Entries and Microchips Required for all Racehorses on Grounds

Summary: Rule 1581.1 and 1597.5. Amend Rule 1581.1 to strike subsection (a)(4) which prevents horses from entering a race that do not carry a microchip or receive a waiver from the stewards. Amend Rule 1597.5: 1) to change the title of the rule to “Microchips Required for all Race Horses on Grounds”; 2) replace “stewards” and “superintendent” with “horse identifier” as the person who shall be informed of the horse’s microchipping; 3) remove the requirement to post stall signs; 4) change the requirement that horses be removed from the premises if not microchipped within 72 hours - extending the timeframe from 72 hours to 7 days (168 hours); and 5) modify waiver process to allow stewards to grant a waiver in any single race instead of only stakes races.

Status: Discussed at the January 2019 Board meeting. At January 2019 meeting, the Board directed staff to initiate the 45-day comment period and was noticed by OAL on April 26, 2019. Board adopted proposed text on June 20, 2019. The rulemaking package was submitted to OAL for review on June 27, 2019. The rulemaking was filed with the secretary of state on August 8, 2019 and became effective October 1, 2019.

Horse Ineligible to Start In a Race and Veterinarian’s List

Summary: Rule 1588 and 1866. Amend Rule 1588 to provide that 1) has not started in a race for 12 months or more from its previous start or 2) a first-time starter, four (4) years of age or older, is ineligible to start in a race until such horse has performed satisfactorily in a workout or qualifying race as described in CHRB Rule 1866(e) and (f).

Status: Discussed at October 2018 Board meeting. At October 2018 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on January 9, 2019 and was noticed by OAL on April 26, 2019. The Board adopted the proposed text on June 20, 2019. The rulemaking package was submitted to OAL for review on June 27, 2019. The rulemaking was filed with the secretary of state on August 6, 2019 and became effective October 1, 2019.
**Status of Pending CHRB Regulations – January 2020**

### Suspension of License to Conduct a Race Meeting [Emergency Regulation]

- **Committee Discussing Regulatory Proposal**: 07/18/19
- **Board Discussing Regulatory Proposal**: 07/18/19
- **Language Approved**: 07/18/19
- **Staff Developing Rulemaking**: 08/22/19
- **Submitted to Agency**: 08/22/19
- **Notice Published by OAL**: 08/22/19
- **Comment Period**: 08/22 – 08/26/19
- **Public Hearing**: 08/26/19
- **Final package submitted to OAL**: 08/26/19
- **Regulation Approved**: 08/29/19
- **Effective – 08/29/19**

**Summary:** **Rule 1435 – Emergency Regulation.** Add Rule 1435, Suspension of License to Conduct a Race Meeting, pursuant to Senate Bill (SB) 469, which requires the Board to adopt emergency regulations to implement Business and Professions Code (BPC) section 19481.7. Establishing procedures upon which the Board may, upon petition, issue an order immediately suspending a license to conduct a race meeting or imposing restrictions.

**Status:** Discussed at **July 2019 Board meeting.** July 2019 Board directed staff to initiate emergency regulations. The rulemaking was submitted to the California Business, Consumers Services, and Housing Agency (Agency) on an unknown date. The rulemaking was noticed with the Office of Administrative Law (OAL) on August 26, 2019 and the comment period was open from August 22 – August 26, 2019. The final rulemaking was submitted to OAL on August 26, 2019 and the regulation was filed and effective on August 29, 2019.

### Authorized Medication and Presence of Clenbuterol in Quarter Horses

- **Committee Discussing Regulatory Proposal**: 10/24/18 - MED
- **Board Discussing Regulatory Proposal**: 10/25/18
- **Language Approved**: 10/25/18
- **Staff Developing Rulemaking**: 12/18/18
- **Submitted to Agency**: 08/02 – 08/16/19
- **Notice Published by OAL**: 03/29/19
- **Comment Period**: 03/29 – 05/13/19
- **Public Hearing**: 05/23/19
- **Final package submitted to OAL**: 06/24/19
- **Regulation Approved**: 12/18/18
- **Filed – 10/10/19 Effective – 01/01/20**

**Summary:** **Rule 1844 and 1866.1.** Amend Rule to prohibit the presence of clenbuterol in a horse test sample and to change the title of CHRB Rule 1866.1 to Presence of Clenbuterol in Horses.

