

## ARTICLE 9. PARI-MUTUEL WAGERING

### Rule 1. General Provisions

#### 71 IAC 9-1-1 General

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 1. Each association shall conduct wagering in accordance with applicable laws and these rules. Such wagering shall employ a pari-mutuel system approved by the commission. The totalizator shall be tested prior to and during the meeting as required by the commission. (*Indiana Horse Racing Commission; 71 IAC 9-1-1; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1178; errata filed Mar 9, 1994, 2:50 p.m.: 17 IR 1622; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### 71 IAC 9-1-2 Records

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 2. (a) The association shall maintain records of all wagering so the commission may review such records for any contest, including:

- (1) the opening line;
- (2) subsequent odds fluctuation;
- (3) the amount and at which window wagers were placed on any betting interest; and
- (4) such other information as may be required.

Such wagering records shall be retained by each association and safeguarded for a period of time specified by the commission. The commission may require that certain of these records be made available to the wagering public at the completion of each contest.

(b) The association shall provide the commission with a list of the licensed individuals afforded access to pari-mutuel records and equipment at the wagering facility. (*Indiana Horse Racing Commission; 71 IAC 9-1-2; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1178; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### 71 IAC 9-1-3 Pari-mutuel tickets

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 3. (a) A pari-mutuel ticket is evidence of a contribution to the pari-mutuel pool operated by the association and is evidence of the obligation of the association to pay to the holder thereof such portion of the distributable amount of the pari-mutuel pool as is represented by such valid pari-mutuel ticket. The association shall cash all valid winning tickets when such are presented for:

- (1) payment during the course of the meeting where sold; and
- (2) a specified period after the last day of the meeting.

(b) To be deemed a valid pari-mutuel ticket, such ticket shall have been issued by a pari-mutuel ticket machine operated by the association and recorded as a ticket entitled to a share of the pari-mutuel pool and contain imprinted information as to the following:

- (1) The name of the association operating the meeting.
- (2) A unique identifying number or code.
- (3) Identification of the terminal at which the ticket was issued.
- (4) A designation of the performance for which the wagering transaction was issued.
- (5) The contest number for which the pool is conducted.
- (6) The type or types of wagers represented.
- (7) The number or numbers representing the betting interests for which the wager is recorded.
- (8) The amount or amounts of the contributions to the pari-mutuel pool or pools for which the ticket is evidence.

(c) No pari-mutuel ticket recorded or reported as previously paid, canceled, or nonexistent shall be deemed a valid pari-mutuel ticket by the association. The association may withhold payment and refuse to cash any pari-mutuel ticket deemed not valid, except

as provided in section 4(e) of this rule.

(d) The association and its employees shall abide by the ticket cancellation policy approved by the commission. (*Indiana Horse Racing Commission; 71 IAC 9-1-3; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1178; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2425; errata filed Mar 5, 1998, 1:47 p.m.: 21 IR 2392; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

**71 IAC 9-1-4      Pari-mutuel ticket sales**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 4. (a) Pari-mutuel tickets shall not be sold by anyone other than an association licensed to conduct pari-mutuel wagering.

(b) No pari-mutuel ticket may be sold on a contest for which wagering has already been closed and no association shall be responsible for ticket sales entered into but not completed by issuance of a ticket before the totalizator is closed for wagering on such contest.

(c) Claims pertaining to a mistake on an issued or unissued ticket must be made by the bettor prior to leaving the seller's window.

(d) Payment on winning pari-mutuel wagers shall be made on the basis of the order of finish as purposely posted and declared official. Any subsequent change in the order of finish or award of purse money as may result from a subsequent ruling by the judges or commission shall in no way affect the pari-mutuel payoff. If an error in the posted order of finish or payoff figures is discovered, the official order of finish or payoff prices may be corrected and an announcement concerning the change shall be made to the public.

(e) The association shall not satisfy claims on mutilated, or altered pari-mutuel tickets without authorization of the commission.

(f) Claims on lost pari-mutuel tickets shall adhere to guidelines approved by the commission.

(g) The association shall have no obligation to enter a wager into a betting pool if unable to do so due to equipment failure.

(h) When payments on winning pari-mutuel wagers require Internal Revenue Service returns or reporting, identification of the recipient shall be confirmed by the association by examination of an appropriate government-issued personal identification document such as a driver's license, a passport, or an identification card.

(i) No person other than the true owner and beneficiary of a pari-mutuel ticket shall sign a Form W2G or Form 5754. No person shall knowingly aid, in any way, in any misrepresentation regarding Internal Revenue Service (IRS) forms. Any known or suspected misrepresentation or irregularity regarding IRS forms shall be reported to the commission within forty-eight (48) hours. (*Indiana Horse Racing Commission; 71 IAC 9-1-4; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1178; errata filed Mar 9, 1994, 2:50 p.m.: 17 IR 1622; emergency rule filed Aug 10, 1994, 3:30 p.m.: 17 IR 2918; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2159; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; 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*)

**71 IAC 9-1-5      Advance performance wagering**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 5. No association shall permit wagering to begin more than one (1) hour before scheduled post time of the first contest of a performance unless it has first obtained the authorization of the commission. (*Indiana Horse Racing Commission; 71 IAC 9-1-5; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1179; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

**71 IAC 9-1-6      Claims for payment from pari-mutuel pool**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 6. (a) At a designated location, a written, verified claim for payment from a pari-mutuel pool shall be accepted by the association in any case where the association has withheld payment or has refused to cash a pari-mutuel wager. The claim shall be

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made on such form as approved by the commission, and the claimant shall make such claim under penalty of perjury. The original of such claim shall be forwarded to the commission within forty-eight (48) hours.

(b) In the case of a claim made for payment of a mutilated pari-mutuel ticket which does not contain the total imprinted elements required in section 3 (b) of this rule, the association shall make a recommendation to accompany the claim forwarded to the commission as to whether or not the mutilated ticket has sufficient elements to be positively identified as a winning ticket.

(c) In the case of a claim made for payment on a pari-mutuel wager, the commission shall adjudicate the claim and may:

- (1) order payment thereon from the pari-mutuel pool or by the association;
- (2) deny the claim; or
- (3) make such other order as it may deem proper.

*(Indiana Horse Racing Commission; 71 IAC 9-1-6; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1179; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**71 IAC 9-1-7      Payment for errors**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 7. If an error occurs in the payment amounts for pari-mutuel wagers which are cashed or entitled to be cashed and, as a result of such error the pari-mutuel pool involved in the error is not correctly distributed among winning ticket holders, the following shall apply:

(1) Verification is required to show that the amount of the commission, the amount in breakage, and the amount in payoffs is equal to the total gross pool. If the amount of the pool is more than the amount used to calculate the payoff, the underpayment shall be added to the corresponding pool of the next contest. If underpayments are discovered after the close of the meeting, the underpayment shall be held in an interest-bearing account approved by the commission until being added, together with accrued interest, to the corresponding pool of the next meet.

(2) Any claim not filed with the association within thirty (30) days, inclusive of the date on which the underpayment was publicly announced, shall be deemed waived; the association shall have no further liability therefore.

(3) In the event the error results in an overpayment to winning wagers, the association shall be responsible for such payment.

*(Indiana Horse Racing Commission; 71 IAC 9-1-7; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1179; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**71 IAC 9-1-8      Betting explanation**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 8. A summary explanation of pari-mutuel wagering and each type of betting pool offered shall be published in the program for every wagering performance. The rules of racing relative to each type of pari-mutuel pool offered must be available upon request through association representatives. *(Indiana Horse Racing Commission; 71 IAC 9-1-8; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1179; emergency rule filed Aug 10, 1994, 3:30 p.m.: 17 IR 2919; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**71 IAC 9-1-9      Display of betting information**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 9. (a) Approximate odds for win pool betting shall be posted on display devices within view of the wagering public and updated at intervals of not more than ninety (90) seconds.

(b) The probable payoff or amounts wagered, in total and on each betting interest, for other pools may be displayed to the wagering public at intervals and in a manner approved by the commission.

(c) Official results and payoffs must be displayed upon each contest being declared official. *(Indiana Horse Racing Commission; 71 IAC 9-1-9; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1180; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**71 IAC 9-1-10 Canceled contests**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 10. If a contest is canceled or declared no contest, refunds shall be granted on valid wagers in accordance with these rules. *(Indiana Horse Racing Commission; 71 IAC 9-1-10; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1180; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**71 IAC 9-1-11 Refunds**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 11. (a) Notwithstanding other provisions of these rules, refunds of the entire pool shall be made on the following:

(1) Win pools, exacta pools, and first half double pools offered in contests in which the number of betting interests has been reduced to fewer than two (2).

(2) Place pools, quinella pools, trifecta pools, first half quinella double pools, and first half twin quinella pools offered in contests in which the number of betting interests has been reduced to fewer than three (3).

