



RULE-MAKING ORDER
PERMANENT RULE ONLY
CR-103P (October 2017)
(Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 09, 2018

TIME: 3:06 PM

WSR 18-07-025

Agency: Washington Horse Racing Commission

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: Adds a new section to allow the commission to conduct "Out of Competition" testing, what is considered a violation, and the commission extent of jurisdiction..

Citation of rules affected by this order:

New: WAC 260-70-575

Repealed:

Amended:

Suspended:

Statutory authority for adoption: RCW 67.16.020

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-03-046 on January 10, 2018 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>1</u>	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>1</u>	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	<u>1</u>	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: March 9, 2018

Name: Douglas L Moore

Title: Executive Secretary

Signature:



NEW SECTION

WAC 260-70-575 Out of competition testing. (1) The commission may request an out of competition testing (OCT) sample be collected and screened for any violation of WAC 260-70-545.

(2) The commission may request any owner or trainer currently licensed by the commission to allow an OCT sample be collected under any of the following conditions:

(a) The horse is stabled on the grounds of a licensed race meet.

(b) The horse is nominated or eligible for a stake or handicap race.

(c) The registration certificate of the horse is currently on file with the racing association.

If the horse selected is not currently stabled on the grounds, the owner or trainer shall present the horse to the test barn at a time designated by the commission.

(3) Horses will be selected for OCT by a commission veterinarian, steward, or executive secretary.

(4) Sample collection and split samples will be done in accordance with WAC 260-70-600 and 260-70-610.

(5) Refusal to submit to an OCT sample request will result in penalties consistent with WAC 260-84-110 or 260-84-130.

(6) If a horse that qualifies under subsection (2) of this section is selected for testing and is not stabled at a race meet licensed by the Washington horse racing commission, the commission may approve a regulatory veterinarian from another jurisdiction to collect and submit the sample providing the process complies with WAC 260-70-600 and 260-70-610.

(7) Penalties for a report of a positive laboratory finding in violation of this section will be consistent with WAC 260-84-110 and/or 260-84-130.