

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1071

By: Allen

6 AS INTRODUCED

7 An Act relating to the Oklahoma Horse Racing
8 Commission; requiring certain rules be based on
9 certain review and evidence; directing review of
10 certain rules for compliance; construing effect of
11 certain rules out of compliance; allowing civil
12 action; providing for codification; and providing an
13 effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 208.11a of Title 3A, unless
16 there is created a duplication in numbering, reads as follows:

17 A. On and after the November 1, 2018, any rule or change in
18 rule made by the Oklahoma Horse Racing Commission related to equine
19 medications and drugs or drug testing of a horse prior to or during
20 a race including, but not limited to, threshold levels for
21 therapeutic medications and drugs shall require such rule to be
22 based on peer reviewed and published scientific evidence to be valid
23 for enforcement.

1 B. Any Commission rules in effect on November 1, 2018, related
2 to equine medications and drugs or drug testing of a horse prior to
3 or during a race that are not based on peer reviewed and published
4 scientific evidence, or any Commission rule that is similar to any
5 rule, policy or statute of another state that has been successfully
6 challenged in such state's court, shall be reviewed by the
7 Commission before January 1, 2019, and made to comply with
8 subsection A of this section or such rule may be deemed voidable.

9 C. Any person aggrieved by the Commission's enforcement of a
10 rule in violation of subsection A of this section or deemed voidable
11 under subsection B of this section may challenge such rule's
12 validity by instituting a civil action in a court of competent
13 jurisdiction.

14 SECTION 2. This act shall become effective November 1, 2018.

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