

## TITLE 325. OKLAHOMA HORSE RACING COMMISSION

### CHAPTER 75 – OKLAHOMA-BRED PROGRAM

#### 325:75-1-2. Definitions

In addition to the definitions provided in Section 200.1 of Title 3A, of the Oklahoma Statutes, the following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Act"** means the Oklahoma Horse Racing Act [3A:200 et seq.].

**"Accredit"** means to certify as meeting the standard of eligibility for participation as a broodmare, stallion or racing stock in the Oklahoma-Bred Program.

**"Accreditation"** means the process of verifying and certifying the eligibility of a broodmare, stallion or racing stock for participation in the Oklahoma-Bred Program and adding its name to the official registry.

**"Accredited Oklahoma-Bred horse"** means a broodmare, stallion or racing stock that is eligible pursuant to the Act and Commission rules and whose enrollment in the Oklahoma-Bred Program has been completed by the official Registering Agency.

**"Added money"** means the amount exclusive of trophy added into a stakes by the Organization Licensee, or by sponsors, state-bred programs, or other funds added to those monies gathered by nomination, entry, sustaining and other fees coming from the horsemen.

**"Adoption Program"** means a program in which race horses are rehabilitated and/or retrained for other uses, such as, but not limited to, polo, dressage, hunter/jumper and pleasure riding, the goal and purpose of which is the adoption of the race horse after rehabilitation and/or retraining.

**"Age"** means that the age of a horse is recognized as beginning on the first day of January in the year in which the horse is foaled.

**"Authorized Agent"** means a person licensed by the Commission and appointed by a written notarized affidavit by the Owner, Trainer, Parent or Guardian of a minor in whose behalf the Agent will act, and limited to the actions as specified on the affidavit. ~~Said~~ The affidavit ~~must~~ shall be on file with the Commission.

**"Breakage"** means the net pool minus payout.

**"Breeder"** means the Owner of a horse's dam at the time of foaling for Thoroughbreds, and means the Owner of a horse's dam at time of conception for non-Thoroughbreds.

**"Commissioner"** means a member of the Oklahoma Horse Racing Commission.

**"Conditions of a race"** means the qualifications which determine the eligibility of a horse to be entered in a race.

**"Day"** means a 24-hour period ending at midnight.

**"Domicile"** means the permanent dwelling of the horse(s).

**"Donor Mare"** means mare which produces an embryo or an oocyte which, after fertilization, is transferred into the uterus of a recipient mare.

**"Embryo Transfer"** means the process of transferring a Donor Mare embryo into a recipient mare.

**"Dual breed registered horse"** means an accredited Oklahoma-Bred horse that has filed with the Registering Agency Registration Certificates from more than one national breed registry. A dual breed registered horse may be eligible for dual breed Oklahoma-Bred awards.

**"Eligible"** means a broodmare, stallion, or racing stock horse that can satisfy all of the requirements for participation in the Oklahoma-Bred Program.

**"Enroll"** means to enter the name of an eligible broodmare, stallion, or racing stock horse on the official roll, register, or record as a qualified participant in the Oklahoma-Bred Program.

**"Hardship Application"** means that a horse Owner is eligible to complete a Hardship Application if the horse in question is a mare that is accredited as Racing Stock in the Oklahoma-Bred Program, with the proper Oklahoma-Bred stamp, but was not accredited as a Broodmare in the Oklahoma-Bred Program prior to producing a foal.

**"Horse"** means:

- (A) any equine including and designated as mare, filly, stallion, colt, ridgeling, or gelding registered for racing;
- (B) an entire equine male five years of age and older.

**"Lessee"** means a licensed Owner whose interest in a horse is by virtue of a completed Commission-approved lease form attached to the Registration Certificate and on file with the Commission.

**"Lessor"** means the Owner of a horse that is leased.

**"Nomination"** means the naming of a horse to a certain race or series of races generally accompanied by payment of a prescribed fee.

**"Nominator"** means the person who nominates a horse as a possible contender in a race.

**"Occupation license"** means a state requirement for any person acting in any capacity pursuant to provisions of the Act.

**"Organization license"** means a state requirement for any person desiring to conduct a race meeting in Oklahoma within the minimum standards as required by the Act and the rules of the Commission.

**"Owner"** means any person who holds in whole or in part, any right, title or interest in a horse or an Organization Licensee or any person who is a Lessee of a horse and has been duly issued a currently-valid Owner license as a person responsible for such horse.

