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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 8. SPECIAL BUSINESS REGULATIONS [18400 - 22949.92.2]** ( *Division 8 added by Stats. 1941, Ch. 44.*  )

**CHAPTER 4. Horse Racing [19400 - 19668]** ( *Chapter 4 repealed and added by Stats. 1959, Ch. 1828.*  )

**ARTICLE 1. General Provisions and Definitions [19400 - 19419.9]** ( *Article 1 added by Stats. 1959, Ch. 1828.*  )

**19400.** This chapter shall be known and may be cited as the "Horse Racing Law."

(Amended by Stats. 1998, Ch. 335, Sec. 1. Effective January 1, 1999.)

**19401.** The intent of this chapter is to allow parimutuel wagering on horse races, while:

- (a) Assuring protection of the public.
- (b) Encouraging agriculture and the breeding of horses in this state.
- (c) Providing for maximum expansion of horse racing opportunities in the public interest.
- (d) Providing uniformity of regulation for each type of horse racing.

(Amended by Stats. 2010, Ch. 272, Sec. 1. (AB 2792) Effective January 1, 2011.)

**19402.** Except where the context otherwise requires, the definitions set forth in this article govern the construction of this chapter.

(Added by Stats. 1959, Ch. 1828.)

**19403.** "Association" means any person engaged in the conduct of a recognized horse race meeting.

(Added by Stats. 1959, Ch. 1828.)

**19403.5.** "Barrel race" means a horse race around a course with three barrels placed in a triangular pattern which may conform to the requirements of the Women's Professional Rodeo Association. Two barrel racecourses may be run simultaneously in the form of a heat.

(Amended by Stats. 2002, Ch. 234, Sec. 1. Effective January 1, 2003.)

**19404.** "Board" means the California Horse Racing Board within the Business, Consumer Services, and Housing Agency.

(Amended by Stats. 2012, Ch. 147, Sec. 2. (SB 1039) Effective January 1, 2013. Operative July 1, 2013, by Sec. 23 of Ch. 147.)

**19405.** "Breakage" means the odd cents by which the amount payable on each dollar wagered exceeds a multiple of ten cents (\$0.10).

(Amended by Stats. 2000, Ch. 1082, Sec. 2. Effective January 1, 2001.)

**19406.** (a) A "California-bred horse" is a foal dropped by a mare in California after being conceived in California and remaining in California until the foal is weaned.

(b) A "California-bred thoroughbred" is a horse dropped by a mare in California after being conceived in California, or any thoroughbred horse dropped by a mare in California if the mare remains in California to be next bred to a thoroughbred stallion standing in California. If the mare cannot be bred for two successive breeding seasons but remains in California during that period, her foal shall be considered to be a California-bred thoroughbred.

(c) A "California-bred quarter horse" is a quarter horse foal conceived in California by a stallion standing in California at the time of conception.

(d) A "California-bred standardbred horse" is a standardbred foal conceived by a stallion registered with the California Standardbred Sires Stakes Program.

(e) A "California-bred Appaloosa horse" is a horse dropped by a mare in California after being conceived in California, or any Appaloosa horse dropped by a mare in California if the mare remains in California to be next bred to an Appaloosa stallion standing in California. If the mare cannot be bred for two successive breeding seasons but remains in California during that period, her foal shall be considered to be a California-bred Appaloosa horse.

(f) A "California-bred paint horse" is a registered paint horse foal conceived in California by a stallion standing in California at the time of the conception, or by a registered paint horse stallion.

(g) A "California-sired horse" is a thoroughbred that was conceived in California by a registered California stallion. A California-sired horse is only eligible for entry in races restricted to California-bred or California-sired horses and is not eligible for any breeder or owner awards.

*(Amended by Stats. 2011, Ch. 98, Sec. 1. (AB 280) Effective January 1, 2012.)*

**19407.** "Charity days" means racing days granted to a licensed racing association for the purpose of contributing net proceeds from such days to charitable organizations. Charity days are part of a regular race meeting and do not constitute a separate meeting.

