# ARTICLE 13.5. THOROUGHBRED DEVELOPMENT PROGRAM

## Rule 1. Indiana Bred

**71 IAC 13.5-1-1 "Indiana bred" defined**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 1. (a) "Indiana bred" means any properly registered thoroughbred, foaled in Indiana and whose dam was registered with the commission.

(b) The mare must:

(1) have entered Indiana by November 1 in the year prior to foaling; or

(2) have been purchased at an advertised public sale prior to December 31 in the year prior to foaling. Said mare must be in the state of Indiana within fourteen (14) days of purchase; and

(3) remain in Indiana continuously until foaling.

The resulting foal will then be eligible to be registered as an Indiana bred.

(c) Mares registered for current breeding year may leave the state to be entered in an advertised public sale and may leave the state for the interval of the sale, but must return to Indiana within fourteen (14) days of her sale if the residency requirements for foal registration are to be fulfilled.

(d) Appeal of the fourteen (14) day return requirement must be forwarded to the commission for the review and recommendation of the breed development advisory committee. Notification to the commission must be made in writing for mares leaving the state prior to participating in an advertised public sale. Upon return to the state, the mare must be reregistered with the appropriate forms available from the commission.

(e) In the event a mare entered Indiana and was registered with the commission after November 1 in the year prior to foaling, the foal (which must be foaled in Indiana) may be eligible to be registered as an Indiana bred if the mare:

(1) is registered within ten (10) days of foaling; and

(2) is bred back to a registered Indiana stallion in the year of foaling. Mares registered under Sec.1 (b)(2) *[subsection (b)(2)]* are not required to breed back to a registered Indiana stallion.

(3) If the mare fails to conceive when bred or is unfit to breed due to health reasons, a veterinarian certificate is required from a licensed veterinarian.

(f) If the mare does not conceive, it must:

(1) remain open for that breeding season in order for the mare's current foal to be eligible to be registered as an Indiana bred; and

(2) remain in Indiana for a period of thirty (30) days from the foaling date and the mare and foal must be inspected by a commission representative prior to leaving the state.

(g) The commission must be notified in writing and provide proper documentation for any mare and/or foal leaving the state for medical treatment.

(h) Appeals for the waiver of the thirty (30) day residency requirement of the mare and/or foal must be forwarded to the commission for the review of the breed development committee.

(i) The horse must be registered with the commission prior to being entered in an Indiana bred conditioned race. *(Indiana Horse Racing Commission; 71 IAC 13.5-1-1; emergency rule filed Jun 22, 2000; 3:05 p.m.: 23 IR 2786; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 122; 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 Jan 24, 2008, 10:58 a.m.: 20080206-IR-071080056ERA, eff Jan 23, 2008 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; errata filed Feb 18, 2008, 2:03 p.m.: 20080305-IR-071080056ACA; emergency rule filed Oct 3, 2013, 2:08 p.m.: 20131009-IR-071130452ERA)*

## Rule 2. Registration

**71 IAC 13.5-2-1 Mare registration**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 1. (a) In order to be eligible to register a thoroughbred foal as Indiana bred, such foal must be:

(1) foaled in Indiana and its dam must be registered with the commission;

(2) have entered Indiana by November 1; or

(3) have been purchased at an advertised public sale prior to December 31 in the year prior to foaling. Said mare must be in the state of Indiana within fourteen (14) days of purchase; and

(4) must remain in Indiana continuously until foaling.

(b) A current copy of the front and back of the mare's Jockey Club papers along with lease agreements are to be included with the registration.

(c) Mares registered for current breeding year may leave the state to be entered in an advertised public sale and may leave the state for the interval of the sale, but must return to Indiana within fourteen (14) days of her sale if the residency requirements for foal registration are to be fulfilled.

(d) Appeal of the fourteen (14) day return requirement must be forwarded to the commission for the review and recommendation of the breed development advisory committee. Notification to the commission must be made in writing for mares leaving the state prior to participating in an advertised public sale. Upon return to the state, the mare must be reregistered with the appropriate forms available from the commission.

