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ADOPTED RULES

2 Illinois Administrative Code
4 Illinois Administrative Code
11 Illinois Administrative Code

Authority: Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)]

Preface

This copy of the Adopted Rules implementing the Illinois Horse Racing Act of 1975 is prepared by staff of the Illinois Racing Board. This text is taken from the Illinois Register and official public records and maintained on a data base. Readers are asked to forward comments, including notice of any errors and omissions discovered in using this document to:

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PART 200
ILLINOIS RACING BOARD

Section

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Section 200.10 All Races Governed by Rules and Regulations

All races shall be conducted only under the Rules and Regulations of the Illinois Racing Board.

Section 200.20 Full Access to Track

The Board and its employees shall at all times have full access to the course, plant, and grounds of all racetracks and wagering locations in the State of Illinois.

Section 200.30 Inspection of Tack

The Board shall have the right to authorize a person or persons to enter any place within the track enclosure, or other places where horses are kept that are eligible to race at the current meetings, to inspect and examine the personal effects or property of every licensee within such places.

Section 200.40 Inspections and Searches

a) The Illinois Racing Board or the State Stewards investigating for violations of law or the rules and regulations of the Board shall have the power to permit persons authorized by either of them to search:

1) the person of all persons licensed by the Board, and of all employees and agents of any race track operator licensed by the Board, or to enter and search the jockey and drivers' rooms, paddocks, stables, stalls, tack rooms, barns, sheds, horse trailers, other vehicles related to the transportation of racehorses and/or the transportation of equipment used by or in the care of the racehorses, or other vehicles and equipment in the immediate stable area; and

2) the person and/or property of all vendors who are permitted by the race track operator to sell and distribute their wares and merchandise within the race track enclosure; and

3) all public areas in the racetrack enclosure, in order to inspect and examine the personal effects or property of licensees and vendors.

b) Dormitory rooms are excluded from searches conducted pursuant to this Section but may be subject to search pursuant to a warrant.

c) Searches conducted pursuant to this Section shall be based on reasonable suspicion of a violation of law or of the rules and regulations of the Board by the party whose premises or person is the subject of the search and shall be conducted in a reasonable period of time, and shall not be so frequent as to constitute harassment of a licensee. Searches of persons conducted pursuant to this Section shall consist of an external pat down and shall not be internally invasive. The policies of the Board in relation to administrative searches shall be posted at every racetrack under the Board's control.

d) Each licensee, in accepting a license, releases all claims or possible actions for damages that he or she may have by virtue of any action taken under this Section. Each employee of a licensed operator, in accepting his or her employment, and each vendor who is permitted to sell and distribute merchandise within the race track enclosure, does thereby irrevocably consent to search under this Section and waive and release all claims or possible actions for damages resulting from any action taken under this Section. At the time a licensee applies for or renews his or her license, he or she shall receive a copy of the policies of the Board in relation to administrative searches, including relevant Sections of the Illinois Horse Racing Act. The consent to a search of premises or person pursuant to this Section shall be included on the license applications of all licensees. Any person who refuses to be searched pursuant to this Section may have his or her license suspended or revoked and may be ejected from the racetrack facilities.

e) The Board delegates the authority to conduct inspections and searches pursuant to this Section to the Director of Security of the Illinois Racing Board and to Special Agents of the Illinois State Police, or other designees of the Department of State Police assigned, from time to time, to assist the Chief Investigator. Prior to conducting a search under this Section, a written authorization for administrative inspection shall be issued by either two stewards, the Executive Director of the Board, or a Member of the Board. The written authorization for administrative inspection shall include the name and title of the person or persons authorizing the search, the names of the persons conducting the search, the persons and/or areas to be searched, the date and time of the search, and the purpose of the search. Should exigent circumstances arise, such as the flight of a suspect with items reasonably suspected of being contraband and/or other circumstances that make it impractical to obtain prior written authorization, the requirement of written authorization shall not apply.

f) At least two personnel of the Board, or the State Stewards, or those authorized for such purposes, shall be present for any of the searches conducted pursuant to this Section. Any Racing Board personnel, State Steward, or person authorized to conduct a search under this Section shall be provided with detailed

instructions on how a particular search is to be conducted, including the information contained in the authorization for administrative inspection.