(3) Show pools, superfecta pools, and first half twin superfecta pools offered in contests in which the number of betting interests has been reduced to fewer than four (4).

(b) Authorized refunds shall be paid upon presentation and surrender of the affected pari-mutuel ticket. *(Indiana Horse Racing Commission; 71 IAC 9-1-11; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1180; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**71 IAC 9-1-12 Coupled entries and mutuel fields**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 12. (a) Contestants coupled in wagering as a coupled entry or mutuel field shall be considered part of single betting interest for the purpose of price calculations and distribution of pools. Should any contestant in a coupled entry or mutuel field be officially withdrawn or scratched, the remaining contestants in that coupled entry or mutuel field shall remain valid betting interests and no refunds will be granted. If all contestants within a coupled entry or mutuel field are scratched, then tickets on such betting interests shall be refunded, notwithstanding other provisions of these rules.

(b) For the purpose of price calculations only, coupled entries and mutuel fields shall be calculated as a single finisher, using the finishing position of the leading contestant in that coupled entry or mutuel field to determine order of placing. This rule shall apply to all circumstances, including situations involving a dead heat, except as otherwise provided by these rules. *(Indiana Horse Racing Commission; 71 IAC 9-1-12; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1180; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**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; and

(11) 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 Horse Racing Commission; 71 IAC 9-1-13; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1180; emergency rule filed Mar 25, 1996, 10:15 a.m.: 19 IR 2082; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2160; emergency rule filed Mar 18, 1998, 1:40 p.m.: 21 IR 3022; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; 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*)

#### **71 IAC 9-1-14 Prior approval required for betting pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 14. (a) An association that desires to offer new forms of wagering must apply in writing to the commission and receive written approval prior to implementing the new betting pool.

(b) The association may suspend previously approved forms of wagering with the prior approval of the commission. Any carryover shall be held until the suspended form of wagering is reinstated. An association may request approval of a form of wagering or separate wagering pool for specific performances.

(c) An association desiring to accept minimum wagers as the host track for less than one dollar (\$1) or more than two dollars (\$2) shall first apply in writing to the commission and obtain specific approval of the commission or its executive director. (*Indiana Horse Racing Commission; 71 IAC 9-1-14; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1181; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Nov 9, 2005, 8:00 a.m.: 29 IR 830, eff Aug 9, 2005 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Secretary of State. This document was filed with the Secretary of State on November 9, 2005.]; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-1-15 Closing of wagering in a contest**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 15. (a) A commission representative shall close wagering for each contest originating from the association's track after which time no pari-mutuel tickets shall be sold for that contest.

(b) The association shall maintain, in good order, a system approved by the commission for closing wagering.

(c) The licensed tote vendor and the association shall comply with the stop betting procedures approved by the commission.

(d) In the event that the mutuel machines fail to lock at the commencement of a race, the association, the licensed tote vendor and their respective licensed designees shall adhere to the commission approved procedures in responding to the event. These procedures shall apply to both live and simulcast races. On a live race, these procedures shall apply to in-state mutuel machines and out-of-state mutuel machines that are commingled with the association's pools. (*Indiana Horse Racing Commission; 71 IAC 9-1-15; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1181; emergency rule filed Nov 10, 1994, 4:40 p.m.: 18 IR 545; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2425; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-1-16 Complaints pertaining to pari-mutuel operations**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 16. (a) When a patron makes a complaint regarding the pari-mutuel department to an association, the association shall immediately issue a complaint report, setting out the following:

- (1) The name of the complainant.
- (2) The nature of the complaint.
- (3) The name of the persons, if any, against whom the complaint was made.
- (4) The date of the complaint.
- (5) The action taken or proposed to be taken, if any, by the association.

(b) The association shall submit every complaint report to the commission within forty-eight (48) hours after the complaint was made. *(Indiana Horse Racing Commission; 71 IAC 9-1-16; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1181; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

#### **71 IAC 9-1-17 Licensed employees (Repealed)**

Sec. 17. *(Repealed by Indiana Horse Racing Commission; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2427)*

#### **71 IAC 9-1-18 Unrestricted access**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 18. The association shall permit the commission unrestricted access at all times to its facilities and equipment and to all books, ledgers, accounts, documents, and records of the association that relate to pari-mutuel wagering. *(Indiana Horse Racing Commission; 71 IAC 9-1-18; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1181; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

#### **71 IAC 9-1-19 Emergency situations**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 19. In the event of an emergency in connection with the pari-mutuel department not covered in these rules, the pari-mutuel manager representing the association shall resolve the situation. The pari-mutuel manager shall report the problem to the judges and the association and the judges shall render a full written report to the commission within forty-eight (48) hours. If the matter involves a simulcast program at a time when a live meet is not in progress, the pari-mutuel manager shall render a full written report to the executive director within forty-eight (48) hours. *(Indiana Horse Racing Commission; 71 IAC 9-1-19; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1181; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3414; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

#### **71 IAC 9-1-20 Mutuel manager's report**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 20. The mutuel manager or assistant mutuel manager shall report, on a form provided by the commission, any irregularity or unusual occurrence regarding pari-mutuel operations. Such report shall be submitted to the commission within forty-eight (48) hours of the irregularity or unusual occurrence. *(Indiana Horse Racing Commission; 71 IAC 9-1-20; emergency rule filed Mar 25, 1996, 10:15 a.m.: 19 IR 2083; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

#### **Rule 2. Account Wagering (Repealed)**

*(Repealed by Indiana Horse Racing Commission; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2161)*

#### **Rule 2.5. Wagering Rules and Patron Checks**

**71 IAC 9-2.5-1 Wagering rules**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 1. (a) Wagering on credit is prohibited.

(b) All pari-mutuel tickets must be paid for in full at the time the ticket is issued from the totalizator system with:

(1) U.S. currency;

(2) winning pari-mutuel tickets;

(3) refunded pari-mutuel tickets; or

(4) by a commission-approved totalizator voucher system.

(c) Account wagering, other than a commission-approved totalizator voucher system, is prohibited.

(d) Licensees shall not make a wager based upon instructions received by telephone, facsimile, or similar device.

(e) In the event that the mutuel machine fails to lock at the commencement of a race, no licensee shall knowingly issue any tickets from his or her terminal or any other terminal. Nor shall any licensee assist any individual in procuring such tickets. Any failure to lock on time shall be immediately reported to the mutuel manager or the satellite facility manager and the commission. *(Indiana Horse Racing Commission; 71 IAC 9-2.5-1; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2061; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2426; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**71 IAC 9-2.5-2 Patron checks**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 2. (a) The association may accept checks from patrons, personal or otherwise, provided that such checks are submitted to the association's bank for payment no later than the following business day. The returning of checks to patrons or buying back of checks is prohibited, except when the check(s) have been deposited to the association's bank for payment and thereafter returned to the association.

(b) The association may not accept postdated checks.

(c) The association shall report to the commission any time the liability to a person for a returned unpaid check or checks equals or exceeds three thousand dollars (\$3,000). Such report shall be made to the commission in writing within forty-eight (48) hours of receipt of the returned checks.

(d) This section shall not apply to checks for the payment of horsemen's fees. *(Indiana Horse Racing Commission; 71 IAC 9-2.5-2; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2161; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

**Rule 3. Interstate Common Pool Wagering**

**71 IAC 9-3-1 General**

Authority: IC 4-31-3-9

Affected: IC 4-31-7-8

Sec. 1. (a) All contracts governing participation in interstate common pools shall be available to the commission upon request.

(b) Individual wagering transactions are made at the point of sale in the state where placed. Pari-mutuel pools are combined for computing odds and calculating payoffs but will be held separate for auditing and all other purposes.

(c) Any surcharges or withholdings in addition to the takeout shall only be applied in the jurisdiction otherwise imposing such surcharges or withholdings.

(d) In determining whether to approve an interstate common pool which does not include the host track or which includes contests from more than one (1) association, the commission shall consider and may approve:

(1) use of a bet type which is not utilized at the host track;

(2) application of a takeout rate not in effect at the host track; or

(3) other factors which are presented to the commission.

(e) The content and format of the visual display of racing and wagering information at facilities in other jurisdictions where wagering is permitted in the interstate common pool need not be identical to the similar information permitted or required to be displayed under these rules. (*Indiana Horse Racing Commission; 71 IAC 9-3-1; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1183; emergency rule filed Mar 25, 1996, 10:15 a.m.: 19 IR 2083; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

**71 IAC 9-3-2 Guest state participation in interstate common pools**

Authority: IC 4-31-3-9

Affected: IC 4-31-7-8

Sec. 2. (a) With the prior approval of the commission, pari-mutuel wagering pools may be combined with corresponding wagering pools in the host state or with corresponding pools established by one (1) or more other jurisdictions.

(b) The commission may permit adjustment of the takeout from the pari-mutuel pool so that the takeout rate in this jurisdiction is identical to that at the host track or identical to that of other jurisdictions participating in a merged pool.