(e) In the event a mare entered Indiana or is registered with the commission after November 1, the foal (which must be foaled in Indiana) may be eligible to be registered as an Indiana bred. To be eligible, the mare must be:

(1) registered within ten (10) days of foaling; and

(2) bred back to a registered Indiana stallion in the year of foaling (Mares registered under Sec.1(b)(2) *[sic]* are not required to breed back to a registered Indiana stallion); and

(3) the stallion must be registered with the commission in the year the foal was conceived.

(f) If the mare fails to conceive when bred or is unfit to breed due to health reasons, a veterinarian certificate is required from a licensed veterinarian.

(g) If the mare does not conceive, she must:

(1) remain open for that breeding season in order for the mare's current foal to be eligible to be registered as an Indiana bred; and

(2) remain in Indiana for a period of thirty (30) days from the foaling date and the mare and foal must be inspected by a commission representative prior to leaving the state.

(h) The commission must be notified in writing and provide proper documentation for any mare and/or foal leaving the state for medical treatment.

(i) Appeals for the waiver of the thirty (30) day residency requirement of the mare and/or foal must be forwarded to the commission for the review and recommendation of the breed development advisory committee.

(j) Mares in foal must be reregistered every year. *(Indiana Horse Racing Commission; 71 IAC 13.5-2-1; emergency rule filed Jun 22, 2000; 3:05 p.m.: 23 IR 786; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 122; 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 Jan 24, 2008, 10:58 a.m.: 20080206-IR-071080056ERA, eff Jan 23, 2008 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; errata filed Feb 18, 2008, 2:03 p.m.: 20080305-IR-071080056ACA; emergency rule filed Oct 3, 2013, 2:08 p.m.: 20131009-IR-071130452ERA)*

**71 IAC 13.5-2-2 Foal registration**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 2. In order to register a thoroughbred foal as an Indiana bred with the commission, a completed application must be filed with the commission within twelve (12) months of the horse's foaling date. If the horse is not registered by the required date,

a late fee will be assessed in accordance with the following schedule:

(1) Twelve (12) months plus one (1) day to December 31 of yearling year, two hundred dollars ($200).

(2) Two (2) year old year, four hundred dollars ($400).

(3) Three (3) year old year, one thousand dollars ($1,000).

*(Indiana Horse Racing Commission; 71 IAC 13.5-2-2; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2786; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: 20070404-IR-071070030RFA; readopted filed Nov 26, 2013, 11:25 a.m.: 20131225-IR-071130345RFA)*

**71 IAC 13.5-2-3 Stallion registration**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 3. (a) In order to register a stallion with the commission, a completed application must be:

(1) filed with the commission on or before October 15 of each year; and

(2) a current copy of the front and back of the stallion's Jockey Club papers along with lease agreements are to be included with the registration.

(b) Each registered stallion must remain in Indiana the entire breeding season (February 1 through July 1). A stallion may arrive in Indiana after the February 1 deadline, but may only be registered if the stallion has not covered any mares during the same year. The stallion must remain in Indiana for the remainder of the breeding season.

(c) An application must be filed every year.

(d) There will be a two hundred fifty dollar ($250) late fee for all applications filed after the deadline. The late fee will be waived for new stallions which are standing for the first time in Indiana.

(e) Stallions registering after the October 15 deadline must be registered prior to covering any mares for that year.

(f) Only those stallions standing in Indiana and properly registered with the Indiana horse racing commission are eligible for stallion breed development awards.

(g) A mare's bred report must be on file with the commission by August 1 of each year. *(Indiana Horse Racing Commission; 71 IAC 13.5-2-3; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2786; 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 Jan 24, 2008, 10:58 a.m.: 20080206-IR-071080056ERA, eff Jan 23, 2008 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; emergency rule filed Jul 19, 2010, 12:22 p.m.: 20100728-IR-071100480ERA; readopted filed Sep 21, 2016, 11:02 a.m.: 20161019-IR-071160203RFA)*

## Rule 3. Awards

**71 IAC 13.5-3-1 Owner's awards (Repealed)**

Sec. 1. *(Repealed by Indiana Horse Racing Commission; emergency rule filed Jul 19, 2010, 12:22 p.m.: 20100728-IR-071100480ERA)*

**71 IAC 13.5-3-2 Breeder's awards**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 2. (a) A breeder award means the award is paid to the breeder of a registered Indiana bred which wins any race at a licensed pari-mutuel track located in Indiana.

