

CALIFORNIA CODE OF REGULATIONS  
TITLE 4. BUSINESS REGULATIONS  
DIVISION 4. CALIFORNIA HORSE RACING BOARD  
ARTICLE 16. GENERAL CONDUCT  
RULE 1875. FIREARMS

The California Horse Racing Board (Board) proposes to amend the regulation described below after considering all comments, objections, and recommendations regarding the proposed action.

#### PROPOSED REGULATORY ACTION

The Board proposes to amend Board Rule 1875, Firearms, to expand the scope of the rule to reduce the risk of injury, promote, and foster safety of all individuals and participants in horse racing. Currently, Board Rule 1875, Firearms states, “No licensee, employee of the association or its concessionaires, shall possess a firearm while on the grounds of a facility within the purview or control of the Board unless such possession has been authorized by state or federal law, and unless the documentation of such authorization is on his or her person.” The proposed amendment to Board Rule 1875 would amend the title of the rule from “Firearms” to “Weapons and Ammunition.”

Additionally, the proposed amendment to Board Rule 1875 would modify the main text of the rule and expand the rule by adding three new subsections. On the main text the language “a firearm” would be removed and placed in new subsection (1). In addition, proposed subsection one (1) would also add original language from the main text to clarify that firearms and ammunition are allowed on a Board grounds only if they have been authorized by state or federal law and if the documentation of such authorization is on their person. Proposed subsection two (2) would include projectile devices, such as BB guns, as weapons, and are therefore not authorized on Board grounds. Proposed subsection three (3) would include non-power guns devices, such as airsoft guns, as weapons, and are therefore not authorized on Board grounds.

#### PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period.

#### WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes on **May 13, 2024**. The Board must receive all comments by that time. Submit comments to:

Yannet G De Garcia, Associate Management Auditor  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Telephone: (916) 263-6023  
Email: [ygdegarcia@chrb.ca.gov](mailto:ygdegarcia@chrb.ca.gov)

## AUTHORITY AND REFERENCE

Authority cited: Section 19420, 19440, and 19460, Business and Professions Code (BPC). Reference: Section 19420, 19440, and 19460 BPC.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BPC section 19420 provides that jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. BPC section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. BPC section 19460 provides that all licenses granted under this chapter: (a) Shall be in writing. (b) Are subject to all rules, regulations, and conditions prescribed by the board. (c) Shall contain such conditions as are deemed necessary or desirable by the Board for the best interests of horse racing and the purposes of this chapter

Currently, Board Rule 1875, Firearms prohibits a licensee, employee of the association or its concessionaires, from the possession of a firearm while on the grounds of a facility within the purview or control of the Board unless such possession has been authorized by state or federal law, and unless the documentation of such authorization is on his or her person.

## ANTICIPATED BENEFIT OF THE PROPOSED REGULATION

The proposed amendment to Board Rule 1875 will increase, promote, and foster safety of all individuals and participants of horse racing on the grounds of a facility within the purview or control of the Board. Implementing the proposed amendment to Board Rule 1875 would reduce the risk of injury to humans and racehorses, provide the Board's Law Enforcement Division the ability to initiate investigations and confiscate such weapons, and prohibit the use and possession of projectile and non-powder guns on Board grounds. The Board values and promotes safety for all individuals and participants of horse racing in California by fostering the safety, health, and welfare for all its participants.

## CONSISTENCY EVALUATION

Evaluation of Consistency and Compatibility with Existing State Regulations: During the process of developing the amendments, the Board conducted a search for any similar regulation on this topic and has concluded that Board Rule 1875 is the only regulation that address firearms, weapons, and ammunition in horse racing. Therefore, the proposed regulation is neither inconsistent nor incompatible with existing state regulations.

## DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code (GC) sections 17500 through 17630: none.

Other non-discretionary cost or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed amendment to Board Rule 1875 will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed amendment will support and expand the safety and welfare of all participants of horse racing in California. By expanding the scope of authority of the rule to prohibit firearms; weapons; ammunition; any device or instrument that expels a projectile, such as a BB or pellet; and any non-powder gun (NPG) device, such as an airsoft gun, not limited to: BB gun, pellet gun, spot marker, paint ball gun, taser gun, or stun gun.

The following studies/relevant data were relied upon in making the above determination: California Senate of Office Research (SOR) "Pellet Guns and BB Guns: Dangerous Playthings in the Open Market," Don Moulds, Director, Senate of the State of California, 2005

Cost impact on representative private persons or businesses: none. The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

## RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The adoption of the proposed amendment to Board Rule 1875 will not (1) create or eliminate jobs within the state; (2) create new businesses or eliminate existing businesses

within the state; (3) result in the expansion of businesses currently doing business with the state; and (4) as described under ANTICIPATED BENEFIT OF THE PROPOSED REGULATION above, will benefit the health and welfare of California residents and worker safety by promoting and fostering safety of individuals and participants of horse racing on the grounds of a facility within the purview or control of the Board. The proposed regulations are not expected to affect the state's environment.

Effect on small business: none. The proposal to amend Board Rule 1875 does not affect small business because small businesses are not legally required to comply with or enforce the regulation and neither derive a benefit nor incur a detriment from the enforcement of the regulation.

## CONSIDERATION OF ALTERNATIVES

In accordance with GC section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome on affected private persons than the proposed action, or would be more cost-effective and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

## CONTACT PERSONS

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Yannet G De Garcia, Associate Management Auditor  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Telephone: (916) 260-6023  
E-mail: [ygdegarcia@chrb.ca.gov](mailto:ygdegarcia@chrb.ca.gov)

If the person named above is not available, interested parties may contact:

Cynthia Alameda, Deputy Executive Director  
California Horse Racing Board  
Telephone: (916) 642-0779  
Email: [clalameda@chrb.ca.gov](mailto:clalameda@chrb.ca.gov)

## AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based, may be obtained by contacting Yannet G De Garcia or the alternative contact person at the address, phone number, or email address listed above.

## AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made that are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of Yannet G De Garcia at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

## AVAILABILITY OF FINAL STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be made available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Yannet G De Garcia at the address stated above.

## BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its website. The rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. The Board's website address is [www.chrb.ca.gov](http://www.chrb.ca.gov).