

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 45. MEDICATION AND EQUINE TESTING PROCEDURES**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 45. Medication and Equine Testing Procedures [AMENDED]

**SUMMARY:**

The proposed amendments update citations to reference materials and make minor grammatical changes for the purpose of clarification.

**AUTHORITY:**

3A O.S. § 200 et seq.

**COMMENT PERIOD:**

Persons may submit written comments to Bennett Abbott at [bennett.abbott@ag.ok.gov](mailto:bennett.abbott@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning December 1, 2016 and ending January 5, 2017.

**PUBLIC HEARING:**

A public hearing will be held at 2:30 p.m., January 5, 2017 in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Bennett Abbott at the address listed above during the period beginning December 1, 2016 and ending January 5, 2017.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting [www.ag.ok.gov/proposedrules](http://www.ag.ok.gov/proposedrules) or by contacting Bennett Abbott at the address listed above.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

**CONTACT PERSON:**

Bennett Abbott, (405) 522-5803, e-mail address: at [bennett.abbott@ag.ok.gov](mailto:bennett.abbott@ag.ok.gov).

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION  
CHAPTER 45. MEDICATION AND EQUINE TESTING PROCEDURES**

**325:45-1-24. Drug classification and penalties**

Upon a finding of a violation of any medication or prohibited substances rule in this Chapter, the Stewards shall consider the classification level of the violation as currently established by the UNIFORM CLASSIFICATION GUIDELINES OF FOREIGN SUBSTANCES (Version 12.0) as promulgated by the Association of Racing Commissioners International, Inc. and may impose penalties and disciplinary measures consistent with the recommendations contained therein, except not to conflict with the mandates of 325:45-1-9 and 325:45-1-22. Provided, however, that in the event a majority of the Stewards determine that mitigating circumstances require imposition of a lesser or greater penalty, they may impose the lesser or greater penalty. In the event a majority of the Stewards wish to impose a ~~greater penalty~~ or a penalty in excess of the authority granted them by 325:1-1-7, then, and in such event, they the Stewards may impose the maximum an appropriate penalty authorized and refer the matter to the Commission with specific recommendations for further action.

## RULE IMPACT STATEMENT

### TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 45. MEDICATION AND EQUINE TESTING PROCEDURES

- (A) **PURPOSE OF THE PROPOSED RULE:**  
The proposed amendments update citations to reference materials and make minor grammatical changes for the purpose of clarification.
- (B) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**  
The proposed rules affect persons regulated by the Oklahoma Horse Racing Commission. No cost impacts have been received to date.
- (C) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**  
Persons who engage in the business of horse racing or place wagers on horse races in Oklahoma will benefit from the proposed rules.
- (D) **DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**  
Persons who engage in the business of horse racing will be provided with current citation to reference materials.
- (E) **PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**  
No additional cost to the Commission is anticipated by the proposed rules.
- (F) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**  
No effect on any political subdivision is anticipated by the proposed rules.
- (G) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**  
The proposed rules will have no adverse effect on small business.
- (H) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**  
The Commission is unaware of any non-regulatory methods to achieve the purpose of the proposed rules.

(I) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rules will not detrimentally affect the public health, safety, and environment.

(J) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Commission is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

(K) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on October 31, 2016.