

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Regulatory Analysis

Notice of Intended Action to be published: 21—Chapter 62
“Registration of Iowa-Foaled Horses”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 99D.22(4)“a”
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 99D

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

July 29, 2026
10 to 11 a.m.

Borlaug Conference Room (H516)
Hoover State Office Building
Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Iowa Department of Agriculture and Land Stewardship no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Des Moines, Iowa 50319
Email: colin.tadlock@iowaagriculture.gov

Purpose and Summary

The purpose of this proposed rulemaking is to streamline, update and consolidate rules for the registration and eligibility for the Iowa-foaled horse program. This chapter governs the administration of the Iowa Horse Breeders’ Fund for quarter horses, standardbreds and thoroughbreds through the establishment of residency requirements and registration procedures.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• **Classes of persons that will bear the costs of the proposed rulemaking:**

Owners and breeders of quarter horses, standardbreds and thoroughbreds participating in Iowa horse racing will bear the cost of these rules.

• **Classes of persons that will benefit from the proposed rulemaking:**

Iowa horse breeders participating in Iowa horse racing will benefit from the proposed rulemaking. Iowa’s agricultural economy will also benefit since veterinary care and housing are provided to the horses participating in this program.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

• **Quantitative description of impact:**

Horse breeders and owners will bear the cost of registering horses.

• **Qualitative description of impact:**

This proposed rulemaking provides regulations for Iowa horse breeders, including residency, inspection and registration requirements, to be able to receive financial rewards from the Iowa Horse Breeders' Fund; removes requirements that are redundant with the Iowa Code; and consolidates requirements for all breeds where appropriate.

3. Costs to the State:

- **Implementation and enforcement costs borne by the agency or any other agency:**

The agency will bear administrative costs for registration and inspections.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

Inaction would allow bulky and redundant rules that discourage owners and breeders from participating in the Iowa-foaled horse program, impacting Iowa's agricultural economy.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

No less costly or less intrusive alternatives exist.

6. Alternative methods considered by the agency:

- **Description of any alternative methods that were seriously considered by the agency:**

The Department considered allowing third parties or horse breeders and owners to self-certify for residency requirements.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Allowing horse breeders and owners to self-certify residency requirements would not provide adequate assurances that all horses are meeting residency requirements and could reduce the integrity of the Iowa-foaled horse program.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This rulemaking does not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 21—Chapter 62 and adopt the following new chapter in lieu thereof:

CHAPTER 62
REGISTRATION OF IOWA-FOALED HORSES

21—62.1(99D) Definitions. For purposes of this chapter, unless a different meaning is clearly indicated by the context:

“Department” means the Iowa department of agriculture and land stewardship.

“Owner of a thoroughbred stallion,” “owner of a standardbred stallion” or “owner of a quarter horse stallion” means the person who owns at least 51 percent of a thoroughbred, standardbred or quarter horse stallion for one service season or more.

“Secretary” means the Iowa secretary of agriculture.

21—62.2(99D) Iowa horse breeders’ fund and Iowa thoroughbred horse breeders’ promotion fund.

62.2(1) Iowa-foaled horses records and breeder payments:

a. The department will establish and maintain a records system titled the “Iowa horse breeders’ fund.” This records system will feature a list of thoroughbred, standardbred and quarter horses that have qualified to be Iowa-foaled horses.

b. A sum equal to 12 percent of the purse won by an Iowa-foaled horse shall be used to promote the horse breeding industry. This percentage shall be applicable to all races that are limited to Iowa-foaled horses as well as all other races that are won by Iowa-foaled horses.

c. The 12 percent shall be withheld by the licensee from the breakage and shall be paid at the end of the race meeting to the department, which, in turn, shall deposit the 12 percent in a special fund to be known as the “Iowa horse breeders’ fund” and pay the 12 percent by December 31 of each calendar year to the breeder of the winning Iowa-foaled horse.

d. A sum equal to 6 percent of the purse won by an Iowa-foaled thoroughbred horse shall be used as a supplement to promote the thoroughbred horse breeding industry for horses placing second through fourth place. This percentage shall be applicable to all thoroughbred races that are held at Prairie Meadows racetrack.

e. The 6 percent supplement shall be withheld by the licensee from the horse breeders’ fund for thoroughbreds and shall be paid at the end of the race meeting to the department, which, in turn, shall deposit it in a special fund to be known as the “Iowa thoroughbred horse breeders’ promotion fund.” This fund will pay 6 percent of the money earned to each horse placing second, third and fourth place by December 31 of each calendar year to the breeder of the Iowa-foaled thoroughbred horse.