(c) Where takeout rates in the merged pool are not identical, the net price calculation shall be the method by which the differing takeout rates are applied.

(d) Rules established in the state of the host association designated for a pari-mutuel pool shall apply.

(e) The commission shall approve agreements made between the association and other participants in interstate common pools governing the distribution of breakage between the jurisdictions.

(f) If, for any reason, it becomes impossible to successfully merge the bets placed into the interstate common pool, the association shall make payoffs in accordance with payoff prices at the host track; except that, with permission of the commission, the association may make payoffs in accordance with payoff prices that would have been in effect if prices for the pool of bets were calculated without regard to wagers placed elsewhere. With permission of the commission, the association may declare such accepted bets void and make refunds in accordance with these rules. (*Indiana Horse Racing Commission; 71 IAC 9-3-2; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1183; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2161; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

**71 IAC 9-3-3 Host state participation in merged pools**

Authority: IC 4-31-3-9

Affected: IC 4-31-7-8

Sec. 3. (a) With the prior approval of the commission, an association licensed to conduct pari-mutuel wagering may determine that one (1) or more of its contests be utilized for pari-mutuel wagering at guest facilities in other states and may also determine that pari-mutuel pools in guest states be combined with corresponding wagering pools established by it as the host track or comparable wagering pools established by two (2) or more states.

(b) Where takeout rates in the merged pool are not identical, the net price calculation shall be the method by which the differing takeout rates are applied.

(c) Rules of racing established for races held in this state shall also apply to interstate common pools unless the commission shall have specifically otherwise determined.

(d) The commission shall approve agreements made between the association and other participants in interstate common pools governing the distribution of breakage between the jurisdictions.

(e) Any contract for interstate common pools entered into by the association shall contain a provision to the effect that if, for any reason:

(1) it becomes impossible to successfully merge the bets placed in another state into the interstate common pool formed by the association; or

(2) the commission's or the association's representative determines that attempting to effect transfer of pool data from the guest state may endanger the association's wagering pool;

the association shall have no liability for any measures taken which may result in the guest's wagers not being accepted into the pool. (*Indiana Horse Racing Commission; 71 IAC 9-3-3; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1183; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)



**71 IAC 9-3-4 Takeout rates in interstate common pools**

Authority: IC 4-31-3-9

Affected: IC 4-31-7-8

Sec. 4. (a) With the prior approval of the commission, an association wishing to participate in an interstate common pool may change its takeout rate so as to achieve a common takeout rate with all other participants in the interstate common pool.

(b) An association wishing to participate in an interstate common pool may request that the commission approve a methodology whereby host and guest states with different takeout rates for corresponding pari-mutuel pools may effectively and equitably combine wagers from the different states into an interstate common pool. (*Indiana Horse Racing Commission; 71 IAC 9-3-4; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1184; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

**Rule 4. Calculation of Payoffs and Distribution of Pools**

**71 IAC 9-4-1 General**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 1. (a) All permitted pari-mutuel wagering pools shall be separately and independently calculated and distributed. Takeout shall be deducted from each gross pool as stipulated by law. The remainder of the monies in the pool shall constitute the net pool for distribution as payoff on winning wagers.

(b) For each wagering pool, the amount wagered on the winning betting interest or betting combinations is deducted from the net pool to determine the profit; the profit is then divided by the amount wagered on the winning betting interest or combinations, such quotient being the profit per dollar.

(c) Either the standard or net price calculation procedure may be used to calculate single commission pools, while the net price calculation procedure must be used to calculate multiple commission pools.

(1) Standard Price Calculation Procedure

(A) SINGLE PRICE POOL (WIN POOL)

gross pool = sum of wagers on all betting interest - refunds

takeout = gross pool × percent takeout

net pool = gross pool - takeout

profit = net pool - gross amount bet on winner

profit per dollar = profit/gross amount bet on winner

\$1 unbroken price = profit per dollar + \$1

\$1 broken price = \$1 unbroken price rounded down to the break point

total payout = \$1 broken price × gross amount bet on winner

total breakage = net pool - total payout

(B) PROFIT SPLIT (PLACE POOL)

Profit is net pool less gross amount bet on all place finishers. Finishers split profit  $\frac{1}{2}$  and  $\frac{1}{2}$  (place profit), then divide by gross amount bet on each place finisher for two (2) unique prices.

(C) PROFIT SPLIT (SHOW POOL)

Profit is net pool less gross amount bet on all show finishers. Finishers split profit  $\frac{1}{3}$  and  $\frac{1}{3}$  and  $\frac{1}{3}$  (show profit), then divide by gross amount bet on each show finisher for three (3) unique prices.

(2) Net Price Calculation Procedure

(A) SINGLE PRICE POOL (WIN POOL)

gross pool = sum of wagers on all betting interests - refunds

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takeout = gross pool  $\times$  percent takeout

\* for each source:

net pool = gross pool - takeout

net bet on winner = gross amount bet on winner  $\times$  (1 - percent takeout)

total net pool = sum of all sources net pools

total net bet on winner = sum of all sources net bet on winner

total profit = total net pool - total net bet on winner

profit per dollar = total profit/total net bet on winner

\$1 unbroken base price = profit per dollar + \$1

\* for each source:

\$1 unbroken price = \$1 unbroken base price  $\times$  (1 - percent takeout)

\$1 broken price = \$1 unbroken price rounded down to the break point

total payout = \$1 broken price  $\times$  gross amount bet on winner

total breakage = net pool - total payout

**(B) PROFIT SPLIT (PLACE POOL)**

Total profit is the total net pool less the total net amount bet on all place finishers. Finishers split total profit  $\frac{1}{2}$  and  $\frac{1}{2}$  (place profit), then divide by total net amount bet on each place finisher for two (2) unique unbroken base prices.

**(C) PROFIT SPLIT (SHOW POOL)**

Total profit is the total net pool less the total net amount bet on all show finishers. Finishers split total profit  $\frac{1}{3}$  and  $\frac{1}{3}$  and  $\frac{1}{3}$  (show profit), then divide by total net amount bet on each show finisher for three (3) unique unbroken base prices.

(d) If a profit split results in only one (1) covered winning betting interest or combinations it shall be calculated the same as a single price pool.

(e) Minimum payoffs and the method used for calculating breakage shall be established by the commission.

(f) The individual pools outlined in these rules may be given alternative names by each association, provided prior approval is obtained from the commission. (*Indiana Horse Racing Commission; 71 IAC 9-4-1; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1184; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

**71 IAC 9-4-2 Win pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 2. (a) The amount wagered on the betting interest which finishes first is deducted from the net pool, the balance remaining being the profit; the profit is divided by the amount wagered on the betting interest finishing first, such quotient being the profit per dollar wagered to win on that betting interest.

(b) The net win pool shall be distributed as a single price pool to winning wagers in the following precedence, based upon the official order of finish:

(1) To those whose selection finished first; but if there are no such wagers, to subdivision (2).

(2) To those whose selection finished second; but if there are no such wagers, to subdivision (3).

(3) To those whose selection finished third; but if there are no such wagers, to subdivision (4).

(4) The entire pool shall be refunded on win wagers for that contest.

(c) If there is a dead heat for first involving:

(1) contestants representing the same betting interest, the win pool shall be distributed as if no dead heat occurred; or

(2) contestants representing two (2) or more betting interests, the win pool shall be distributed as a profit split.

*(Indiana Horse Racing Commission; 71 IAC 9-4-2; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1185; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

#### **71 IAC 9-4-3 Place pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 3. (a) The amounts wagered to place on the first two (2) betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into two (2) equal portions, one (1) being assigned to each winning betting interest and divided by the amount wagered to place on that betting interest, the resulting quotient is the profit per dollar wagered to place on that betting interest.

(b) The net place pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) If contestants of a coupled entry or mutuel field finished in the first two (2) places, as a single price pool, to those who selected the coupled entry or mutuel field; or

(2) as a profit split to those whose selection is included within the first two (2) finishers; but if there are no such wagers on subdivisions (1) or (2), to subdivision (3).

(3) As a single price pool to those who selected the one (1) covered betting interest included within the first two (2) finishers; but if there are no such wagers, to subdivision (4).

(4) As a single price pool to those who selected the third place finisher; but if there are no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on place wagers for that contest.

(c) If there is a dead heat for first involving:

(1) contestants representing the same betting interest, the place pool shall be distributed as a single price pool; or

(2) contestants representing two (2) or more betting interests, the place pool shall be distributed as a profit split.

(d) If there is a dead heat for second involving:

(1) contestants representing the same betting interest, the place pool shall be distributed as if no dead heat occurred; or

(2) contestants representing two (2) or more betting interests, the place pool is divided with one-half ( $\frac{1}{2}$ ) of the profit distributed to place wagers on the betting interest finishing first and the remainder is distributed as a profit split among place wagers on those betting interests involved in the dead heat for second.