(b) In the event of multiple breeders, the award will be paid to the individual designated as the recipient on the foal application. It is the responsibility of the designated recipient to distribute monies to the remaining breeders.

(c) The amount of the award in races at a licensed pari-mutuel track in Indiana is twenty percent (20%) of the purse, including supplements, for all stake, allowance (including Maiden Special Weight, Starter Allowance for ten thousand (10,000)

or more, Optional Claiming for ten thousand (10,000) or more & Maiden Optional Claiming for ten thousand (10,000) or more), and claiming races when entered for a claiming price of greater than or equal to ten thousand dollars ($10,000).

(d) The total purse supplement available shall be included in calculating breeder's awards.

(e) Awards will be paid by the commission. *(Indiana Horse Racing Commission; 71 IAC 13.5-3-2; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2787; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1922; emergency rule filed Jan 24, 2008, 10:58 a.m.: 20080206-IR-071080056ERA, eff Jan 23, 2008 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; emergency rule filed Jun 10, 2009, 12:45 p.m.: 20090617-IR-071090464ERA, eff May 29, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-464(E) was filed with the Publisher June 10, 2009.]; emergency rule filed Jul 19, 2010, 12:22 p.m.: 20100728-IR-071100480ERA; emergency rule filed Sep 16, 2010, 12:19 p.m.: 20100922-IR-071100607ERA; emergency rule filed Jan 25, 2012, 12:20 p.m.: 20120201-IR-071120056ERA)*

**71 IAC 13.5-3-3 Out-of-state breeder's awards**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 3. An out-of-state breeder's award is an award paid to the breeder of a registered Indiana bred which wins a flat race in another state, Puerto Rico, or Canada. The amount of the award is ten percent (10%) of the winner's share of the purse for any race when entered for a claiming price of greater than or equal to ten thousand dollars ($10,000). This award is applicable only when there is no live thoroughbred race meet in progress in Indiana (except for stake races and for two-year-olds winning out of state prior to July 1 of the race meet). Awards will be paid by the commission. Out-of-state breeder's awards shall be limited to a single race award not to exceed ten thousand dollars ($10,000). *(Indiana Horse Racing Commission; 71 IAC 13.5-3-3; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2787; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 28, 2003, 2:20 p.m.: 26 IR 1952; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1922; emergency rule filed May 10, 2005, 3:20 p.m.: 28 IR 2751; emergency rule filed Jun 10, 2009, 12:45 p.m.: 20090617-IR-071090464ERA, eff May 29, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-464(E) was filed with the Publisher June 10, 2009.]; emergency rule filed Apr 5, 2013, 3:50 p.m.: 20130410-IR-071130135ERA; emergency rule filed Mar 24, 2014, 9:17 a.m.: 20140326-IR-071140100ERA)*

**71 IAC 13.5-3-4 Stallion owner's awards**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 4. (a) A stallion owner award is the award is paid to the owner or lessee of a registered Indiana stallion whose registered progeny have won any race at a licensed pari-mutuel track located in Indiana.

(b) In the event of multiple stallion owners, the award will be paid to the individual designated as the recipient on the stallion application. It is the responsibility of the designated recipient to distribute monies to the remaining stallion owners.

(c) The amount of the award in races at a licensed pari-mutuel track in Indiana is ten percent (10%) of the gross purse including supplements, for all stake, allowance (including Maiden Special Weight, Starter Allowance for ten thousand (10,000) or more, Optional Claiming for ten thousand (10,000) or more & Maiden Optional Claiming for ten thousand (10,000) or more), and claiming races when entered for a claiming price of greater than or equal to ten thousand dollars ($10,000).

(d) The total purse supplement available shall be included in calculating stallion owner's awards.

(e) Awards will be paid by the commission.

