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**TITLE 71 INDIANA HORSE RACING
COMMISSION**

LSA Document #01-322(E)

DIGEST

Adds 71 IAC 4.5-2-7 concerning records of employees. Amends 71 IAC 4.5-3-9 concerning the loss of track lighting. Amends 71 IAC 5.5-1-12 concerning license refusal. Amends 71 IAC 5.5-1-13 concerning license denial. Amends 71 IAC 5.5-2-1 concerning licensing requirements for owners. Amends 71 IAC 5.5-3-6 concerning substitute trainers. Amends 71 IAC 7.5-3-4 concerning the revising of the scale of weights. Amends 71 IAC 7.5-4-2 concerning a name change from "lasix" to "salix" initiated by drug manufacturer, Intervet, Inc. Amends 71 IAC 8.5-3-1 concerning collection and storage procedures of blood samples. Amends 71 IAC 8.5-3-2 concerning storage and shipment of split samples. Amends 71 IAC 8.5-4-5 concerning practicing veterinarians maintaining records of treatment. Amends 71 IAC 8.5-10-5 concerning positive sample results. Amends 71 IAC 13.5-1-1 concerning Indiana bred. Amends 71 IAC 13.5-2-1 concerning mare registration. Amends 71 IAC 14.5-1-1 concerning quarter horse Indiana bred. Amends 71 IAC 14.5-2-1 concerning quarter horse mare registration. Effective August 23, 2001.

71 IAC 4.5-2-7	71 IAC 8.5-3-1
71 IAC 4.5-3-9	71 IAC 8.5-3-2
71 IAC 5.5-1-12	71 IAC 8.5-4-5
71 IAC 5.5-1-13	71 IAC 8.5-10-5
71 IAC 5.5-2-1	71 IAC 13.5-1-1
71 IAC 5.5-3-6	71 IAC 13.5-2-1
71 IAC 7.5-3-4	71 IAC 14.5-1-1
71 IAC 7.5-4-2	71 IAC 14.5-2-1

SECTION 1. 71 IAC 4.5-2-7 IS ADDED TO READ AS FOLLOWS:

71 IAC 4.5-2-7 Records of employees

Authority: IC 4-31-5-5

Affected: IC 4-31

Sec. 7. An association shall file with the commission on the first day of each month a listing of employees currently on its payroll. Such list shall be in a format and from a source approved by the commission and shall include the employee's:

- (1) Social Security number;**
- (2) date of birth;**
- (3) date hired; and**
- (4) date terminated;**

if any. *(Indiana Horse Racing Commission; 71 IAC 4.5-2-7; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 118)*

SECTION 2. 71 IAC 4.5-3-9 IS AMENDED TO READ AS FOLLOWS:

71 IAC 4.5-3-9 Lighting

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 9. (a) An association shall provide lighting for the race track and the patron facilities that is adequate to ensure

the safety and security of the patrons, licensees, and horses. Lighting to ensure the proper operation of the videotape and photo finish equipment must be approved by the commission.

(b) An association shall provide adequate additional lighting in the stable area as required by the commission.

(c) If an association conducts racing at night, the association shall maintain a back-up lighting system that is sufficient to ensure the safety of race participants and patrons.

(d) If the track goes dark during the running of a race, the race may be ruled no contest if, in the stewards opinion, the contest or finish was compromised. *(Indiana Horse Racing Commission; 71 IAC 4.5-3-9; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2844, eff Jul 1, 1995; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 118)*

SECTION 3. 71 IAC 5.5-1-12 IS AMENDED TO READ AS FOLLOWS:

71 IAC 5.5-1-12 License refusal

Authority: IC 4-31-6-2

Affected: IC 4-31

Sec. 12. The commission, ~~or its~~ **the stewards, or the executive director as the commission's** designee may refuse to issue a license. ~~and give the applicant the option of~~ **The decision to refuse a license is treated as a** withdrawal of ~~an~~ **the** license application without prejudice **and is not reported to the ARCI.** If an applicant is refused, the applicant may reapply for a license. **If an applicant contests a license refusal, the stewards (or an administrative law judge if the stewards are unavailable) shall conduct a hearing pursuant to the procedures provided for in 71 IAC 10. Nonetheless, the hearing on a license refusal is not considered to be a disciplinary action. If the stewards affirm the decision to refuse a license application, the refusal shall be treated as the denial of the application, consistent with these rules.** *(Indiana Horse Racing Commission; 71 IAC 5.5-1-12; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2851, eff Jul 1, 1995; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 118)*