62.2(2) All foals/horses qualified through the department to be Iowa-foaled horses will be listed by a department registration number.

62.2(3) As the department receives this money from the licensee, the department shall credit each horse, by registration number, with the amount. At the end of each calendar year, the department shall pay the amount credited to winning Iowa-foaled horses to the Iowa-foaled horse breeder.

62.2(4) The department will implement and maintain a system of keeping the Iowa state racing commission informed and updated relative to all horses that are eligible to race as Iowa-foaled.

62.2(5) The department shall have the authority to inspect the premises to verify that the animals are maintained under conditions appropriate to each species to ensure that the animals are properly cared for and that the standards of proper animal welfare are met.

21—62.3(99D) Forms. The following forms to qualify thoroughbred, standardbred and quarter horses as registered Iowa-foaled horses can be obtained from the department. The forms shall provide for the applicant to certify the truthfulness and accuracy of the information.

62.3(1) Application for Iowa Stallion Eligibility, Form S-1.

62.3(2) Stallion Transfer of Ownership, Form S-6.

62.3(3) Record of Mares Bred, Form S-3.

62.3(4) Broodmare Registration Application, Form M-4.

62.3(5) Mare Status Report, Form M-5.

62.3(6) Mare Transfer of Ownership, Form M-6.

62.3(7) Application for Iowa-Foaled Registration, Form I-6.

21—62.4(99D) Disciplinary actions.

62.4(1) A person shall not knowingly provide false information to the department. If the department finds that a person knowingly furnished false information to the department relating to the registration of a horse under these rules, then the department may deny, temporarily suspend or permanently suspend all registrations and eligibility certificates by or on behalf of the person. The department may withhold payment of breeder's awards to a breeder if the breeder is not in compliance with Iowa Code chapter 717 or rules adopted pursuant to that chapter. If a breeder does not come into compliance, the department may deny the registration of a breeder's foals. In addition, the department may temporarily or permanently suspend previously approved registrations.

62.4(2) Upon receipt of information from the Iowa racing and gaming commission that a person has been disqualified from licensure (suspended for 365 days or denied), the department shall deny, temporarily suspend or permanently suspend all registrations and eligibility certificates by or on behalf of the person. The department may determine that horses certified as Iowa-foaled horses prior to commission action are eligible to race as Iowa-foaled; however, the disqualified person is denied receipt of moneys from the Iowa horse breeders' fund. If the Iowa racing and gaming commission subsequently grants licensing privileges to a previously disqualified person, the department shall make an independent determination as to the person's eligibility to have registrations and eligibility certificates by or on behalf of the person reinstated or granted.

62.4(3) Whenever action is taken under this rule, the department shall remit the withheld breakage to the breakage pool at the track where the money was generated. In such cases, the money shall instead be retained by the racetrack and distributed in the manner as provided in Iowa Code section 99D.12.

62.4(4) The registration of an Iowa-foaled horse shall not be denied or suspended under this rule if either of the following applies:

- a.* The horse had previously been owned by the person subject to discipline, but the horse had been, in good faith, transferred to another person prior to the imposition of discipline by the department. The department, however, may still impose the discipline if the department determines that the purpose of the transfer was to circumvent the discipline.
- b.* The horse is in the possession of or under the control of a person subject to discipline, but the person has never had an ownership interest in the horse.

21—62.5(99D) Access to premises and records. The department inspectors shall have access to records and to the premises on which qualified Iowa-foaled horses are kept.

DIVISION I
IOWA REGISTERED STALLION REQUIREMENTS

21—62.6(99D) Notification requirements for Iowa registered stallions. The owner or owner's authorized representative must give immediate notification to the department if a stallion leaves the state. If the stallion leaves the state for breeding purposes, the stallion will no longer be registered. Subsequently, if the owner(s) wish to return the stallion to service in Iowa, the original application procedure will be required. If an Iowa registered stallion is moved within Iowa to stand at another location, the department must be notified before the stallion is offered for service at the new Iowa location. If an Iowa registered stallion is moved, temporarily, to another state for medication, its certification will remain valid as long as the department is properly notified.

