make the final decision.

Gait:

Horses changing gait may be transferred to their adopted gait, but payments made prior to that time will not be transferred.

Rules:

Rules of the Indiana Horse Racing Commission shall govern unless otherwise specified in these conditions. Any issue not covered by these conditions or Indiana Horse Racing Commission Rules will be subject to interpretation at the discretion of the host track.

Nominations payable and mailed to:

Indiana Horse Racing Commission
1302 N. Meridian Street, Suite 175
Indianapolis, Indiana 46202
(317) 233-3119

INDIANA SIRES STAKES

General Conditions for 2024; (Aged Division)

Sponsor: Indiana Standardbred Advisory Board (Board)

For: Foals of 2020 and prior to 2020 sired by stallions registered in the Indiana Stallion Registry the year the foals were conceived.

To be Raced As: An elimination (if necessary) and a final for Aged Horses (four years old & older) in 2024.

To be Raced At: Harrah's Hoosier Park

Payments: (U.S. Funds) Nomination
March 15, 2024.....\$500.00
Supplemental Nomination: Horses not nominated in the March 15, 2024 nomination payment may be made eligible by a supplemental nomination fee of \$6,000 due on or before the close of entries for the respective elimination.
Please Note: There will not be an entry fee required for any elimination or final.

Declaration: Starters are to declare in at the regular time practiced at the host track. All declarations are subject to Indiana Horse Racing Commission Rules.

The following time requirements must have been met at the time of declaration:

Pace.....1:54 Trot.....1:59

An allowance of two (2) seconds will be allowed for pari-mutuel tracks that are less than 7/8th of a mile. An allowance of three (3) seconds will be allowed for any fair half-mile track. Additionally, any Pari-mutuel track rated less than fast will receive one (1) second for good and two (2) for sloppy unless otherwise notated. Any horse that starts in the elimination and earns their way into the final or consolation for that elimination, shall be eligible to compete in said race. Horses on the judges list due to sick, lame, injured or compromise the safety of participants are ineligible to compete until released. All horses must have a clean line within qualifying times without a break, within the last forty-five (45) days from race date to race date.

Entry Fee: None

Money Division: Purses for races will be divided 50-25-12-8-5 percent.

Race Conditions: Each event is to be raced one (1) heat at one (1) mile each. Eliminations will only be raced in the event more than ten (10) horses enter to race. The eliminations will be raced in divisions if more than twelve (12) horses enter to race. If more than twelve (12) but twenty-four (24) or fewer horses are declared to start, two (2) divisions of eliminations will be held. Eliminations, if necessary, will be held at least one week prior to the final. Only those horses entered into the elimination will be eligible to enter for the final. Of those that have entered to race in the Final, the top ten (10) finishers in the official order of finish in the elimination races will be selected as starters. When two or more horses are tied for tenth (10th) place, horses from those tied will be drawn by lot to fill the race. Please note that all horses eligible for the final must enter for the final according to the draw schedule at the Host track. Having entered in the elimination race(s) does not automatically enter the horse for the final. All finals will be raced, regardless of the number of horses entered. If after scratch time, a horse drawn into race at an Indiana Pari-mutuel track participates in any other race, that horse shall be scratched. *Indiana Horse Racing Commission; 71 IAC 7-1-36 (d)*. Post positions for all races, including the final, will be determined by an open draw. In addition, two horses will be selected from those in the eliminations that entered for the final but were not selected for the final to be designated "Also Eligible" ("AE") for each final. These "Also Eligibles" will replace any other horse(s) scratched prior to scratch time from the final for any reason. The preference to determine which is the first "Also Eligible" shall be determined by taking the horse that placed highest in the official order of finish of all elimination divisions, but was not selected for the final; in the event horses are equal

the Host Track, it is at the discretion of the Indiana Standardbred Advisory Board (Board) to contest any of these races at a different time and place so designated by the Board. The Board reserves the right to call off the event, and return to the entrants their pro-rate share of the accumulated horsemen portion of the purse, after deducting the clerical and administrative expenses allowed in these conditions. All entrants must abide by this change or forfeit their right to participate in these races or race for any part of the purse. In all circumstances, the Board will make the final decision.

Gait: Horses changing gait may be transferred to their adopted gait, but payments made prior to that time will not be transferred.

Rules: Rules of the Indiana Horse Racing Commission shall govern unless otherwise specified in these conditions. Any issue not covered by these conditions or Indiana Horse Racing Commission Rules will be subject to interpretation at the discretion of the host track.

Nominations payable and mailed to:
Indiana Horse Racing Commission
1302 N. Meridian Street, #175
Indianapolis, Indiana 46202
(317) 233-3119

INDIANA SIRED FAIR CIRCUIT

General Conditions for the 2024 Indiana Sired Fair Circuit Program (For Two and Three Year Olds in 2024)

- Sponsor:** Indiana Standardbred Advisory Board (Board)
- For:** Fair races for Indiana Sired and Bred (ISB) foals of 2021 and 2022, as defined by 71 IAC 14-1-3. Championship races at the Indiana State Fair to be held for ISB foals of 2021 and foals of 2022.
- To Be Raced As:** One level for 2 and 3 Year Old Trotters and Pacers in 2024. Also to be raced as a Championship and Consolation race at the Indiana State Fair for 2 and 3 year old Trotters and Pacers in 2024 based on points earned in the Fair Circuit. A second series of races following the Indiana State Fair, with a Championship based on points earned in this series. In order to be eligible for Series 2, the following eligibility requirements must be met:
Two Year Olds – NW \$10,000 in 2024 up to and including 8/30/2024
Three Year Olds – NW \$10,000 in 2023 up to and including 8/30/2024
- To Be Raced At:** Locations to be designated annually by the Sponsor.
- Nominations:** **Two Year Olds**
April 15, 2024 - \$300
Three Year Olds
March 15, 2024 - \$300
- Future Payments:** No sustaining fees due.
- Entry Fees:** (Payable to Host Track)
Once a horse is drawn into an ISFC event, the entry fee is due, even if the horse is scratched. If entry fee is not paid, the horse will be ineligible to start in all subsequent fairs.
Entry Fee.....\$50.00
Please Note: There will be no entry fee required for the Championship or Consolation race, but horses must check in at the race office at least ninety minutes prior to the post time.
- Future Eligibility:** If the two-year-old nominating payment is not made, an eligible foal may be nominated as a three year old..
- Entry Fee:** To be paid at the office of the director of racing at each host track prior to the start of the races.
- Money Division:** Purses will be paid 50-25-12-8-5 percent. In the event of a field of less than five in the Consolation, all retained monies will be returned to the Indiana Standardbred Breed Development Fund.
- Race Conditions:** Each event is to be raced one heat at one mile each. There are no eliminations. The event may be raced in divisions, according to USTA rules with the following exceptions:
- For horses competing in the ISFC races held at Hoosier Park, qualifying standards will not be required. However, all horses must have at least one charted line in the ISFC program during 2024 in order to compete in ISFC races hosted at Hoosier Park. Additionally, all participants must meet IHRC licensing requirements for the ISFC events held at Hoosier Park.
 - If there is a minimum of five fillies and five colts in the specified level, the race will be split into divisions based on sex. If the minimum of five (5) entries is not met, the race will not be contested.
 - If the minimum of five fillies and/or five colts is not met, all entries for that level will be in division(s) to be drawn at lot, with fillies drawing the inside post positions.
 - No horse may compete in any ISFC event who has raced in any other race on the day of, or on any two (2) days prior to the event (qualifiers and rained-out ISFC events excluded).
 - No horse may compete in an ISFC event who has raced in a Pari-mutuel event (ISFC event held at Hoosier Park excluded) on the day of or five (5) days prior to the event. *For example:*

<i>If you race in an Pari-Mutuel Event on:</i>	<i>Then the 1st day you are eligible to race in an ISFC event is the following:</i>
SUNDAY	SATURDAY
MONDAY	SUNDAY

TUESDAY	MONDAY
WEDNESDAY	TUESDAY
THURSDAY	WEDNESDAY
FRIDAY	THURSDAY
SATURDAY	FRIDAY

Emergency:

If for any reason, including but not limited to, weather, it becomes impossible to race any of the events at the host site, it is at the discretion of the Indiana Standardbred Advisory Board (Board) to contest any of these races at a different time and place so designated by the Board. The Board reserves the right to call off the event, and return to the entrants their pro-rated share of the accumulated horsemen portion of the purse, after deducting the clerical and administrative expenses allowed in these conditions. All entrants must abide by this change or forfeit their right to participate in these races or race for any part of the purse. In all circumstances, the Board will make the final decision.

Gait:

Horses changing gait may be transferred to their adopted gait but payments/points made prior to that time will not be transferred.

Rules:

Rules of the United States Trotting Association shall govern unless otherwise specified in these conditions or under the rules and regulations of the Board. For ISFC races held at Hoosier Park, Indiana Horse Racing Commission and Hoosier Park Track rules will apply, excluding qualifying times.

Championship Races:

There will be Championship and Consolation races held for Series 1. The purse for the Championship race will be \$25,000 and the Consolation will be \$10,000. The 6th – 8th place starter in the Series 1 Championship race will receive \$500 each. Of those that have declared to race at the Indiana State Fair (Series 1), the top eight (8) point earners that have participated in (or credited with) at least seven (7) Indiana Sired Fair Circuit races will be selected as starters for the Championship race and the next eight (8) point earners that have participated in (or credited with) at least seven (7) Indiana Sired Fair Circuit races will be selected as starters for the Consolation race. The Championship will be limited to eight (8) horses. When two or more horses are tied for eighth (8th) place, then one horse from those tied will be drawn at lot to fill a Championship race. The Consolation will also be limited to eight (8) horses. When two or more horses are tied for eighth (8th) place, then one horse from those tied will be drawn by lot to fill the Consolation. The Consolation will take place regardless of the number of entries. There will be no combining of sexes in Consolation races.

Please Note: *Horses racing in the ISFC are subject to Blood Gas Testing and random specialing.*

Points will be awarded in each level as follows for One Heat Race:

1st – 50; 2nd – 25; 3rd – 12; 4th – 8; 5th - 5

All starters will receive one point for each heat raced. Points for the Championship and Consolation shall be calculated according to the placing of the judges and shall determine what horses shall qualify for the Championship and Consolation, notwithstanding any appeal from the judge's decision that is final. If for any reason, including but not limited to, weather, it becomes impossible to race at a host track, all horses entered will be awarded one point and credited with a start. No points will be awarded to a horse that is scratched or for any races that do not fill.

Nominations payable and mailed to:

Indiana Horse Racing Commission
1302 N. Meridian Suite 175
Indianapolis, IN 46202

Agenda Item #12



November 15, 2023

Indiana Horse Racing Commission
1302 N. Meridian Street, Suite 175
Indianapolis, IN 46202

Chairman Borst and Executive Director Pitman,

As we approach the end of the 2023 racing season at Horseshoe Indianapolis, please see the following information on our 2023-2024 wintertime training program. We have assigned 520 stalls for the 2023-2024 winter training period and believe that by early February they will be nearly full.