*(Indiana Horse Racing Commission; 71 IAC 9-4-3; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1185; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

#### **71 IAC 9-4-4 Show pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 4. (a) The amounts wagered to show on the first three (3) betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into three (3) equal portions, one (1) being assigned to each winning betting interest and divided by the amount wagered to show on that betting interest, the resulting quotient being the profit per dollar wagered to show on that betting interest.

(b) The net show pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) If contestants of a coupled entry or mutuel field finished in the first three (3) places, as a single price pool to those who selected the coupled entry or mutuel field; or

(2) if contestants of a coupled entry or mutuel field finished as two (2) of the first three (3) finishers, the profit is divided with two-thirds ( $\frac{2}{3}$ ) distributed to those who selected the coupled entry or mutuel field and one-third ( $\frac{1}{3}$ ) distributed to those who selected the other betting interest included within the first three (3) finishers; or

(3) as a profit split to those whose selection is included within the first three (3) finishers; but if there are no such wagers on

subdivisions (1) through (3), to subdivision (4).

(4) As a profit split to those who selected one (1) of the two (2) covered betting interests included within the first three (3) finishers; but if there are no such wagers on two (2) of those three (3) finishers, to subdivision (5).

(5) As a single price pool to those who selected the one (1) covered betting interest included within the first three (3) finishers; but if there are no such wagers, to subdivision (6).

(6) As a single price pool to those who selected the fourth-place finisher; but if there are no such wagers, to subdivision (7).

(7) The entire pool shall be refunded on show wagers for that contest.

(c) If there is a dead heat for first involving:

(1) two (2) contestants representing the same betting interest, the profit is divided with two-thirds ( $\frac{2}{3}$ ) distributed to those who selected the first place finishers and one-third ( $\frac{1}{3}$ ) distributed to those who selected the betting interest finishing third;

(2) three (3) contestants representing a single betting interest, the show pool shall be distributed as a single price pool; or

(3) contestants representing two (2) or more betting interests, the show pool shall be distributed as a profit split.

(d) If there is a dead heat for second involving:

(1) contestants representing the same betting interest, the profit is divided with one-third ( $\frac{1}{3}$ ) distributed to those who selected the betting interest finishing first and two-thirds ( $\frac{2}{3}$ ) distributed to those who selected the second place finishers;

(2) contestants representing two (2) betting interests, the show pool shall be distributed as a profit split; or

(3) contestants representing three (3) betting interests, the show pool is divided with one-third ( $\frac{1}{3}$ ) of the profit distributed to show wagers on the betting interest finishing first and the remainder is distributed as a profit split among show wagers on those betting interests involved in the dead heat for second.

(e) If there is a dead heat for third involving:

(1) contestants representing the same betting interest, the show pool shall be distributed as if no dead heat occurred; or

(2) contestants representing two (2) or more betting interests, the show pool is divided with two-thirds ( $\frac{2}{3}$ ) of the profit distributed to show wagers on the betting interests finishing first and second and the remainder is distributed as a profit split among show wagers on those betting interests involved in the dead heat for third.

*(Indiana Horse Racing Commission; 71 IAC 9-4-4; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1186; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

#### **71 IAC 9-4-5 Double pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 5. (a) The double requires selection of the first place finisher in each of two (2) specified contests.

(b) The net double pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) As a single price pool to those whose selection finished first in each of the two (2) contests; but if there are no such wagers, to subdivision (2).

(2) As a profit split to those who selected the first place finisher in either of the two (2) contests; but if there are no such wagers, to subdivision (3).

(3) As a single price pool to those who selected the one (1) covered first place finisher in either contest; but if there are no such wagers, to subdivision (4).

(4) As a single price pool to those whose selection finished second in each of the two (2) contests; but if there are no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on double wagers for those contests.

(c) If there is a dead heat for first in either of the two (2) contests involving:

(1) contestants representing the same betting interest, the double pool shall be distributed as if no dead heat occurred; or

(2) contestants representing two (2) or more betting interests, the double pool shall be distributed as a profit split if there is more than one (1) covered winning combination.

(d) Should a betting interest in the first half of the double be scratched prior to the first double contest being declared official, all money wagered on combinations, including the scratched betting interest, shall be deducted from the double pool and refunded.

(e) Should a betting interest in the second half of the double be scratched prior to the close of wagering on the first double contest, all money wagered on combinations, including the scratched betting interest, shall be deducted from the double pool and

refunded.

(f) Should a betting interest in the second half of the double be scratched after the close of wagering on the first double contest, all wagers combining the winner of the first contest with the scratched betting interest in the second contest shall be allocated a consolation payoff. In calculating the consolation payoff, the net double pool shall be divided by the total amount wagered on the winner of the first contest and an unbroken consolation price obtained. The unbroken consolation price is multiplied by the dollar value of wagers on the winner of the first contest combined with the scratched betting interest to obtain the consolation payoff. Breakage is not declared in this calculation. The consolation payoff is deducted from the net double pool before calculation and distribution of the winning double payoff. Dead heats, including separate betting interests in the first contest, shall result in a consolation payoff calculated as a profit split.

(g) If either of the double contests are canceled prior to the first double contest, or the first double contest is declared no contest, the entire double pool shall be refunded on double wagers for those contests.

(h) If the second double contest is canceled or declared no contest after the conclusion of the first double contest, the net double pool shall be distributed as a single price pool to wagers selecting the winner of the first double contest. In the event of a dead heat involving separate betting interests, the net double pool shall be distributed as a profit split. (*Indiana Horse Racing Commission; 71 IAC 9-4-5; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1186; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-6 Pick three pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 6. (a) The pick three requires selection of the first place finisher in each of three (3) specified contests.

(b) The net pick three pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) As a single price pool to those whose selection finished first in each of the three (3) contests; but if there are no such wagers, to subdivision (2).

(2) As a single price pool to those who selected the first place finisher in any two (2) of the three (3) contests; but if there are no such wagers, to subdivision (3).

(3) As a single price pool to those who selected the first place finisher in any one (1) of the three (3) contests; but if there are no such wagers, to subdivision (4).

(4) The entire pool shall be refunded on pick three wagers for those contests.

(c) If there is a dead heat for first in any of the three (3) contests involving:

(1) contestants representing the same betting interest, the pick three pool shall be distributed as if no dead heat occurred; or

(2) contestants representing two (2) or more betting interests, the pick three pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

(d) Should a betting interest in any of the three (3) pick three contests be scratched, the actual favorite, as evidenced by total amounts wagered in the win pool at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the win pool total for two (2) or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalizator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination.

(e) If all three (3) pick three contests are canceled or declared no contest, the entire pool shall be refunded on pick three wagers for those contests.

(f) If one (1) or two (2) of the pick three contests are canceled or declared no contest, the pick three pool will remain valid and shall be distributed in accordance with subsection (b). (*Indiana Horse Racing Commission; 71 IAC 9-4-6; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1187; errata filed Mar 9, 1994, 2:50 p.m.: 17 IR 1622; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-7 Pick (n) pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 7. (a) The pick (n) requires selection of the first place finisher in each of a designated number of contests. The association must obtain written approval from the commission concerning the following:

- (1) The scheduling of pick (n) contests.
- (2) The designation of one (1) of the methods prescribed in subsection (b).
- (3) The amount of any cap to be set on the carryover.

Any changes to the approved pick (n) format require prior approval from the commission.

(b) The pick (n) pool shall be apportioned under one (1) of the following methods:

(1) For pick (n) with carryover, the net pick (n) pool and land carryover, if any, shall be distributed as a single price pool to those who selected the first place finisher in each of the pick (n) contests, based upon the official order of finish. If there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first place finisher in the greatest number of pick (n) contests. The remainder shall be added to the carryover.

(2) For pick (n) with minor pool and carryover, the major share of the net pick (n) pool and the carryover, if any, shall be distributed to those who selected the first place finisher in each of the pick (n) contests, based upon the official order of finish. The minor share of the net pick (n) pool shall be distributed to those who selected the first place finisher in the second greatest number of pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place finisher of all pick (n) contests, the minor share of the net pick (n) pool shall be distributed as a single price pool to those who selected the first place finisher in the greatest number of pick (n) contests. The major share shall be added to the carryover.

(3) For pick (n) with no minor pool and no carryover, the net pick (n) pool shall be distributed as a single price pool to those who selected the first place finisher in the greatest number of pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

(4) For pick (n) with minor pool and no carryover, the major share of the net pick (n) pool shall be distributed to those who selected the first place finisher in the greatest number of pick (n) contests, based upon the official order of finish. The minor share of the net pick (n) pool shall be distributed to those who selected the first place finisher in the second greatest number of pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place finisher in a second greatest number of pick (n) contests, the minor share of the net pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first place finisher in the greatest number of pick (n) contests. If the greatest number of first place finishers selected is one (1), the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

(5) For pick (n) with minor pool and no carryover, the major share of net pick (n) pool shall be distributed to those who selected the first place finisher in each of the pick (n) contests, based upon the official order of finish. The minor share of the net pick (n) pool shall be distributed to those who selected the first place finisher in the second greatest number of pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place finisher in all pick (n) contests, the entire net pick (n) pool shall be distributed as a single price pool to those who selected the first place finisher in the greatest number of pick (n) contests. If there are no wagers selecting the first place finisher in a second greatest number of pick (n) contests, the minor share of the net pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first place finisher in each of the pick (n) contests. If there are no winning wagers, the pool is refunded.

