

**State of California  
Office of Administrative Law**

In re:  
California Horse Racing Board

Regulatory Action:

Title 04, California Code of Regulations

Amend sections: 1902

NOTICE OF APPROVAL OF REGULATORY  
ACTION

Government Code Section 11349.3

OAL Matter Number: 2023-0901-03

OAL Matter Type: Regular (S)

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This action prohibits licensee participation in or attendance at non-recognized race meetings.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2024.

Date: October 13, 2023

*Ashita Mohandas*

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Ashita Mohandas  
Attorney

For: Kenneth J. Pogue  
Director

Original: Scott Chaney, Executive ✓  
Director

Copy: Sidney Villareal

**REGULAR**

See instructions on reverse

For use by Secretary of State only

STD. 400 (REV. 10/2019)

**ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California

**OCT 13 2023**  
3:15 PM

|                  |                    |                          |                  |
|------------------|--------------------|--------------------------|------------------|
| OAL FILE NUMBERS | NOTICE FILE NUMBER | REGULATORY ACTION NUMBER | EMERGENCY NUMBER |
|                  | Z-2023-0630-01     | 2023-0901-035            |                  |

For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW  
2023 SEP 1 AM 3:57

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY  
California Horse Racing Board

AGENCY FILE NUMBER (If any)

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

|  |                          |                        |                               |
|--|--------------------------|------------------------|-------------------------------|
| 1. SUBJECT OF NOTICE   | TITLE(S)                 | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE |
| 3. NOTICE TYPE<br><input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other   | 4. AGENCY CONTACT PERSON | TELEPHONE NUMBER       | FAX NUMBER (Optional)         |
| <b>OAL USE ONLY</b><br><input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn | NOTICE REGISTER NUMBER   | PUBLICATION DATE       |                               |
|  | 2023, 28-2               | 7/14/23                |                               |

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

|   |  |
|---|--|
| 1a. SUBJECT OF REGULATION(S)<br>Conduct Detrimental to Horse Racing | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) |
|---|--|

|   |        |                    |
|---|--------|--------------------|
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related) | ADOPT  | PER AGENCY REQUEST |
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)         | 1902   |                    |
|   | AMEND  | AM 10/12/23        |
|   | 1902   |                    |
| TITLE(S)  | REPEAL |                    |
| 4   |        |                    |

|                   |   |   |   |   |
|-------------------|---|---|---|---|
| 3. TYPE OF FILING | <input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)   | <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. | <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) | <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) |
|                   | <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) | <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)   | <input type="checkbox"/> File & Print                               | <input type="checkbox"/> Print Only   |
|                   | <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))   | <input type="checkbox"/> Other (Specify)  |   |   |

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

|  |  |  |   |  |
|--|--|--|---|--|
| 5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) | <input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) | <input type="checkbox"/> Effective on filing with Secretary of State | <input type="checkbox"/> §100 Changes Without Regulatory Effect | <input type="checkbox"/> Effective other (Specify) |
|--|--|--|---|--|

|  |  |  |   |
|--|--|--|---|
| 6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY | <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) | <input type="checkbox"/> Fair Political Practices Commission | <input type="checkbox"/> State Fire Marshal |
|  | <input type="checkbox"/> Other (Specify)                                   |  |   |

|                   |                  |                       |                           |
|-------------------|------------------|-----------------------|---------------------------|
| 7. CONTACT PERSON | TELEPHONE NUMBER | FAX NUMBER (Optional) | E-MAIL ADDRESS (Optional) |
| Sidney Villareal  | (916) 263-6008   |                       | sdvillareal@chrp.ca.gov   |

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

For use by Office of Administrative Law (OAL) only  
**ENDORSED APPROVED**  
**OCT 13 2023**  
Office of Administrative Law

|   |            |
|---|------------|
| SIGNATURE OF AGENCY HEAD OR DESIGNEE  | DATE       |
| Amanda M. Drummond<br><small>Digitally signed by Amanda M. Drummond<br/>Date: 2023.08.31 12:26:58 -0700</small> | 08/31/2023 |

TYPED NAME AND TITLE OF SIGNATORY  
Amanda Drummond, Manager, Regulations, Industry Applications, Admin Hearings

CALIFORNIA CODE OF REGULATIONS  
TITLE 4. BUSINESS REGULATIONS  
DIVISION 4. CALIFORNIA HORSE RACING BOARD  
ARTICLE 16. GENERAL CONDUCT  
PROPOSED AMENDMENT OF RULE 1902,  
CONDUCT DETRIMENTAL TO HORSE RACING

1902. Conduct Detrimental to Horse Racing.

No licensee shall engage in any conduct prohibited by this Division 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 Division,

(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.

Authority cited: Sections 19440, 19460, and 19560,  
Business and Professions Code.

Reference: Sections 19440, 19460, 19560, and 19572, and 19660,  
Business and Professions Code.