

TITLE 71 INDIANA HORSE RACING COMMISSION**Notice of Intent to Adopt a Rule**

LSA Document #14-230

Under [IC 4-22-2-23](#), the Indiana Horse Racing Commission intends to adopt a rule concerning the following:

OVERVIEW: Readopts rules in anticipation of [IC 4-22-2.5-2](#), providing that an administrative rule adopted under [IC 4-22-2](#) expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date. In July 2013, under [IC 4-22-2.5](#), the Indiana Horse Racing Commission initiated the process to readopt rules in LSA Document #13-345. Under [IC 4-22-2.5-4](#), the Indiana Horse Racing Commission received a written request to separately consider the following administrative rules. Under [IC 4-22-2.5-4\(b\)\(2\)](#), the Indiana Horse Racing Commission must now follow the procedure for adoption of administrative rules under [IC 4-22-2](#) with respect to the following administrative. In addition, this rule adds [71 IAC 5.5-1-10.1](#) regarding workers' compensation. Readopts [71 IAC 1-1-52](#) and [71 IAC 1.5-1-50](#) regarding the definition of jurisdiction. Readopts [71 IAC 1.5-1-45](#) and [71 IAC 1-1-47](#) regarding the definition of horse. Readopts [71 IAC 1.5-1-52](#) and [71 IAC 1.5-1-53](#) defining maiden and maiden race. Readopts [71 IAC 1-1-42](#) and [71 IAC 1.5-1-38](#) defining financial interest. Readopts [71 IAC 1-1-105](#) and [71 IAC 1.5-1-100](#) defining substantial evidence. Readopts [71 IAC 2-7-1](#) and [71 IAC 2-8-1](#) regarding subpoenas and records. Readopts [71 IAC 3-2-3](#) and [71 IAC 3.5-2-3](#) regarding disciplinary action. Readopts [71 IAC 3.5-3-10](#) regarding cancellation of a race. Readopts [71 IAC 5-1-6](#) and [71 IAC 5.5-1-6](#) regarding consent to search and seizure. Readopts [71 IAC 5-1-10](#) regarding workers' compensation requirements. Readopts [71 IAC 5-1-12](#) and [71 IAC 5.5-1-12](#) regarding license refusals. Readopts [71 IAC 5-1-13](#) and [71 IAC 5.5-1-13](#) regarding license denials. Readopts [71 IAC 5-1-17](#) and [71 IAC 5.5-1-17](#) regarding the duration of a license. Readopts [71 IAC 5-1-25](#) and [71 IAC 5.5-1-27](#) requiring knowledge of the rules. Readopts [71 IAC 5-2-6](#) and [71 IAC 5.5-2-6](#) regarding positive tests (owners). Readopts [71 IAC 8-1-2](#) and [71 IAC 8.5-1-2](#) prohibiting foreign substances. Readopts [71 IAC 8-1-7](#) and [71 IAC 8.5-1-7](#) regarding drug classifications and penalties. Readopts [71 IAC 8-3-1](#) and [71 IAC 8.5-2-1](#) regarding laboratory reports. Readopts [71 IAC 8-3-3](#) and [71 IAC 8.5-2-3](#) regarding the selection of horses tested. Readopts [71 IAC 8-3-4](#) and [71 IAC 8.5-2-4](#) regarding taking samples. Readopts [71 IAC 8-3-5](#) and [71 IAC 8.5-2-5](#) regarding out of competition testing. Readopts [71 IAC 10-1-1](#) regarding hearings conducted by judges and stewards. Readopts [71 IAC 10-1-2](#) regarding suspensions. Readopts [71 IAC 10-2-1](#), [71 IAC 10-2-2](#), [71 IAC 10-2-3](#), [71 IAC 10-2-4](#), [71 IAC 10-2-5](#), [71 IAC 10-2-6](#), [71 IAC 10-2-7](#), [71 IAC 10-2-8](#), [71 IAC 10-2-8.1](#), [71 IAC 10-2-9](#), and [71 IAC 10-2-10](#) regarding due process in proceedings before the judges and stewards. Readopts [71 IAC 10-3-1](#), [71 IAC 10-3-2](#), [71 IAC 10-3-3](#), [71 IAC 10-3-4](#), [71 IAC 10-3-5](#), [71 IAC 10-3-6](#), [71 IAC 10-3-7](#), [71 IAC 10-3-8](#), [71 IAC 10-3-9](#), [71 IAC 10-3-10](#), [71 IAC 10-3-11](#), [71 IAC 10-3-12](#), [71 IAC 10-3-13](#), [71 IAC 10-3-14](#), [71 IAC 10-3-15](#), [71 IAC 10-3-16](#), [71 IAC 10-3-17](#), [71 IAC 10-3-18](#), [71 IAC 10-3-19](#), [71 IAC 10-3-20](#), and [71 IAC 10-3-21](#) regarding due process in proceedings before the Commission. Readopts [71 IAC 10-5-1](#), [71 IAC 10-5-2](#), [71 IAC 10-5-3](#), [71 IAC 10-5-4](#), [71 IAC 10-5-5](#), [71 IAC 10-5-6](#), and [71 IAC 10-5-7](#) regarding appearances by attorneys or representatives. Questions and comments concerning the proposed rules may be sent to the Small Business Regulatory Coordinator for this rule. Statutory authority: [IC 4-31-3-9](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

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Indiana Horse Racing Commission
1302 North Meridian Street
Suite 175
Indianapolis, IN 46202
(317) 233-3119
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For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 4-4-35-8](#) is:

Erik Scheub
Office of Small Business and Entrepreneurship
One North Capitol, Suite 600
Indianapolis, IN 46204
(317) 232-5679
ombudsman@osbe.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 4-4-35-8](#), specifically [IC 4-4-35-8\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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