



ACTION: Original

Ohio State Racing Commission
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Mike DeWine
Governor

Scott Borgemenke
Chairman

PUBLIC NOTICE

The Ohio State Racing Commission will hold a public hearing for the purpose of accepting testimony on the proposed amended rule package containing rules found in Chapter 2, and the rescission of Chapter 12 of the Ohio Administrative Code.

These rules discuss administrative regulations that the commission and permit holders abide by. These rules were reviewed in accordance with the requirements of Ohio Revised Code 119.03 and have been proposed as follows:

- 3769-2-01 The commission has the right to search certain areas.
- 3769-2-02 The commission may engage auditors to examine the permit holders' records.
- 3769-2-03 The procedure to adopt rules.
- 3769-2-04 Public notice of commission meetings.
- 3769-2-05 The jurisdiction of the commission.
- 3769-2-06 The commission rules supersede any conditions of the permit holder.
- 3769-2-07 The permit holder cannot give gifts to commission personnel.
- 3769-2-08 Application to conduct horse racing.
- 3769-2-09 Application for days to conduct horse racing.
- 3769-2-10 Each application to conduct horse racing must have a list of officials.
- 3769-2-11 Information that must be included in an application to conduct horse racing.
- 3769-2-11.1 Claims by a person against the permit holders' surety bond.
- 3769-2-11.2 The racing permit could be suspended if the permit holder does not have sufficient financial ability to conduct racing.
- 3769-2-12 The commission may grant a racing permit to a county fair. A totalizator company must be licensed.
- 3769-2-13 The racing permit must include certain information.
- 3769-2-14 The permit holders' enforcement obligations.
- 3769-2-15 The permit holders must post its racing permit.
- 3769-2-16 The permit holders' security requirements.
- 3769-2-17 The permit holder must provide records to the commission.
- 3769-2-18 Information that must be provided to obtain a license from the commission.
- 3769-2-19 All license applicants must submit their fingerprints every five years.
- 3769-2-20 The commission may require written testimony from two people before a license is issued.
- 3769-2-21 The Commission's restrictions to obtain a license.
- 3769-2-23 License qualifications for a trainer, assistant trainer and a horseshoer.
- 3769-2-24 Licensee fees.
- 3769-2-25 Only one license is required of licensees who are performing the same function at thoroughbred, harness or quarter horse meetings.
- 3769-2-26 The commission may refuse to grant, may revoke or may suspend any license.
- 3769-2-27 A license is required to participate in horse racing.

3769-2-28 Limits on drinking by permit holders' employees.
3769-2-29 A licensee can be disciplined for fraudulent or improper practice.
3769-2-30 Other conditions where a permit holder or licensee could be sanctioned.
3769-2-32 The procedure to request the commission to act against a licensee under the financial responsibility rule.
3769-2-33 This rule discusses the unrestricted competitive bidding procedures pursuant to 3769.20 and 3769.08.
3769-2-35 All simulcast races on which pari-mutuel wagering is conducted by a permit holder shall be in accordance with the rules' conditions and/or restrictions.
3769-2-36 Unless a rule is specifically exempt from enforcement on the premises of a satellite facility, all commission rules shall apply to any satellite facility in the same manner such rules apply to a commercial permit holder.
3769-2-37 Definitions which apply to 3769-2-37 thru 3769-2-41.
3769-2-38 Procedures for accessing confidential personal information.
3769-2-39 Valid reasons for accessing confidential personal information.
3769-2-41 Restrictions to accessing confidential personal information in commission information systems.
3769-2-42 The procedures for reciprocal licenses with the Ohio Lottery.
3769-2-43 The procedures for the commission to determine distribution percentage of video lottery terminal income.
3769-2-99 The penalties the commission may impose.

Chapter 12 is being rescinded due to redundance and duplication in Chapter 2

The Hearing will be held on:

February 5, 2024, at 10:00 a.m.

The hearing will be conducted virtually via TEAMS which will enable the parties and interested persons to attend by telephone and/or video conference. For an electronic link to the hearing, please contact the Commission via email at Tanya.Boulmetis@racing.ohio.gov.

Commission staff will work with you to ensure your access to the TEAMS hearing platform prior to the hearing date.

The hearing will be conducted in accordance with Chapter 119 of the Ohio Revised Code. All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted prior to the hearing to the Ohio State Racing Commission c/o Tanya Boulmetis 77 South High Street 18th Floor, Columbus, Ohio 43215; by e-mail at Tanya.Boulmetis@racing.ohio.gov; or by facsimile at 614-466-1900.

Written comments sent by mail shall be postmarked no later than the day of the hearing.

To obtain copies of these rules, please visit the Register of Ohio
<https://www.registerofohio.state.oh.us/>