

Explanatory paragraph: This is an amendment to 15.2.3 NMAC, Section 8, effective July 1, 2017. In 15.2.3.8 NMAC, Subsections A, B, Paragraphs (1) through (3) and Paragraphs (5) through (9) in Subsection C, and Subsections D through P were not published as there were no changes.

15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:

C. Racing secretary.

(4) Conditions.

(a) The racing secretary shall establish the conditions and eligibility for entering races and cause them to be published to owners, trainers and the commission and be posted in the racing secretary's office.

(b) ~~[For the purpose of establishing conditions, winnings shall be considered to include all monies won up to the time of the start of a race.]~~ Any conditions that are based on a participating horse's use or non-use of a drug substance or medication, or the presence or lack of presence of a drug substance or medication in a biological test sample taken from a participating horse, shall be agreed to in advance in writing by the acknowledged horsemen's organization, and approved by the commission before entries are taken for the race. If such conditions are based on the results of a biological test sample other than an official test sample collected by the commission, a description of the testing methods and procedures the racing association will use to collect and analyze the biological test samples shall be submitted to the commission for approval. For purposes of this section, "biological test sample" refers to any biological sample, including, but not limited to, blood, urine, hair, tissue, or saliva that is taken from a horse.

(c) ~~[Winnings during the year shall be calculated by the racing secretary from the preceding January 1.]~~ For the purpose of establishing conditions, winnings shall be considered to include all monies won up to the time of the start of a race.

(d) ~~[A minimum of three races restricted to registered New Mexico bred horses shall be offered daily in the condition book excluding trials.]~~ Winnings during the year shall be calculated by the racing secretary from the preceding January 1.

(e) A minimum of three races restricted to registered New Mexico bred horses shall be offered daily in the condition book excluding trials.

[15.2.3.8 NMAC - Rp, 15 NMAC 2.3.8, 04/13/2001; A, 11/15/2001; A, 08/30/2007; A, 06/15/2009; A, 06/30/2009; A, 12/01/2010; A, 05/01/2015; A/E, 06/28/2016; A, 09/15/16; A, 12/16/2016; A, 07/01/2017]