As has been the practice for the last two winter training periods, we will have ambulance coverage from SEALS on any day that we train. Our Veterinarian, Dr. Andy Hirschy, will be on-site and when Andy is unavailable, we have replacement staff of Dr. Katherine Naughton and Dr. Michael Hardy to cover those hours.

Our Security Manager, Tim Dewitt, will lead our Security department in the operations of the barn area. Tim is assisted by Dee Thoman, Cynthia Davis and Rick Justus and several other departmental Team members. All of the aforementioned Security employees have been with us through the previous two years of wintertime training.

Track Superintendent, Tony Martinez, and his staff will be responsible for maintaining the racing surface throughout the 2023-2024 wintertime training period. It is understood that in the coldest of the weather that it may be necessary for Tony and/or his staff to work throughout the night to keep the surface in good condition for training.

We have our lead outrider, John Neal, and starter, Ray Kuwik, returning to handle their assigned duties in the 2023-2024 winter training period. John's backup will be one of our current outriders, Pete Love. Ray's crew of three Assistant starters are all members of his current starting gate staff.

Should you have any questions, please feel free to contact me. Other than that, please see below for some key details and dates that I have listed below. Thanks.

Important dates over the course of the 2023-2024 wintertime training period:

- October 31, 2023 – Last day to turn in stall applications for the winter of 2023-2024.
- November 14, 2023 – Final stall assignments sent to horsemen.
- November 17, 2023 – Closing Day of the 2023 season.
- November 27, 2023 – Last day of barn/stall access for horsemen that will not have stalls over the winter.
- Mid-late December, 2023 – Stall applications for the 2024 racing season available.
- January 1, 2024 – Two year old horses allowed on the grounds with permission from the Horseshoe Indianapolis Director of Racing, Chris Polzin.
- February 1, 2024 – Stall applications due for the 2024 racing season.
- Late February, 2024 – Final stall assignments sent to horsemen.
- March 3, 2024 – First day of barn/stall access for horsemen assigned stalls for the 2024 racing season.
- April 8, 2024 – Opening day of the 2024 racing season.

Important information on training during the 2023-2024 wintertime training period:

- Horses will be assigned to barns that are winterized and it is expected that they be moved into those stalls no later than November 27, 2023.
- Should someone not need the stalls that they were assigned, those stalls will be reallocated to another horsemen in need.
- Training will take place from 7:00 a.m. – 11:00 a.m. beginning November 20, 2023 on a Monday – Friday basis. Any changes to the start time or time for training will be discussed with the HBPA.
- The starting gate will initially be available three-days per week and eventually build up to five by early-March. The days of the week that it will be open will be determined by Horseshoe Indianapolis staff after discussion with the HBPA.
- As weather dictates, Horseshoe Indianapolis staff will confer with the HBPA and potentially alter the training times or cancel a day. Under no circumstances will the racetrack be open if Horseshoe Indianapolis Track Superintendent, Tony Martinez, does not believe the surface is prepared and safe.
- It is expected that in early-March training will return to the normal racing season schedule of Monday – Saturday. Training times may still be weather dependent, but they will be discussed with the HBPA before any decisions are made.
- One note: We are in the process of winterizing Barn #7 (our Quarter Horse Barn) and expect that as soon as that barn is ready that dozens of Quarter Horses will be housed in there in preparation for the QH meet in Ashland, Kentucky in March as well as our 2024 racing season.

Sincerely,



Eric Halstrom
Vice President and General Manager
Horseshoe Indianapolis

Cc: Tom Linkmeyer, Deputy Director, IHRC



November 16, 2023

Deena Pitman
Executive Director
Indiana Horse Racing Commission
1302 N. Meridian Street, Suite 175
Indianapolis, Indiana 46202

Dear Deena,

As we near the end of the 2023 racing season, I wanted to give you an update on the upcoming winter training season at Harrah's Hoosier Park.

Stall applications for the winter training season were due on Wednesday, November 15, 2023. I am pleased to let you know that we have allotted 234 stalls for winter training. The majority of these horses are already in their winterized barns.

After the meet is over on Saturday, December 9, 2023, we will be closing the racetrack for training from Sunday, December 10 through Thursday December 14 for end-of-meet regular maintenance of the racing surface. The track will reopen for training on Friday, December 15. We have discussed this with the Indiana Standardbred Association, and they are fully supportive of this short closure of the racetrack. During this time period the jog track will remain open. After the main track reopens, the jog track will then be closed for the duration of the winter training season. The jog track will reopen on Friday, March 1, when the barn area will reopen for general stabling for horses that have been allotted stalls for the 2024 racing season.

During the winter training season, the track will be open for training from 8 am – 12 pm Monday through Saturday, with the exception of Christmas Day, when the track will be closed.

We will allow two-year olds to stable on the grounds starting January 1, 2024, for those trainers that have been allotted stalls for winter training.

I also want to mention that during the winter training season that ship-ins are welcome to come into the barn area to train, as long as they have the necessary health paperwork and are licensed by the Indiana Horse Racing Commission.

If you have any questions or comments, please contact me at your convenience.

Respectfully,



Rick Moore
Vice President and General Manager of Racing
Harrah's Hoosier Park

cc: Tom Linkmeyer, Deputy Director, Indiana Horse Racing Commission
David Rothenberg, General Counsel, Indiana Horse Racing Commission
Colin Skidmore, Sr. Vice President and General Manager, Harrah's Hoosier Park
Joe Morris, Sr. Vice President, Caesars Racing
Scott Peine, Director of Racing, Harrah's Hoosier Park
John Delong, President, Indiana Standardbred Association
Tony Renz, Executive Director, Indiana Standardbred Association

Agenda Item #13

TITLE 71 INDIANA HORSE RACING COMMISSION

Proposed Rule

LSA Document # 23-XXXX

DIGEST

Adds 71 IAC 10-6 regarding civil penalty provisions. Statutory authority: IC 4-31-3-9

71 IAC 10-6

SECTION 1. 71 IAC 10-6 IS ADDED TO READ AS FOLLOWS:

Rule 10-6 CIVIL PENALTY PROVISIONS

71 IAC 10-6-1	Assessment of civil penalties
71 IAC 10-6-2	Penalty Mitigation
71 IAC 10-6-3	Penalty Elevation
71 IAC 10-6-4	“ARCI Penalty” Definition
71 IAC 10-6-5	Assessment of Civil Penalty Not Required

71 IAC 10-6-1 Assessment of civil penalty

Authority: IC 4-31-3-9; IC 4-31-12-15; IC 4-31-12-16

Affected: IC 4-31-13-1; IC 4-31-13-2

Sec. 1. For purposes of assessing civil penalties, the commission, the commission’s designee, judges, or stewards shall consider minor mitigators, minor aggravators, and major aggravators, and adjust the base violation fine in accordance with these factors. Each penalty amount may be based on a per day or per incident violation.

71 IAC 10-6-2 Penalty mitigation

Authority: IC 4-31-3-9; IC 4-31-12-15; IC 4-31-12-16

Affected: IC 4-31-13-1; IC 4-31-13-2

Sec. 2. (a) The amount of a civil penalty levied may be adjusted downward to reflect mitigating factors. Some of the factors that may be considered are the following:

- (1) The licensee’s good faith efforts to comply or prevent the violation.
- (2) Cooperation by the licensee with the commission during the investigation process.
- (3) Cooperation by the licensee with the commission in other related investigations.
- (4) Positive reputation in his or her local community as well as the licensee community.
- (5) Violation has no impact on the integrity of horse racing.
- (6) The licensee’s violation was immediately self-reported to the commission.
- (7) The violation is the first offense committed by the licensee in any jurisdiction.

- (8) Remedial or corrective action taken by the licensee to prevent further similar violations.
- (9) Duplicate violations resulting from a single act.

71 IAC 10-6-3 Penalty elevation

Authority: IC 4-31-3-9; IC 4-31-12-15; IC 4-31-12-16
Affected: IC 4-31-13-1; IC 4-31-13-2

Sec. 3. (a) The amount of a civil penalty levied may be adjusted upward to reflect minor or major aggravating factors. Some factors that may be considered are the following:

(1) Minor Aggravators

- a. Failure to cooperate with the commission on an investigation.
- b. Violation is the second violation of the same statute or rule within a five-year period.
- c. Licensee has received three (3) to five (5) non-riding/driving violations in any jurisdiction within the last five (5) years.
- d. Licensee is currently serving a sentence of a Level 6 felony within the state of Indiana.
- e. Licensee is currently serving a sentence in a state other than Indiana having a penalty equal to the penalty for an Indiana Level 6 felony.
- f. Violation was the result of reckless or negligent actions.
- g. Violation resulted in injury to an equine athlete or a person.
- h. Violation resulted in an impact to the integrity of horse racing but had no effect on the wagering public.
- i. Standardbred races with purses of \$100,000 or greater.
- j. Quarter Horse and Thoroughbred races with purses of \$60,000 or greater.

(2) Major Aggravators

- a. Licensee actively impedes or obstructs an investigation.
- b. Violation is the third violation of the same statute or rule within a five-year period.
- c. Licensee has received greater than five (5) non-riding/driving violations in any jurisdiction within the last five (5) years.
- d. Licensee has been convicted of an Indiana Level 1, Level 2, Level 3, Level 4, or Level 5 felony within the last ten (10) years, not to include convictions that have been expunged under IC 35-38-9.
- e. Licensee has been convicted in another state of a crime having a penalty equal to the penalty for an Indiana Level 1, Level 2, Level 3, Level 4, or Level 5 within the last ten (10) years.
- f. Licensee has been convicted of a federal crime having a sentence of at least one (1) year within the last ten (10) years.
- g. Fraudulent conduct by the licensee or his or her agents on their behalf.
- h. Violation is the result of an intentional act.
- i. Violation resulted in the death of an equine athlete or a person.
- j. Violation resulted in an impact to the wagering public.

71 IAC 10-6-4 "ARCI Penalty" definition

Authority: IC 4-31-3-9; IC 4-31-12-15; IC 4-31-12-16

Affected: IC 4-31-13-1; IC 4-31-13-2

Sec. 4. "ARCI Penalty" in this Article means the ARCI penalties outlined in the ARCI Model Rules as defined in 71 IAC 1-1-8 and 71 IAC 1.5-1-9.

71 IAC 10-6-5 Assessment of Civil Penalty Not Required

Authority: IC 4-31-3-9; IC 4-31-12-15; IC 4-31-12-16

Affected: IC 4-31-13-1; IC 4-31-13-2

Sec. 5 (a) Nothing in the article shall require the Indiana Horse Racing Commission or its designees to assess a civil penalty for a violation.

(b) The Indiana Horse Racing Commission or its designees may initiate any of the following enforcement actions for a violation of on in addition to a civil penalty:

- (1) A disciplinary letter.
- (2) A loss of purse when statutorily allowed or required.
- (3) A license:
 - (A) denial;
 - (B) restriction;
 - (C) suspension;
 - (D) renewal refusal; or
 - (E) revocation.
- (4) Referral for criminal prosecution.
- (5) Referral to another appropriate agency.
- (6) Corrective action plan.

