

TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule
LSA Document #18-512(E)

DIGEST

Amends [71 IAC 14-3-1](#) regarding embryo transfer. Amends [71 IAC 14.5-2-1.5](#) regarding embryo transfer registration. Effective November 15, 2018.

[71 IAC 14-3-1](#); [71 IAC 14.5-2-1.5](#)

SECTION 1. [71 IAC 14-3-1](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 14-3-1](#) Embryo transfer

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 1. (a) In order to be eligible to register your embryo transfer foal as an ~~Indiana bred~~ or Indiana sired and bred, foals must ~~be~~: **meet the criteria in the following subsections.**

(b) In order to register a foal from embryo transfer, the recipient mare must:

- (1) Have entered Indiana by ~~June 4~~ **August 1** in the year prior to foaling; and *[sic]*
- (2) Remain in Indiana continuously until foaling. The resulting foal will be eligible to be registered as an Indiana bred of Indiana sired and bred standardbred.
- (3) Be properly registered with the commission by August 1 of the breeding year.
- (4) ~~For an Indiana sired and bred foal,~~ Be sired by a stallion properly registered with the commission in accordance with [71 IAC 14-2-1](#).

~~(c) Mares which have not been bred by the August 1 deadline may be registered late but must reside in Indiana and be registered prior to being bred.~~

~~(d)~~ **(c)** Mares registered for the current breeding year may leave the state to be entered in an advertised public sale and may leave the state for the interval of the sale but must return to Indiana within fourteen (14) days of her sale if the residency requirements for foal registration are to be fulfilled. Notification to the commission must be made in writing for mares leaving the state prior to participating in an advertised public sale. Upon return to the state, the mare must be reregistered with the commission. Reregistration must occur within the fourteen (14) day period following the sale.

~~(e)~~ **(d)** The commission must be notified in writing and provide proper documentation for any mare leaving the state for medical treatment. Notification must be made within seventy-two (72) hours of date which the mare left the state.

~~(f)~~ **(e)** The ~~Indiana bred embryo transfer foal~~ or Indiana sired and bred embryo transfer foal must:

- (1) Be registered with the commission within thirty (30) days of foaling.
- (2) Be inspected after foaling prior to leaving the state.
- (3) Must *[sic]* be DNA tested and ~~freeze branded~~ **identified** by the USTA prior to leaving the state.

~~(g)~~ **(f)** Foals not registered within thirty (30) days of foaling date may be registered with a two hundred dollar (\$200) late fee up and until December 31 of the foal's weaning year.

~~(h)~~ **(g)** If the foal is not registered by January 1 of its yearling year, the foal is not eligible to be registered.

(Indiana Horse Racing Commission; [71 IAC 14-3-1](#); emergency rule filed Jun 10, 2009, 12:45 p.m.: [20090617-IR-071090464ERA](#), eff May 29, 2009 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-464(E) was filed with the Publisher June 10, 2009.]; emergency rule filed Dec 8, 2010, 11:46 a.m.: [20101215-IR-071100735ERA](#); emergency rule filed Jan 25, 2012, 12:20 p.m.: [20120201-IR-071120056ERA](#); emergency rule filed May 16, 2012, 2:15 p.m.:

SECTION 2. [71 IAC 14.5-2-1.5](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 14.5-2-1.5](#) Embryo transfer registration

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 1.5. (a) In order to be eligible to register quarter horse embryo transfer foals as Indiana bred:

(1) The foals must be foaled in Indiana.

(2) The donor mare and recipient mare must:

(A) be registered with the commission; and

(B) have entered Indiana by ~~November 1, 2008, and by July 1 2009, of each year thereafter.~~ **prior to foaling.**

(3) All mares must remain in Indiana continuously until foaling except if the donor mare and recipient mare(s) are registered and reside in the state by July 1, in which case the donor mare may leave the state to flush embryos. The commission must be notified in writing prior to the time ~~when~~ the mare leaves.

