

**MEMORANDUM**

**TO:** Bill Crawford, Ohio State Racing Commission

**FROM:** Cory Bailey, Regulatory Policy Advocate, Lt. Governor's Office

**DATE:** July 19, 2016

**RE:** **CSI Review – Chapter 6 No-Change Rules 2015 (OAC § 3769-6-01 through 3769-6-34)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (R.C.) § 107.54, CSI has reviewed the abovementioned administrative rules and associated Business Impact Analysis (BIA). This memo represents CSI's comments to the Agency as provided for in R.C. § 107.54.

**Analysis**

On May 27, 2016 the Ohio State Racing Commission submitted a draft rule package consisting of 35 no-change rules to the CSI Office as part of the five-year rule review requirement contained in Ohio statute. The official public comment period closed on June 15, 2016.

The draft rule package establishes part of the regulatory framework for horse racing in the state of Ohio. A range of topics are covered in the rules including winnings, claims, safety standards, and equipment requirements. This package consists of rules the Commission has chosen not to amend following feedback from stakeholders during early stakeholder outreach. No stakeholder comments were received during the CSI public comment period.

The adverse impacts to business generally apply to seven commercial race track permit holders. The Commission provides a detailed analysis in the BIA of the adverse impacts and their related costs. In some cases, the impacts are minimal, such as a few minutes of time, while in others there are financial costs ranging from hundreds to potentially thousands of dollars. The Commission cites the need to ensure safety, transparency, and fairness in horse racing as justification for the adverse impacts.

Following review of the draft rules, BIA, and stakeholder outreach, it has been determined that the standards espoused by the CSI Office have been met, and the adverse impacts of the draft rules are justified.

### **Recommendations**

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio State Racing Commission should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office