TITLE 71 INDIANA HORSE RACING COMMISSION

Proposed Rule

LSA Document # 23-

DIGEST

Adds 71 IAC 10-7 regarding civil penalty schedule. Statutory authority: IC 4-31-3-9

71 IAC 10-7

SECTION 1. 71 IAC 10-7 IS ADDED TO READ AS FOLLOWS:

Rule 7. Civil Penalty Schedule

71 IAC 10-7-1 Civil Penalty Schedule

71 IAC 10-7-1 Civil Penalty Schedule

Authority: IC 4-31-3-9; IC 4-31-12-15; IC 4-31-12-16

Affected: IC 4-31-13-1; IC 4-31-13-2

Sec. 1. The following are the civil penalty base violation fines which may be adjusted to a higher or lower amount based upon mitigating or aggravating circumstances listed in 71 IAC 10-6-2 and 71 IAC 10-6-3. "General Description" is for reference only. Rule number listed under "Legal Citation" must be referenced for violation details.

Legal Citation	General Description of Violation (See "Legal Citation" for Rule Reference)	Base Violation
71 IAC 3-1-3	Prohibited practices by racing officials	\$250
71 IAC 3.5-1-4	Prohibited practices by racing officials	\$250
71 IAC 4-3-15(e)	Pylon violation	\$200 if horse placed in race, \$100 if inquiry without placing
71 IAC 5-1-1(a)	Participation in pari-mutuel racing without a license	\$2,500
71 IAC 5-1-26	Non-cooperation with commission representatives or association security	\$250
71 IAC 5-3-2	Trainer responsibility regarding presence of drug, medication, or other substance in horse	ARCI Penalty

71 IAC 5-3-3(a)(1-4)	Trainer responsibility regarding stable cleanliness, safety, and employee rosters	\$100
71 IAC 5-3-3(a)(5)	Trainer responsibility regarding horse identity, care, health, condition, and safety	\$250
71 IAC 5-3-3(a)(6)	Horse ownership disclosure violation	\$2,500
71 IAC 5-3-3(a)(7)	Trainer requirement to train horses they own (fine applies when horse races for another trainer)	\$500
71 IAC 5-3-3(a)(8)	Trainer must register horse with Racing Secretary	\$100
71 IAC 5-3-3(a)(9)	Trainer must use IHRC-licensed veterinarian when on licensed premises	\$500
71 IAC 5-3-3(a)(10)	Trainer must report gelding	\$100
71 IAC 5-3-3(a)(11)	Trainer must report de-nerving	\$1,000
71 IAC 5-3-3(a)(12)	Trainer must report serious illness in horses	\$250
71 IAC 5-3-3(a)(13)	Trainer must report horse death	\$250
71 IAC 5-3-3(a)(14)	Trainer must maintain medication treatment records	\$100
71 IAC 5-3-3(a)(15)	Trainer must report prohibited drug administrations	\$2,500
71 IAC 5-3-3(a)(17)	Trainer responsibility to make sure horses are eligible when entered	\$100
71 IAC 5-3-3(a)(19)	Horse scratched for improper shoes, bandages, or other equipment	\$250
71 IAC 5-3-3(a)(20)	Horse scratched for equipment used obstructing visibility of head or saddle pad	\$250
71 IAC 5-3-3(a)(21)	Trainer responsible for horse reporting to paddock timely	\$100
71 IAC 5-3-3(a)(22)	Trainer or designee must attend to their own horse in paddock	\$200
71 IAC 5-3-3(a)(23)	Trainer must instruct driver to give best effort	\$100
71 IAC 5-3-3(a)(24)	Trainer or designee responsible to attending to horse in the test barn	\$100
71 IAC 5-3-3(a)(25)	Trainer responsibly for notifying owner of a positive drug test	\$100
71 IAC 5-3-3(a)(26)	Trainer must notify owner upon suspension or revocation of trainer's license	\$100

71 IAC 5-3-3(a)(27)	Trainer must protect and guard horses in their care	\$250
71 IAC 5-3-3(a)(28)	Trainer responsible for account for fees	\$100
71 IAC 5-3-3(a)(29)	Trainer responsible for determining training regimen	\$500
71 IAC 5-3-3(a)(30)	Trainer responsible for ensuring owners are licensed before racing	\$100
71 IAC 5-3-3(a)(31)	Trainer responsible for notifying Judges or Commission of practicing veterinarian being in contact with entered horse within 24 hours of race	\$500
71 IAC 5.5-3-3(c)	Trainer assigning duties to ineligible/unlicensed persons	\$500
71 IAC 5.5-3-3(d)	Trainer shall not assume responsibilities for a horse not under the trainer's active care, custody, and supervision	\$500
71 IAC 5.5-3-3(e)	Trainer practicing under a name which is not theirs	\$250
71 IAC 5-3-3.1	In-today violations	\$250
71 IAC 5-3-4	Trainer wagering on horses or entries not his/her own.	\$5,000
71 IAC 5-4-2	Drivers leaving the paddock area without permission	\$100
71 IAC 5.5-1-1(a)	Participation in pari-mutuel racing without a license	\$250
71 IAC 5.5-1-8	Employment or harboring unlicensed persons on grounds; employer duty to report discharge of licensed employee	\$100
71 IAC 5.5-1-10.1	Employer required to carry worker's compensation insurance	\$250
71 IAC 5.5-1-25	Safety Helmet violation	\$100
71 IAC 5.5-1-26	Safety Vest violation	\$100
71 IAC 5.5-1-28	Non-cooperation with commission representatives or association security	\$250
71 IAC 5.5-1-29	Duty to report irregularities	\$100
71 IAC 5.5-3-2	Trainer responsibility regarding presence of drug, medication, or other substance in horse	ARCI Penalty
71 IAC 5.5-3-3(a)(1-4)	Trainer responsibility regarding stable cleanliness, safety, and employee rosters	\$100
71 IAC 5.5-3-3(a)(5)	Trainer responsibility regarding horse identity, care, health, condition, and safety	\$250

71 IAC 5.5-3-3(a)(6)	Horse ownership disclosure violation	\$250
71 IAC 5.5-3-3(a)(7)	Trainer requirement to train horses they own (fine applies when horse races for another trainer)	\$500
71 IAC 5.5-3-3(a)(8)	Trainer must register horse with Racing Secretary	\$100
71 IAC 5.5-3-3(a)(9)	Trainer must use IHRC-licensed veterinarian when on licensed premises	\$500
71 IAC 5.5-3-3(a)(10)	Trainer must report gelding	\$100
71 IAC 5.5-3-3(a)(11)	Trainer must report de-nerving	\$1,000
71 IAC 5.5-3-3(a)(12)	Trainer must report serious illness in horses	\$250
71 IAC 5.5-3-3(a)(13)	Trainer must report horse death	\$250
71 IAC 5.5-3-3(a)(14)	Trainer must maintain medication treatment records	\$100
71 IAC 5.5-3-3(a)(15)	Trainer must report prohibited drug administrations	\$2,500
71 IAC 5.5-3-3(a)(17)	Trainer responsibility to ensure horses are eligible when entered	\$100
71 IAC 5.5-3-3(a)(19)	Horse scratched for improper shoes, bandages, or other equipment	\$250
71 IAC 5.5-3-3(a)(20)	Trainer responsible for horse reporting to paddock timely	\$100
71 IAC 5.5-3-3(a)(21)	Trainer must attend to their own horse in paddock	\$100
71 IAC 5.5-3-3(a)(22)	Trainer must instruct jockey to give best effort	\$100
71 IAC 5.5-3-3(a)(23)	Trainer or designee responsible to attending to horse in the test barn	\$100
71 IAC 5.5-3-3(a)(24)	Trainer responsible for notifying owner of a positive drug test	\$100
71 IAC 5.5-3-3(a)(25)	Trainer must notify owner upon suspension or revocation of trainer's license	\$100
71 IAC 5.5-3-3(a)(26)	Trainer must protect and guard horses in their care	\$250
71 IAC 5.5-3-3(a)(27)	Trainer responsible for account for fees	\$100
71 IAC 5.5-3-3(a)(28)	Trainer responsible for determining training regimen	\$500
71 IAC 5.5-3-3(a)(29)	Trainer responsible for ensuring owners are licensed before racing	\$250

71 IAC 5.5-3-3(a)(30)	Trainer responsible for notifying Stewards of practicing veterinarian in contact with entered horse within 24 hours of race	\$500
71 IAC 5.5-3-3(c)	Trainer assigning duties to ineligible/unlicensed persons	\$500
71 IAC 5.5-3-3(d)	Trainer shall not assume responsibilities for a horse not under the trainer's active care, custody, and supervision	\$500
71 IAC 5.5-3-3(e)	Trainer must practice their profession under their true name	\$250
71 IAC 5.5-3-3(f)	Trainer training for another licensed trainer in Indiana	\$250
71 IAC 5.5-3-3.1	In-today violations	\$250
71 IAC 5.5-3-4	Trainer wagering on horses or entries not his/her own	\$5,000
71 IAC 5.5-4-4(a)	Jockey responsibility to give best effort	\$500
71 IAC 5.5-4-4(f)	Jockey uniform responsibility	\$100
71 IAC 5.5-4-5	Jockey wagering restrictions	\$5,000
71 IAC 5.5-4-6	Prohibition on against competing in race against horse belonging to or trained by spouse	\$500
71 IAC 5.5-5-2	Jockey agent limitations	\$500
71 IAC 5.5-5-3	Jockey agent responsibility violations	\$500
71 IAC 5.5-5-4	Jockey agent area prohibitions	\$100
71 IAC 5.5-5-5	Jockey agent withdrawal requirement	\$100
71 IAC 6-1-3(o)	Claimed horse racing restrictions	\$500
71 IAC 6-1-3(v)	Claimed horse restriction on racing at prohibited locations	\$500
71 IAC 6.5-1-1(a)	Claimed horse warranties	\$1,000
71 IAC 6.5-1-1(f)	In-foal filly or mare claiming race requirements	\$1,000
71 IAC 6.5-1-4(a-d), (h)	Claiming restrictions regarding claiming and transfers	\$1,000
71 IAC 7-1-4	Disclosure of horse ownership	\$2,500
71 IAC 7-1-5(b)	Change of trainer for horse entered and drawn to start	\$200
71 IAC 7-1-5(c)	Improper listing of trainer for horse	\$2,500
71 IAC 7-1-33	Horse leaving paddock after checking into paddock	\$200
71 IAC 7-1-34	Horse stabled on grounds leaving prior to race without permission	\$200