(6) For pick (n) with minor pool and carryover with a unique wager, the entire net pick (n) pool and carryover, if any, shall be distributed to the holder of a unique wager selecting the first place finisher in each of the selected pick (n) contests, based upon the official order of finish. If there is no unique wager selecting the first place finisher in all pick (n) contests, the minor share of the net pick (n) pool shall be distributed as a single price pool to those who selected the first place finisher in the greatest number of pick (n) contests, and the major shall be added to the carryover.

(c) If there is a dead heat for first in any of the pick (n) contests involving:

- (1) contestants representing the same betting interest, the pick (n) pool shall be distributed as if no dead heat occurred; or
- (2) contestants representing two (2) or more betting interests, the pick (n) pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

(d) Should a betting interest in any of the pick (n) contests, without a unique wager, be scratched, the actual favorite, as evidenced by total amounts wagered in the win pool at the host association for the contest at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the win pool total for two (2) or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalizator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners

as a result of the substitution, in addition to the normal winning combination. Should a betting interest in any pick (n) contest with a unique wager be scratched, all tickets sold containing the scratched horse shall be refunded. The money thus refunded will be deducted from the gross pool.

(e) The pick (n) pool shall be canceled and all pick (n) wagers for the individual performance shall be refunded if:

- (1) at least two (2) contests included as part of a pick 3 are canceled or declared no contest;
- (2) at least three (3) contests included as part of a pick 4, pick 5, or pick 6 are canceled or declared no contest;
- (3) at least four (4) contests included as part of a pick 7, pick 8, or pick 9 are canceled or declared no contest; or
- (4) at least five (5) contests included as part of a pick 10 are canceled or declared no contest.

(f) If at least one (1) contest included as part of a pick (n) is canceled or declared no contest, but not more than the number specified in subsection (e), the net pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the pick (n) carryover but not the carryover from previous performances.

(g) The pick (n) carryover may be capped at a designated level approved by the commission so that if, at the close of any performance, the amount in the pick (n) carryover equals or exceeds the designated cap, the pick (n) carryover will be frozen until it is won or distributed under this rule. After the pick (n) carryover is frozen, one hundred percent (100%) of the net pool, part of which ordinarily would be added to the pick (n) carryover, shall be distributed to those whose selection finished first in the greatest number of pick (n) contests for that performance.

(h) A written request for permission to distribute the pick (n) carryover on a specific performance may be submitted to the commission. The request must contain the following:

- (1) Justification for the distribution.
- (2) An explanation of the benefit to be derived.
- (3) The intended date and performance for the distribution.

(i) Should the pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selecting the first place finisher in each of the pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of pick (n) contests. The pick (n) carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

- (1) Upon written approval from the commission as provided in subsection (h).
- (2) Upon written approval from the commission when:
  - (A) there is a change in the carryover cap;
  - (B) there is a change from one (1) type of pick (n) wagering to another; or
  - (C) the pick (n) is discontinued.

(3) On the closing performance of the meet or split meet.

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

(k) With the written approval of the commission, the association may contribute to the pick (n) carryover a sum of money up to the amount of any designated cap.

(l) Providing information to any person regarding:

- (1) covered combinations;
- (2) amounts wagered on specific combinations;
- (3) number of tickets sold; or
- (4) number of live tickets remaining;

is strictly prohibited. This shall not prohibit necessary communication between totalizator and pari-mutuel department employees for processing of pool data.

(m) The association may suspend previously approved pick (n) wagering with the prior approval of the commission. Any carryover shall be held until the suspended pick (n) wagering is reinstated. An association may request approval of a pick (n) wager or separate wagering pool for specific performances. (*Indiana Horse Racing Commission; 71 IAC 9-4-7; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1188; errata filed Mar 9, 1994, 2:50 p.m.: 17 IR 1622; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; emergency rule filed Jul 19, 2010, 12:22 p.m.: 20100728-IR-071100480ERA*)

**71 IAC 9-4-8 Place pick (n) pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 8. (a) The place pick (n) requires selection of the first place or second place finisher in each of a designated number of contests. The association must obtain written approval from the commission concerning the following:

- (1) The scheduling of place pick (n) contests.
- (2) The designation of one (1) of the methods prescribed in subsection (b).
- (3) The distinctive name identifying the pool.
- (4) The amount of any cap to be set on the carryover.

Any changes to the approved place pick (n) format require prior approval from the commission.

(b) The place pick (n) pool shall be apportioned under one (1) of the following methods:

(1) For place pick (n) with carryover, the net place pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first place or second place finisher in each of the place pick (n) contests, based upon the official order of finish. If there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first place or second place finisher in the greatest number of place pick (n) contests; the remainder shall be added to the carryover.

(2) For place pick (n) with minor pool and carryover, the major share of the net place pick (n) pool and the carryover, if any, shall be distributed to those who selected the first place or second place finisher in each of the place pick (n) contests, based upon the official order of finish. The minor share of the net place pick (n) pool shall be distributed to those who selected the first place or second place finisher in the second greatest number of place pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place or second place finisher of all place pick (n) contests, the minor share of the net place pick (n) pool shall be distributed as a single price pool to those who selected the first place or second place finisher in the greatest number of place pick (n) contests; the major share shall be added to the carryover.

(3) For place pick (n) with no minor pool and no carryover, the net place pick (n) pool shall be distributed as a single price pool to those who selected the first place or second place finisher in the greatest number of place pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

(4) For place pick (n) with minor pool and no carryover, the major share of the net place pick (n) pool shall be distributed to those who selected the first place or second place finisher in the greatest number of place pick (n) contests, based upon the official order of finish. The minor share of the net place pick (n) pool shall be distributed to those who selected the first place or second place finisher in the second greatest number of place pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place or second place finisher in a second greatest number of place pick (n) contests, the minor share of the net place pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first place or second place finisher in the greatest number of place pick (n) contests. If the greatest number of first place or second place finishers selected is one (1), the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

(5) For place pick (n) with minor pool and no carryover, the major share of net place pick (n) pool shall be distributed to those who selected the first place or second place finisher in each of the place pick (n) contests, based upon the official order of finish. The minor share of the net place pick (n) pool shall be distributed to those who selected the first place or second place finisher in the second greatest number of place pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first place or second place finisher in all place pick (n) contests, the entire net place pick (n) pool shall be distributed as a single price pool to those who selected the first place or second place finisher in the greatest number of place pick (n) contests. If there are no wagers selecting the first place or second place finisher in a second greatest number of place pick (n) contests, the minor share of the net place pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first place or second place finisher in each of the place pick (n) contests. If there are no winning wagers, the pool is refunded.

(c) If there is a dead heat for first in any of the place pick (n) contests involving:

- (1) contestants representing the same betting interest, the place pick (n) pool shall be distributed as if no dead heat occurred; or
- (2) contestants representing two (2) or more betting interests, the place pick (n) pool shall be distributed as a single price pool with a winning wager, including each betting interest participating in the dead heat.



(d) If there is a dead heat for second in any of the place pick (n) contests involving:

(1) contestants representing the same betting interest, the place pick (n) pool shall be distributed as if no dead heat occurred; or

(2) contestants representing two (2) or more betting interests, the place pick (n) pool shall be distributed as a single price pool with a winning wager, including the betting interest which finished first or any betting interest involved in the dead heat for second.

(e) Should a betting interest in any of the place pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the win pool at the host association for the contest at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the win pool total for two (2) or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalizator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination.

(f) The place pick (n) pool shall be canceled and all place pick (n) wagers for the individual performance shall be refunded if:

(1) at least two (2) contests included as part of a place pick 3 are canceled or declared no contest.

(2) at least three (3) contests included as part of a place pick 4, place pick 5, or place pick 6 are canceled or declared no contest.

(3) at least four (4) contests included as part of a place pick 7, place pick 8, or place pick 9 are canceled or declared no contest.

(4) at least five (5) contests included as part of a place pick 10 are canceled or declared no contest.

(g) If at least one (1) contest included as part of a place pick (n) is canceled or declared no contest, but not more than the number specified in subsection (f), the net pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of place pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the place pick (n) carryover but not the carryover from previous performances.