*(Added by Stats. 1959, Ch. 1828.)*

**19407.5.** "Executive director" means the Executive Director of the California Horse Racing Board.

*(Amended by Stats. 2000, Ch. 1082, Sec. 3. Effective January 1, 2001.)*

**19407.6.** "Foaling date" means the date the horse is dropped by a mare as stated on the papers of registration.

*(Added by Stats. 1994, Ch. 617, Sec. 1. Effective January 1, 1995.)*

**19408.** "Fund" means the Fair and Exposition Fund.

*(Added by Stats. 1959, Ch. 1828.)*

**19408.1.** "Graded stake" means an international classification for major thoroughbred stakes races established in each country by its thoroughbred racing regulatory body.

*(Added by Stats. 1980, Ch. 1043, Sec. 3.)*

**19408.2.** "Claiming race" means a race in which any horse entered therein may be claimed in conformity with the rules established by the board.

*(Added by Stats. 1980, Ch. 1043, Sec. 3.1.)*

**19408.3.** "Stakes race" means a race for which owners of horses entered or engaged for the race contribute to a purse for which money or any other prize may be added, nominations to which close 72 hours or more before starting; or an invitational race or invitational handicap race for which owners do not contribute to the purse, but which is advertised in the regular stakes program.

*(Added by Stats. 1980, Ch. 1043, Sec. 3.2.)*

**19409.** A "standardbred horse" is any horse (including mare, gelding, colt and filly) that meets the requirements of and is registered by the United States Trotting Association, including foreign horses meeting the requirements of the United States Trotting Association. For the purposes of this section, this definition shall also apply to the term "harness horse."

*(Added by Stats. 1977, Ch. 1080.)*

**19409.5.** "Harness horse racing" is that form of horseracing in which "standardbred horses" as defined in Section 19409 are harnessed to a sulky or similar vehicle, and are raced at either the trotting or pacing gait.

*(Amended by Stats. 1981, Ch. 714, Sec. 41.)*

**19410.** "Inclosure" means all areas of the racing association's or fair's grounds and locations, as designated by the racing association or fair licensed to conduct a live racing meeting and approved by the board.

*(Amended by Stats. 2007, Ch. 594, Sec. 2. Effective January 1, 2008.)*

**19410.5.** (a) The "inclosure-restricted" is that part of the inclosure that is enclosed by a wall, fence, or other physical barrier, where admission is obtained only upon the presentation of authorized credentials.

(b) The "inclosure–public" means all other areas of the inclosure designated by a racing association, fair, or simulcast wagering facility and approved by the board to which the public is admitted for the purpose of wagering on horseraces.

*(Repealed and added by Stats. 1993, Ch. 308, Sec. 3. Effective August 26, 1993.)*

**19410.7.** "Minisatellite wagering site" means a location where satellite wagering may be conducted, with the approval of the board, provided that the wagering occurs in an area that is restricted to those who are 21 years of age or older.

*(Added by Stats. 2007, Ch. 594, Sec. 3. Effective January 1, 2008.)*

**19410.8.** "Show jumping race" means a horse race, over obstacles made of artificial or natural material, which is shorter than a steeplechase course, and is run by horses for time with faults converted to time. Requirements and rules for a show jumping race may conform to the requirements and rules of the American Horse Shows Association.

*(Amended by Stats. 2002, Ch. 234, Sec. 2. Effective January 1, 2003.)*

**19411.** "Parimutuel wagering" is a form of wagering in which bettors either purchase tickets of various denominations, or issue wagering instructions leading to the placement of wagers, on the outcome of one or more horse races. The association distributes the total wagers comprising each pool, less the amounts retained for purposes specified in this chapter, to winning bettors based on the official race results.

*(Amended (as amended by Stats. 2001, Ch. 198, Sec. 1) by Stats. 2007, Ch. 613, Sec. 1. Effective January 1, 2008.)*

**19411.1.** "Handle" means the aggregate contributions to parimutuel pools.

*(Added by Stats. 2005, Ch. 505, Sec. 1. Effective January 1, 2006.)*

**19412.** (a) "Conventional parimutuel pool" means the total wagers under the parimutuel system on any horse or horses in a particular race to win, place, or show.