71 IAC 7-2-3.5(e)	Lack of reasonable effort to reach the fair start pole	\$100
71 IAC 7-2-7	Violations incurred prior to or during start of race	\$100
71 IAC 7-2-9(b)	Driver fails to follow instruction of starter	\$100
71 IAC 7-3-3	Driver/trainer/owner wagering on horses other than their own	\$2,500
71 IAC 7-3-4	Diver conversation in or after paddock prior to race	\$100
71 IAC 7-3-5	Driver safety helmet	\$100
71 IAC 7-3-6	Driver attire	\$500
71 IAC 7-3-7	Driving rules during race	\$200
71 IAC 7-3-9(a)	Late driver change after scratch time	\$100
71 IAC 7-3-9(d)	Failure to drive when programmed	\$100 per missed drive
71 IAC 7-3-11	Driver personal conduct during race	\$100
71 IAC 7-3-12	Driver improperly placing feet in stirrups	\$200
71 IAC 7-3-13	Whip restriction violation	\$250
71 IAC 7-3-17	Driver breaks to fraudulently lost heat	\$500
71 IAC 7-3-25(2)	Disorderly conduct – appearing in paddock in unfit condition	\$250
71 IAC 7-3-25(3)	Disorderly conduct - fighting	\$500
71 IAC 7-3-25(4)	Disorderly conduct – assault	\$500
71 IAC 7-3-25(5)	Disorderly conduct – offensive language	\$500
71 IAC 7-3-25(6)	Disorderly conduct – smoking violation	\$50
71 IAC 7-3-25(7)	Disorderly conduct – warming up horse without silks	\$50
71 IAC 7-3-25(8)	Disorderly conduct – disturbing the peace	\$500
71 IAC 7-3-31(a)(6), (8)	Third party making wager for driver on horse other than drivers; accept a ticket or make a bet on any other horse then driver drives	\$2,500
71 IAC 7-5-1(2)	Disorderly conduct – failing to obey judge’s orders	\$500
71 IAC 7-5-1(3)	Disorderly conduct – fighting	\$500
71 IAC 7-5-1(4)	Disorderly conduct – offensive language	\$500
71 IAC 7-5-1(5)	Disorderly conduct – disturbing the peace	\$500
71 IAC 7-5-2	Use of improper language	\$500
71 IAC 7.5-1-15(b)	Trainer listing changes to horses entered and drawn	\$250
71 IAC 7.5-1-15(c)	Improper listing of trainer for horse	\$2,500

71 IAC 7.5-2-2(g)	Improper racing after horse is scratched	\$500
71 IAC 7.5-4-4	Track training or working out during prohibited hours	\$250
71 IAC 7.5-5-1(a)(1)	Thoroughbred horse not on grounds at established time	\$250
71 IAC 7.5-5-1(a)(2)	Quarter horse not on grounds at established time	\$250
71 IAC 7.5-5-1(a)(3)	Improper tattoo or microchip on horses	\$250
71 IAC 7.5-5-1(a)(4)	Horse improperly registered under proper breed	\$250
71 IAC 7.5-5-1(a)(5)	Fraudulent entry with altered registration	\$1,000
71 IAC 7.5-5-1(a)(6), (7)	Use of paper trainer in lieu of disqualified person under Indiana rules	\$2,500
71 IAC 7.5-5-1(a)(8)	Horse scratched due to unpaid entry fees	\$250
71 IAC 7.5-5-1(a)(9)	Horse scratched is on the starter's, steward's, or veterinarian's list	\$250
71 IAC 7.5-5-1(a)(10)	Horse scratched due to it being the first - time starter and is not approved to start	\$250
71 IAC 7.5-5-1(a)(11)	Horse owned by undisclosed person or interest	\$250
71 IAC 7.5-5-1(a)(12)	Horse scratched due to insufficient workout publication	\$250
71 IAC 7.5-5-1(a)(13)	Horse scratched due to stakes entry and subsequent transfer without informing racing secretary	\$250
71 IAC 7.5-5-1(a)(15)	Horse scratched due to being subject to lease that is not filed with stewards	\$250
71 IAC 7.5-5-1(a)(17)	Horse was de-nerved and not approved by official veterinarian	\$1,000
71 IAC 7.5-5-1(a)(18)	Horse scratched and has been trachea tubed to artificially assist breathing	\$1,000
71 IAC 7.5-5-1(a)(19)	Horse scratched due to de-nerving above the ankle	\$5,000
71 IAC 7.5-5-1(a)(20)	Horse scratched due to impairment in both eyes	\$1,000
71 IAC 7.5-5-1(a)(21)	Horse scratched due to being barred or suspended in any jurisdiction	\$1,000
71 IAC 7.5-5-1(a)(22)	Horse scratched because it does not meet eligibility of race	\$250
71 IAC 7.5-5-1(a)(23)	Horse scratched due to being in arrears for any stake fees unless approved by racing secretary	\$250

71 IAC 7.5-5-1(a)(24)	Horse scratched due to owner or trainer not completing IHRC licensing procedures	\$250
71 IAC 7.5-5-1(a)(26)	Horse scratched due to non-filing of negative certificate for equine infectious anemia	\$250
71 IAC 7.5-5-1(a)(27), (28)	Horse scratched due to improper shodding	\$250
71 IAC 7.5-5-1(a)(29)	Horse scratched due to exceeding age limit of twelve years or older	\$250
71 IAC 7.5-5-1(a)(30)	Horse scratched due to being a maiden that has reached the age of six years or older with fewer than six starts	\$250
71 IAC 7.5-5-1(a)(31)	Horse scratched due to race date within ten days of shock wave or radial pulse therapy	\$500
71 IAC 7.5-5-1(a)(32)	Horse scratched due to it not making an official start in the previous 240 days, is a first time starter older than four years, or has not fulfilled requirements of 71 IAC 7.5-4-1(b)	\$250
71 IAC 7.5-5-2(i)	Falsification, refusal, or concealment of information for entrant	\$2,500
71 IAC 7.5-6-1	Equipment violation	\$100
71 IAC 7.5-6-3(f)	Jockey safety vest violation	\$100
71 IAC 7.5-6-4(i)	Jockey race day readmittance violation	\$100
71 IAC 7.5-6-5(e)	Jockey to ride out every race and not let up	\$500
71 IAC 7.5-6-5(f)	Misuse of whip or electrical device	\$250/\$5000 respectively
71 IAC 7.5-7-3	Fraudulent practices	\$1,000
71 IAC 7.5-9-1	Disorderly conduct violations	\$250
71 IAC 7.5-9-2	Use of Improper language	\$250
71 IAC 8-1-1.5(a)	Horse carrying a foreign substance during a race	ARCI Penalty
71 IAC 8-1-1.5(b-e)	Administration of a prohibited substance within 24 hours of a race	\$1,000
71 IAC 8-1-2	Foreign substance in horses	ARCI Penalty
71 IAC 8-1-2.1(a)	Prohibited thyroid supplementation	ARCI Penalty
71 IAC 8-1-2.1(f)	Possession of thyroxine, thyroid hormone, or thyroid hormone analog	\$2,500
71 IAC 8-1-4.1	NSAID violation	ARCI Penalty
71 IAC 8-1-4.2	Threshold drug violations	ARCI Penalty

71 IAC 8-1-5	Furosemide violation	ARCI Penalty
71 IAC 8-1-7	Drug classification and penalties	ARCI Penalty
71 IAC 8-1-8	AAS medication violations	ARCI Penalty
71 IAC 8-1-9	Regulatory threshold drug violations	ARCI Penalty
71 IAC 8-2-2.5(c)	Excess TCO2 violation	ARCI Penalty
71 IAC 8-2-7	Horse in paddock time requirement	\$200
71 IAC 8-2-8	Trainer or designee in paddock	\$200
71 IAC 8-3-5(f)	Presence of prohibited substances in out of competition testing	ARCI Penalty
71 IAC 8-3-5(g)	Trainer or owner cooperation with out of competition investigations	\$1,000
71 IAC 8-3-5(j)	Trainer responsible for horse during out of competition testing on licensed facility	\$1,000
71 IAC 8-5-1	Veterinarian practicing while ineligible	\$2,500
71 IAC 8-5-2(b)	Veterinarian wagering	\$1,000
71 IAC 8-5-2(c)	Veterinarian furnishing injection devices	\$5,000
71 IAC 8-5-3	Veterinarian using non-approved injection devices	\$1,000
71 IAC 8-5-5	Veterinarian not maintaining sufficient records of treatment	\$250
71 IAC 8-5-6	Veterinarian non-reporting of horse illness	\$500
71 IAC 8-5-10	Veterinarian pre-drawn injection requirements	\$1,000
71 IAC 8-5-12	Veterinarian pre-race contact with horse violation	\$2,500
71 IAC 8-6-1	Possession of drug without a prescription	\$1,000
71 IAC 8-6-2(a)	Possession or use of prohibited substances	\$5,000
71 IAC 8-6-2(b)(1)	Racing or breezing within ten days of shockwave treatment	\$500
71 IAC 8-6-2(b)(2)	List of horses given shockwave within the last ten days not accessible	\$250
71 IAC 8-6-2(b)(3)	Shockwave therapy administered by any person other than non-practicing veterinarian	\$2,500
71 IAC 8-6-2(b)(4)	Use of unregistered/unapproved shockwave machines	\$1,000
71 IAC 8-6-2(b)(5)	Shockwave treatment administered and not reported to official veterinarian and judges	\$500

71 IAC 8-6-2(b)(6)	Trainer to report all shockwave treatments to official veterinarian and stewards within 24 hours of treatment	\$500
71 IAC 8-6-2(b)(8)	Participation in any way with the administration of shockwave	ARCI Penalty
71 IAC 8-6-2(c)	Possession or use of certain drugs, substances, or medication that has not been approved by the FDA and the IHRC	\$1,000
71 IAC 8-6-2(d)	Veterinarian possession of approved drugs in excess of what is needed	\$1,000
71 IAC 8-6-2(f)	Possession or use of certain drugs, substances, or medication that has not been FDA and IHRC approved	\$1,000
71 IAC 8-6-2(g)	Extra-label use of medication	\$1,000
71 IAC 8-6-2(h-j))	Mislabeling or non-labeling of equine medication	\$1,000
71 IAC 8-6-2(k)	Labeling requirements for prescription medication	\$1,000
71 IAC 8-6-2(l)	Practice, administration, application of treatments or procedures on entered horse adversely affecting the integrity of racing or endangering human or equine participants	\$5,000
71 IAC 8-6-3(c)	Use of bisphosphonates	ARCI Penalty
71 IAC 8-7-1	Possession of contraband by non-veterinarian	\$1,000
71 IAC 8-8-2	Non-reporting of horse death	\$1,000
71 IAC 8-11-3	Positive intoxicated test results	\$250
71 IAC 8-13-1(d)	Alteration of test results	\$2,500
71 IAC 8.5-1-1.5(a)	Horse carrying a foreign substance during a race	ARCI Penalty
71 IAC 8.5-1-1.5(b-e)	Administration of a prohibited substance within 24 hours of a race	\$1,000
71 IAC 8.5-1-2	Foreign substance in horse	ARCI Penalty
71 IAC 8.5-1-2.1	Clenbuterol prohibition	ARCI Penalty
71 IAC 8.5-1-2.2	Albuterol prohibition	ARCI Penalty
71 IAC 8.5-1-2.3	Beta-agonist prohibition	ARCI Penalty
71 IAC 8.5-1-2.5	Thyroxine prohibition	\$2,500
71 IAC 8.5-1-4.1	NSAID violation	ARCI Penalty
71 IAC 8.5-1-4.2	Threshold drug violations	ARCI Penalty
71 IAC 8.5-1-4.5(a)	Violation of ARCI corticosteroid standards	ARCI Penalty