SOURCE: Adopted at 25 Ill. Reg. 14521, effective November 1, 2001; amended at 32 Ill. Reg. 16493, effective October 1, 2008.

PART 204
HEARINGS AND ENFORCEMENT PROCEEDINGS

Section

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Section 204.10 Applicability

a) This Part shall apply to all hearings conducted by the Board pursuant to the Act:

1) in its review of final decisions, orders, or rulings of the stewards of any race meeting;

2) in its conduct of hearings on the propriety of the ejection or exclusion of occupation licensees as authorized by the Act; and

3) in its enforcement proceedings, investigations and inquiries into matters within the jurisdiction of the Board including, but not limited to, proceedings instituted by orders to show cause.

b) As used this Part, the word "hearing officer" means a member of the Board, or an attorney licensed to practice law in Illinois employed by the Board as a hearing officer. The word "person" means organization licensee, occupation licensee, applicant for an occupation licensee or individual excluded from a race track or race tracks. The word "petitioner" means any person requesting a hearing pursuant to Section 204.20.

Section 204.20 Requests for Hearing

a) Any person aggrieved by a final ruling of the Stewards may, as a matter of right, request a Board hearing. The hearing shall be a proceeding de novo.

b) All requests for hearings shall:

1) be in writing;

2) contain an address and telephone number where the petitioner may be notified; and

3) identify the Stewards' ruling and state the specific reasons for the request.

c) Requests for hearing under this Part shall be filed no later than five business days after receipt of notice of the Stewards' ruling, ejection, exclusion or other action of the Board. If the petitioner is the subject of a pre-hearing suspension or exclusion, the Board shall conduct its hearing within seven regular business days after the receipt of the request unless the petitioner or the Board requests a postponement and shows good cause and the petitioner specifically waives the seven day hearing requirement.

d) For appeals concerning civil penalties of $500 or less or disqualifications based on an occurrence in the race such as interference or a claim of foul where no penalty was assessed against the driver or jockey, the petitioner shall be required to submit to a Director's Review Conference conducted pursuant to Section 204.25.

e) For appeals concerning a suspension, exclusion, civil penalty greater than $500, redistribution of the purse after the race results have been finalized by the Stewards, or disqualification based on a violation of 11 Ill. Adm. Code 603 (Medication), the petitioner shall be entitled to an administrative hearing pursuant to this Part or shall be given the option of submitting to a Director's Review Conference conducted pursuant to Section 204.25. Should a petitioner request a Director's Review Conference, his or her right to an administrative hearing shall be deemed waived.

f) Notwithstanding subsections (d) and(e), any single member of the Board may sua sponte direct that any appeal be subject to a formal administrative hearing if the case merits the Board's personal attention.

g) Requests for hearing may be filed in person at, or by mail addressed to, the Board's office at 100 W. Randolph, Suite 7-701, Chicago, Illinois 60601. Requests submitted by mail will be deemed timely if postmarked no later than five business days after receipt of notice of the Stewards' ruling, ejection

or exclusion or other action of the Board.

