

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
Department of Labor, Licensing, and Regulation  
(DLS Control No. 15-265)**

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**Overview and Legal and Fiscal Impact**

This regulation restricts the amount of gamma-aminobutyric acid (GABA) permitted to be present in a race horse in Maryland to no more than 110 nanograms per milliliter of blood plasma or serum.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

**Regulation of COMAR Affected**

**Department of Labor, Licensing, and Regulation:**

Racing Commission: Prohibited Acts: COMAR 09.10.03.01-1

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**Legal Analysis**

**Background**

Gamma-aminobutyric acid, a relaxant that can produce optimum results when administered within a few hours of a race, was banned by the United States Equestrian Federation (USEF) in 2012. The substance was found by USEF research to have had “many adverse reactions” in horses. The amino acid is natural to a horse’s system. At higher levels it has a calming effect that can conserve a horse’s energy prior to a race.

**Summary of Regulation**

The regulation would add GABA to the list of medications and other substances that are restricted if found to be over a specified threshold. The regulation allows GABA if quantitated at not more than 110 nanograms per milliliter of blood plasma or serum.

**Legal Issues**

The regulation presents no legal issues of concern.

## **Statutory Authority and Legislative Intent**

The department cites § 11-210 of the Business Regulation Article as statutory authority for the regulation. More specifically, § 11-210(a) authorizes the Maryland Racing Commission to adopt regulations and conditions to govern racing and betting on racing in the State.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

## **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

## **Agency Estimate of Projected Fiscal Impact**

The regulation provides for the amount of gamma aminobutyric acid that may be permitted in blood plasma or serum of a race horse. The department advises that the regulation has minimal or no impact on State or local governments. The Department of Legislative Services concurs.

## **Impact on Budget**

There is no impact on the State operating or capital budget.

## **Agency Estimate of Projected Small Business Impact**

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

## **Contact Information**

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