

WSR 21-20-102

PROPOSED RULES

HORSE RACING COMMISSION

[Filed October 4, 2021, 8:42 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-09-033.

Title of Rule and Other Identifying Information: WAC 260-60-410
Claimed horse—In whose interest run—Delivery and passage of title.

Hearing Location(s): On November 12, 2021, at 9:30 a.m., via Zoom
teleconference. Link will be available at www.whrc.wa.gov prior to
hearing.

Date of Intended Adoption: December 13, 2021.

Submit Written Comments to: Douglas L. Moore, 6326 Martin Way
Suite 209, Olympia, WA 98516, email doug.moore@whrc.state.wa.us, fax
360-549-6461, by November 1, 2021.

Assistance for Persons with Disabilities: Contact Melanie Bowd-
ish, phone 360-459-6462, fax 360-459-6461, email
melanie.bowdish@whrc.state.wa.us, by November 1, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including
Any Changes in Existing Rules: To amend current rules on transfer of a
claimed horse which was selected for post race testing to reflect cur-
rent industry standards.

Reasons Supporting Proposal: Changes the time of transfer from
the original trainer to the successful claimant to take place after a
sample is collected to avoid any possible contamination attributed to
the new owner or representative.

Statutory Authority for Adoption: RCW 67.16.020.

Rule is not necessitated by federal law, federal or state court
decision.

Name of Agency Personnel Responsible for Drafting, Implementa-
tion, and Enforcement: Douglas L. Moore, 6326 Martin Way, Suite 209,
Olympia, WA 98516, 360-459-6462.

A school district fiscal impact statement is not required under
RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

The proposed rule does not impose more-than-minor costs on busi-
nesses. Following is a summary of the agency's analysis showing how
costs were calculated. Not business related.

October 4, 2021
Douglas L. Moore
Executive Secretary

OTS-3336.1

AMENDATORY SECTION (Amending WSR 18-03-071, filed 1/12/18, effective
2/12/18)

**WAC 260-60-410 Claimed horse—In whose interest run—Delivery and
passage of title.** Any purse moneys and prizes earned by a claimed
horse will be awarded to the owner that entered the horse. All claims
are valid and ownership of the claimed horse is official from the time

the claimed horse becomes a "starter." The successful claimant becomes the owner of the horse, whether it is sound, unsound, or injured during the race or after it, unless the claim is canceled in accordance with WAC 260-60-460(2). Transfer of possession of a claimed horse will take place immediately after the race has been run unless otherwise directed by the stewards. If the horse is required to be taken to the test barn for post-race testing, the (~~successful claimant~~) original trainer or his/her representative must maintain physical custody of the claimed horse (~~(. However, the original owner, trainer)~~) and sign the sample tag. The successful claimant or his/her representative will accompany the horse (~~(r)~~) and observe the testing procedure (~~(and sign the test sample tag)~~).

[Statutory Authority: RCW 67.16.020. WSR 18-03-071, § 260-60-410, filed 1/12/18, effective 2/12/18. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 08-05-088, § 260-60-410, filed 2/15/08, effective 3/17/08. Statutory Authority: RCW 67.16.040. WSR 96-12-008, § 260-60-410, filed 5/23/96, effective 6/23/96.]