(b) In the event a mare entered Indiana or is registered with the commission after July 1, the foal (which must be foaled in Indiana) may be eligible to be registered as an Indiana bred. To be eligible:

(1) the donor mare ~~must~~ **may only** be bred back **or flushed** to a registered Indiana stallion in the year of foaling for the ~~foal~~ **foal(s)** to qualify as an Indiana bred; and *[sic]*

(2) the stallion must be registered with the commission in the year the foal was conceived. If the donor mare and recipient mare(s) arrive after July 1, the donor mare and recipient mare(s) must reside in the state until June 30th of the foaling year;

~~(e)~~ **(3)** if the mare fails to conceive when bred or is unfit to breed due to health reasons, a veterinarian certificate is required from a licensed veterinarian **and must be submitted to the commission;**

~~(d)~~ **(4)** if the mare **or recipient mare** does not conceive, she must remain:

~~(1)~~ **(A)** open for that breeding season in order for the mare's current foal to be eligible to be registered as an Indiana bred; and

~~(2)~~ in Indiana for a period of thirty (30) days from the foaling date and the mare and foal must be inspected by a commission representative prior to leaving the state.

(B) remain [sic] in Indiana until June 30th of the foaling year.

~~(e)~~ **(c)** In the event there is more than one (1) recipient mare,

~~(1)~~ each recipient mare and foal must be properly registered.

~~(2)~~ There must be at least one (1) foal sired by a registered Indiana stallion in every other foal crop produced from the donor mare. If the mare fails to produce a live sired foal, then medical reports must be submitted to show an attempt to produce a sired foal was made.

~~(f)~~ **(d)** A copy of the donor mare registration papers and all lease agreements must accompany the application for identification and ownership purposes.

~~(g)~~ **(e)** The recipient mare must be able to be identified by:

(1) Indiana breed development identification form;

(2) American Quarter Horse Association certificate of registration.

~~(h)~~ **(f)** The donor mare may leave the state to participate in:

(1) stakes;

(2) medical care; or

(3) a mare leaving the state for an advertised public sale may:

(A) be gone for the interval of the sale, but must return to Indiana within fifteen (15) days of her sale; and

(B) written documentation of the sale is required.

~~(i)~~ **(C)** The director of breed development must be notified in writing within fifteen (15) days of the departure and return of the advertised public sale.

(g) The director of breed development may approve requests for a donor mare to leave the state for

any reason not provided in subsection (f). A request made to the director of breed development must be made in writing and include the following:

- (1) the requested departure date of the donor mare;
- (2) the reason(s) that the donor mare must leave the state; and
- (3) the anticipated date of return of the donor mare to the state.

All written requests should be made at least fifteen (15) days prior to the requested departure date. Approval is granted at the sole discretion of the director of breed development. Conditional approval may be granted by the director of breed development subject to any conditions deemed appropriate. The director of breed development may, at any time, request additional information regarding the reason(s) for the donor mare to leave the state.

⊕ (h) All mares in foal must be registered every year.

(Indiana Horse Racing Commission; [71 IAC 14.5-2-1.5](#); emergency rule filed Jan 24, 2008, 10:58 a.m.: [20080206-IR-071080056ERA](#), eff Jan 23, 2008 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; errata filed Feb 18, 2008, 2:03 p.m.: [20080305-IR-071080056ACA](#); emergency rule filed Jan 25, 2012, 12:20 p.m.: [20120201-IR-071120056ERA](#); emergency rule filed Feb 25, 2015, 2:55 p.m.: [20150304-IR-071150055ERA](#); emergency rule filed Nov 15, 2018, 2:47 p.m.: [20181121-IR-071180512ERA](#))

LSA Document #18-512(E)

Filed with Publisher: November 15, 2018, 2:47 p.m.

Posted: 11/21/2018 by Legislative Services Agency

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