DIRECTIVE 2023-D-1
OAC 325: 75-1-19 Embryo Transfer

The Horse Racing Commission, in 2019, amended certain permanent rules regarding requirements for persons seeking to add newborn foals to the Oklahoma Bred Registry. Rule OAC 325:75-1-19 was amended to add an effective date of completion of certain forms for donor mares of January 1, 2020. The rule also required the breeder to file such forms with the Commission by November 1 of the year prior to foaling for recipient mares. The rule created confusion for many breeders who had registered Oklahoma-Bred accredited horses prior to the rule change. The amended rule also did not include an exemption from the registration deadlines for hardship situations that are included in other registration deadline rules of the Horse Racing Commission. This confusion affected more than 100 horses that would have otherwise been eligible to race as accredited Oklahoma Bred horses beginning March 2023.

The rule as promulgated is inconsistent with the statutory purpose to "encourage . . . the breeding of horses in this state." 3A O.S. § 203.7(1). The rule negatively affects the Commission's ability to incentivize racing Oklahoma Bred horses in Oklahoma races as set forth in 3A O.S. § 208.3.

The purpose of this Directive is to establish a temporary fix for this problem until such time that permanent rulemaking to amend the rule can be completed. The temporary fix is that the November 1 deadline for submission of paperwork will not be enforced for recipient mares whose foals are otherwise eligible to race in the 2023 race season as accredited Oklahoma Bred horses. All other requirements for paperwork and applications are required. All horses racing in 2023 who were born to recipient broodmares that were previously registered and accredited as Oklahoma Bred horses are eligible to race as accredited Oklahoma Bred horses.

This Directive supersedes any previous Directive or memoranda which may be in conflict with this Directive.

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Joe Lucas, Chair
Oklahoma Horse Racing Commission