71 IAC 8.5-1-4.5(b)(2)	Intra-articular injection violation by non-licensed veterinarians	\$500
71 IAC 8.5-1-4.5(b)(3)	Intra-articular injection non-reporting violation	\$500
71 IAC 8.5-1-4.5(b)(4)	Trainer responsibility for reporting corticosteroid treatment	\$500
71 IAC 8.5-1-5	Furosemide used outside of allowed parameters	ARCI Penalty
71 IAC 8.5-1-7	Consideration of ARCI when penalizing medication violations	ARCI Penalty
71 IAC 8.5-1-8	AAS violations	ARCI Penalty
71 IAC 8.5-1-9	Regulatory threshold drug	ARCI Penalty
71 IAC 8.5-2-5(g)	Out of competition testing cooperation requirements	\$250 per Horse
71 IAC 8.5-3-5(f)	Presence of prohibited substances in out of competition testing	ARCI Penalty
71 IAC 8.5-4-1	Veterinarian practicing while ineligible	\$2,500
71 IAC 8.5-4-2(a)	Veterinarian prohibition on horse ownership	\$500
71 IAC 8.5-4-2(b)	Veterinarian wagering	\$1,000
71 IAC 8.5-4-2(c)	Veterinarian furnishing injection devices	\$5,000
71 IAC 8.5-4-3	Veterinarian using non-approved injection devices	\$1,000
71 IAC 8.5-4-5	Veterinarian not maintaining sufficient records of treatment	\$250
71 IAC 8.5-4-6	Veterinarian non-reporting of horse illness	\$500
71 IAC 8.5-4-7	Proper storage of medical supplies and drugs	\$500
71 IAC 8.5-4-9	Veterinarian vehicle occupation	\$100
71 IAC 8.5-4-10	Veterinarian pre-drawn injection requirements	\$1,000
71 IAC 8.5-4-12	Veterinarian pre-race contact with horse violation	\$2,500
71 IAC 8.5-5-1	Possession of drug without a prescription	\$1,000
71 IAC 8.5-5-2(a)	Possession or use of prohibited substances	\$5,000
71 IAC 8.5-5-2(b)(1)	Racing or breezing within ten days of shockwave treatment	\$500
71 IAC 8.5-5-2(b)(2)	List of horses given shockwave within the last ten days not accessible	\$250
71 IAC 8.5-5-2(b)(3)	Shockwave therapy administered by any person other than non-practicing veterinarian	\$2,500

71 IAC 8.5-5-2(b)(4)	Use of unregistered/unapproved shockwave machines	\$1,000
71 IAC 8.5-5-2(b)(5)	Shockwave treatment administered and not reported to official veterinarian and stewards	\$500
71 IAC 8.5-5-2(b)(6)	Trainer to report all shockwave treatments to official veterinarian and stewards within 24 hours of treatment	\$500
71 IAC 8.5-5-2(b)(8)		ARCI Penalty
71 IAC 8.5-5-2(c)	Possession or use of certain drugs, substances, or medication that has not been approved by the FDA and the IHRC	\$1,000
71 IAC 8.5-5-2(d)	Veterinarian possession of approved drugs in excess of what is needed	\$1,000
71 IAC 8.5-5-2(f)	Possession or use of shockwave machine in violation of 71 IAC	\$2,500
71 IAC 8.5-5-2(g)	Extra-label use of medication	\$1,000
71 IAC 8.5-5-2(h-j)	Mislabeling or non-labeling of equine medication	\$1,000
71 IAC 8.5-5-2(k)	Labeling requirements for prescription medication	\$1,000
71 IAC 8.5-5-2(l)	Practice, administration, application of treatments or procedures on entered horse adversely affecting the integrity of racing or endangering human or equine participants	\$5,000
71 IAC 8.5-5-3	Use of bisphosphonates	ARCI Penalty
71 IAC 8.5-6-1	Possession of contraband by non-veterinarian	\$1,000
71 IAC 8.5-7-2	Requirements for postmortem examination and disposal	\$2,500
71 IAC 8.5-10-1	Possession of controlled substances	\$100
71 IAC 8.5-10-6	Positive drug tests	\$100
71 IAC 8.5-11-3	Failure to pass an alcohol breath test	\$100
71 IAC 8.5-13-6	Penalties for TCo2 violation	ARCI Penalty
71 IAC 8.5-13-7	Presence of horse in ship-in barn	\$100
71 IAC 8.5-13-8	Presence of caretaker with horse	\$100
71 IAC 12-2-2	Satellite facility or simulcasting violations listed in 71 IAC 12	\$5,000
71 IAC 13-1-10	Breach of obligations for Horsemen Associations listed in 71 IAC 13	\$5,000

TITLE 71 INDIANA HORSE RACING COMMISSION

Proposed Rule

LSA Document # 23-

DIGEST

Adds 71 IAC 5-7 regarding licensing fees. Statutory Authority: IC 4-31-3-9

Rule 5. Licensee Fee Schedule

Rule 5. Licensee Fee Schedule

71 IAC 5-7-1 Assessment of Fees

71 IAC 5-7-2 Breed Development Fund Nomination Fees

71 IAC 5-7-3 Standardbred Breed Development Fund

71 IAC 5-7-4 Individual Licensing Fees

71 IAC 5-7-5 Badge Fees

71 IAC 5-7-1 Assessment of Fees

Authority: IC 4-31-3-8; IC 4-31-3-9

Affected: IC 4-31

Sec. 1. All fees not specified elsewhere under IC 4-31 or 71 IAC shall be specified under 71 IAC 5-7.

71 IAC 5-7-2 Breed Development Fund Nomination Fees

Authority: IC 4-31-3-8; IC 4-31-3-9

Affected: IC 4-31

Sec. 2. Following are the nomination fees which get deposited into the Breed Development Fund:

Name of Entry	General Description of Entry	Fee
Late Closer	Standardbred horses entered into Indiana Late Closing races as defined in 71 IAC 1-1-53	\$100
Sire Stake	Standardbred horses entered into Indiana Sires Stakes races as defined in 71 IAC 1-1-103	\$500

71 IAC 5-7-3 Standardbred Horse Fund Nomination Fees

Authority: IC 4-31-3-8; IC 4-31-3-9

Affected: IC 4-31

Sec. 3. Following are the nomination fees which get deposited into the Standardbred Horse Fund:

Name of Entry	General Description of Entry	Fee
Indiana Sired Fair Circuit	Standardbred horses entered into Indiana Sired Fair Circuit races	\$300

71 IAC 5-7-4 Individual Licensing Fees

Authority: IC 4-31-3-8; IC 4-31-3-9

Affected: IC 4-31

Sec. 4. Following are the licensing fees for individuals licensed by the Indiana Horse Racing Commission for standardbred racing:

Licensee Title	General Description of Licensee	Fee
Groom/Exercise Rider/Hotwalker	Hired to engage in daily care of horses on backside of tracks	\$15
ISA Employee	Employee of the Indiana Standardbred Association	\$15
Pari-Mutuel Clerk	Track employee designated to accept and pay out wagers from the general public	\$15
Pony Rider	Parades thoroughbred and quarter horses prior to loading them into starting gate	\$15
Track Employee	Employee of either Harrah's Hoosier Park, or Horseshoe Indianapolis racetracks	\$15
Transporter	Transports horses from track to track or training facility	\$15
Vendor Employee	Employee of vendor licensed at Harrah's Hoosier Park or Horseshoe Indianapolis	\$15
Assistant Trainer	Individual who assists trainer of horses	\$35
Authorized Agent	Individual who is authorized to claim a horse on another individual's behalf as defined in 71 IAC 1-1-12	\$35
Claiming	Individual who is authorized to claim a horse on their own in a claiming race as defined in 71 IAC 1-1-20	\$35
Driver	Individual licensed to drive a cart in a standardbred race as defined in 71 IAC 1-1-35	\$35

Farrier	Craftsman who trims and shoes horses' hooves as qualified under 71 IAC 5-6-1	\$35
Assistant Farrier	Individual who is an assistant to farrier	\$35
Horsemen's Bookkeeper	Track employee who manages purse payments to horsemen	\$35
Massage Therapist Helper	An assistant to a massage therapist for horses	\$35
Outrider	Track employee who maintains safety during race	\$35
Owner	Individual who owns five percent or more of a horse as defined in 71 IAC 1-1-74	\$35
QF Driver	Qualifying/fair drivers who are apprenticing to obtainer their driver's permit	\$35
Racing Official	Commission or track officials listed in 71 IAC 3-1-1	\$35
Starting Gate Crew	Track employees responsible for the operation of the starting gate	\$35
Trainer	Individual responsible for duties listed in 71 IAC 5-3 and 71 IAC 5.5-1	\$35
Valet	Individuals who assist jockeys in jockeys' quarters	\$35
Veterinarian's Assistant	Individual who assists veterinarians on the backside of the track	\$35
Track Management	Members of the Harrah's Hoosier Park and Horseshoe Indianapolis track management staff	\$60
Equine Dentist	Individual who provides dental care to horses at Harrah's Hoosier Park and Horseshoe Indianapolis	\$100
Jockey Agent	Managers of jockeys who assist in securing jockeys for horses	\$100
Massage Therapist	Individuals who provide massage therapy for horses at Harrah's Hoosier Park and Horseshoe Indianapolis	\$100
Veterinarian – Practicing	Veterinarian providing services for hire at Harrah's Hoosier Park and Horseshoe Indianapolis	\$100
Veterinarian – Track	Veterinarian employed by Harrah's Hoosier Park or Horseshoe Indianapolis to provide certain services	\$100
Vendor/Contractor	Owner of a business tangentially connected to horse racing	\$100

71 IAC 5-7-5 Badge Fees

Authority: IC 4-31-3-8; IC 4-31-3-9

Affected: IC 4-31

Sec. 5. Following are the badge fees for individuals licensed by the Indiana Horse Racing Commission for standardbred racing:

Fingerprint Fee	Fee for fingerprints required under 71 IAC 3-1-2.1 and 71 IAC 5	\$27
Change of Badge	Change of personal information on badge	\$5
Additional Badge	Additional badge furnished upon request	\$5
License Change	Change of license type on badge	\$5
Lost Badge Replacement	Replacement badge for an individual who as lost their badge	\$5

TITLE 71 INDIANA HORSE RACING COMMISSION

Proposed Rule

LSA Document # 23-

DIGEST

Adds 71 IAC 5.5-8 regarding licensing fees. Statutory Authority: IC 4-31-3-9

Rule 8. Licensee Fee Schedule

Rule 8. Licensee Fee Schedule

71 IAC 5.5-8-1 Assessment of Fees
71 IAC 5.5-8-2 Individual Licensing Fees
71 IAC 5.5-8-3 Badge Fees

71 IAC 5.5-8-1 Assessment of Fees

Authority: IC 4-31-3-8; IC 4-31-3-9
Affected: IC 4-31

Sec. 1. All fees not specified elsewhere under IC 4-31 or 71 IAC shall be specified under 71 IAC 5.5-8.

