

## **IDAPA 11 – IDAHO STATE POLICE**

### **Idaho State Racing Commission**

#### **11.04.13 – Rules Governing the Idaho State Racing Commission**

##### **Who does this rule apply to?**

*Racing officials/stewards, Idaho State Racing Commission, racing owners/participants/Jockeys, industry associations/stakeholders, veterinarians, and members of the general public who engage in betting/wagering.*

##### **What is the purpose of this rule?**

*These rules provide regulatory safeguards for the integrity of imminent horse races, the safety of horses and personnel involved in races, and the prevention of monetary fraud upon racing industry members and the public. They also create consistent enforcement during racing seasons on all those involved in those races.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Professions, Vocations, and Businesses -

Horse Racing:

- [Section 54-2506, Idaho Code](#) – Duties of Commission and Licensees — License Fee
- [Section 54-2507, Idaho Code](#) – Authority of commission
- [Section 54-2508, Idaho Code](#) – License – Application therefor – Type and Number of Races — Fee per day — Refund — Cancellation — Hearing — Simulcast Purse Moneys Fund
- [Section 54-2509, Idaho Code](#) – Penalty for Violations of Law — Power of Commission
- [Section 54-2512, Idaho Code](#) – Pari-Mutuel Betting — Other Betting Illegal
- [Section 54-2513, Idaho Code](#) – Horse Racing — Distributions of Deposits — Breakage
- [Section 54-2514, Idaho Code](#) – Dog Racing — Distribution of Deposits — Breakage

##### **Who do I contact for more information on this rule?**

Idaho State Police

Idaho State Racing Commission

Monday through Friday, 8:00 a.m. to 5:00 p.m

700 S. Stratford Drive

Meridian, ID 83642

Phone: (208) 884-7080

Fax: (208) 884-7098

Email: [adminrules@isp.idaho.gov](mailto:adminrules@isp.idaho.gov)

Web: <https://isp.idaho.gov/racing>

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## 11.04.13 – RULES GOVERNING THE IDAHO STATE RACING COMMISSION

### 000. LEGAL AUTHORITY.

This chapter is adopted pursuant to the legal authority of Title 54, Chapter 25, of the Idaho Code. (3-31-22)

### 001. SCOPE.

These rules govern the Idaho State Racing Commission. (3-31-22)

### 002. -- 009. (RESERVED)

### 010. DEFINITIONS.

In addition to the definitions in Title 54, Chapter 25, Idaho Code, the following apply: (3-31-22)

01. **Chairman.** The presiding officer of the Racing Commission. (3-31-22)

02. **Commissioner.** One (1) of the three (3) members of the Idaho State Racing Commission. (3-31-22)

03. **Costs.** Charges and expenses reasonably necessary to carry out the business of the Racing Commission. (3-31-22)

04. **Exclusion.** The act of preventing a person from entering or remaining on the grounds of any racing association or simulcast facility under the jurisdiction of the Racing Commission. (3-31-22)

05. **License.** A permission granted by the Racing Commission to engage in any regulated activity. (3-31-22)

06. **Natural Person.** Any person eighteen (18) years of age or older, but does not include any corporation, partnership, limited liability company, trust, or estate. (3-31-22)

07. **Person.** Any individual, racing association, partnership, firm, joint stock company, joint venture, trust, estate, political subdivision, public or private corporation, limited liability company or any legal entity, that is recognized by law as the subject of rights and duties. (3-31-22)

08. **Quorum.** Two (2) or more members of the Racing Commission. (3-31-22)

09. **Race.** A contest between horses for purse, stake or reward run by any racing association and in the presence of a judge or judges. (3-31-22)

10. **Race Days.** The number of racing days authorized by the Racing Commission in a racing association license. (3-31-22)

11. **Racing Association.** Any person licensed by the Racing Commission to conduct a race meet and pari-mutuel wagering. (3-31-22)

12. **Simulcast Operator.** A person licensed by the Racing Commission to operate a simulcast wagering system as provided for by these rules. (3-31-22)

### 011. -- 014. (RESERVED)

### 015. GENERAL AUTHORITY.

01. **Racing Commission to Regulate Races and Participation.** The Racing Commission will regulate each race meet and the persons who participate in each race meet. (3-31-22)

02. **Racing Commission to Regulate Simulcast and Advance Deposit Wagering.** The Racing Commission will license and regulate all simulcast operators and activities and advance deposit wagering and activities. (3-31-22)

### 016. COSTS AND ANNUAL REPORT.

01. **Audited and Approved.** Costs necessary to administer the Racing Commission will be audited and approved by the Racing Commission. (3-31-22)

**017. -- 019. (RESERVED)**

**020. MEETINGS.**

The Racing Commission will meet at the call of the chair or a majority of the members, or as otherwise provided by statute. Notice of the meetings will be given and the meetings conducted in accordance with Idaho's Open Meeting Act, Section 67-2340 through 67-2347, Idaho Code. (3-31-22)

**021. – 023. (RESERVED)**

**024. HORSEMEN'S GROUP.**

For purposes of these rules, whichever group was the recognized horsemen's group in 2004 is hereby designated as the existing horsemen's group. (3-31-22)