21—62.7(99D) Stallion qualification and application procedure. To qualify a stallion as an Iowa registered stallion, the owner is required to complete the application for Iowa Stallion Eligibility and forward it to the Horse Racing Section, Iowa Department of Agriculture and Land Stewardship. This registration shall be valid as long as all stallion residency and notification procedures are properly met.

62.7(1) In the event of a sale or transfer of ownership of a stallion, qualified with the department, the transfer of ownership shall be executed on the Stallion Transfer of Ownership Form S-6.

62.7(2) If the new owner(s) wish to qualify the stallion as an Iowa stallion, then the new owner(s) must submit an application for Iowa Stallion Eligibility along with a copy of the bill of sale and meet all other department requirements.

21—62.8(99D) Application information.

62.8(1) Every person wanting to offer or stand a stallion as an Iowa registered stallion must file with the department a written application, utilizing Form S-1, and providing the following:

- a. Name of stallion;
- b. The name(s) of the owner(s) and address(es);
- c. The place where the stallion stood for service during the previous year;
- d. The place where the stallion will stand for service;
- e. A statement that the stallion will not stand for service any place outside the state of Iowa during the calendar year in which the foal is conceived; and
- f. Details concerning right of ownership, such as a bill of sale, contract or other documents providing proof of ownership, which must show any agreements concerning breeding rights, repurchase agreements and other types of concessions; and any other relevant information requested by the department.

62.8(2) An official certificate of registration will be returned within ten working days to the applicant.

21—62.9(99D) Breeding record—report of mares bred. Every person offering or standing any stallion for services as an Iowa registered stallion shall maintain a complete breeding record of the stallion and all mares of any breed bred to the stallion.

62.9(1) Such records shall be available to the department for inspection by a department inspector and shall include the following information:

- a. The name of the mare;
- b. The dam and sire of the mare;
- c. The name and address, including zip code, of the owner(s) of the mare;
- d. The first and last dates on which the stallion was bred to the mare;
- e. The place where the stallion was standing for service at the time of the breeding of the mare;
- f. The person(s) in charge of the stallion at the time of service to the mare; and
- g. Any other relevant information requested by the department.

62.9(2) A report titled “Record of Mares Bred” must be filed with the department by September 1 of each year. The report must be filed on Form S-3 provided by the department.

DIVISION II
IOWA-FOALED HORSES AND BROODMARES

21—62.10(99D) Iowa-foaled horses and broodmares. To qualify for the Iowa horse breeders’ fund program, horses must be Iowa-foaled.

62.10(1) Eligibility for broodmare residence and Iowa-foaled status shall be determined by the department by conducting both a pre-foal inspection of the broodmare and post-foal inspection of the broodmare and foal.

a. *Pre-foal inspection of the broodmare.* A foal shall not be eligible for Iowa-foaled status if it cannot be determined when the broodmare began her residency. However, a foal may be registered if the owner of the broodmare submits a signed, dated and notarized affidavit. The affidavit must attest that the broodmare arrived on a specific date in Iowa and remained in Iowa through foaling. In addition, the affidavit shall also contain the name of the broodmare and the state number of the

broodmare. It must be postmarked to the department prior to the foal being born. Documentation from a third party supporting the broodmare's residency must be included with the affidavit.

b. Post-foal inspection of the broodmare and foal. A foal shall not be eligible for Iowa-foaled status if the broodmare and foal leave or are removed from the state before the foal is inspected by a department inspector. However, a foal may be registered if it left or was removed from the state prior to the post-foal inspection by the department if all of the following conditions are met:

(1) The owner of the foal submits a signed, dated and notarized affidavit executed by a veterinarian licensed to practice in Iowa. The affidavit must attest that the veterinarian saw the foal within seven days of its birth, that the veterinarian has reason to believe that the foal was born in Iowa, and the basis for the veterinarian's belief that the foal was born in Iowa. In addition, the affidavit shall also contain the name of the broodmare, the state number of the broodmare, the sex and a physical description of the foal, the date of the birth and the foaling address. It must be postmarked to the department no more than ten days after foaling.

(2) The owner has filed a timely Mare Status Report, Form M-5, on the mare of the foal.