SECTION 4. 71 IAC 5.5-1-13 IS AMENDED TO READ AS FOLLOWS:

71 IAC 5.5-1-13 License denial

Authority: IC 4-31-6-2

Affected: IC 4-31

Sec. 13. The commission, **the stewards, or the executive director as the commission's** designee may formally deny an application in accordance with these rules. **If an applicant contests the basis of the denial of a license application not later than fifteen (15) days after notice is served, the stewards (or an administrative law judge if the stewards are unavailable) shall conduct a hearing pursuant to the procedures provided for in 71 IAC 10. Nonetheless, a hearing challenging the denial of a license application is not considered to be a disciplinary action.** An application ~~which that~~ is denied shall **be reported:**

(1) ~~be reported~~ in writing to the applicant stating the reasons for denial and the date when a reapplication may be submitted; and

(2) ~~be reported~~ **to the USTA and** the ARCI, which shall then advise other racing jurisdictions.

(Indiana Horse Racing Commission; 71 IAC 5.5-1-13; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2851, eff Jul 1, 1995; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 118)

SECTION 5. 71 IAC 5.5-2-1 IS AMENDED TO READ AS FOLLOWS:

71 IAC 5.5-2-1 Licensing requirements for owners

Authority: IC 4-31-6-2

Affected: IC 4-31

Sec. 1. (a) Each person who has a five percent (5%) or more ownership or beneficial interest in a horse is required to be licensed. An applicant for an owner's license can be of any age.

- (b) An applicant for an owner's license shall own or lease a horse ~~which~~ **that** is:
- (1) eligible to race; and
 - (2) registered with the racing secretary.

An owner shall notify the stewards of a change in trainer of his or her horse. A horse shall not be transferred to a new trainer after entry.

(c) If younger than eighteen (18) years of age, an applicant for an owner's license shall submit a notarized affidavit from his or her parent or legal guardian stating that the parent or legal guardian assumes responsibility for the applicant's financial, contractual, and other obligations relating to the applicant's participation in racing. In addition, the parents or legal guardians of an applicant for an owner's license under the age of eighteen (18) must be licensed as an owner.

(d) If the commission or its designee has reason to doubt the financial responsibility of an applicant for an owner's license, the applicant may be required to complete a verified financial statement.

(e) Each licensed owner and trainer is responsible for disclosure to the commission or its designee of the true and entire ownership of each of his or her horses registered with the racing secretary. Any change in ownership or trainer of a horse registered with the racing secretary shall be approved by the stewards. Each owner and trainer shall comply with all licensing requirements.

(f) The commission or its designee may refuse, deny, suspend, or revoke an owner's license for the spouse or member of the immediate family or household of a person ineligible to be licensed as an owner, unless there is a showing on the part of the applicant or licensed owner, and the commission determines that participation in racing will not permit a person to serve as a substitute for an ineligible person. The transfer of a horse to circumvent the intent of a commission rule or ruling is prohibited. (*Indiana Horse Racing Commission; 71 IAC 5.5-2-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2854, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3404; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 119*)

SECTION 6. 71 IAC 5.5-3-6 IS AMENDED TO READ AS FOLLOWS:

71 IAC 5.5-3-6 Substitute trainers

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 6. (a) A trainer absent for more than five (5) days from his or her responsibility as a licensed trainer ~~or on a day in which the trainer has a horse in a race;~~ shall obtain another licensed trainer to substitute.

(b) A substitute trainer shall accept responsibility for the horses and be approved by the stewards.