**Status:** Discussed at **October 2018 Medication & Track Safety Committee Meeting (Med).** Discussed at **October 2018 Board Meeting.** At October 2018 meeting, the Board directed staff to initiate the 45-Day comment period. The rulemaking package was submitted to Agency for review on December 18, 2018. Contacted Philip on February 6, 2019 to check status of reg – is on his desk. The rulemaking was noticed by OAL on March 29, 2019. In May 2019 the Board adopted the proposed text file being prepared for submission to OAL. Complete rulemaking file submitted to OAL on June 24, 2019. Revisions were received from OAL and the rulemaking was submitted for a 15-day notice on August 2, 2019 with the comment period being open from August 2 – August 16, 2019. The complete rulemaking was submitted to OAL on August 30, 2019. The regulation was approved by OAL on October 10, 2019 and the regulation will be effective on January 1, 2020.
### Jockeys Riding Fee [Section 100 Regulation]

**Summary:** Rule 1632. Amend Rule to update non-winning jockey riding fees as mandated by SB 3. An amended subsection 1632(b) adjusts the non-winning jockey riding fee chart for losing mounts to reflect the California minimum wage increase of 8.33 percent that will be effective January 1, 2020.

**Status:** Discussed at September 2018 Board Meeting where the Board directed staff to proceed with developing the rulemaking file. The rulemaking package was submitted to OAL on September 25, 2019. The package was approved by OAL on November 4, 2019 and will become effective January 1, 2020.

### Occupational Licenses and Fees, License to Conduct Advance Deposit Wagering by a California Applicant and Approval to Conduct Advance Deposit Wagering by an Out-of-State Applicant

**Summary:** Rule 1481, 2071, and 2072. Amend Rule 1481 to require officers, directors, partners or any individual person who holds 5% or more of the outstanding shares of an advance deposit wagering (ADW), mini-satellite, exchange wagering as persons who must obtain occupational license with the Board. Amend Rule 2071 and 2072, application forms CHRB-132 and CHRB-133 to collect a copy of financial documents for ADW providers who note its business structure as “other”; not a corporation or LLC. Require ADW companies to provide more extensive financial information specific to California operations.

**Status:** June 2017 Board Meeting - Discussed ADW companies providing more extensive financial information specific to California operations. July 2017 staff directed to await further direction on pending changes. The rulemaking package was submitted to Agency for review on October 23, 2018 and notified by OAL on March 1, 2019. The comment period remained open from March 1 – April 15, 2019. At April 2019 Board adopted proposed text and the rulemaking file was submitted to OAL on April 25, 2019. The file was withdrawn on June 5, 2019 to address OAL concerns regarding the Economic Impact Statement (STD 399). June 27, 2019 the revised STD 399 was resubmitted to Agency and the Department of Finance on July 22, 2019. A 15-day notice was published on August 5, 2019 and the comment period was open from August 5 – August 19, 2019. The complete rulemaking file was submitted to OAL on September 16, 2019. Due to instruction from OAL, this rulemaking required a hearing following the 15-day notice and was heard at the November 21, 2019 meeting. The final package was submitted to OAL on December 13, 2019.
**Use of Bisphosphonates Prohibited**

**Summary:** Rule 1867.1. Addition of Rule 1867.1 to prohibit a horse from entry into a CHRB inclosure who have been administered bisphosphonates.

**Status:** Discussed at the April 2019 Board meeting. At April 2019 meeting, the Board deferred this issue to a later meeting. In June 2019 proposed rule number and name changed from Rule 1866.2, Use of Bisphosphonates Restricted (to) Rule 1867.1, Use of Bisphosphonates Prohibited. At June 2019 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking was submitted to Agency on July 31, 2019. The rulemaking was submitted to OAL on October 8, 2019 for notice on October 18, 2019 and the 45-day comment period will be open from October 18 – December 2, 2019. The public hearing was December 12, 2019 and no amendments were made. The final rulemaking package was submitted to OAL on 12/20/2019.

**Claimed Horse Health Record**

**Summary:** Rule 1660.1. Addition of Rule 1660.1 to require pertinent medical information from a horse claimed in a claiming race be transferred from the horse’s former attending veterinarian to the horse’s new attending vet on the Claimed Horse Heath Record (CHRB-245) form.

**Status:** Discussed at the April 2018 Med meeting. The text proposed at the April 2018 Med Committee will be retooled to collect specific information. July 2018 Med committee will return the amended joint injection form to the August 2018 Board meeting. In August 2018 meeting, Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on April 22, 2018. On May 22, 2019 Agency returned the rulemaking package with requested amendments. The rulemaking was noticed to OAL on September 20, 2019 and the 45-day comment period is open from September 20, 2019 – November 4, 2019. One comment was received during the comment period. The hearing is scheduled for November 21, 2019 but due to comments received the Board requested staff to reach out to OAL to determine if the regulation can be amended to incorporate the comments via a 15-day notice and return their findings to the December 12, 2019 meeting. The Board directed staff to proceed with the amendments and submitting a 15-day notice to OAL. The Board noticed the amendments on December 31, 2019 and the comment period will be open from December 31, 2019 – January 14, 2020.
**Status of Pending CHRB Regulations – January 2020**

### Authorized Medication During Workouts

- **Committee Discussing Regulatory Proposal**
- **Board Discussing Regulatory Proposal**
- **Language Approved**
- **Staff Developing Rulemaking**
- **Submitted to Agency**

**Notice Published by OAL**

**Comment Period**

**Public Hearing**

**Final package submitted to OAL**

**Regulation Approved**

**Summary:** Rule 1868. Addition of Rule 1868 to establish threshold limits for the presence of certain drug substances and medication in official test samples taken from horses after they complete a timed workout.