Section 204.25 Requests and Proceedings for Director's Review Conference

a) Any properly filed appeal concerning a ruling of the Stewards resulting in a civil penalty in an amount of $500 or less or for a disqualification based on an occurrence in the race such as interference or a claim of foul for which no penalty was assessed against the jockey or driver, shall be required to submit to a Director's Review Conference conducted pursuant to this Section.

b) Any properly filed appeal concerning a ruling of the Stewards resulting in a suspension, exclusion, civil penalties greater than $500, redistribution of the purse after the race results are finalized by the Stewards, or disqualification based on a violation of 11 Ill. Adm. Code 603 (Medication), may, in lieu of an administrative hearing, request a Director's Review Conference.

c) The Director's Review Conference process affords licensees the opportunity to resolve protests without a formal administrative hearing before an Administrative Law Judge. The Executive Director of the Board or his or her designee shall serve as the designated reviewer in accordance with the provisions of this Section. The Executive Director or reviewer shall have authority and knowledge of the rules and regulations of the Board sufficient to make a reasoned and appropriate resolution of the matter.

d) All requests for a Director's Review Conference shall:

1) be in writing;

2) contain an address and telephone number where the petitioner may be notified;

3) identify the Stewards' ruling and state the specific reasons for the request; and

4) include a list of all supporting documentation to be presented at the Director's Review Conference.

e) Unless availability of the Executive Director and/or designee requires otherwise, the Director's Review Conference shall be conducted within 30 calendar days after the request.

f) Board counsel and any Board employee who may be called as a witness shall not serve as the designated reviewer. Administrative Law Judges shall in no instance serve as the designated reviewer under this Section.

g) At the Director's Review Conference, Board counsel shall present the

Stewards' evidence to the reviewer. The licensee may be represented by counsel or may appear without counsel and present his or her evidence and witnesses. The reviewer shall consider all relevant evidence.

h) The Illinois Administrative Procedure Act [5 ILCS 100], Section 16 of the Illinois Horse Racing Act [230 ILCS 5], and Sections 204.40, 204.50, 204.60, 204.65, 204.70, 204.80, 204.85, 204.90, 204.100, 200.110, 204.120, 204.130 and 204.140 of this Part shall not apply to the Director's Review Conference. Rules of evidence shall be construed liberally, and hearsay shall be allowed at the reviewer's discretion. The reviewer may ask questions of the witnesses and the parties during the Director's Review Conference.

i) Director's Review Conferences conducted under this Part shall be recorded by audiotape or other similar media.

j) At the conclusion of the Director's Review Conference, the reviewer shall issue a written report of his or her findings. The reviewer can find in favor of the licensee, uphold the Stewards' ruling, or modify the penalty. Decisions of the reviewer may not be appealed to the Board, but are subject to the Administrative Review Law [735 ILCS 5/Art. III].

k) Requests for a Director's Review Conference may be filed in person at, or by mail addressed to, the Board's office at 100 W. Randolph, Suite 7-701, Chicago, Illinois 60601. Requests submitted by mail will be deemed timely if postmarked no later than five regular business days after receipt of notice of the Stewards' ruling, ejection or exclusion or other action of the Board.

Section 204.30 Purse Distribution

Upon receipt of a request for hearing that may affect the distribution of a purse in a race, the Board shall serve notice of the hearing upon each of the owners of all other horses involved in the race as identified in the official program.

Section 204.40 Appointment and Disqualification

a) The Board shall designate a hearing officer to preside at any hearing conducted pursuant to this Part.

b) Grounds for disqualification of a hearing officer shall include, but not be limited to:

1) Conflict of interest (including but not limited to, financial interest or benefit derived from the racing industry); and

2) Demonstrable bias on the issue.

Section 204.50 Transcripts

a) A transcript shall be produced by a court reporter designated by the Board for all hearings conducted pursuant to this Part. Copies of the transcript shall be filed in the Board's principal office and made available for public inspection upon reasonable request.

b) In its discretion, the Board may require that petitioners bear reasonable costs of the production of hearing transcripts.

Section 204.60 Appearances

a) The appellant need not be represented by an attorney.

b) Only licensed attorneys may appear before the Board in a representative capacity.

c) A partnership may appear pro se by a partner.

d) A corporation may appear pro se by an officer or director.

