

TITLE 71 INDIANA HORSE RACING COMMISSION
Emergency Rule Changes – Thoroughbred – 2016

SECTION 3. 71 IAC 4.5-4-10 IS AMENDED TO READ AS FOLLOWS:

71 IAC 4.5-4-10 "In Today" program

Authority: IC 4-31-3-9; IC 4-31-12-1; IC 4-31-13-4

Affected: IC 4-31

Sec. 10. (a) The association shall, along with the assistance of the trainer or his or her licensed designee, identify each horse ~~prior to 10:00 a.m.~~ on the day of the scheduled race.

(b) The association shall provide security personnel to patrol the stable area on race day in order to deter violations of commission rules, to protect the integrity of horse racing, to guard the health of the horse, and to safeguard the interests of the public.

(c) The association shall establish track rules for the implementation of the "In Today" program that shall be subject to the approval of the commission or its executive director.

(Indiana Horse Racing Commission; 71 IAC 4.5-4-10; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2210; emergency rule filed Apr 24, 2006, 11:11 a.m.: 29 IR 3033; emergency rule filed Mar 20, 2007, 1:43 p.m.: 20070404-IR-071070198ERA, eff Mar 16, 2007 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)

SECTION 4. 71 IAC 6.5-1-4 IS AMENDED TO READ AS FOLLOWS:

71 IAC 6.5-1-4 Prohibitions

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 4. (a) A person shall not claim a horse in which the person has a financial or beneficial interest as an owner or trainer.

(b) A person shall not cause another person to claim a horse for the purpose of obtaining or retaining an undisclosed financial or beneficial interest in the horse.

(c) A person shall not enter into an agreement for the purpose of preventing another person from obtaining a horse in a claiming race.

(d) A person shall not claim a horse, or enter into any agreement to have a horse claimed, on behalf of an ineligible or undisclosed person.

(e) A person shall not file a claim more than one (1) horse in a race or file more than one (1) claim for the same horse. However, owners utilizing the same trainer may claim different horses from the same race.

(f) A person shall not claim more than one (1) horse in a race. However, owners utilizing the same trainer may claim different horses from the same race.

(g) The association shall ensure the claim box is locked. The association shall unlock the claim box only after the deadline for claiming a horse has passed.

(h) For a period of thirty (30) days after a claim, a horse shall not start in a race in which the determining eligibility price is less than the price at which it was claimed. The day claimed shall not count for purposes of counting the applicable thirty (30) day period, and for this purpose the immediate following calendar day after the day claimed shall be the first day. The horse shall be entitled to enter whenever necessary so that the horse may start on the thirty-first calendar day following the claim for any claiming price.

(i) ~~The enforcement of regulations prohibiting a horse claimed in another state from racing in Indiana shall be the responsibility of the jurisdiction in which the horse was claimed.~~ **No horse claimed out of a claiming race shall race outside of the state of Indiana for a period of sixty (60) days without the permission of the Stewards and racing secretary, or until the conclusion of the race meet.** (*Indiana Horse Racing Commission; 71 IAC 6.5-1-4; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2862, eff Jul 1, 1995; emergency rule filed June 8, 1999, 9:30 a.m.: 22 IR 3121, eff May 26, 1999 [NOTE: IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2780; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Aug 20, 2002, 3:00 p.m.: 26 IR 55; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Mar 12, 2008, 1:53 p.m.: 20080326-IR-071080191ERA, eff Mar 11, 2008 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-191(E) was filed with the Publisher March 12, 2008.]; emergency rule filed Apr 30, 2010, 1:34 p.m.: 20100505-IR-071100256ERA; emergency rule filed Jan 25, 2012, 12:20 p.m.: 20120201-IR-071120056ERA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)*)

SECTION 8. 71 IAC 9-1-13 IS AMENDED TO READ AS FOLLOWS:

71 IAC 9-1-13 Pools dependent on betting interests

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 13. (a) Unless the commission otherwise provides, one-half (½) hour prior to post time for the first race, the association:

- (1) may offer win, place, and show wagering on all contests with six (6) or more betting interests;
- (2) may be allowed to prohibit show wagering on any contest with five (5) or fewer betting interests scheduled to start;
- (3) may be allowed to prohibit place wagering on any contest with four (4) or fewer betting interests scheduled to start;
- (4) may be allowed to prohibit quinella wagering on any contest with three (3) or fewer betting interests scheduled to start;
- (5) may be allowed to prohibit quinella double wagering on any contests with three (3) or fewer betting interests scheduled to start;
- (6) may be allowed to prohibit exacta wagering on any contest with three (3) or fewer betting interests scheduled to start;

(7) shall prohibit trifecta wagering on any contest with five (5) or fewer betting interests scheduled to start;

(8) may be allowed to prohibit twin quinella wagering on any contests with three (3) or fewer betting interests scheduled to start;

(9) shall prohibit twin trifecta wagering on any contests with five (5) or fewer betting interests scheduled to start;

(10) shall prohibit superfecta wagering on any contest with six (6) or fewer betting interests to start;

(11) **shall prohibit pentafecta wagering on any contest with seven (7) or fewer betting interests; and**

(12) may be allowed to prohibit odd-even wagering on any contest with four (4) or fewer betting interests.

(b) Notwithstanding subsection (a), the timing of advance performance wagering shall be governed by 71 IAC 9-1-5 [section 5 of this rule]. (Indiana

SECTION 8. 71 IAC 9-4-17 IS ADDED TO READ AS FOLLOWS:

71 IAC 9-4-17 Pentafecta wagering

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 17 (a) The pentafecta wager requires selection of the first five finishers, in their exact order, for a single contest.

(b) Winnings shall be distributed as follows:

(1) The net pentafecta pool shall be distributed to winning wagers in the following order, based on the official order of finish:

(A) As a single price pool, including any applicable carryover, to those whose combination finished in correct sequence as the first five betting interests.

(B) If there are no wagers as outlined in (A), then the entire net pool shall be retained and added to a corresponding carryover pool into the next designated pentafecta race.

(C) If the contest race is cancelled, declared no contest, or the Pentafecta is cancelled, all Pentafecta wagers will be refunded for that contest and any carryover from previous contests will be carried over to the next contest.

(D) If any betting interest is scratched or officially withdrawn, all Pentafecta wagers with the scratched betting interest shall be refunded and deducted from the Pentafecta pool.

(2) On the last pentafecta race on the final day of the meeting, the net pool, including any applicable carryover shall be distributed to winning wagers in the following order, based upon the official order of finish:

(A) As a single price pool to those whose combination finished in correct sequence as the first five betting interests;

(B) If there are no wagers as described in (A), then as a single price pool to those whose combination finished in correct sequence as the first four betting interests;

(C) If there are no wagers as described in (A) or (B), then as a single price pool to those whose combination included, in correct sequence, the first three betting interests;

(D) If there are no wagers as described in (A), (B), or (C), then as a single price pool to those whose combination included, in correct sequence, the first two betting interests;

(E) If there are no wagers as described in (A), (B), (C), or (D), then as a single price pool to those whose combination correctly selected the first-place betting interest only;

(F) If there are no wagers as described in (A), (B), (C), (D), or (E), then the entire pool shall be refunded on Pentafecta wagers for that contest and any carry over from previous contests will be carried over to the next contest of the subsequent race meet.

(c) If for any reason the Pentafecta carryover must be held over to the corresponding Pentafecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission and maintained by the permit holder. The Pentafecta carryover plus accrued interest shall then be added to the net Pentafecta pool of the following meet on a date and performance so designated by the Commission.

(d) If fewer than five betting interests finish and the contest is declared official, payoffs will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection on any ticket beyond the number of betting interests completing the contest shall be ignored. If the pools are being distributed under subsection (b)(1)(A) any previous Pentafecta contest's carryover will not be included in the payoff and will be retained for the next contest's carryover. This contest's net Pentafecta pool will be distributed using the method described in subsection (b)(1)(A).

(e) If there is a dead heat in any finishing position, all wagers selecting either of the dead heated positions with the correct non-dead heated positions shall be winners and share in the single prize.

(f) In the event that more than one component of a coupled entry or mutuel field finishes within the first five positions, the first member of the coupled entry or mutuel field to finish shall determine the position of the single betting interest. The net pool shall be distributed to those whose selection included the coupled entry or mutuel field and each of the other four betting interests.