(c) A substitute trainer and the absent trainer shall be jointly responsible as absolute insurers of the condition of their horses entered in an official race pursuant to this section. (*Indiana Horse Racing Commission; 71 IAC 5.5-3-6; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2857, eff Jul 1, 1995; emergency rule filed Jun 8, 1999, 9:30 a.m.: 22 IR 3122, eff May 26, 1999 [NOTE: IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with secretary of state June 8, 1999.]; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 119*)

SECTION 7. 71 IAC 7.5-3-4 IS AMENDED TO READ AS FOLLOWS:

71 IAC 7.5-3-4 Scale of weights

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 4. (a) ~~The weights required in the following table shall be carried when not otherwise specified in the conditions of the race:~~

Scales of Weights for Age⁺

Distance	Age	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
One-Half Miles	Two Years	x	x	x	x	x	x	x	105	108	111	114	114
	Three Years	117	117	119	119	121	123	125	126	127	128	129	129
	Four years	130	130	130	130	130	130	130	130	130	130	130	130
	Five Years and up	130	130	130	130	130	130	130	130	130	130	130	130
Six Furlongs	Two Years	x	x	x	x	x	x	x	102	105	108	111	111
	Three Years	114	114	117	117	119	121	123	125	126	127	128	128
	Four years	129	129	130	130	130	130	130	130	130	130	130	130
	Five Years and up	130	130	130	130	130	130	130	130	130	130	130	130
One Miles	Two Years	x	x	x	x	x	x	x	x	96	99	102	102
	Three Years	107	107	111	111	113	115	117	119	121	122	123	123
	Four years	127	127	128	128	127	126	126	126	126	126	126	126
	Five Years and up	128	128	128	128	127	126	126	126	126	126	126	126
One and a Quarter Miles	Two Years	x	x	x	x	x	x	x	x	x	x	x	x
	Three Years	101	101	107	107	111	113	116	118	120	121	122	122
	Four years	125	125	127	127	127	126	126	126	126	126	126	126
	Five Years up	127	127	127	127	127	126	126	126	126	126	126	126
One and a Half Miles	Two Years	x	x	x	x	x	x	x	x	x	x	x	x
	Three Years	98	98	104	104	108	111	114	117	119	121	122	122
	Four years	124	124	126	126	126	126	126	126	126	126	126	126
	Five Years and up	126	126	126	126	126	126	126	126	126	126	126	126
Two Miles	Three Years	96	96	102	102	106	109	112	114	117	119	120	120
	Four Years	124	124	126	126	126	126	126	125	125	124	124	124
	Five years and up	126	126	126	126	126	126	126	125	125	124	124	124

* Source: The American Racing Manual, 1992 Edition

(b) In races of intermediate lengths, the weights for the shorter distance are carried:

(c) In races exclusively for three-year-olds or four-year-olds, the weight is one hundred twenty-six (126) pounds, and in races exclusively for two-year-olds, it is one hundred twenty-two (122) pounds:

(a) In all races the minimum weight carried shall be one hundred sixteen (116) pounds except the following:

(1) Three (3) year olds competing with older horses shall carry a minimum one hundred fourteen (114) pounds from January through April, and one hundred fifteen (115) pounds thereafter.

(2) Sex allowance.

(3) Apprentice jockey allowances.

(4) Stakes and handicap races.

(5) Indiana bred weight allowance.

(d) (b) In all races except in handicaps and races where the conditions expressly state to the contrary, the scale of weights is less, by the following: sex allowance is as follows:

(1) For two-year-old fillies, three (3) pounds.

(2) For fillies and mares, three-years-old and upward, five (5) pounds before September 1, and three (3) pounds thereafter.

(e) In all overnight races except handicaps, not more than six (6) pounds may be deducted from the scale of weights for age, except for allowances; but in no case shall the total allowances of any type reduce the lowest weight below one hundred one (101) pounds; except that this minimum weight need not apply to two-year-olds or three-year-olds when racing with older horses.

(f) In all overnight races for two-year-olds; for three-year-olds; or for four-year-olds and upward; the minimum weight shall be one hundred twelve (112) pounds; subject to sex and apprentice allowances. This rule shall not apply to handicaps; nor to races for three-year-olds and upward.