Section 204.65 Discovery

a) Upon written request served on the opposing party, a party shall be entitled to:

1) The name and address of any witness who may be reasonably expected to testify on behalf of the opposing party, together with a brief summary of the subject matter of each witness= anticipated testimony; and

2) All documents or other materials in the possession or control of the opposing party that the opposing party reasonably expects to introduce into evidence in either its case-in-chief or in rebuttal. Rebuttal documents, to the extent that they are not immediately identifiable, shall be tendered to the opposing party forthwith upon identification.

b) A party may obtain discovery only by making a written request to produce witness lists, documents, and other materials, as provided in subsection (a) of this Section.

c) Witnesses, documents, and other materials that were not properly disclosed in response to a request for production may be barred or excluded from the hearing, and the Board may impose additional sanctions or penalties against the offending party.

d) Discovery requests under this Section shall not be cause for postponement or delay of hearings or of the Board=s disposition of the proceedings.

Section 204.70 Service

a) Persons filing papers with the Board shall simultaneously serve copies on all parties to the proceeding with proof of service in the manner authorized by the Civil Practice Law (735 ILCS 5/Art. II].

b) All papers required to be filed with the Board must be filed at the Board's principal office at 100 West Randolph, Suite 7-701, Chicago, Illinois 60601, during regular business hours.

Section 204.80 Subpoenas

a) Subpoenas for the attendance of witnesses or for the production of books or documents may be issued by the Board upon its own motion or upon reasonable request of a party.

b) Requests for subpoenas to compel the production of books or documents shall specifically identify the material sought.

c) Witness fees shall be the same as provided by the Circuit Courts of the State of Illinois.

Section 204.85 Proceedings for Hearings Involving Action by the Board

a) The Board shall conduct a de novo hearing. Except as otherwise provided (e.g., prima facie evidence rule at Section 603.55), counsel for the Board shall have the burden of proof by a preponderance of evidence.

b) Any testimony shall be given under oath or affirmation.

c) Both parties may present an opening statement on the merits.

d) Upon conclusion of the petitioner's case, the Board may present evidence in rebuttal to the petitioner's case.

e) Both parties may present closing arguments. The Board proceeds first, then the petitioner, and thereafter the Board may present rebuttal closing argument.

f) Each party may conduct cross-examination of any witnesses presented. The Board may also, as a matter of right, examine the petitioner as an adverse witness.

Section 204.90 Proceedings for Hearings Involving Action by Organization Licensees

a) The burden of proof will at all times be on the organization licensee. The organization licensee shall have the responsibility of establishing just cause for its actions by a preponderance of the evidence.

b) The Board shall designate a hearing officer to preside at any hearing regarding actions by organization licensees. Pursuant to a subsequent hearing, the Board will determine the propriety of the actions of the organization licensee. The Board's role in all hearings conducted pursuant to this section is limited to an adjudication of the propriety of the organization licensee's actions. The Board shall not otherwise be a party to any proceedings arising under this Section.

c) For all hearings conducted pursuant to this Section, the organization licensee and the petitioner shall equally share the entire cost of the hearing officer's fees.

d) For all hearings conducted pursuant to this Section, the organization licensee and the petitioner shall arrange for a court reporter to transcribe the entire proceedings. The parties shall arrange for a copy of the transcript, together with any exhibits admitted into evidence, to be forwarded to the Board. The organization licensee and the petitioner shall equally share the entire cost of the court reporter and transcript.

e) Requests for hearings pursuant to this Section shall conform with the requirements described in Section 204.20.

f) Discovery for hearings pursuant to this Section shall conform with the parameters described in Section 204.65.

g) Hearings pursuant to this Section shall otherwise conform with the requirements and parameters of Sections 204.85, 204.100, 204.110, 204.120, and 204.130.