62.10(2) Additionally, for broodmares to be eligible for the Iowa horse breeders' fund program and for their foals to be eligible to enter races limited to Iowa-foaled horses, it is required that:

a. A Broodmare Registration Application, Form M-4, must be submitted to the department prior to foaling. This registration will cover the mare her entire productive life as long as there is not a change of ownership and the mare meets the eligibility rules set forth in Iowa Code chapter 99D.

b. The owner(s) of the mare must complete and return the Mare Status Report to the department by December 1 of the year bred.

c. The Mare Status Report must show the place where the mare will foal in this state and the person who will be responsible for the mare at the time of foaling.

d. The Mare Status Report must indicate whether the mare is to be bred back to an Iowa registered stallion or to a stallion standing at service outside the state of Iowa. If the breeding plans as stated on the Mare Status Report are changed, the department must be notified.

62.10(3) A Mare Transfer of Ownership, Form M-6, must be submitted to the department when a mare already in the program is purchased by a new owner. The Mare Transfer of Ownership will provide the following information:

- a.* Name of mare;
- b.* Date of transfer;
- c.* Color of mare;
- d.* State registration number;
- e.* National breed registration number;
- f.* Date of sale;
- g.* Name, address, and phone number of seller; and
- h.* Name, address, and phone number of buyer.

21—62.11(99D) Iowa-foaled horse status. A foal from a broodmare meeting the eligibility requirements will be eligible to become an Iowa-foaled horse.

62.11(1) An application to be an Iowa-foaled horse must be filed with the department. The application must be filed on an Application for Iowa-Foaled Registration, Form I-6, provided by the department.

62.11(2) The form shall be completed by the owner(s) of the foal or horse or by the owner's authorized representative. This registration will cover the foal or horse its entire productive life.

62.11(3) The owner(s) shall complete an application for an Iowa-foaled registration, showing the name of the broodmare; name of the sire; date of foaling; and color, sex, and markings of the foal or horse.

a. Thoroughbred foals. To complete the official registration of an Iowa-foaled horse, the owner(s) must forward the Jockey Club Certificate by registered mail to the department. If the horse has met all requirements for registration, the department shall affix its official seal on the face of

the Jockey Club Certificate, which shall include the department's registration number for the horse, and return the certificate within ten working days from the date of receipt. In the event the horse has met all requirements for registration but the department fails to affix its official seal on the face of the Jockey Club Certificate after proper presentation, the list of Iowa-foaled horses prepared by the department shall serve as official notification of Iowa-foaled status until the department's official seal is affixed. If the Jockey Club Certificate is lost or destroyed, a duplicate Jockey Club Certificate for that horse must be forwarded to the department and must be recertified by the department.

b. Standardbred foals. The department will verify registration with the U.S. Trotting Association, and if the horse has met all requirements for Iowa-foaled registration, the department shall place the name and number of the horse on the official department list of Iowa-foaled standardbreds. Placement on the list shall constitute the official certification of the horse as Iowa-foaled.

c. Quarter horse foals. To complete the official registration of an Iowa-foaled horse, the owner(s) must forward the American Quarter Horse Association Certificate to the department. If the horse has met all requirements for registration, the department shall affix its official seal on the face of the American Quarter Horse Association Certificate, which shall include the department's registration number for the horse, and return the certificate within ten working days from the date of receipt. In the event the horse has met all requirements for registration but the department fails to affix its official seal on the face of the American Quarter Horse Association Certificate after proper presentation, the list of Iowa-foaled horses prepared by the department shall serve as official notification of Iowa-foaled status until the department's official seal is affixed. If the American Quarter Horse Association Certificate is lost or destroyed, a duplicate American Quarter Horse Association Certificate for that horse must be forwarded to the department and must be recertified by the department.

21—62.12(99D) Quarter horse embryo transfer for Iowa-foaled status. Quarter horse embryo transfers may be eligible for Iowa-foaled status in accordance with the following provisions:

62.12(1) The recipient mare must be in the state of Iowa before the first day of December the year prior to foaling and must remain in Iowa until the foal or foals are born and are inspected by the department.

62.12(2) There is no limit to the number of foals eligible for Iowa-foaled status, provided the donor mare or a recipient mare:

- a.* Carries the foal full term;
- b.* Meets all the required Iowa rules; and
- c.* Is inspected by the department.

62.12(3) Registration and status reports of recipient mares and donor mares must be submitted to the department with proper identification, including but not limited to registration certificates, brands, and identification numbers prior to the time the donor mare is serviced.

62.12(4) Recipient mares must have a name, brand, or some means of identification and must be photographed for inspection purposes.

These rules are intended to implement Iowa Code section 99D.22.