71 IAC 5.5-8-2 Individual Licensing Fees

Authority: IC 4-31-3-8; IC 4-31-3-9
Affected: IC 4-31

Sec. 2. Following are the licensing fees for individuals licensed by the Indiana Horse Racing Commission for flat racing:

Licensee Title	General Description of Licensee	Fee
Groom/Exercise Rider/Hotwalker	Hired to engage in daily care of horses on backside of tracks	\$15
HBPA Employee	Employee of the Horsemen's Benevolent and Protective Association	\$15
Pari-Mutuel Clerk	Track employee designated to accept and pay out wagers from the general public	\$15
Pony Rider	Parades thoroughbred and quarter horses prior to loading them into starting gate	\$15
Track Employee	Employee of either Harrah's Hoosier Park, or Horseshoe Indianapolis racetracks	\$15

Transporter	Transports horses from track to track or training facility	\$15
Vendor Employee	Employee of vendor licensed at Harrah's Hoosier Park or Horseshoe Indianapolis	\$15
Apprentice Jockey	Individual who is training to become a licensed jockey	\$35
Assistant Trainer	Individual who assists trainer of horses	\$35
Authorized Agent	Individual who is authorized to claim a horse on another individual's behalf as defined in 71 IAC 1-1-12	\$35
Claiming	Individual who is authorized to claim a horse on their own in a claiming race as defined in 71 IAC 1-1-20	\$35
Farrier	Craftsman who trims and shoes horses' hooves as qualified under 71 IAC 5-6-1	\$35
Assistant Farrier	Individual who is an assistant to farrier	\$35
Horsemen's Bookkeeper	Track employee who manages purse payments to horsemen	\$35
Jockey	Individual who rides a horse in a thoroughbred or quarter horse race	\$35
Massage Therapist Helper	An assistant to a massage therapist for horses	\$35
Outrider	Track employee who maintains safety during race	\$35
Owner	Individual who owns five percent or more of a horse as defined in 71 IAC 1-1-74	\$35
Racing Official	Commission or track officials listed in 71 IAC 3-1-1	\$35
Starting Gate Crew	Track employees responsible for the operation of the starting gate	\$35
Trainer	Individual responsible for duties listed in 71 IAC 5-3 and 71 IAC 5.5-1	\$35
Valet	Individuals who assist jockeys in jockeys' quarters	\$35
Veterinarian's Assistant	Individual who assists veterinarians on the backside of the track	\$35
Track Management	Members of the Harrah's Hoosier Park and Horseshoe Indianapolis track management staff	\$60
Equine Dentist	Individual who provides dental care to horses at Harrah's Hoosier Park and Horseshoe Indianapolis	\$100
Jockey Agent	Managers of jockeys who assist in securing jockeys for horses	\$100

Massage Therapist	Individuals who provide massage therapy for horses at Harrah's Hoosier Park and Horseshoe Indianapolis	\$100
Veterinarian – Practicing	Veterinarian providing services for hire at Harrah's Hoosier Park and Horseshoe Indianapolis	\$100
Veterinarian – Track	Veterinarian employed by Harrah's Hoosier Park or Horseshoe Indianapolis to provide certain services	\$100
Vendor/Contractor	Owner of a business tangentially connected to horse racing	\$100

71 IAC 5.5-8-3 Badge Fees

Authority: IC 4-31-3-8; IC 4-31-3-9

Affected: IC 4-31

Sec. 3. Following are the badge fees for individuals licensed by the Indiana Horse Racing Commission for flat racing:

Fingerprint Fee	Fee for fingerprints required under 71 IAC 3-1-2.1 and 71 IAC 5	\$27
Change of Badge	Change of personal information on badge	\$5
Additional Badge	Additional badge furnished upon request	\$5
License Change	Change of license type on badge	\$5
Lost Badge Replacement	Replacement badge for an individual who as lost their badge	\$5

TITLE 71 INDIANA HORSE RACING COMMISSION

Legislative Notice for Rule Readoption

LSA Document #23-XXXX

DIGEST

Under IC 4-22-2.6-3, the Indiana Horse Racing Commission notifies the Legislative Council of its intend to readopt rules in anticipation of the rules expiring January 1 2025.

STATUTORY AUTHORITY: IC 4-31-3-8(1)

SUBJECT MATTER: Rules governing horse racing and licensee activities and requirements.

OVERVIEW

Rules to be readopted without changes are as follows:

- 71 IAC 1 DEFINITIONS
- 71 IAC 1.5 FLAT RACING; DEFINITIONS
- 71 IAC 2 COMMISSION
- 71 IAC 3 OFFICIALS
- 71 IAC 3.5 FLAT RACING; OFFICIALS
- 71 IAC 10 DUE PROCESS AND DICIPINARY ACTION

Rules to be repealed are as follows:

NONE

Agenda Item #14

Subject: REPORT ON HISA PROGRAMS - SEE ATTACHMENT
Attachments: 2023 10 06 ASSESSMENT AND ANALYSIS.pdf
Follow Up Flag: Follow up
Due By: Wednesday, October 11, 2023 10:00 AM
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Some of you have asked for an assessment of HISA performance. Here is what we have pulled together based on the programs so far.

After HISA's First Year - Effect on Breakdowns Questionable.
After 6 months of the ADMC Program - no new drugs found.

A staff report from the Association of Racing Commissioners International (ARCI) was issued today providing data and a programmatic analysis of HISA Programs after its first year responsible for equine and racetrack safety in thoroughbred racing and six months responsibility for anti-doping and medication control.

The main takeaways are:

- HISA's biggest success lies in common rules and drug testing;
- HISA/HIWU Testing Labs have not found any new drugs that had not been found under the previous state based programs;
- Based on HIWU statements as to the extent of testing and HIWU website postings, it appears the rate of adverse analytical findings triggering regulatory review or action is roughly the same as the previous state based program.
- The equine fatality rate remains small and results are mixed as to whether HISA has had any effect, either way.
- HISA receives considerable help from State Racing Commissions who are expected to provide almost \$18 million in funding or services in the coming year.
- HISA's almost \$81 million proposed budget for next year relies on the thoroughbred racing industry paying almost \$60 million in assessments.

The report (attached) was prepared for State Racing Commissions who anticipate being asked by state legislative oversight committees as to the performance of HISA in their State. It is considered preliminary and is the first and only independent assessment of the new program so far. To date there has been no congressional oversight or review by the Federal Trade Commission.

Edward Martin, President
Racing Commissioners International
2365 Harrodsburg Rd. Suite B-450, Lexington, KY 40504

OCTOBER 5, 2023

AFTER A YEAR IN THE “SADDLE”

ASSESSING HISA

A Non-Partial Assessment & Analysis

On July 1, 2022, the Horseracing Integrity and Safety Authority assumed responsibility for all equine and racetrack safety in US thoroughbred racing. Ultimate responsibility for rules and enforcement shifted from individual State Racing Commissions to this federally empowered organization operating under the authority of the US Federal Trade Commission.

The newly incorporated Horseracing Integrity and Safety Authority (HISA) was created on September 8, 2020, weeks prior to passage of the Horseracing Integrity and Safety Act (Act) as a rider attached to a federal COVID relief bill in the final days of the 2020 Congressional session. The entity did not previously exist and was incorporated in Delaware. The Act was not a product of any committee and did not go through “regular order” where Members of Congress and constituents could work to perfect the legislation. There was no discussion or debate as to the wisdom of a congressional empowerment of a previously non-existent entity with no background in the matters for which it was to become responsible. Yet that is what became law.

The Act mandated that the HISA was to become responsible for equine and racetrack safety as well as anti-doping and medication control regulations and enforcement eighteen months later on July 1, 2022.

The incorporators designated a Nominating Committee to select Members of the Board of Directors. It took five months to form the HISA Board and identify an Executive Director, albeit a temporary one, who commenced work mid-July 2021 to begin a considerable and logistically challenging transition to a new regulatory scheme.

In hindsight the Nominating Committee’s delay in appointing a Board that could hire staff further limited the available time to comply with statutory deadlines and made HISA’s job far more difficult than it should ever have been. It also delayed meaningful transition conversations with individual State Racing Commissions eager to have a smooth implementation in their State, however it was ultimately structured.

A permanent HISA CEO, Ms. Lisa Lazarus, did not start until February 15, 2022, just four and a half months prior to the statutory launch deadline. She faced a daunting task implementing key decisions made prior to her arrival and building a team beyond a hodgepodge of outside attorneys and consultants.

Complicating matters was HISA's inability to secure an agreement with the United States Anti-Doping Agency (USADA) at the end of 2021. USADA had been designed by the Act as HISA's anti-doping medication and control enforcement agency, but the designation was not binding absent a contract agreement between HISA and USADA. After months of transition meetings with State Racing Commissions and HISA staff and private negotiations with HISA representatives, the USADA announced at the end of 2021 they would not be participating further with HISA.

It was not until May 3, 2022 that HISA announced the selection of Drug Free Sport, a decision made behind closed doors with no transparency as to the extent a competitive procurement process had been conducted for what would prove to be a multi-million dollar contract paid for by congressionally authorized assessments on the racing industry and state government funds provided by states with the ability to do so.

Despite the statutory deadline, it was operationally impossible for HISA's anti-doping and medication rules and program to take effective on July 1, 2022. This alleviated the intense operational pressure on the HISA staff in the weeks leading to the launch of the equine and racetrack safety program.

That program launched on time, and it is to the credit of Ms. Lazarus and her staff as well as the overwhelming majority of state racing commissions who entered into "voluntary agreements" to provide personnel and resources to assist.

The Anti-Doping and Medication Control program launched on March 27, 2023, and has been operating for six months.

The purpose of this document is to take a moment in time to assess how everything is working so far. The racing industry remains divided on HISA, and this document is not to be interpreted as "pro-HISA" or "anti-HISA." This assessment presents what is known and people will reach whatever conclusions they personally deem appropriate.

Assessing the Results:

Depending on who one speaks to, HISA has been a tremendous success or a costly disaster. It is a tremendous success in that there are uniform rules and common drug testing points of regulatory action. Everyone agreed this was needed. For those struggling to pay increased regulatory fees or who face a loss of business because a venue may cease or reduce thoroughbred racing opportunities for whatever reason, HISA may be regarded as a costly disaster.

The creation of two new entities, HISA and the Horseracing Integrity and Welfare Unit (HIWU) come with a cost. The proposed 2024 HISA budget is \$80,967,416. State funding and resources are estimated to be \$18,740,635 next year, meaning that HISA's assessment of the thoroughbred industry will be reduced to \$59,846,163.

This is a significant investment and the thoroughbred industry will ultimately assess if the results have been worth the price paid. The ARCI takes no position on this only to note that some States have already opted to not provide any resources or funding for HISA. In the coming years more State policymakers may limit the ability of their racing commission to provide public resources or funding to assist this private entity. These states may emulate sports betting regulatory policy where the states do not fund a sport's integrity or participant safety programs.

The purpose of this assessment is to present information. Any safety or enforcement program can only be assessed by the results. After one year of HISA's equine and racetrack safety program and six months of the Anti-Doping and Medication Control Program, there are some solid results to be digested.