**01. Decertifying an Existing Horsemen's Group - Notice of Intent and Petition.** Upon the filing with the Racing Commission of a notice of intent to decertify an existing horsemen's group by an alternate horsemen's group, the alternate horsemen's group has no more than six (6) months from the date of filing to acquire, on a petition, the signatures of twenty-five percent (25%) of the existing horsemen's group's licensed members. (3-31-22)

**a.** Contents of Notice. The notice of intent needs to contain the following: (3-31-22)

**i.** The name of the alternate horsemen's group; (3-31-22)

**ii.** The names of the principals of the horsemen's group; (3-31-22)

**iii.** The date of filing; (3-31-22)

**iv.** The articles of incorporation and bylaws; and (3-31-22)

**v.** A copy of the petition as it will be circulated. (3-31-22)

**b.** No more than one (1) petition by any alternate horsemen's group to decertify an existing horsemen's group will be circulated at any given time. (3-31-22)

**c.** In addition, the alternate horsemen's group must submit the names of a minimum of fifty (50) members who are Idaho licensed owners or trainers. (3-31-22)

**02. Racing Commission's Receipt of Petition. (3-31-22)**

**a.** Upon receipt of a petition that meets the criteria set forth in Subsection 024.01 of these rules, the Racing Commission will consider the petition and will validate the signatures found on said petition. Validation includes, but is not limited to, verification of current Idaho licensed owners and trainers and signature verification. (3-31-22)

**b.** If the validated signatures do not meet the requirements of these rules, the Racing Commission will notify the alternate and the existing horsemen's groups that no further action will be taken on the petition. (3-31-22)

**03. Validating Signatures, Setting of Election Date, Conducting an Election. (3-31-22)**

**a.** If the validated signatures are found to meet these requirements, the Racing Commission will set the date for the election prior to the next regularly scheduled meeting. (3-31-22)

**b.** A representative of the alternate horsemen's group must appear to answer any questions at the meeting at which signatures are validated. (3-31-22)

**c.** The existing horseman's group must conduct an election among the licensed members and report

the results to the Racing Commission. (3-31-22)

**d.** A deciding vote of fifty percent plus one (50% + 1) of the ballots returned must be used to determine the one organization to be recognized as the horsemen's group, absent clear and convincing evidence that the election was fraudulent. (3-31-22)

**04. Good Cause.** Except for good cause, the Racing Commission will not conduct an election within eighteen (18) months of a prior election among the existing group's licensed members. (3-31-22)

**025. (RESERVED)**

**026. PROHIBITED ACTS.**

The Commissioners and Racing Commission employees cannot: (3-31-22)

**01. Financial Interest.** Own a financial interest in a racing association or simulcast operation located in Idaho. (3-31-22)

**02. Accept Remuneration.** Accept remuneration from a racing association or simulcast operation located in Idaho. (3-31-22)

**03. Owner, Lessor or Lessee.** Be an owner, lessor or lessee of a horse or a mule that is entered in a race at a licensed race meet in Idaho. (3-31-22)

**04. Wager.** Commissioners and Racing Commission employees cannot wager in any pari-mutuel pool at any facility or through any pari-mutuel system in the State of Idaho. (3-31-22)

**027. -- 029. (RESERVED)**

**030. POWER OF ENTRY.**

Members of the Racing Commission will have the right to enter and inspect any part of the grounds and facilities of the racing association or simulcast operator. (3-31-22)

**031. -- 034. (RESERVED)**

**035. EXCLUSION.**

The Racing Commission may order an individual excluded from all or part of any racing association or simulcast operator's grounds under the statutory jurisdiction of the Racing Commission if the stewards or judges or executive director of the Racing Commission determine that: (3-31-22)

**01. Deemed to Be Detrimental.** The individual is deemed to be detrimental to the best interest of racing or is in violation of Section 54-2509, Idaho Code, or these rules. (3-31-22)

**02. Honesty and Integrity.** The individual's presence on a racing association or simulcast operator's grounds is inconsistent with maintaining the honesty and integrity of racing. (3-31-22)

**036. -- 039. (RESERVED)**

**040. ALLOCATION OF RACE DAYS AND RACES.**

The Racing Commission is the sole judge of the number of race days and races for which each racing association is licensed. (3-31-22)

**041. PUBLIC HEALTH OR SAFETY HAZARD.**

Nothing in these rules is intended to require race days and races to be held if it constitutes a public health or safety hazard. (3-31-22)

**042. CANCELLATION OF RACE DAYS OR RACES.**

Racing days or races within a racing day specified on a racing association's license may be cancelled under the

following conditions: (3-31-22)

**01. Conditions.** Conditions at the racing facility constitute a health or safety hazard for people using the facility. (3-31-22)

**02. Inclement Weather.** Inclement weather or track conditions constitute a health or safety hazard for track personnel or horses entered to race. (3-31-22)

**03. Approved Cancellation.** The Racing Commission approved the cancellation due to a health or safety hazard. (3-31-22)

**04. Advanced Approval.** Races cancelled for any reason other than a health or safety hazard need to be approved in advance by the Racing Commission. (3-31-22)

**05. Rescheduling Cancelled Races.** The Racing Association will make a good-faith effort to reschedule cancelled races. (3-31-22)

**043. -- 999. (RESERVED)**