(b) "Exotic parimutuel pool" means the total wagers under the parimutuel system on the finishing position of two or more horses in a particular race, such as quinella or exacta wagers, or on horses to win two or more races, such as daily double wagers, pick six wagers, or on other wagers approved by the board.

(c) "Proposition parimutuel pool" means the total wagers under the parimutuel system on propositions approved by the board that are based on the results of a live thoroughbred horse, quarter horse, or harness horse race or races.

*(Amended by Stats. 2014, Ch. 50, Sec. 1. (SB 721) Effective June 25, 2014.)*

**19413.** "Person" includes any individual, partnership, corporation, limited liability company, or other association or organization.

*(Amended by Stats. 1994, Ch. 1010, Sec. 24. Effective January 1, 1995.)*

**19413.1.** "Prohibited drug substance" is any drug substance, medication, or chemical, whether natural or synthetic, or a metabolite or analogue thereof, foreign to the horse, whose use is not expressly authorized by the board. This includes, but is not limited to, any substance determined to be a stimulant, depressant, local anesthetic, or narcotic, or any drug, regardless of how harmless or innocuous it might otherwise be, which could interfere with the detection of any prohibited drug. "Prohibited drug substance" includes any substance not approved for use in the United States, including, but not limited to, any drug or substance available in a country outside the United States, any controlled substance listed in Part 1308 of Title 21 of the Code of Federal Regulations, and any substance the approval of which has been withdrawn.

*(Added by Stats. 1994, Ch. 208, Sec. 1. Effective January 1, 1995.)*

**19413.2.** "Standardbred breeder" means the owner of the dam of a standardbred foal at the time the foal was conceived.

*(Amended by Stats. 1983, Ch. 595, Sec. 2.)*

**19413.4.** "Registered California standardbred stallion" means a stallion that is registered with the United States Trotting Association and listed in the official California Standardbred Stallions Registry maintained by the California Horse Racing Board or its designee as provided for in Section 19566.6.

*(Added by Stats. 1976, Ch. 1148.)*

**19413.5.** "Quarter horse" is any horse (including mare, gelding, colt and filly) that meets the requirements of and is registered by the American Quarter Horse Association.

*(Added by Stats. 1967, Ch. 682.)*

**19414.** "Quarter horse racing" means that form of horse racing in which the participating horses are "quarter horses," as defined in Section 19413.5, and are ridden by jockeys in races over distances of not more than five and one-half furlongs.

*(Amended by Stats. 2000, Ch. 1082, Sec. 8. Effective January 1, 2001.)*

**19414.5.** (a) "Racing days" are days on which a licensed racing association or fair is authorized by the board to conduct horse racing.

(b) "Racing weeks" are seven consecutive days during which a licensed racing association or fair is authorized by the board to conduct horse racing for a minimum of five racing days. The board, however, upon joint petition of the association or fair and the organization representing horsemen participating in the meeting of that association or fair, may authorize the conduct of horse racing for less than five racing days. Fractional racing weeks of four days or less may be authorized by the board at the beginning and end of any horse racing meeting. Fractional weeks may also be authorized during weeks containing holidays and during periods of overlap with thoroughbred meetings and fairs if the total number of weeks authorized by the board in any calendar year for each breed does not exceed the maximum annual allocation of racing weeks provided for in Article 6 (commencing with Section 19530). If a licensed racing association holds a split meeting, each part of the split meeting shall be deemed a horse racing meeting solely for the purposes of authorizing fractional racing weeks.

*(Amended by Stats. 2000, Ch. 1082, Sec. 9. Effective January 1, 2001.)*

**19415.5.** "Split meeting" means a meeting having two periods of racing separated by at least 45 days, one period which is no more than 18 consecutive weeks in length and the other period which is no less than four consecutive weeks in length. The "short period" of a split meeting is the period of lesser duration.