(h) The place pick (n) carryover may be capped at a designated level approved by the commission so that if, at the close of any performance, the amount in the place pick (n) carryover equals or exceeds the designated cap, the place pick (n) carryover will be frozen until it is won or distributed under this rule. After the place pick (n) carryover is frozen, one hundred percent (100%) of the net pool, part of which ordinarily would be added to the place pick (n) carryover, shall be distributed to those whose selection finished first or second in the greatest number of place pick (n) contests for that performance.

(i) A written request for permission to distribute the place pick (n) carryover on a specific performance may be submitted to the commission. The request must contain the following:

(1) Justification for the distribution.

(2) An explanation of the benefit to be derived.

(3) The intended date and performance for the distribution.

(j) Should the place pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selecting the first place or second place finisher in each of the place pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of place pick (n) contests. The place pick (n) carryover shall be designated for distribution on a specified date and performance under any of the following circumstances:

(1) Upon written approval from the commission as provided in subsection (i).

(2) Upon written approval from the commission when:

(A) there is a change in the carryover cap;

(B) there is a change from one (1) type of place pick (n) wagering to another; or

(C) the place pick (n) is discontinued.

(3) On the closing performance of the meet or split meet.

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

(l) With the written approval of the commission, the association may contribute to the place pick (n) carryover a sum of money up to the amount of any designated cap.

(m) Providing information to any person regarding:

(1) covered combinations;

(2) amounts wagered on specific combinations;

(3) number of tickets sold; or

(4) number of live tickets remaining;

is strictly prohibited. This shall not prohibit necessary communication between totalizator and pari-mutuel department employees for processing of pool data.

(n) The association may suspend previously approved place pick (n) wagering with the prior approval of the commission. Any carryover shall be held until the suspended place pick (n) wagering is reinstated. An association may request approval of a place pick (n) wager or separate wagering pool for specific performances. (*Indiana Horse Racing Commission; 71 IAC 9-4-8; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1189; errata filed Mar 9, 1994, 2:50 p.m.: 17 IR 1622; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-9 Quinella pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 9. (a) The quinella requires selection of the first two (2) finishers, irrespective of order, for a single contest.

(b) The net quinella pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) If contestants of a coupled entry or mutuel field finish as the first two (2) finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; or

(2) as a single price pool to those whose combination finished as the first two (2) betting interests; but if there are no such wagers, to subdivision (3).

(3) As a profit split to those whose combination included either the first place or second place finisher; but if there are no such wagers on one (1) of the those two (2) finishers, to subdivision (4).

(4) As a single price pool to those whose combination included the one (1) covered betting interest included within the first two (2) finishers; but if there are no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on quinella wagers for that contest.

(c) If there is a dead heat for first involving:

(1) contestants representing the same betting interest, the quinella pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish;

(2) contestants representing two (2) betting interests, the quinella pool shall be distributed as if no dead heat occurred; or

(3) contestants representing three (3) or more betting interests, the quinella pool shall be distributed as a profit split.

(d) If there is a dead heat for second involving contestants representing the same betting interest, the quinella pool shall be distributed as if no dead heat occurred.

(e) If there is a dead heat for second involving contestants representing two (2) or more betting interests, the quinella pool shall be distributed to wagers in the following precedence, based upon the official order of finish:

(1) As a profit split to those combining the winner with any of the betting interests involved in the dead heat for second; but if there is only one (1) covered combination, to subdivision (2).

(2) As a single price pool to those combining the winner with the one (1) covered betting interest involved in the dead heat for second; but if there are no such wagers, to subdivision (3).

(3) As a profit split to those combining the betting interests involved in the dead heat for second; but if there are no such wagers, to subdivision (4).

(4) As a profit split to those whose combination included the winner and any other betting interest and wagers selecting any of the betting interests involved in the dead heat for second; but if there are no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on quinella wagers for that contest.

(*Indiana Horse Racing Commission; 71 IAC 9-4-9; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1192; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-10 Quinella double pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 10. (a) The quinella double requires selection of the first two (2) finishers, irrespective of order, in each of two (2) specified contests.

(b) The net quinella double pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) If a coupled entry or mutuel field finishes as the first two (2) contestants in either contest, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish for that contest, as well as the first two (2) finishers in the alternate quinella double contest; or

(2) as a single price pool to those who selected the first two (2) finishers in each of the two (2) quinella double contests; but if there are no such wagers, to subdivision (3).

(3) As a profit split to those who selected the first two (2) finishers in either of the two (2) quinella double contests; but if there are no such wagers on one (1) of those contests, to subdivision (4).

(4) As a single price pool to those who selected the first two (2) finishers in the one (1) covered quinella double contest; but if there were no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on quinella double wagers for those contests.

(c) If there is a dead heat for first in either of the two (2) quinella double contests involving:

(1) contestants representing the same betting interest, the quinella double pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish for that contest;

(2) contestants representing two (2) betting interests, the quinella double pool shall be distributed as if no dead heat occurred; or

(3) contestants representing three (3) or more betting interests, the quinella double pool shall be distributed as a profit split.

(d) If there is a dead heat for second in either of the quinella double contests involving contestants representing the same betting interest, the quinella double pool shall be distributed as if no dead heat occurred.

(e) If there is a dead heat for second in either of the quinella double contests involving contestants representing two (2) or more betting interests, the quinella double pool shall be distributed as profit split.

(f) Should a betting interest in the first half of the quinella double be scratched prior to the first quinella double contest being declared official, all money wagered on combinations including the scratched betting interest shall be deducted from the quinella double pool and refunded.

(g) Should a betting interest in the second half of the quinella double be scratched prior to the close of wagering on the first quinella double contest, all money wagered on combinations, including the scratched betting interest, shall be deducted from the quinella double pool and refunded.

(h) Should a betting interest in the second half of the quinella double be scratched after the close of wagering on the first quinella double contest, all wagers combining the winning combination in the first contest with a combination, including the scratched betting interest in the second contest, shall be allocated a consolation payoff. In calculating the consolation payoff the net quinella double pool shall be divided by the total amount wagered on the winning combination in the first contest and an unbroken consolation price obtained. The unbroken consolation price is multiplied by the dollar value of wagers on the winning combination in the first contest combined with a combination, including the scratched betting interest in the second contest, to obtain the consolation payoff. Breakage is not declared in this calculation. The consolation payoff is deducted from the net quinella double pool before calculation and distribution of the winning quinella double payoff. In the event of a dead heat involving separate betting interests, the net quinella double pool shall be distributed as a profit split.

(i) If either of the quinella double contests is canceled prior to the first quinella double contest, or the first quinella double contest is declared no contest, the entire quinella double pool shall be refunded on quinella double wagers for those contests.

(j) If the second quinella double contest is canceled or declared no contest after the conclusion of the first quinella double contest, the net quinella double pool shall be distributed as a single price pool to wagers selecting the winning combination in the first quinella double contest. If there are no wagers selecting the winning combination in the first quinella double contest, the entire quinella double pool shall be refunded on quinella double wagers for those contests. (*Indiana Horse Racing Commission; 71 IAC 9-4-10; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1192; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-11    Exacta pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 11. (a) The exacta requires selection of the first two (2) finishers, in their exact order, for a single contest.

(b) The net exacta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) If contestants of a coupled entry or mutuel field finish as the first two (2) finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; or  
(2) as a single price pool to those whose combination finished in correct sequence as the first two (2) betting interests; but if there are no such wagers, to subdivision (3).

(3) As a profit split to those whose combination included either the first place betting interest to finish first or the second place betting interest to finish second; but if there are no such wagers on one (1) of those two (2) finishers, to subdivision (4).

(4) As a single price pool to those whose combination included the one (1) covered betting interest to finish first or second in the correct sequence; but if there are no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on exacta wagers for that contest.

(c) If there is a dead heat for first involving:

(1) contestants representing the same betting interest, the exacta pool shall be distributed as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; or

(2) contestants representing two (2) or more betting interests, the exacta pool shall be distributed as a profit split.

(d) If there is a dead heat for second involving contestants representing the same betting interest, the exacta pool shall be distributed as if no dead heat occurred.

(e) If there is a dead heat for second involving contestants representing two (2) or more betting interests, the exacta pool shall be distributed to ticket holders in the following precedence, based upon the official order of finish:

(1) As a profit split to those combining the first place betting interest with any of the betting interests involved in the dead heat for second; but if there is only one (1) covered combination, to subdivision (2).

(2) As a single price pool to those combining the first place betting interest with the one (1) covered betting interest involved in the dead heat for second; but if there are no such wagers, to subdivision (3).

(3) As a profit split to those wagers correctly selecting the winner for first place and those wagers selecting any of the dead-heated betting interests for second place; but if there are no such wagers, then

(4) The entire pool shall be refunded on exacta wagers for that contest.

*(Indiana Horse Racing Commission; 71 IAC 9-4-11; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1193; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

#### **71 IAC 9-4-12 Trifecta pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 12. (a) The trifecta requires selection of the first three (3) finishers, in their exact order, for a single contest.