EQUINE AND RACETRACK SAFETY PROGRAM

Catastrophic breakdowns will ultimately be the metric by which thoroughbred horseracing and HISA are judged. The highly publicized 2020 fatalities at Santa Anita or 2023 deaths at Churchill Downs underscore the fragility of a sport dependent on social acceptability for its ultimate survival. Despite declining fatalities in California and

nationally, one soon appreciates that perception is not necessarily reality. And perception, whether fact based or not, can turn on a dime. Greyhound racing knows that better than anyone.

The Act passed with strong support from animal rights and animal welfare organizations and congressional supporters who will expect the promised results from the enormous change the regulatory structure they were convinced to get behind.

The expectation? Safer horses and fewer catastrophic deaths.

As you will see from the following numbers, this is an extremely difficult and complicated issue not prone to simplistic answers or explanations. Many will judge the sport on the simple number of horses that died in a race or in training. But context is important and the catastrophic breakdown rate (race related deaths as a percentage of the number of horses that start in a race) becomes a measurable metric. In considering those rates one must recognize the large amount of racing activity taking place and while a horse that dies may dominate a news cycle, that death may be the exception and not the rule.

This is not to minimize the need to consistently strive to reduce such instances, but any consideration of this issue must be kept in context as trends are important in assessing whether what one is doing is working or not. Finding policies that work is what everyone wants and while HISA is the empowered national regulator, only a sober assessment of how things are working can be helpful to the future of the horses, the sport, and everyone working in it.

While a fatality rate can be assessed for horses in an actual race, it is not yet possible for horses in training. In 2022, there were 86 equine deaths of horses in training in the pre-HISA months, and 95 after HISA took charge. The only conclusion to be reached is that the challenge is not limited to the race itself and any consideration of the data in this report must be tempered by a recognition that solutions need to be holistic and a divided industry jeopardizes the collective responsibility to address these matters.

Many of HISA's equine and racetrack safety rules were based upon existing Model Rules of the Association of Racing Commissioners International and the accreditation standards of the National Thoroughbred Racing Association. New and important rules were added expanding regulatory jurisdiction over covered horses and requiring the submission of all

veterinary records for those horses from the point they were registered with HISA forward. While the ARCI remains on record advocating the earlier regulatory jurisdiction over the horse itself the Act did not provide for that. The ARCI supports HISA’s new veterinary record submission rule as a welcome reform giving the HISA regulators a new tool to better identify at-risk horses and ways to safeguard them, through enhanced pre-race suitability scrutiny assessments.

As of July 1, 2022, all veterinary records have been required to be submitted electronically to HISA on all covered horses. It is unclear the extent this requirement has been enforced since taking effect or what exactly has been done with these veterinary records to “red flag” horses for increased suitability assessments to start in a race.

2022 Pre-HISA - Post HISA Data

2022 gives us the ability to look at six months of pre-HISA thoroughbred racing, operating under the individual state rules, and six months post-HISA operating under the new expanded rules.

It was impossible to draft the pre-HISA, post-HISA comparison for the following States: Colorado, Idaho, and Nebraska due to their lack of a racing schedule for either the first or second half of the year. Due to technical database issues, the Texas Racing Commission could not provide relevant data and the Oregon numbers were too minimal to be considered.

In assessing these numbers, the goal and hope was to explore whether the increased scrutiny of covered horses might show significant results.

2022	Comparison of % of fatalities of starters					
	Jan 1 to June 30			July 1 to Dec 31		
	Fatalities	Starters	Rate	Fatalities	Starters	Rate
Arizona	16	4863	0.329011	4	2636	0.151745
Arkansas	2	4743	0.042167	0	680	0
California	12	9858	0.121729	11	11243	0.097839

Delaware	1	1064	0.093985	9	3712	0.242457
Florida	28	8577	0.326454	12	6955	0.172538
Illinois	0	1651	0	3	2633	0.113935
Indiana	0	2353	0	3	5180	0.057915
Iowa	0	1265	0	8	2497	0.320384
Kentucky	8	7275	0.042167	7	8638	0.081037
Louisiana	20	12014	0.166472	9	9463	0.095107
Maryland	7	5406	0.129486	5	5776	0.086565
Minnesota	2	1415	0.141343	2	2452	0.081566
New Jersey	4	1474	0.27137	5	3306	0.15124
New Mexico	8	6868	0.116482	3	11259	0.026645
New York	13	7420	0.175202	16	11552	0.138504
Ohio	18	7173	0.250941	15	9149	0.163952
Oklahoma	6	2605	0.230326	6	5694	0.105374
Pennsylvania	11	10583	0.10394	17	12708	0.133774
Washington	3	892	0.336323	2	1833	0.109111
West Virginia	17	6757	0.251591	17	9775	0.173913
		Rate:	0.169		Rate:	0.121

Important points to consider:

- The overall catastrophic breakdown rate in thoroughbred contests was 0.169 for the first half of 2022 and 0.121 during the second half.
- While the number of equine fatalities in a race was reduced from 177 to 154 in the months following HISA’s effective date, 11 of the 23 fewer fatalities were the result of the experience in Louisiana, a non-HISA state. The fatality rate in another non-HISA state (West Virginia) also declined despite the number remaining constant.

- Overall, the fatality rate declined in twelve HISA regulated jurisdictions from the first half to the second half of 2022 but increased in six other HISA regulated States, making it difficult to draw any firm conclusion.
- In recent years, the catastrophic breakdown rate has been declining due to industry wide efforts involving participants, racetracks, and racing commissions. As such it may be premature to draw any conclusions as to the impact of HISA’s new program and rules.
- It remains important to underscore the fact that 99.83% of the thoroughbred horses that started a race during the first half of 2022 finished. During the second half, 99.87% finished.

2023 Thoroughbred Equine and Racetrack Safety Results:

<i>THOROUGHBRED RACING - 2023 January thru June.</i>			
State	FATALITIES	STARTERS	Rate
Arkansas	11	5457	0.20158
Arizona	12	4859	0.24696
California	8	9636	0.08302
Colorado	0	354	0
Delaware	2	967	0.20683
Florida	6	13336	0.04499
Idaho	0	8	0
Illinois	2	2091	0.09565
Indiana	3	2518	0.11914
Iowa	2	1232	0.16233
Kentucky	20	7964	0.25113

Louisiana	10	10030	0.0997
Maryland	4	5005	0.07992
Minnesota	2	749	0.26702
Nebraska	5	2160	0.23148
New Jersey	2	1460	0.13699
New Mexico	6	3188	0.18821
New York	13	7428	0.17501
Ohio	11	9101	0.12087
Oklahoma	4	2044	0.19569
Oregon	0	146	0
Pennsylvania	11	10980	0.10018
Texas	5	5480	0.09124
Washington	0	1016	0
West Virginia	14	6904	0.20278
		Rate:	0.134

2023 Breakdown Rates Ranked Highest to Lowest:

THOROUGHBRED RACING - 2023			
January thru June.			
State	FATALITIES	STARTERS	% of loss
Minnesota	2	749	0.26702
Kentucky	20	7964	0.25113
Arizona	12	4859	0.2469644
Nebraska	5	2160	0.23148148
Delaware	2	967	0.20682523
West Virginia	14	6904	0.202781
Arkansas	11	5457	0.20157596

Oklahoma	4	2044	0.19569472
New Mexico	6	3188	0.18820577
New York	13	7428	0.17501346
Iowa	2	1232	0.16233
New Jersey	2	1460	0.1369863
Ohio	11	9101	0.12086584
Indiana	3	2518	0.11914218
Pennsylvania	11	10980	0.10018215
Louisiana	10	10030	0.0997009
Illinois	2	2091	0.09564802
Texas	5	5480	0.09124088
California	8	9636	0.08302
Maryland	4	5005	0.07992008
Florida	6	13336	0.044991
Washington	0	1016	0
Colorado	0	354	0
Oregon	0	146	0
Idaho	0	8	0
		Rate:	0.134

Items to note:

- It is critical to note that while every individual equine fatality is a tragedy, when one considers the overall number of horses that enter a starting gate to race, it is an undeniable fact that 99.86% of those horses finished that race during the first six months of 2023. Preventing catastrophic injuries in thoroughbred racing has been a long-term project involving everyone in the sport and the progress made in this area pre-dated the implementation of HISA and will hopefully continue to improve going forward.

- During the first six months of 2023 the number of States with a catastrophic breakdown rate higher than the national average was equal to the number with rates below the national average.
- Of the three States who are currently not under HISA regulation, two had breakdown rates below the national average (Texas and Louisiana) and one was above (West Virginia).

Trends:

The following chart is presented to explore if there are any discernible trends in the data. The first half year was pre-HISA, the next two half year increments show data under HISA.

	Jan 1 to June 30, 2022			July 1 to Dec 31, 2022			January 1 - June 30, 2023		
	Fatalities	Starters	Rate	Fatalities	Starters	Rate	Fatalities	Starters	Rate
Arizona	16	4863	0.329011	4	2636	0.151745	12	4859	0.246964
Arkansas	2	4743	0.042167	0	680	0	11	5457	0.201576
California	12	9858	0.121729	11	11243	0.097839	8	9636	0.08302
Delaware	1	1064	0.093985	9	3712	0.242457	2	967	0.206825
Florida	28	8577	0.326454	12	6955	0.172538	6	13336	0.044991
Illinois	0	1651	0	3	2633	0.113935	2	2091	0.095648
Indiana	0	2353	0	3	5180	0.057915	3	2518	0.119142
Iowa	0	1265	0	8	2497	0.320384	2	1232	0.16233
Kentucky	8	7275	0.042167	7	8638	0.081037	20	7964	0.25113
Louisiana	20	12014	0.166472	9	9463	0.095107	10	10030	0.099701
Maryland	7	5406	0.129486	5	5776	0.086565	4	5005	0.07992
Minnesota	2	1415	0.141343	2	2452	0.081566	2	749	0.26702
New Jersey	4	1474	0.27137	5	3306	0.15124	2	1460	0.136986
New Mexico	8	6868	0.116482	3	11259	0.026645	6	3188	0.188206
New York	13	7420	0.175202	16	11552	0.138504	13	7428	0.175013

Ohio	18	7173	0.250941	15	9149	0.163952	11	9101	0.120866
Oklahoma	6	2605	0.230326	6	5694	0.105374	4	2044	0.195695
Pennsylvania	11	10583	0.10394	17	12708	0.133774	11	10980	0.100182
Washington	3	892	0.336323	2	1833	0.109111	0	1016	0
West Virginia	17	6757	0.251591	17	9775	0.173913	14	6904	0.202781

Observations from Trends:

- States with an increasing fatality rate over three half year periods: Arkansas, Delaware, Indiana, Kentucky.
- States with a decreasing fatality rate over three half year periods: California, Florida, Maryland, New Jersey, Ohio, and Washington.

