

3769-2-01

**The commission, right to search.**

- (A) Members of the commission and its representatives ~~shall~~ have the right of full and complete entry to any and all parts of the grounds and mutuel plants of permit holders.
- (B) The Ohio state racing commission, ~~and~~ its representatives, ~~or~~ the state steward or judge investigating for violations of law or of the rules and regulations of the commission, ~~shall~~ have the authority to permit persons authorized by them to search certain persons and areas as follows:
- (1) All persons licensed by the commission or persons engaged in activities that ~~require~~need a license by the commission when such persons are within the ~~race track~~racetrack premises or those who have gained access by special permission;
  - (2) Vendors licensed by the commission when they are within the ~~race track~~racetrack premises;
  - (3) Stables, rooms, vehicles and any other place within the ~~race track~~racetrack premises used by those persons who may be searched pursuant to this rule;
  - (4) Stables, rooms, ~~and~~ vehicles used or maintained by persons licensed by the commission, ~~and~~ which are located in areas outside of the ~~race track~~racetrack premises where horses eligible to race at the race meeting are stabled.
- (C) If a person refuses to consent to such searches as described above, ~~such person shall~~they will be automatically suspended by the stewards and referred to the commission who may revoke ~~said~~the licensee's Ohio state racing commission license and rule ~~said~~the licensee off all Ohio tracks for the remainder of the calendar year and/or assess any other penalty provided for in rule 3769-2-99 of the Administrative Code.

Effective: 3/21/2024

Five Year Review (FYR) Dates: 1/3/2024 and 03/21/2029

CERTIFIED ELECTRONICALLY

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Certification

03/11/2024

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Date

Promulgated Under: 119.03  
Statutory Authority: 3769.03  
Rule Amplifies: 3769.03  
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