(g) (c) Quarter horses, appaloosas, and paints shall carry a minimum of one hundred sixteen (116) pounds, except in handicaps. Should a quarter horse carry less than one hundred sixteen (116) pounds, one-tenth ($\frac{1}{10}$) of one (1) second shall be added to the official time for each four (4) pounds, or fraction thereof, less than one hundred sixteen (116) pounds. (*Indiana Horse Racing Commission; 71 IAC 7.5-3-4; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2868, eff Jul 1, 1995; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 119*)

SECTION 8. 71 IAC 7.5-4-2 IS AMENDED TO READ AS FOLLOWS:

71 IAC 7.5-4-2 Identification

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 2. (a) Unless otherwise prescribed by the stewards or the commission, the official lip tattoo must have been affixed to a horse's upper lip or other identification method approved by the appropriate breed registry and the commission applied prior to its participation in workouts from the gate, schooling races, or workouts required for removal from the stewards' list, the starter's list, the veterinarian's list, or the ~~bleeder/salix~~ **bleeder/salix** list.

(b) The trainer, exercise rider, or trainer's designee shall notify the clocker or their assistants of the horse's name, the trainer's name, and identify the distance the horse is to be worked and the point on the track where the workout will start. Any licensee failing to fully cooperate with the clocker or their assistants shall be reported to the stewards. (*Indiana Horse Racing Commission; 71 IAC 7.5-4-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2869, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3408; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2156; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 120*)

SECTION 9. 71 IAC 8.5-3-1 IS AMENDED TO READ AS FOLLOWS:

71 IAC 8.5-3-1 Collection procedures

Authority: IC 4-31-3-9

Affected: IC 4-31-12

Sec. 1. (a) All collection procedures shall be done in accordance with chain of custody guidelines.

(b) Before sending a sample from a horse to a testing laboratory, the commission veterinarian or a designated employee shall divide the specimen into two (2) parts.

(c) The commission veterinarian shall collect a minimum of fifty (50) milliliters of urine which shall be divided into two (2) portions, one (1) of which shall be forwarded to the primary laboratory. The primary testing laboratory shall receive a minimum of fifty (50) milliliters of urine. The commission veterinarian shall collect a minimum of thirty (30) milliliters of blood which shall be divided into two (2) portions, both of which shall be forwarded to the primary laboratory. A urine specimen shall not be split if less than fifty (50) milliliters is collected from horses. In such instances, the commission is entitled to submit the entire urine specimen for testing or detain the horse an adequate amount of time until it can be obtained. If an insufficient volume of urine is obtained, the trainer and owner are not entitled to a split sample.

(d) If the split sample testing laboratory determines that there is insufficient sample volume to make a specific identification of the sample contents, or if an act of God, power failure, accident, labor strike, or any other event beyond

the control of the commission or its representatives prevents the split sample from being tested, then the results of tests performed by the primary laboratory shall be considered prima facie evidence of the condition of the horse.

(e) The commission veterinarian shall retain the part of the urine **and blood** specimen that is not sent to the primary laboratory. ~~The primary laboratory shall retain a portion of the blood specimen on all positive tests.~~

(f) If the retained part of a specimen is sent for testing, the commission veterinarian ~~or primary laboratory~~ shall arrange for the transportation of the specimen in a manner that ensures the integrity of the sample.

(g) ~~Upon a finding by the primary laboratory of a positive test on a blood sample, the primary laboratory shall handle the split sample in such a manner that hemolysis is minimized.~~ Blood samples shall be ~~mixed and centrifuged and the plasma separated and~~ stored frozen. (*Indiana Horse Racing Commission; 71 IAC 8.5-3-1; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2883, eff Jul 1, 1995; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 121*)

SECTION 10. 71 IAC 8.5-3-2 IS AMENDED TO READ AS FOLLOWS:

71 IAC 8.5-3-2 Storage and shipment of split samples

Authority: IC 4-31-3-9

Affected: IC 4-31-12

Sec. 2. (a) The commission veterinarian shall store the retained part of a specimen in secure, limited access, frozen storage at a site approved by the commission for the period required by this section.

(b) If the results of the initial test on a specimen are negative, the commission veterinarian ~~or primary laboratory~~ may discard the retained part of the specimen upon receipt of the negative result. If the result of the initial test on a specimen is positive, the commission veterinarian ~~or primary laboratory~~ may discard the retained part of the specimen after the expiration of the period during which an owner or trainer may request the retained part be sent for split testing.