Section 204.100 Evidence

a) All witnesses testifying at hearings shall testify upon oath or affirmation.

b) The Board shall consider all relevant evidence.

c) The Board shall not be bound by technical rules of evidence.

d) The hearing officer shall have the authority to rule upon motions and objections, exclude inadmissible evidence and in all other ways monitor the hearing.

e) Exhibits shall be plainly marked and identified. The record shall reflect the identity of the party offering an exhibit and shall indicate whether it was admitted into evidence.

f) The hearing officer and the Board may take official notice of:

1) the customs, usages and traditions of horse racing;

2) matters within its specialized knowledge and expertise;

3) all matters of which the Circuit Courts of the State of Illinois may take judicial notice.

g) If a party has acted in bad faith or for purposes of delay at any point in the hearing process, or has acted to impede the Board in the discharge of its functions, that party may be liable for a civil penalty pursuant to Section 9(l) of the Act.

Section 204.110 Stipulations

Parties may stipulate to all matters not in dispute and that stipulation shall be made part of the record.

Section 204.120 Continuances

The hearing officer may if good cause has been shown, grant a continuance at the request of any party or on his own motion. A hearing may be adjourned by the hearing officer to permit further testimony or argument.

Section 204.130 Closing Arguments

a) The hearing officer shall allot a reasonable amount of time for closing arguments.

b) The parties may with leave of the hearing officer file briefs in lieu of closing arguments.

Section 204.140 Findings of Fact and Conclusions of Law

Orders of the Board disposing of contested matters upon the merits shall set forth the Board's findings of fact and conclusions of law and shall be served by certified mail.

SOURCE: Appeals and Enforcement Proceedings, amended December 30, 1977; codified at 5 Ill. Reg. 10876; amended at 10 Ill. Reg. 3825, effective February 13, 1986; amended at 18 Ill. Reg. 7419, effective April 29, 1994, amended at 22 Ill. Reg. 14494, effective August 1, 1998; amended at 26 Ill. Reg. 10806, effective July 1, 2002; amended at 34 Ill. Reg., 12883, effective August 20, 2010.

PART 205
PROCEDURES FOR LICENSE HEARINGS

Section

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Section 205.10 Purpose

The purpose of this Part is to provide procedures to govern the conduct of the License Hearing provided for in Section 20 of the Illinois Racing Act (the Racing Act) [230 ILCS 5/20], supplemental to those provided for in Part 204. This Part implements the provisions of the Racing Act and the Illinois Administrative Procedure Act (the IAPA) [5 ILCS 100], and should be construed to give effect to, and not to limit, the rights conferred by those Acts. This Part expressly adopts the applicable provisions of the IAPA, including the IAPA's provisions applicable in contested cases such as the License Hearing. (See Section, 10-65 of the IAPA and the Open Meetings Act [5 ILCS 120].)

Section 205.20 Notice

a) At least 30 days prior to the application deadline, the Board shall provide all current organization licensees, and any other person who has requested an application for an organization license to conduct a horse race meeting, with notice of the License Hearing, including:

1) a statement of the time, place and nature of the License Hearing (e.g., whether the award of host dates or the License Hearing will determine the allocation of racing dates in a single year or in multiple years) and the time, place and date of the pre-hearing conference. A host date is a

day awarded to an organization licensee in which the licensee controls the simulcast signals and its own live racing program;

2) a statement of the legal authority and jurisdiction under which the License Hearing is to be held;

3) a reference to the particular Sections of the substantive and procedural statutes involved;

4) a short and plain statement of the matters at issue and the consequences of a failure to participate in the License Hearing (see 230 ILCS 5/20);

5) the name and address of any hearing officer the Board may appoint, or a statement that the members of the Board themselves intend to preside as hearing officers at the License Hearing; and

6) the time, place and date of the pre-hearing conference.

b) The notice of the License Hearing shall be made public and shall also be posted in accordance with the requirements of Section 2.02 of the Open Meetings Act [5 ILCS 120/2.02] governing the posting of agendas for meetings of public bodies.

