| 1 | SENATE FLOOR VERSION February 8, 2018 |
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| 2 | AS AMENDED |
| 3 | SENATE BILL NO. 1071 By: Allen of the Senate |
| 4 | and |
| 5 | Renegar of the House |
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| 9 | [Oklahoma Horse Racing Commission - rules - civil action - codification - effective date] |
| 10 | action - codification - effective date j |
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| 12 | BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: |
| 13 | SECTION 1. NEW LAW A new section of law to be codified |
| 14 | in the Oklahoma Statutes as Section 208.11a of Title 3A, unless |
| 15 | there is created a duplication in numbering, reads as follows: |
| 16 | A. On and after the November 1, 2018, any rule or change in |
| 17 | rule made by the Oklahoma Horse Racing Commission related to equine |
| 18 | medications and drugs or drug testing of a horse prior to or during |
| 19 | a race including, but not limited to, threshold levels for |
| 20 | therapeutic medications and drugs shall require such rule to be |
| 21 | based on peer reviewed and published scientific evidence to be valid |
| 22 | for enforcement. |
| 23 | B. Any Commission rules in effect on November 1, 2018, related |
| 24 | to equine medications and drugs or drug testing of a horse prior to |

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| 1 | or during a race that are not based on peer reviewed and published |
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| 2 | scientific evidence, or any Commission rule that is similar to any |
| 3 | rule, policy or statute of another state that has been successfully |
| 4 | challenged in such state's court, shall be reviewed by the |
| 5 | Commission before January 1, 2019, and made to comply with |
| 6 | subsection A of this section or such rule may be deemed voidable. |
| 7 | C. Any person aggrieved by the Commission's enforcement of a |
| 8 | rule in violation of subsection A of this section or deemed voidable |
| 9 | under subsection B of this section may challenge such rule's |
| 10 | validity by instituting a civil action in a court of competent |
| 11 | jurisdiction. |
| 12 | SECTION 2. This act shall become effective November 1, 2018. |
| 13 | COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM February 8, 2018 - DO PASS AS AMENDED |
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