



ASSOCIATION OF RACING COMMISSIONERS INTERNATIONAL

TO: Model Rules Committee

FROM: Ed Martin, ARCI President

DATE: November 10, 2023

RE: Amendments to ARCI-008-010 General Provisions and ARCI-022-008-010 General Provisions

Racing organizations have been struggling with how to combat unsanctioned, illegal, horseracing, often operated by unsavory characters. Aside from the illegality of these events, equine welfare concerns abound in that there are no rules in place to protect the abuse or welfare of the horses involved.

Some in the racing industry mistakenly assumed this is a matter that can be dealt with by a racing regulatory body. This is a matter for the police and law enforcement agencies and commissions can bring concerns and assist those agencies, but have no power to arrest or shut down such events absent a court order or police authority.

One thing a racing commission can do is to make it a violation of an occupational license for anyone licensed for professional racing to engage in illegal racing activity.

The California Horse Racing Board recently enacted the following rule:

1902. Conduct Detrimental to Horse Racing.

No licensee shall engage in any conduct prohibited by this Ddivision nor shall any licensee engage in any conduct which by its nature is detrimental to the best interests of horse racing including, but not limited to:

- (a) knowing association with any known bookmaker, known tout, or known felon,
- (b) indictment or arrest for a crime involving moral turpitude or which is punishable by imprisonment in the state or federal prison, when such indictment or arrest is the subject of notorious or widespread publicity in the news media, and when there is probable cause to believe the licensee committed the offenses charged,
- (c) solicitation of or aiding and abetting any other person to participate in any act or conduct prohibited by this Ddivision-..l
- (d) participation in, or presence at, any non-recognized race meeting where racing occurred.
 - (1) Recognized race meeting is defined pursuant to subsection (u) of Rule 1420.
 - (2) Racing is defined pursuant to subsection (s) of Rule 1420.

My strong recommendation is that the ARCI adopt a similar Model Rule and encourage all members to immediately promulgate. The proposed text as well as a technical correction in Section C of affected chapters are as follows:

ARCI-008-010 General Provisions

C. Multi-Jurisdictional Licensing Information

In lieu of a license application from this jurisdiction, the Commission shall accept a **National Racing Compact** ~~NAPRA~~ or RCI Multi-Jurisdictional License Form.

P. Grounds for Refusal, Denial, Suspension or Revocation of License

- (1) The Commission or its designee may refuse to issue or may deny a license to an applicant, or may suspend or revoke a license issued, or may order disciplinary measures, if the applicant:
 - (a) has been convicted of a felony;
 - (b) has been convicted of violating any law regarding gambling or a controlled dangerous substance;
 - (c) has pending criminal charges; or
 - (d) is unqualified to perform the duties required of the applicant;
 - (e) has failed to disclose or states falsely any information required in the application;
 - (f) has been found in violation of statutes or rules governing racing in this state or other jurisdictions;
 - (g) has racing disciplinary charges pending in this state or other jurisdictions;
 - (h) has been or is currently excluded from association grounds by a recognized racing jurisdiction;
 - (i) has had a license denied, suspended or revoked by any racing jurisdiction;
 - (j) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting;
 - (k) demonstrates financial irresponsibility by accumulating unpaid obligations, defaulting in obligations or issuing drafts or checks that are dishonored or payment refused;
 - (l) is ineligible for employment pursuant to federal or state law because of age or citizenship; ~~or~~
 - (m) has violated any of the alcohol or substance abuse provisions outlined in Sec. H of this rule; ~~or~~
 - (n) **has solicited or aided and abetted any other person in any act or conduct prohibited by law or the commission; or,**
 - (o) **participated in, or was present at, any illegal or non-recognized race meeting where racing occurred.**

ARCI-022-010 General Provisions

C. Multi-State Licensing Information

In lieu of a license application from this jurisdiction, the Commission may accept a ~~North American Pari-Mutuel Regulators Association (NAPRA)~~ **National Racing Compact** or an Association of Racing Commissioners International (RCI) Multi-State License Application.

P. Grounds for Refusal, Denial, Suspension or Revocation of License

- (1) The Commission or its designee may refuse to issue or may deny a license to an applicant, or may suspend or revoke a license issued, or may order disciplinary measures, if the applicant:
 - (a) has been convicted of a felony or indictable offense;
 - (b) has been convicted of violating any law regarding gambling, a controlled dangerous substance, moral turpitude, or cruelty to animals;
 - (c) has pending criminal charges; or
 - (d) is unqualified to perform the duties required of the applicant;
 - (e) has failed to disclose or states falsely any information required in the application;
 - (f) has been found in violation of statutes or rules governing racing in this jurisdiction or other jurisdictions;
 - (g) has racing disciplinary charges pending in this jurisdiction or other jurisdictions;
 - (h) has been or is currently excluded from association grounds by a recognized racing jurisdiction;
 - (i) has had a license denied, suspended or revoked by any racing jurisdiction;
 - (j) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting;
 - (k) demonstrates financial irresponsibility by accumulating unpaid obligations, defaulting in obligations or issuing drafts or checks that are dishonored or payment refused;
 - (l) is ineligible for employment pursuant to law because of age or citizenship;
 - (m) has violated any of the alcohol or substance abuse provisions outlined in these rules; or
 - (n) has been associated or consorted with an individual who has been convicted of a crime in any jurisdiction. ~~—, or~~
 - (o) **has solicited or aided and abetted any other person in any act or conduct prohibited by law or the commission; or,**

(p) **participated in, or was present at, any illegal or non-recognized race meeting where racing occurred.**

(2) A license suspension or revocation shall be reported in writing to the applicant, the USTA/SC, **NAPRA**, and the RCI, whereby other racing jurisdictions shall be advised.

Note: The committee and Board should authorize the staff to perform a renumbering to ensure the master document is formatted and numbered correctly.