**Status:** Discussed at the April 2019 Board meeting. At April 2019 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking was submitted to Agency on August 30, 2019. Revisions were received from Agency on October 24, 2019. The rulemaking was submitted to OAL on October 28, 2019 and was noticed November 8, 2019. The comment period was open from November 8 – December 23, 2019. No comments were received. The hearing is scheduled for January 22, 2020.

### Postmortem Examination Review

- **Committee Discussing Regulatory Proposal**
- **Board Discussing Regulatory Proposal**
- **Language Approved**
- **Staff Developing Rulemaking**
- **Submitted to Agency**

**Notice Published by OAL**

**Comment Period**

**Public Hearing**

**Final package submitted to OAL**

**Regulation Approved**

**Summary:** Rule 1846.6. Addition of Rule 1846.6 to require a postmortem examination review of each equine fatality within a CHRB inclosure.

**Status:** Discussed at the April 2019 Board meeting. At April 2019 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on September 19, 2019. Agency approved the rulemaking on November 12, 2019. The rulemaking was submitted to OAL on November 14, 2019 and was noticed by OAL on November 29, 2019. The comment period will remain open from November 29, 2019 – January 13, 2020. The hearing is scheduled for January 22, 2020.
**Designation and Approval of Horsemen’s Welfare Fund**

**Summary:**  
**Rule 2049.** Amendment of Rule 2049 to increase the maximum allowable number of directors of trustees of the Horsemen’s Welfare Fund from nine to eleven and increase the length of the term for a director or trustee from two years to three years. Additionally, the changes would eliminate the requirements that 40% of the directors or trustees have no financial interest in horse racing as a licensed owner, trainer, or assistant trainer, and not be current members of the horsemen’s organization responsible for establishing the Horsemen’s Welfare fund.

**Status:** Discussed at the August 2019 Board meeting. August 2019 Board directed staff to initiate a 45-day comment period. The rulemaking was submitted to Agency on September 16, 2019. Agency approved the rulemaking on November 14, 2019. The rulemaking was submitted to OAL on November 18, 2019 and was noticed by OAL on November 29, 2019. The comment period will remain open from November 29, 2019 – January 13, 2020. The hearing is scheduled for January 22, 2020.

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**Schockwave Therapy Restricted**

**Summary:**  
**Rule 1866.2.** Addition of Rule 1866.2 to provide procedures for the use of Extracorporeal Shock Wave Therapy (EWST) or Radial Pulse Wave Therapy within a CHRB inclosure.

**Status:** Discussed at the June 2019 Board meeting. At June 2019 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking file was sent to Agency approximately August 19th, 2019. The revisions were submitted to Agency on December 16, 2019. Agency approved the file on December 18, 2019. The rulemaking was submitted to OAL on December 20, 2019 and will be noticed on January 3, 2020. The 45-day public comment period will be open from January 3 – February 17, 2020. The hearing is scheduled for February 20, 2020.
Status of Pending CHRB Regulations – January 2020

Penalties for Medication Violation, Medication, Drugs, and Other Substances Permitted After Entry in a Race, and Authorized Medication

Committee Discussing Regulatory Proposal 06/20/19  
Board Discussing Regulatory Proposal 06/20/19  
Language Approved  
Staff Developing Rulemaking 10/28/19  
Submitted to Agency  

Notice Published by OAL 01/03/20  
Comment Period 01/03 – 02/20/20  
Public Hearing 02/20/20  
Final package submitted to OAL  
Regulation Approved  

Summary: Rule 1843.3, 1843.5, and 1844. Amendment of Rule 1843.3, 1843.5 and 1844 to codify the Board’s prior temporary suspension of authorized medication for all horses participating in all licensed horse racing meetings.

Status: Discussed at the June 2019 Board meeting. At June 2019 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on October 28, 2019. Agency approved the file on December 16, 2019. The rulemaking was submitted to OAL on December 20, 2019 and will be noticed on January 3, 2020. The 45-day public comment period will be open from January 3 – February 17, 2020.

Trainers to Maintain Medication Treatment Records

Committee Discussing Regulatory Proposal 04/18/19  
Board Discussing Regulatory Proposal 04/18/19  
Language Approved  
Staff Developing Rulemaking 09/05/19  
Submitted to Agency  

Notice Published by OAL 01/17/20  
Comment Period 01/17 – 03/02/20  
Public Hearing 03/02/20  
Final package submitted to OAL  
Regulation Approved  

Summary: Rule 1842.5. Addition of Rule 1842.5 to require trainers to record all treatments given to a horse, including veterinary procedures performed and all medications administered – such records shall be available for inspection by CHRB representatives.

