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## LOUISIANA STATE RACING COMMISSION

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Stephen Landry  
Executive Director

September 17, 2024

The Honorable Phillip R. DeVillier  
Speaker of the House  
Post Office Box 94062  
Baton Rouge, LA 70804-9062

The Honorable Cameron Henry  
President of the Senate  
Post Office Box 94183  
Baton Rouge, LA 70804-9183

Dear Senator Henry and Representative DeVillier:

Pursuant to La. R.S. 49:966(D)(1)(b), the Louisiana State Racing Commission hereby announces its plan to proceed with rule-making regarding the July 20, 2024 Notice of Intent of LAC 35:III.5734 "Purses from Sports Wagering" that was promulgated on pages 1049 through 1050 of the *Louisiana Register*. The LSRC tentatively plans to vote for formal adoption of the rule at the next Public Commission Meeting and, following Commission approval, will submit to the Louisiana Register to be published after the required 90 days following Notice of Intent pursuant to La. R.S. 49:961 will have passed.

The proposed rule LAC 35:III.5734 create procedures on how the racing commission shall allocate appropriations from sports wagering pursuant to statute.

In regard to the proposed rule, this Commission has received no comments after the Notice of Intent was published and therefore has not conducted a hearing pursuant to La. R.S. 49:961(B).

The Commission has made no changes to the proposed rule.

Subject to legislative oversight by either the House Commerce Committee or Senate Judiciary B Committee, the Louisiana State Racing Commission intends to submit this chapter of Rules to the Office of the State Register for publication following the required time periods set forth in La. R.S. 49:961 et. seq. Please contact Brett Bonin at (225) 888-7922 if the commission may be of any assistance to you concerning this rule.

Sincerely,

A handwritten signature in blue ink that reads "SLM".

Stephen Landry  
Executive Director

SL: md  
Enclosures

cc: Office of the State Register  
House Commerce Committee  
Senate Judiciary B Committee

**NOTICE OF INTENT**

**Office of the Governor  
Division of Administration  
Racing Commission**

**Purses from Sports Wagering (LAC 35:III.5734)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to adopt LAC 35:III.5734. The proposed Rule creates procedures on how the commission shall allocate appropriations from sports wagering pursuant to statute.

**Title 35  
HORSE RACING**

**Part III. Personnel, Registration and Licensing  
Chapter 57. Associations' Duties and Obligations  
§5734. Purses from Sports Wagering**

A. Each fiscal year, the commission shall allocate any appropriations received pursuant to R.S. 27:625(G)(4) as prescribed in R.S. 4:199(E).

1. Thoroughbred funds per R.S. 4:199(E)(1) shall be distributed periodically based on requests from the Louisiana Thoroughbred Breeders Association upon issuance of each condition book from each racing association. Quarter horse funds per R.S. 4:199(E)(2) shall be distributed periodically based on requests from the Louisiana Quarter Horse Breeders Association upon issuance of each condition book from each racing association.

2. Each receiving association shall maintain funds in a separate interest-bearing bank account approved by the commission, with appropriate transfers made to the horsemen's bookkeeper for purse distribution. The purse fund account so designated shall be a separate account from all other sources of purse funds, and the source of funds shall be indicated as such on racing association daily racing programs (Louisiana Thoroughbred Breeders Association or Louisiana Quarter Horse Breeders Association).

3. Unused funds at the end of a race meeting shall be retained in such bank account, for use during the next race meeting, and shall be subject to the same restrictions as specified herein.

4. Adequate records, to the satisfaction of the commission, shall be maintained, and fund usage and records will be audited by the commission, with reports issued.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 4:148 and R.S. 4:199.

**HISTORICAL NOTE:** Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 50:

**Family Impact Statement**

This proposed Rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972

**Provider Impact Statement**

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

**Public Comments**

The domicile office of the Louisiana State Racing Commission is open from 8 a.m. to 4:30 p.m. Monday - Friday, and interested parties may submit oral or written comments, data, views, or arguments relative to this proposed rule for a period up to 20 days (exclusive of weekends and state holidays) from the date of this publication to Brett Bonin, Assistant Attorney General, 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

Stephen Landry  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: House Rules**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

It is not anticipated that state or local governmental units will incur any costs or savings as a result of this proposed rule.

