

**Colorado Division of Racing
Adoption of New Emergency Rule:
Emergency Regulation 5.312**

Statement of Emergency Justification and Adoption

Pursuant to sections 24-4-103(6) and 39-21-112(1) and (8), C.R.S. The Colorado Racing Commission (“Commission”) hereby adopts the aforementioned amended emergency rule.

Section 24-4-103(6), C.R.S., authorizes the Commission to adopt a temporary or emergency rule if the Commission finds that the immediate adoption of the rule is imperatively necessary to comply with a state law or for the preservation of public health, safety, or welfare and compliance with the requirements of section 24-4-103, C.R.S., would be contrary to the public interest.

I find that the immediate adoption of this new rule is necessary to address potential ambiguity regarding applicable penalties for use of NSAIDs in the upcoming racing season which begins on May 21, 2014. I therefore find that the emergency adoption of this new rule is necessary for the preservation of public health, safety, or welfare, and to clarify the circumstances pursuant to state law under which penalties are applied for excess levels of approved NSAIDs during the 2014 racing season. Finally, I find that compliance with the requirements of section §24-4-103, C.R.S., would be contrary to the public interest under the circumstances.

Statutory Authority

The statutory authority for the creation of this new rule is cited above. See also, for example, 12-60-201(1), C.R.S., 12-60-202(3)(c), C.R.S., and 12-60-501(2)(a), C.R.S.

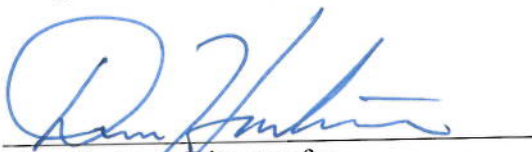
Purpose

To duplication and potential ambiguity regarding applicable penalties for use of NSAIDs.

Adoption

For the reasons set forth above, we hereby adopt emergency rule 5.312, which is attached hereto and which shall be effective on the date of its adoption. This emergency rule shall be in force and effect for a period of one hundred and twenty days from the date of this notice, unless sooner terminated or replaced by permanent rules adopted in accordance with §24-4-104, C.R.S.

Adopted this 13th day of May, 2014.



Dan Hartman Director for
Mary Sharon Wells
Chairwoman
Colorado Racing Commission

6-2-14

Date