Status: Discussed at the April 2019 Board meeting. At April 2019 meeting, Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency on September 5, 2019. Revisions were received from Agency on October 24, 2019. The rulemaking will be submitted to OAL by January 7, 2020 and will be noticed on January 17, 2020. The 45-day public comment period will be open from January 17 – March 2, 2020.
### Continuing Education for Trainers and Assistant Trainers

**Summary:** Rule 1503.5. Add Rule 1503.5 to require continuing education as a condition of renewal of license for trainer and Assistant Trainer - requiring the completion of at least 12 hours of approved continuing education coursework during the preceding 36-month period.

**Status:** Discussed at the April 2018 Med Meeting. At April 2018 Board meeting, Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on October 1, 2018. February 6, 2019 contacted Philip to check on status and regulation is on his desk. Regulation was returned February 28, 2019 from Agency with recommended changes. This regulation was returned to the Board at the November 21, 2019 meeting for further revisions and the Board directed staff to initiate the 45-day comment period.

### Use of Riding Crop

**Summary:** Rule 1688. Amend Rule 1688 to regulate the use of the riding crop to protect the safety of the horse and rider.

**Status:** Discussed at the March 2019 Board meeting. At March 2019 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on July 10, 2019. Following questions and concerns from Agency, this regulation was returned to the Board at the November 21, 2019 meeting for further revisions, but due to the request of the Board, was postponed until December 12, 2019 where the Board directed staff to initiate the 45-day comment period.
Veterinary Records for Horses Shipping into an Inclosure Race

**Summary:** Rule 1846.1. Addition of Rule 1846.1 to require trainers to make available to the official veterinarian or racing veterinarian, the previous 14-day veterinary treatment record.

**Status:** Discussed at the June 2019 Board meeting. At June 2019 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on October 7, 2019. Revisions were received from Agency on November 12, 2019. The revisions were submitted to Agency on December 16, 2019.

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Authorized Bleeder Medication

**Summary:** Rule 1845. Amend Rule 1845 to change the allowable dosage of furosemide that can be administered from not less than 150 mg and not more than 500 mg to 250 mg; and to prohibit the administration of furosemide in foals born in 2018 and subsequent years.

**Status:** Discussed at the July 2019 Board meeting. At July 2019 meeting, the Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on November 22, 2019.
**Veterinarian Report**

Summary:  **Rule 1842.** Addition of Rule 1842 to require veterinarian reports be submitted electronically.

Status:  Discussed at the June 2019 Board meeting. At June 2019 meeting, Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on November 22, 2019.

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**Qualifications for License as Trainer or Assistant Trainer**

Summary:  **Rule 1503.** Amend Rule 1503 to require that individuals hold an Assistant Trainer license in good standing for at least one year as a prerequisite for a Trainer license.

Status:  Discussed at the November 2015 Stewards Committee (SC) meeting. Staff is drafting proposed text with input from industry stakeholders. At September 2019 Board meeting, Board directed staff to initiate the 45-day comment period. The rulemaking package was submitted to Agency for review on November 25, 2019.
Physical Examination and Application for License to Conduct a Horse Racing Meeting

**Committee Discussing**

**Board Discussing**

**Language Approved**

**Staff Developing**

**Submitted to**

**Regulation Approved**

**Notice Published by OAL**

**Comment Period**

**Public Hearing**

**Final package submitted to OAL**

**Summary:** **Rule 1498 and 1433.** Amend Rule 1498 to provide that stewards shall prohibit any rider thrown from a horse within the inclosure of a CHRB licensed facility from riding until cleared in writing by a physician certified [by XYZ] to evaluate traumatic injury, including concussions. Amendment Rule 1433 race meet application forms CHRB-17 and CHRB-18 to collect concussion protocol information.

**Status:** Discussed at [January 2019 Board meeting](#). At January 2019 meeting, Board directed staff to initiate the 45-day comment period.

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**Penalty for Possession of Electrical Device**

**Committee Discussing**

**Board Discussing**

**Language Approved**

**Staff Developing**

**Submitted to**

**Regulation Approved**

**Notice Published by OAL**

**Comment Period**

**Public Hearing**

**Final package submitted to OAL**

**Summary:** **Rule 1891.1.** Amend Rule 1891.1 to require that a complaint against a licensee for violation of, or conspiring to violate, Rule 1890(c) shall be referred to the Stewards for hearing and adjudication.

**Status:** Discussed at [January 2019 Board meeting](#). At January 2019 meeting, the Board directed staff to initiate the 45-day public comment period.