State Fatality Rates for 12 months of HISA Oversight:

	July 1, 2022 - June 30, 2023		
	Fatalities	Starters	Rate
Arizona	16	7495	0.21347565
Arkansas	11	6137	0.17924067
California	19	20879	0.09100053
Delaware	11	4679	0.23509297
Florida	18	20291	0.08870928
Illinois	5	4724	0.10584251
Indiana	6	7698	0.07794232
Iowa	10	3729	0.26816841
Kentucky	27	16602	0.16263101
Louisiana	19	19493	0.09747089
Maryland	9	10781	0.0834802

Minnesota	4	3201	0.12496095
New Jersey	7	4766	0.14687369
New Mexico	9	14447	0.06229667
New York	29	18980	0.15279241
Ohio	26	18250	0.14246575
Oklahoma	10	7738	0.12923236
Pennsylvania	28	23688	0.11820331
Washington	2	2849	0.07020007
West Virginia	31	16679	0.18586246

Observation from 12-month HISA Chart.

- Nine States saw an increased fatality rate when comparing the final six months of state regulation to the past year of HISA Regulatory oversight. These States were: Arkansas, Delaware, Illinois, Indiana, Iowa, Kentucky, Minnesota, New Mexico, and Washington.
- Nine states experienced a decreased fatality rate using the same comparison: Arizona, California, Florida, Louisiana, Maryland, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, and West Virginia. Louisiana and West Virginia both saw a fatality rate reduction but neither State was under the HISA's regulatory scheme.
- The data demonstrates a "mixed bag," and it is difficult to assess the extent to which HISA oversight had an effect on the sport's bottom line - the rate at which a horse will suffer a fatal injury in a thoroughbred race.
- The overall fatality in a race rate for this period of time is 0.127.

ANTI-DOPING AND MEDICATION CONTROL (ADMC)

On March 27, 2023, the total responsibility for anti-doping and medication control policy and enforcement in thoroughbred racing shifted from the State Racing Commissions to the Horseracing Integrity and Safety Authority and a newly created entity managed by its contracted vendor Drug Free Sport operating as the Horseracing Integrity and Welfare Unit (HIWU).

The Act envisioned, but did not require, the involvement of the United States Anti-Doping Agency (USADA) as the HISA enforcement agency. After almost a year of planning, meetings, and negotiations between the two parties USADA withdrew, and HISA was forced to find an alternative. That alternative operates as HIWU.

The new program has been heralded as robust and expectations among HISA proponents remain high that it is a vast improvement over the program operated at the state level by the Racing Commissions.

After six months operating the following preliminary assessments can be made:

- Uniform rules and common points of regulatory action for thoroughbred races in the reporting of an adverse analytical finding from the testing lab are a solid improvement. Total uniformity resulting from one set of rules and one contractor of the labs replaced individual state rules and vendor arrangements. Despite the previous substantial uniformity that had existed, whatever variations that previously existed between jurisdictions have now been eliminated.
- HISA/HIWU testing is **not** finding any new substances or drugs that were not previously found by the State programs. Based upon the public reports on the HIWU website no new drugs have been detected and the following substances have been reported:
 - Acepromazine, Acetylcysteine, Albuterol; Alkalinization, Altrenogest, Butalbital, Clenbuterol, Cobalt Salts, Cocaine, Dantrolene, Detomidine, Dexamethasone, Diisopropylamine, Dimethylsulfoxide, Flunxin, Furosemide, Gabapentin, Hydrochlorothiazide, Isoxsuprine, Levamisole,

Levothyroxine, Lidocaine, Metformin, Methamphetamine, Methocarbamol, Methylphenidate, Naproxen, Omeprazole, Phenylbutazone, Salicylic Acid, Tapentadol, Triamcinolone, Venlafaxine, Zeranol.

- In response to a question about post-race test results, HIWU reported in a September 7, 2023, HISA Town Hall that it had tested approximately 25,000 horses in the first 3.5 months. These tests not only included post-race samples, but tests related to the removal of a horse from the “Vet’s list” consistent with HISA rules, and both random and intelligence based out of competition tests. The HIWU website indicates have been 84 resolved cases and 40 anti-doping/ medication control violations still pending, for a total of 124. Using these rough numbers, the “clear” rate is approximately 99.5%. The “clear rate” for all horseracing by the state commissions in 2022 was 99.59%.

HIWU has indicated that it plans to report data on a quarterly basis in more detail. That level of transparency is important to assess the operation of the testing program going forward. Based on the information provided to date, it is unclear the extent to which out of competition testing has increased and whether post-race testing is at the same, a greater or reduced level. What is known is that the clear rate has not significantly changed, and no new substances have been found.

Policy decisions were made by HISA to create an entirely new arbitration adjudication system rather than use the existing one already in place in the states. Anti-doping and medication control enforcement no longer relies on state investigative staff and there have been numerous reports about multiple HIWU investigators literally flying into a racetrack to search a trainer’s barn. This appears to be a costly alternative to using a local investigator accompanied by a witness to conduct a search and secure evidence if found. To the extent this is happening the ultimate cost to the industry increases. HISA opponents as well as neutral observers have complained about strong armed tactics and a presumption of guilt. Perhaps these are training exercises but if they are not the extent to which HISA provides managerial oversight and programmatic cost control is unknown and not transparent.

EXECUTIVE SUMMARY AND CONCLUSIONS:

Based upon a year's experience with the Equine and Racetrack Safety Program and six months of the Anti-Doping and Medication Control Program, the following conclusions are valid:

- There has been a significant increased cost to the thoroughbred racing industry despite being mitigated by States that have provided resources and funding to HISA. The proposed 2024 HISA Budget, after taking into account an \$18.7 million contribution from the States, will impose \$59,846,163 in regulatory assessments on the thoroughbred industry.
- Some racing venues in California, Arizona, Pennsylvania, and Maryland and elsewhere are reportedly considering the reduction of thoroughbred racing opportunities because of economic considerations of which HISA racetrack assessments obviously contribute.
- There does not appear to be any dramatic reduction in the fatality rate in thoroughbred races resulting from HISA oversight despite increased authority over racehorses and new requirements mandating the submission of all veterinary records. It is unclear the extent to which breakdown rate reductions, where they occur, are the continuation of previous trends or can be credited to HISA. In any event, the baton has been passed to HISA and most States are working cooperatively with them.
- The drug testing program has not detected any new substances that had not been detected by the previous State programs.
- The preliminary numbers of the testing program show a “clear rate” that is virtually identical to the rate realized by the previous state programs. The HISA program appears to be running consistent with its predecessor state run programs.

- HISA staff has risen to the challenge of launching a credible program and in revisiting initial policies that were disruptive and ill advised, causing an outcry from some industry participants. Prior to and after the initial launch the staff appears to have faced internal communication issues that caused confusion and, in some cases, fostered mistrust. Specifically:
 - Misrepresentations to individual State Racing Commissions as to the extent to which other States had executed a "Voluntary Agreement". At the request of several States, the ARCI would conduct a survey on the status of each jurisdiction's negotiations and report such to its members. It is unclear whether the provision of inaccurate information was the result of HISA internal communication breakdowns or a deliberate tactic to elicit closure on contract negotiations. It was a hectic time for HISA and they were aggressively working to meet the statutory deadline.
 - During final negotiations on "voluntary agreements" in the weeks prior to the July 1, 2022 launch some States were told by HISA representatives that any reimbursement for the use of public resources would not be possible or considered. These States learned later that an agreement was made with New Jersey for such reimbursements.
 - Despite meetings by HISA with Stewards coordinated by the Racing Officials Accreditation Program, confusion and debate persisted about the crop rule and the number of permitted strikes and where those strikes could land on a horse. The HISA Handbook for Stewards was distributed just 2 days before the new rules took effect.
 - Other examples exist as well as the concerns of some as to consistency in rule enforcement which may be indicative of "growing pains" or something more problematic. HISA's recommendation that resulted in a shift of races from Churchill Downs to Ellis Park earlier this year raised questions as to why concerns about racing did not extend to training on the Churchill track. Likewise, the HISA response to fatalities at Churchill Downs was not consistent with their response to less publicized fatalities in Arizona, Arkansas, Ohio, Iowa, Pennsylvania, and other places. In Maryland, HISA apparently was not involved in a decision by the racetrack and horsemen to temporarily close Laurel Park and HISA was silent on the decision by the track, horsemen, and State Racing Commission to reopen after an independent safety assessment.
- A major improvement resulting from HISA implementation lies in the total uniformity of rules and laboratory levels of adverse analytical findings.

Final Note:

For over eighty years the Association of Racing Commissioners International has been a recognized independent authority on horseracing regulatory matters. The ARCI has assessed pertinent issues and regulatory operations for the Province of Ontario Canada, the New Mexico Attorney General, various State Legislative Committees as well as Congressional subcommittees considering various federal legislative proposals.

ARCI membership is limited to the independent entities designated by statute to enact and enforce regulatory policy. ARCI standards, particularly the Uniform Classification of Foreign Substances, are relied upon not only by its members but non-members worldwide who routinely make inquiries to the group seeking guidance. The ARCI Model Rules represent the collective wisdom of the North American regulatory network and in some cases have been incorporated by reference by regulatory entities like the federal Canadian Pari-Mutuel Agency.

In the US, the Regulator Members of the Association of Racing Commissioners International (ARCI) universally want the racing regulatory scheme for thoroughbred racing to work and work effectively. That is essential for the protection of horses and the integrity of the sport.

Absent court action deciding otherwise, the Horseracing Integrity and Safety Act (ACT) is legally in effect, and all ARCI US member jurisdictions have worked to have a smooth transition, regardless of the extent to which they have been able to provide state funds or publicly funded resources through “Voluntary Agreements” or informal assistance.

The ARCI has not joined any of the pending challenges to the constitutionality of the Act but notes that some members believe there are important constitutional questions that can only be resolved by the Courts. These members have become parties in some of the cases.

In August, 2022 the ARCI President called for discussions between the parties to reach common ground and seek a modification to the Act that could end the continued division in professional horseracing.

Since enactment of the Act the ARCI has worked to advise and assist all involved by identifying operational and logistical obstacles that would need to be addressed. ARCI staff resources were committed to coordinate preliminary state by state “transition” calls

involving key State officials and HISA personnel to identify state specific issues that HISA would need to address going forward. The association also provided over \$1,000,000 of in-kind data services to facilitate the registration of covered persons with HISA.

Other than identifying options for member agencies and extending a similar offer to Ms. Lazarus, ARCI personnel were not asked by HISA or any commission, to mediate or participate in the negotiations on “voluntary agreements” with individual State Racing Commissions. Only Washington State asked the ARCI staff to observe one of their sessions with HISA.

A majority of ARCI members believe that "technical corrections" to the HISA Act would have helped HISA gain confidence of its regulated constituencies through policymaking and operational transparency consistent with the requirements of the Federal Advisory Committee Act (FACA).

Acknowledgements:

This report was prepared by ARCI staff. Information on breakdowns comes from official state racing commission data with one exception, where to complete this report it needed to be retrieved from a third party publication that had obtained data through a public records request. Starter data was obtained from publicly available information and HIWU drug detections and cases were obtained from the HIWU website as well as comments made by HIWU officials during the September 7, 2023 HISA Town Hall. HISA budget figures are based on filings with the US Federal Trade Commission. Information concerning racetracks considering closing or limiting racing activity were based on published reports.