(b) The net trifecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) As a single price pool to those whose combination finished in correct sequence as the first three (3) betting interests; but if there are no such wagers, to subdivision (2).

(2) As a single price pool to those whose combination included, in correct sequence, the first two (2) betting interests; but if there are no such wagers, to subdivision (3).

(3) As a single price pool to those whose combination correctly selected the first place betting interest only; but if there are no such wagers, to subdivision (4).

(4) The entire pool shall be refunded on trifecta wagers for that contest.

(c) If less than three (3) 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 beyond the number of betting interests completing the contest shall be ignored.

(d) If there is a dead heat for first involving:

(1) contestants representing three (3) or more betting interests, all of the wagering combinations selecting three (3) betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split; or

(2) contestants representing two (2) betting interests, both of the wagering combinations selecting the two (2) dead-heated

betting interests, irrespective of order, along with the third place betting interest shall share in a profit split.

(e) If there is a dead heat for second, all of the combinations correctly selecting the winner combined with any of the betting interests involved in the dead heat for second shall share in a profit split.

(f) If there is a dead heat for third, all wagering combinations correctly selecting the first two (2) finishers, in correct sequence, along with any of the betting interests involved in the dead heat for third shall share in a profit split.

(g) Uncoupled entries and mutuel fields shall be prohibited in trifecta contests. (*Indiana Horse Racing Commission; 71 IAC 9-4-12; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1194; emergency rule filed Mar 25, 1996, 10:15 a.m.: 19 IR 2083; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-13 Twin quinella pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 13. (a) The twin quinella requires selection of the first two (2) finishers, irrespective of order, in each of two (2) designated contests. Each winning ticket for the first twin quinella contest must be exchanged for a free ticket on the second twin quinella contest in order to remain eligible for the second half twin quinella pool. Such tickets may be exchanged only at attended ticket windows prior to the second twin quinella contest. There will be no monetary reward for winning the first twin quinella contest. Both of the designated twin quinella contests shall be included in only one (1) twin quinella pool.

(b) In the first twin quinella contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first twin quinella contest:

(1) If a coupled entry or mutuel field finishes as the first two (2) finishers, those who selected the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish shall be winners; or

(2) those whose combination finished as the first two (2) betting interests shall be winners; but if there are no such wagers, to subdivision (3).

(3) Those whose combination included either the first place or second place finisher shall be winners; but if there are no such wagers on one (1) of those two (2) finishers, to subdivision (4).

(4) Those whose combination included the one (1) covered betting interest included within the first two (2) finishers shall be winners; but if there are no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on twin quinella wagers for that contest.

(c) In the first twin quinella contest only, if there is a dead heat for first involving:

(1) contestants representing the same betting interest, those who selected the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish shall be winners;

(2) contestants representing two (2) betting interests, the winning twin quinella wagers shall be determined as if no dead heat occurred; or

(3) contestants representing three (3) or more betting interests, those whose combination included any two (2) of the betting interests finishing in the dead heat shall be winners.

(d) In the first twin quinella contest only, if there is a dead heat for second involving contestants representing two or more betting interests, the twin quinella pool shall be distributed to wagers in the following precedence, based upon the official order of finish:

(1) As a profit split to those combining the winner with any of the betting interests involved in the dead heat for second; but if there is only one (1) covered combination, to subdivision (2).

(2) As a single price pool to those combining the winner with the one (1) covered betting interest involved in the dead heat for second; but if there are no such wagers, to subdivision (3).

(3) As a profit split to those combining the betting interests involved in the dead heat for second; but if there are no such wagers, to subdivision (4).

(4) As a profit split to those whose combination included the winner and any other betting interest and wagers selecting any of the betting interests involved in the dead heat for second; but if there are no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on twin quinella wagers for that contest.

(e) In the second twin quinella contest only, the entire net twin quinella pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second twin quinella contest:

(1) If a coupled entry or mutuel field finishes as the first two (2) finishers, as a single price pool to those who selected the

coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; or

(2) as a single price pool to those whose combination finished as the first two (2) betting interests; but if there are no such wagers, to subdivision (3).

(3) As a profit split to those whose combination included either the first place or second place finisher; but if there are no such wagers on one (1) of those two (2) finishers, to subdivision (4).

(4) As a single price pool to those whose combination included the one (1) covered betting interest included within the first two (2) finishers; but if there are no such wagers, to subdivision (5).

(5) As a single price pool to all the exchange ticket holders for that contest; but if there are no such tickets, to subdivision (6).

(6) In accordance with subsection (b).

(f) In the second twin quinella contest only, if there is a dead heat for first involving:

(1) contestants representing the same betting interest, the net twin quinella pool shall be distributed to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish;

(2) contestants representing two (2) betting interests, the net twin quinella pool shall be distributed as if no dead heat occurred; or

(3) contestants representing three (3) or more betting interests, the net twin quinella pool shall be distributed as a profit split to those whose combination included any two (2) of the betting interests finishing in the dead heat.

(g) In the second twin quinella contest only, if there is a dead heat for second involving contestants representing two (2) or more betting interests, the twin quinella pool shall be distributed to wagers in the following precedence, based upon the official order of finish:

(1) As a profit split to those combining the winner with any of the betting interests involved in the dead heat for second; but if there is only one (1) covered combination, to subdivision (2).

(2) As a single price pool to those combining the winner with the one (1) covered betting interest involved in the dead heat for second; but if there are no such wagers, to subdivision (3).

(3) As a profit split to those combining the betting interests involved in the dead heat for second; but if there are no such wagers, to subdivision (4).

(4) As a profit split to those whose combination included the winner and any other betting interest and wagers selecting any of the betting interests involved in the dead heat for second, to subsection (5).

(5) As a single price pool to all the exchange ticket holders for that contest; but if there are no such tickets, to subsection (6).

(6) In accordance with subsection (b).

(h) If a winning ticket for the first half of the twin quinella is not presented for exchange prior to the close of betting on the second half twin quinella contest, the ticket holder forfeits all rights to any distribution of the twin quinella pool resulting from the outcome of the second contest.

(i) Should a betting interest in the first half of the twin quinella be scratched, those twin quinella wagers, including the scratched betting interest, shall be refunded.

(j) Should a betting interest in the second half of the twin quinella be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second twin quinella contest, the ticket holder forfeits all rights to the twin quinella pool.

(k) If either of the twin quinella contests is canceled prior to the first twin quinella contest, or the first twin quinella contest is declared no contest, the entire twin quinella pool shall be refunded on twin quinella wagers for that contest.

(l) If the second half twin quinella contest is canceled or declared no contest after the conclusion of the first twin quinella contest, the net twin quinella pool shall be distributed as a single price pool to wagers selecting the winning combination in the first twin quinella contest and all valid exchange tickets. If there are no such wagers, the net twin quinella pool shall be distributed as described in subsection (b). (*Indiana Horse Racing Commission; 71 IAC 9-4-13; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1194; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-14 Twin trifecta pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

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PARI-MUTUEL WAGERING

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Sec. 14. (a) The twin trifecta requires selection of the first three (3) finishers, in their exact order, in each of two (2) designated contests. Each winning ticket for the first twin trifecta contest must be exchanged for a free ticket on the second twin trifecta contest in order to remain eligible for the second half twin trifecta pool. Such tickets may be exchanged only at attended ticket windows prior to the second twin trifecta contest. Winning first half twin trifecta wagers will receive both an exchange and a monetary payoff. Both of the designated twin trifecta contests shall be included in only one (1) twin trifecta pool.

(b) After wagering closes for the first half of the twin trifecta and commissions have been deducted from the pool, the net pool shall then be divided into separate pools:

- (1) the first half twin trifecta pool; and
- (2) the second half twin trifecta pool.

(c) In the first twin trifecta contest only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first twin trifecta contest:

- (1) As a single price pool to those whose combination finished in correct sequence as the first three (3) betting interests; but if there are no such wagers, to subdivision (2).
- (2) As a single price pool to those whose combination included, in correct sequence, the first two (2) betting interests; but if there are no such wagers, to subdivision (3).
- (3) As a single price pool to those whose combination correctly selected the first place betting interest only; but if there are no such wagers, to subdivision (4).
- (4) The entire twin trifecta pool shall be refunded on twin trifecta wagers for that contest and the second half shall be canceled.

(d) If no first half twin trifecta ticket selects the first three (3) finishers of that contest in exact order, winning ticket holders shall not receive any exchange tickets for the second half twin trifecta pool. In such case, the second half twin trifecta pool shall be retained and added to any existing twin trifecta carryover pool.

(e) Winning tickets from the first half of the twin trifecta shall be exchanged for tickets selecting the first three (3) finishers of the second half of the twin trifecta. The second half twin trifecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second twin trifecta contest:

- (1) As a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first three (3) betting interests; but if there are no such tickets, to subdivision (2).
- (2) The entire second half twin trifecta pool for that contest shall be added to any existing carryover monies and retained for the corresponding second half twin trifecta pool of the next consecutive performance.