**"Pension Program"** means a program for the care and "pasturing" of retired or unwanted horses who, because of their health or condition, are incapable of being rehabilitated/retrained and adopted.

**"Race"** means a contest between horses.

**"Race day"** means a day during a race meeting when pari-mutuel racing occurs on live races conducted at that racetrack.

**"Races"** mean:

- (A) **Allowance.** An overnight race for which eligibility and weight to be carried is determined according to specified conditions which include age, sex, earnings, number of wins, and distance of race.
- (B) **Claiming.** A race in which any horse starting may be claimed and purchased for a designated amount in conformance with the rules in this Title.
- (C) **Exhibition.** A race on which no wagering is permitted.
- (D) **Handicap.** A race in which the weights to be carried by the horses are assigned by the Racing Secretary or handicapper for the purpose of equalizing the chances of winning for all horses entered.
- (E) **Invitational.** A race in which the competing horses are selected by inviting their Owners to enter specific horses.

- (F) **Maiden.** A race restricted to non-winners.
- (G) **Match.** A race contested between two or more horses under conditions agreed to by their Owners.
- (H) **Nomination.** A race in which the subscription to a payment schedule nominates and sustains the eligibility of a particular horse. Nominations must close at least seventy-two (72) hours before the first post time of the day the race is originally scheduled to be run.
- (I) **Oklahoma-Bred.** A race for which entry may be restricted to accredited Oklahoma-Bred registered horses.
- (J) **Overnight (Purse).** A race for which entries close at a time set by the Racing Secretary.
- (K) **Progeny.** A race restricted to the offering of a specific stallion or stallions.
- (L) **Schooling.** A preparatory race for entry qualification in official races which conforms to requirements adopted by the Commission.
- (M) **Stakes.** A race which is eligible for stakes or "black-type" recognition by the particular breed registry.
- (N) **Trial.** A race or a series of races in which horses participate for the purpose of determining eligibility for a subsequent contest.
- (O) **Walkover.** A race in which only one horse starts or in which all the starts are owned by the same interest. To claim the purse, a horse must start and go the distance of the race.

**"Recipient Mare"** means the surrogate mare carrying a Donor Mare's embryo.

**"Register"** means the official record of names of broodmares, stallions, or racing stock horses that have been approved for participation in the Oklahoma-Bred Program.

**"Registration"** means placing the name of approved broodmares, stallions, or racing stock horses in the official record of horses approved to participate in the Oklahoma-Bred Program.

**"Registration Certificate"** means the official document from the breed-specific national registry, providing the horse's name, foal date, age, color, sex, pedigree and breeder and confirming the horse's registration with the appropriate national breed registry.

**"Rules"** means the rules adopted by the Commission to implement the provisions of the Act.

**"Stallion Re-certification"** means completing a re-certification application annually for Thoroughbred stallions that were previously accredited in the Stallion Registry.

**"Safety Steward"** means a duly appointed Racing Official with powers and duties specified by statutes or rules.

**"Steward"** means a duly appointed Racing Official with powers and duties specified by statutes or rules.

**"Stewards' Official Program"** means the program provided by the Stewards which includes the official order of finish and any corrected information.

**"Trainer"** means a person qualified and licensed by the Commission as a Trainer.

**"Unclaimed ticket"** means:

(A) a winning or refundable pari-mutuel ticket which was not cashed during the performance for which it was issued; or

(B) Proceeds which shall be remitted by the Organization Licensee to the Commission for deposit in the Oklahoma Breeding Development Fund Special Account in accordance with provisions of statute and as prescribed by the Commission.

"Week" means a period of seven (7) days.  
"Year" means a calendar year.

**325:75-1-13. Change of horse ownership**

(a) Upon transfer of ownership of an accredited Oklahoma-Bred ~~horse~~ Stallion, Broodmare, or Racing Stock which has not earned awards, it is the responsibility of the ~~current~~ new owner (purchaser) to notify the Oklahoma-Bred Registering Agency of ~~such~~ the change of ownership. The new owner ~~will be required to~~ shall submit a copy of the Certificate of Registration documenting transfer of ownership together with a completed Oklahoma-Bred Program Transfer Request Form accompanied by the required transfer fee.

(b) Upon the transfer of ownership of an accredited Oklahoma-Bred Racing Stock which has earned awards, the Oklahoma-Bred award monies shall be paid to the new owner as listed in the Stewards' Official Program. A transfer fee of Twenty-Five Dollars (\$25.00) shall be deducted from the award monies prior to distribution to the new owner.