*(Amended by Stats. 1991, Ch. 555, Sec. 1. Effective October 7, 1991.)*

**19415.8.** "Steeplechase race" means horse racing over obstacles made of natural or artificial material and includes both hurdle and timber races. Rules for a steeplechase race may conform to rules of the National Steeplechase and Hunt Association.

*(Amended by Stats. 2002, Ch. 234, Sec. 3. Effective January 1, 2003.)*

**19416.** "Thoroughbred horse" is any horse (including mare, gelding, colt and filly) that meets the requirements of and is registered by the Jockey Club of New York, including racing permits issued to foreign thoroughbred horses.

*(Added by Stats. 1959, Ch. 1828.)*

**19416.5.** "Appaloosa horse" is any horse (including mare, gelding, colt and filly) that meets the requirements of and is registered by the Appaloosa Horse Club and approved by the Appaloosa Horse Club.

*(Amended by Stats. 2000, Ch. 1082, Sec. 11. Effective January 1, 2001.)*

**19416.6.** "Arabian horse" is any horse (including mare, gelding, colt, and filly) that meets the requirements of and is registered by the Arabian Horse Registry of America, Inc.

*(Added by Stats. 2000, Ch. 1082, Sec. 12. Effective January 1, 2001.)*

**19416.7.** "Paint horse" is any horse, including mare, gelding, colt, and filly, that meets the requirements of and is registered by the American Paint Horse Association.

*(Added by Stats. 1980, Ch. 1277, Sec. 1.)*

**19417.** "Thoroughbred racing" is the form of horse racing in which each participating horse is a "thoroughbred" (as herein defined), is mounted by a jockey and engages in races on the flat but does not include a steeplechase or hurdle race.

*(Added by Stats. 1959, Ch. 1828.)*

**19417.5.** "Appaloosa racing" is the form of horse racing in which each participating horse is an Appaloosa horse, is mounted by a jockey, and engages in races on the flat over a distance of not less than one-quarter of a mile or more than four miles.

*(Amended by Stats. 2000, Ch. 1082, Sec. 13. Effective January 1, 2001.)*

**19417.6.** "Arabian racing" is the form of horse racing in which each participating horse is an Arabian horse, is mounted by a jockey and engages in races on the flat over a distance of not less than one-quarter of a mile or more than four miles.

*(Repealed and added by Stats. 2000, Ch. 1082, Sec. 15. Effective January 1, 2001.)*

**19417.7.** "Paint racing" is the form of horse racing in which each participating horse is a paint horse, is mounted by a jockey and engages in races on the flat over a distance of not less than 220 yards or more than four miles.

*(Amended by Stats. 2000, Ch. 1082, Sec. 16. Effective January 1, 2001.)*

**19418.** (a) "Fair" or "state-designated fairground" for purposes of this chapter means the California Exposition and State Fair in the City of Sacramento, an organization described in subdivision (b) or (c), and those fairs specified in Sections 3102, 3103, and 3104 of the Food and Agricultural Code that are engaged now or in the future as associations in the conduct of a recognized horse racing meeting or otherwise participate in horse racing activities licensed or approved by the board.

(b) A nonprofit organization that holds an annual fair pursuant to Section 4163 of the Food and Agricultural Code may elect to be a member of the network of California fairs on terms and conditions mutually agreed upon by the Department of Food and Agriculture and the nonprofit organization.

(c) A joint powers agency that holds an annual fair pursuant to Section 4171 of the Food and Agricultural Code may elect to be a member of the network of California fairs on terms and conditions mutually agreed upon by the Department of Food and Agriculture and the joint powers agency.

*(Repealed and added by Stats. 2024, Ch. 559, Sec. 2. (AB 2143) Effective January 1, 2025.)*

**19419.9.** The provisions of this chapter insofar as they are substantially the same as existing code provisions relating to the same subject matter shall be construed as restatements and continuations thereof, and not as new enactments.

*(Added by renumbering Section 19418 by Stats. 1990, Ch. 1577, Sec. 1.)*