(f) If a winning first half twin trifecta ticket is not presented for cashing and exchange prior to the second half twin trifecta contest, the ticket holder may still collect the monetary value associated with the first half twin trifecta pool but forfeits all rights to any distribution of the second half twin trifecta pool.

(g) Uncoupled entries and mutuel fields shall be prohibited in twin trifecta contests.

(h) Should a betting interest in the first half of the twin trifecta be scratched, those twin trifecta wagers, including the scratched betting interest, shall be refunded.

(i) Should a betting interest in the second half of the twin trifecta be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second twin trifecta contest, the ticket holder forfeits all rights to the second half twin trifecta pool.

(j) If, due to a late scratch, the number of betting interests in the second half of the twin trifecta is reduced to fewer than the minimum, all exchange tickets and outstanding first half winning tickets shall be entitled to the second half twin trifecta pool for that contest as a single price pool, but not the twin trifecta carryover.

(k) If there is a dead heat or multiple dead heats in either the first half or second half of the twin trifecta, all twin trifecta wagers selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

- (1) the first half of the twin trifecta, the payoff shall be calculated as a profit split; and
- (2) the second half of the twin trifecta, the payoff shall be calculated as a single price pool.

(l) If either of the twin trifecta contests are canceled prior to the first twin trifecta contest, or the first twin trifecta contest is declared no contest, the entire twin trifecta pool shall be refunded on twin trifecta wagers for that contest and the second half shall be canceled.

(m) If the second half twin trifecta contest is canceled or declared no contest, all exchange tickets and outstanding first half winning twin trifecta tickets shall be entitled to the net twin trifecta pool for that contest as a single price pool, but not twin trifecta

carryover. If there are no such tickets, the second half twin trifecta pool shall be retained and added to any existing twin trifecta carryover pool as described in subsection (d).

(n) The twin trifecta carryover may be capped at a designated level approved by the commission so that if, at the close of any performance, the amount in the twin trifecta carryover equals or exceeds the designated cap, the twin trifecta carryover will be frozen until it is won or distributed under this rule. After the twin trifecta carryover is frozen, one hundred percent (100%) of the net twin trifecta pool for each individual contest shall be distributed to winners of the first half of the twin trifecta pool.

(o) A written request for permission to distribute the twin trifecta carryover on a specific performance may be submitted to the commission. The request must contain the following:

- (1) Justification for the distribution.
- (2) An explanation of the benefit to be derived.
- (3) The intended date and performance for the distribution.

(p) Should the twin trifecta carryover be designated for distribution on a specified date and performance, the following precedence will be followed in determining winning tickets for the second half of the twin trifecta after completion of the first half of the twin trifecta:

- (1) As a single price pool to those whose combination finished in correct sequence as the first three (3) betting interests; but if there are no such wagers, to subdivision (2).
- (2) As a single price pool to those whose combination included, in correct sequence, the first two (2) betting interests; but if there are no such wagers, to subdivision (3).
- (3) As a single price pool to those whose combination correctly selected the first place betting interest only; but if there are no such wagers, to subdivision (4).
- (4) As a single price pool to holders of valid exchange tickets; but if there are not such holders, to subdivision (5).
- (5) As a single price pool to holders of outstanding first half winning tickets.

(q) Contrary to subsection (b), during a performance designated to distribute the twin trifecta carryover, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first half of the twin trifecta. If there are no wagers correctly selecting the first place, second place, and third place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first place and second place betting interests. If there are no wagers correctly selecting the first place and second place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first place betting interest only. If there are no wagers selecting the first place betting interest only in the first half of the twin trifecta, all first half tickets will become winners and will receive one hundred percent (100%) of that day's net twin trifecta pool and any existing twin trifecta carryover as a single price pool.

(r) The twin trifecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

- (1) Upon written approval from the commission as provided in subsection (o).
- (2) Upon written approval from the commission when there is a change in the carryover cap or when the twin trifecta is discontinued.
- (3) On the closing performance of the meet or split meet.

(s) If, for any reason, the twin trifecta carryover must be held over to the corresponding twin trifecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the commission. The twin trifecta carryover plus accrued interest shall then be added to the second half twin trifecta pool of the following meet on a date and performance so designated by the commission.

(t) Providing information to any person regarding:

- (1) covered combinations;
- (2) amounts wagered on specific combinations;
- (3) number of tickets sold; or
- (4) number of valid exchange tickets;

is strictly prohibited. This shall not prohibit necessary communication between totalizator and pari-mutuel department employees for processing of pool data.

(u) The association must obtain written approval from the commission concerning:

- (1) the scheduling of twin trifecta contests;
- (2) the percentages of the net pool added to the first half pool and second half pool; and
- (3) the amount of any cap to be set on the carryover.



Any changes to the approved twin trifecta format require prior approval from the commission.

(v) Nonwinning second half twin trifecta tickets have no monetary value, and no refunds or exchanges will be made after the start of the second twin trifecta race. (*Indiana Horse Racing Commission; 71 IAC 9-4-14; emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1196; errata filed Mar 9, 1994, 2:50 p.m.: 17 IR 1622; emergency rule filed Mar 25, 1996, 10:15 a.m.: 19 IR 2084; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-15 Superfecta pools**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 15. (a) The superfecta requires selection of the first four (4) finishers, in their exact order, for a single contest.

(b) The net superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(1) As a single price pool to those whose combination finished in correct sequence as the first four (4) betting interests; but if there are no such wagers, to subdivision (2).

(2) As a single price pool to those whose combination finished in correct sequence as the first three (3) betting interests; but if there are no such wagers, to subdivision (3).

(3) As a single price pool to those whose combination included, in correct sequence, the first two (2) betting interests; but if there are no such wagers, to subdivision (4).

(4) As a single price pool to those whose combination correctly selected the first place betting interest only; but if there are no such wagers, to subdivision (5).

(5) The entire pool shall be refunded on superfecta wagers for that contest.

(c) If less than four (4) 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 beyond the number of betting interests completing the contest shall be ignored.

(d) If there is a dead heat for first involving:

(1) contestants representing four (4) or more betting interests, all of the wagering combinations selecting four (4) betting interests, which correspond with any of the betting interests involved in the dead heat, shall share in a profit split;

(2) contestants representing three (3) betting interests, all of the wagering combinations selecting the three (3) dead-heated betting interests, irrespective of order, along with the fourth place betting interest, shall share in a profit split; or

(3) contestants representing two (2) betting interests, both of the wagering combinations selecting the two (2) dead-heated betting interests, irrespective of order, along with the third place betting interest, shall share in a profit split.

(e) If there is a dead heat for second, all of the combinations correctly selecting the winner combined with any of the betting interests involved in the dead heat for second shall share in a profit split.

(f) If there is a dead heat for third, all wagering combinations correctly selecting the first two (2) finishers, in correct sequence, along with any of the betting interests involved in the dead heat for third, shall share in a profit split.

(g) Uncoupled entries and mutuel fields shall be prohibited in superfecta contests. (*Indiana Horse Racing Commission; 71 IAC 9-4-15; emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2160; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA*)

#### **71 IAC 9-4-16 Odd-even pool**

Authority: IC 4-31-3-9

Affected: IC 4-31

Sec. 16. (a) The odd-even wager requires the selection of the odd number or the even number of the betting interest, as listed in the official program, which is the first place finisher in a contest.

(b) A patron purchasing an odd-even pari-mutuel ticket shall designate "odd" or "even". An "odd" ticket represents a wager on each betting interest with an odd number as listed in the official program in a contest. An "even" ticket represents a wager on each betting interest with an even number as listed in the official program in a contest.

(c) The odd-even is a pool separate from, and with no relation to, the win, place, and show pools shown on the totalizator board. The odd-even pool is calculated as a single price pool.

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PARI-MUTUEL WAGERING

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(d) If the betting interest finishing first has an odd program number, the odd-even pool shall be distributed to the holders of tickets designating odd. If the betting interest finishing first has an even program number, the odd-even pool shall be distributed to the holders of tickets designating even.

(e) Except as otherwise provided by this section, if, after wagering has begun a betting interest entered in an odd-even race is scratched, declared out, or prevented from racing, there will be no refund.

(f) Except as otherwise provided by this section, if a race ends in a dead heat for first place between a betting interest with an odd program number and a betting interest with an even program number, the program number of the third place finishing betting interest will determine the winners of the odd-even pool. If there is a dead heat for third place between a betting interest with an odd program number and a betting interest with an even program number, the program number of the fifth place betting interest will determine the winners of the odd-even pool. If a race ends a dead heat for first place between three (3) betting interests, the type of program number of the majority of the betting interests involved in the dead heat will determine the winners of the odd-even pool. *(Indiana Horse Racing Commission; 71 IAC 9-4-16; emergency rule filed Mar 18, 1998, 1:40 p.m.: 21 IR 3023; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA)*

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