(c) The identity of the drug or drug metabolites shall be revealed to the split sample laboratory. Communication between the primary and split sample laboratory is limited to the exchange of the analytical method and the threshold level used to confirm the drug's identity. (*Indiana Horse Racing Commission; 71 IAC 8.5-3-2; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2883, eff Jul 1, 1995; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 121*)

SECTION 11. 71 IAC 8.5-4-5 IS AMENDED TO READ AS FOLLOWS:

71 IAC 8.5-4-5 Records of treatment

Authority: IC 4-31-3-9

Affected: IC 4-31-12

Sec. 5. (a) Every veterinarian licensed by the commission who treats any horse or performs other professional services within the enclosure of an organization licensee during a race meeting shall be responsible for maintaining treatment records or a log book on all horses for which they prescribe, administer, or dispense medication or perform other professional services. The treatment records or log book information shall include, but not be limited to, the following:

- (1) The date and time of treatment service.
- (2) Name of race track.
- (3) The veterinarian's printed name and signature.
- (4) The registered name of horse.
- (5) The trainer's name.
- (6) The barn number or location of horse.
- (7) The race date and race number, if any.
- (8) The medication and dosage.
- (9) The reason for treatment or services.

These records shall be current at all times and available to the commission and the stewards upon request. **These records shall be retained for at least one (1) year after the conclusion of the race meet and be made available to the commission and stewards upon request.**

(b) Veterinarians shall retain duplicate copies of bills or statements to trainers or owners which shall be retained for at least one (1) year and made available to the commission upon request.

(c) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription, must have been validly prescribed by a duly licensed veterinarian and be in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:

- (1) The name of the product.
- (2) The name, address, and telephone number of the veterinarian prescribing or dispensing the product.
- (3) The name of each patient (horse) for whom the product is intended or prescribed.
- (4) The doses, dosage, duration of treatment, and expiration date of the prescribed or dispensed product.
- (5) The name of the person (trainer) to whom the product was dispensed.

(Indiana Horse Racing Commission; 71 IAC 8.5-4-5; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2885, eff Jul 1, 1995; emergency rule filed Feb 13, 1998 10:00 a.m.: 21 IR 2421; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 121)

SECTION 12. 71 IAC 8.5-10-5 IS AMENDED TO READ AS FOLLOWS:

71 IAC 8.5-10-5 Positive sample results

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 5. (a) A positive test result attained shall be reported in writing to the commission director of security or his or her designee from the laboratory performing the test analysis. A positive test result confirming the presence of any controlled substance or prescription drugs shall be prima facie evidence that there has been a violation of section 1 of this rule. In the event of such a positive test, it is presumed that:

- (1) the sample of urine tested by the laboratory to which it is sent is taken from the person and its integrity has been preserved;
- (2) all accompanying procedures of collection, preservation, transfer to the laboratory, and analysis of the sample are correct and accurate; and
- (3) the report received from the laboratory pertains to the sample taken from the person in question and correctly reflects the condition of the person at the time that the sample was given.

With respect to the presumptions set forth in this subsection, the burden is on the person against whom the test is offered to prove otherwise at any hearing in regard to the matter which is conducted by the stewards or by the commission.

(b) Upon receipt of written notice from the testing laboratory that a specimen has been found positive for a controlled substance or a prescription drug, the commission director of security or his or her designee shall, as quickly as possible, notify the licensed person by:

- (1) public service;
- (2) in person; or
- (3) by certified mail, return receipt requested;

of the positive test.

(c) An association that has obtained a positive test result confirming the presence of any controlled substance in an association employee, who is a licensee or an applicant for a license, shall notify the commission director of security or his or her designee and the affected employee as quickly as possible. *(Indiana Horse Racing Commission; 71 IAC 8.5-10-5; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2888, eff Jul 1, 1995; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2784; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 122)*

SECTION 13. 71 IAC 13.5-1-1 IS AMENDED TO READ AS FOLLOWS:

71 IAC 13.5-1-1 "Indiana bred" defined

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 1. "Indiana bred" means any duly registered thoroughbred foaled in Indiana whose dam was registered with the

commission and entered Indiana by December 1 of the year prior to foaling. The mare (dam) must remain in Indiana continuously until foaling. The resulting foal will then be eligible to be registered as an Indiana bred. In the event a mare entered Indiana and was registered with the commission after December 1 of the year prior to foaling, the foal (which must be foaled in Indiana) will be eligible to be registered as an Indiana bred only if said mare was bred back to a registered Indiana stallion ~~during in~~ the year of foaling, ~~in Indiana. Said mare cannot be bred back to a non-Indiana registered stallion during the foaling year.~~ (Indiana Horse Racing Commission; 71 IAC 13.5-1-1; emergency rule filed Jun 22, 2000; 3:05 p.m.: 23 IR 2786; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 122)

SECTION 14. 71 IAC 13.5-2-1 IS AMENDED TO READ AS FOLLOWS:

71 IAC 13.5-2-1 Mare registration

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 1. In order to be eligible to register a thoroughbred foal as Indiana bred, such foal must be foaled in Indiana and its dam must be registered with the commission. The mare must be registered and have entered Indiana by December 1, and must remain in Indiana continuously until foaling. In the event a mare entered Indiana and is registered with the commission after December 1, the foal (which must be foaled in Indiana) will be eligible to be registered as an Indiana bred only if said mare is bred back to a registered Indiana stallion ~~after foaling in Indiana:~~ **in the year of foaling.** The stallion must be registered with the commission in the year the foal was conceived. Mares must be reregistered every year. (Indiana Horse Racing Commission; 71 IAC 13.5-2-1; emergency rule filed Jun 22, 2000; 3:05 p.m.: 23 IR 786; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 122)

SECTION 15. 71 IAC 14.5-1-1, AS ADDED AT 24 IR 1036, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

71 IAC 14.5-1-1 Indiana bred quarter horse

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 1. Indiana bred quarter horse means any duly registered quarter horse foaled in Indiana whose dam was registered with the commission and entered Indiana by December 1 of the year prior to foaling. The mare (dam) must remain in Indiana continuously until foaling. The resulting foal will then be eligible to be registered as an Indiana bred. In the event a mare entered Indiana and was registered with the commission after December 1 of the year prior to foaling, the foal (which must be foaled in Indiana) will be eligible to be registered as an Indiana bred only if said mare was bred back to a registered Indiana stallion **in the year of foaling** or mare may have been bred utilizing cooled semen from a stallion standing outside of Indiana, providing artificial insemination is performed in Indiana and proper documentation, as required was provided to the commission after foaling in Indiana. An Indiana bred quarter horse foaled prior to the year 2002 will require that the breeder must be a resident of Indiana as noted on the American Quarter Horse Association registration certificate. These horses must be registered with the commission by September 1, 2001, or will not be eligible for the Indiana bred program. The horse must be registered with the commission prior to being entered in an Indiana bred conditioned race. (Indiana Horse Racing Commission; 71 IAC 14.5-1-1; emergency rule filed Nov 15, 2000, 11:40 a.m.: 24 IR 1036; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 123)

SECTION 16. 71 IAC 14.5-2-1, AS ADDED AT 24 IR 1036, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

71 IAC 14.5-2-1 Mare registration

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 1. In order to be eligible to register a quarter horse foal as Indiana bred, such foal must be foaled in Indiana and its dam must be registered with the commission. The mare must be registered and have entered Indiana by December 1, and must remain in Indiana continuously until foaling. In the event a mare entered Indiana and is registered with the commission after December 1, the foal (which must be foaled in Indiana) will be eligible to be registered as an Indiana

bred only if said mare is bred back to a registered Indiana stallion ~~after foaling in Indiana~~ **in the year of foaling** or mare may have been bred utilizing cooled semen from a stallion standing outside of Indiana, providing artificial insemination is performed in Indiana and proper documentation as required was provided to the commission. If the mare fails to conceive when bred or is unfit to breed due to health reasons, a veterinarian certificate is required, then and only then will the foal be considered to become eligible to be registered as an Indiana bred foal. A stallion standing in Indiana must be registered with the commission in the year the foal is conceived. Quarter horse and thoroughbred mares must be reregistered every year. A copy of lease agreements must accompany the application. (*Indiana Horse Racing Commission; 71 IAC 14.5-2-1; emergency rule filed Nov 15, 2000, 11:40 a.m.: 24 IR 1036; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 123*)

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