(f) The award will be paid to the owner or lessee of the registered stallion at time of conception. The stallion must have been registered at time of conception. *(Indiana Horse Racing Commission; 71 IAC 13.5-3-4; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2787; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1922; emergency rule filed Jan 24, 2008, 10:58 a.m.: 20080206-IR-071080056ERA, eff Jan 23, 2008 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January*

*24, 2008.]; emergency rule filed Jun 10, 2009, 12:45 p.m.: 20090617-IR-071090464ERA, eff May 29, 2009 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-464(E) was filed with the Publisher June 10, 2009.]; emergency rule filed Jul 19, 2010, 12:22 p.m.: 20100728-IR-071100480ERA; emergency rule filed Sep 16, 2010, 12:19 p.m.: 20100922-IR-071100607ERA; emergency rule filed Jan 25, 2012, 12:20 p.m.: 20120201-IR-071120056ERA)*

**71 IAC 13.5-3-5 Purse supplement in open races**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 5. (a) A purse supplement is to be paid to the owner of an Indiana bred that places first, second, or third in the following races:

(1) All open allowance, including:
(A) maiden special weights;
(B) starter allowance for ten thousand dollars ($10,000) or more;
(C) optional claiming for ten thousand dollars ($10,000) or more; or
(D) maiden optional claiming for ten thousand dollars ($10,000) or more.
(2) Open stakes.
(3) Open claiming, when entered for a claiming price of greater than or equal to ten thousand dollars ($10,000).

(b) The award shall be 40% of the purse earned and paid by the association (race track) with track purse funds generated from pari-mutuel handle. The association may, with the approval of the commission, elect to increase the purse supplement. *(Indiana Horse Racing Commission; 71 IAC 13.5-3-5; emergency rule filed Jul 19, 2010, 12:22 p.m.: 20100728-IR-071100480ERA; emergency rule filed Jul 5, 2012, 2:14 p.m.: 20120718-IR-071120402ERA; emergency rule filed Mar 24, 2014, 9:17 a.m.: 20140326-IR-071140100ERA)*

## Rule 4. Restricted Races

**71 IAC 13.5-4-1 Restricted races**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 1. The commission, acting upon advice of the thoroughbred development advisory committee, shall approve each year a schedule of overnight races and stake races restricted to Indiana breds. Such schedule shall include monies distributed from the thoroughbred development fund as purse supplements. *(Indiana Horse Racing Commission; 71 IAC 13.5-4-1; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2787; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 20, 2008, 2:33 p.m.: 20080416-IR-071080064RFA; readopted filed Nov 21, 2014, 2:25 p.m.: 20141217-IR-071140403RFA)*

## Rule 5. Indiana Bred Preference

**71 IAC 13.5-5-1 Indiana bred preference**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 1. (a) A registered Indiana bred that receives an R-date or an E-date will receive starter preference over a non-Indiana bred with an equal R-date or E-date. Such preference shall apply in all races not restricted to Indiana breds, stake races excepted. Indiana breds will not receive starter preference over non-Indiana breds with better R-dates, E-dates, or zero-dates.

(b) A registered Indiana bred that enters or races in an open race will retain their previous Indiana bred preference date when returning to a restricted Indiana bred race. Such a horse, when entering consecutive open races, shall retain the preference date of its most recent open race. *(Indiana Horse Racing Commission; 71 IAC 13.5-5-1; emergency rule filed Jun 22, 2000, 3:05 p.m.:*

*23 IR 2787; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 20, 2008, 2:33 p.m.: 20080416-IR-071080064RFA; emergency rule filed Jul 19, 2010, 12:22 p.m.: 20100728-IR-071100480ERA; emergency rule filed May 16, 2012, 2:15 p.m.: 20120523-IR-071120267ERA)*

## Rule 6. Indiana Bred Weight Allowance

**71 IAC 13.5-6-1 Indiana bred weight allowance**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 1. Registered Indiana breds shall receive a three (3) lb. *[pound]* weight allowance when competing in races not restricted to Indiana breds, stake races excepted. *(Indiana Horse Racing Commission; 71 IAC 13.5-5-1; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2787; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 20, 2008, 2:33 p.m.: 20080416-IR-071080064RFA; readopted filed Nov 21, 2014, 2:25 p.m.: 20141217-IR-071140403RFA)*

## Rule 7. Indiana Sired Weight Allowance

**71 IAC 13.5-7-1 Indiana sired weight allowance**

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 1. In Indiana restricted races, registered Indiana sired horses shall receive a weight allowance of three (3) lbs. when running less than seven and one-half (7 1/2) furlongs and five (5) lbs. when running seven and one-half (7 1/2) furlongs or greater. *(Indiana Horse Racing Commission; 71 IAC 13.5-7-1; emergency rule filed Jan 25, 2012, 12:20 p.m.: 20120201-IR-071120056ERA)*

*