To improve the Racing Commission's oversight of disputes between the Horsemen's Benevolent and Protective Association and licensed racing associations, the Louisiana State Racing Commission proposed to adopt Section 5728 (House Rules) of Part III, Chapter 57 of Title 35 (Horse Racing) of the Louisiana Administrative Code. Specifically, the proposed rule establishes the rules, regulations, and directives of the Racing Commission take precedence over licensed racing association's house rules. Additionally, the proposed measure requires any new racing association house rules must first be submitted to the Louisiana Horsemen's Benevolent and Protective Association for review prior to being submitted to the Racing Commission for approval. The submission to the Racing Commission must note whether the Horsemen's Benevolent and Protective Association agrees or disagrees with the racing association's proposed rules.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated effect on revenue collections of state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

There is no anticipated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Stephen Landry  
Executive Director  
2407#006

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**Poverty Impact Statement**

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

This proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

**Provider Impact Statement**

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

**Public Comments**

The domicile office of the Louisiana State Racing Commission is open from 8 a.m. to 4:30 p.m. Monday - Friday, and interested parties may submit oral or written comments, data, views, or arguments relative to this proposed Rule for a period up to 20 days (exclusive of weekends and state holidays) from the date of this publication to Brett Bonin, Assistant Attorney General, 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

Stephen Landry  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Purses from Sports Wagering**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

It is not anticipated that state or local governmental units will incur any costs or savings as a result of this proposed rule.

In consultation with the Legislative Auditor, the Louisiana State Racing Commission proposed to adopt Section 5734 (Purses from Sports Wagering) of Part III, Chapter 57 of Title 35 (Horse Racing) of the Louisiana Administrative Code. Specifically, the proposed rule establishes procedures for the distribution and management of funds received by licensed racing associations.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated effect on revenue collections of state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

To the extent that the Thoroughbred and the Quarter Horse Breeders Associations establish separate interest-bearing bank accounts to comply with the proposed measure, banking fees may be incurred to maintain funds per R.S. 4:199(E)(1) and (2).

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Stephen Landry  
Executive Director  
2407#005

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Pharmacy**

Automated Medication Systems  
(LAC 46:LIII.1217 and 1509)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy hereby gives notice of its intent to amend §1217 and §1509 of its rules relative to Automated Medication Systems (AMS). The proposed Rule changes in §1217 and §1509.B. remove references to "human intervention" due to the ambiguity of phrase which has led to different interpretations. The proposed Rule changes in §1217 also describe the requirements of stocking and restocking of an AMS, differentiating between pharmacies that employ electronic product verification procedures and those that do not, and adds the accountability of the pharmacist-in-charge for the accuracy of all drug distribution activities.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LIII. Pharmacists**

**Chapter 12. Automated Medication Systems**

**§1217. Stocking and Restocking; Electronic Product Verification**

A. In the absence of electronic product verification procedures as described within this Section, the stocking and restocking of medications and devices within an automated medication system shall be performed by a pharmacist, or in the alternative, a pharmacy intern, pharmacy technician, or pharmacy technician candidate under the supervision of a pharmacist.

B. When the pharmacy employs electronic product verification procedures as described within this Section, the stocking and restocking of medications and devices within an automated medication system may be performed by a pharmacist, pharmacy intern, pharmacy technician, or pharmacy technician candidate.

1. A bar code or other electronic verification shall be utilized to assure the correct selection of drugs to be placed into an automated medication system.

2. The use of a bar code or other electronic verification shall require an initial quality assurance validation followed by ongoing quality assurance reviews at intervals no greater than 90 days since the previous review, all conducted by a pharmacist.

C. The pharmacist-in-charge remains accountable to the board for the accuracy of all drug distribution activities.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1182(A).