Section 205.30 Filing of Applications

The Board shall provide to all current organization licensees, no later than July 1, an application to conduct a horse race meeting. Applications for an organization license to conduct a horse racing meeting in Illinois pursuant to the Racing Act shall be filed at the office of the Board no later than 5:00 p.m. on July 31 (or if July 31 is not a business day, the next business day thereafter) of the year prior to the year in which the meet is sought. Each applicant shall file with the Board 15 copies of the application, and all exhibits referred to in the application.

Section 205.40 Use of Applications

a) Applications shall state with particularity the type of license and dates sought to be awarded. Requests for licenses and dates may be made in the alternative. Applications are admissible into evidence as proof of what an applicant seeks or as admissions of parties, according to the rules of evidence.

b) Upon written request of any party, the Board shall provide to all parties for review of the applications submitted by the opposing parties, however, the Board shall make a determination whether to disclose any information that would be barred by Section 7 of the Freedom of Information Act [5 ILCS 140/7].

Section 205.60 Parties

Parties to the License Hearing consist of persons who have filed an application for an

organization license. No other person, other than outside counsel for the parties, a witness or witnesses called by the parties pursuant to the rules of evidence, may participate in the License Hearing before the Racing Board or its duly appointed hearing officer, except that this provision shall not be construed to prohibit the Board and/or the hearing officer from taking official notice of staff data or memoranda pursuant to Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 100/10-40]. The Board shall be permitted to call lay and/or expert witnesses. This Section shall not prohibit representatives of any organization representing the largest number of horse owners, trainers, drivers or jockeys that has negotiated a contract with the organization licensee from providing testimonial or other evidence of its membership's position on any application at the invitation of the Board or other party, subject to Sections 205.95 and 205.100 evidentiary rules and cross examination. Permission to an organization to provide testimony under this Section shall not make that organization a party or confer any of the rights of a party on that organization. In addition to the parties named in this Section, the Board may request that the Attorney General of the State of Illinois participate as a party to the License Hearing (see 230 ILCS 5/16(e)).

Section 205.75 Discovery

a) The Board shall notify all parties of the name and address of all applicants for an organization license.

b) Each applicant shall serve on all other applicants of the same breed and the Board, on such date and time as ordered by the Board:

1) The name and address of any witness who may be reasonably expected to testify on behalf of the party, together with a brief summary of the subject matter of each witness' anticipated testimony; and

2) All documents, reports, summaries, tables, comparisons (i.e. attendance figures, handle comparisons, purse earnings and purse distributions), and all other materials, including videotape, DVD, film, and/or computer presentations the party intends to introduce into evidence at the hearing. The party's burden of production includes those documents the applicant reasonably expects to introduce into evidence; and

3) A complete copy of its application and supporting documents.

c) Parties shall be notified, either before the hearing or by reference in preliminary reports or otherwise, of any material to be noticed and/or relied upon by the Board, including any staff memoranda, staff reports, charts or data.

d) Witnesses not identified and documents and other materials that are not timely produced may be excluded from the hearing as specified in subsection (b).

e) No oral or written discovery beyond that specified in this Section shall be permitted.

Section 205.80 Pre-Hearing Conference

a) Upon written notice by the Board or its duly appointed hearing officer, the parties may be directed to appear at a specified date, time and place for a conference for the purposes of considering an agreement among applicants as to the award of racing dates (see 230 ILCS 5/21(b)).

b) If an agreed dates schedule is not reached, the Board or the hearing officer shall enter an order addressing preliminary matters, including but not limited to:

1) stipulation to matters not in dispute;

2) procedural matters at the hearing;

3) order of witnesses;

4) deadline for mutual exchange between applicants of the same breed of prepared testimony or exhibits and applications;

5) scheduling of pre-hearing motions; and

6) any other matters to facilitate expeditious conduct of the Licensing Hearing and disposition of the proceeding.

c) The Board or hearing officer shall rule on pre-hearing motions in writing prior to the License Hearing.

d) The pre-hearing conference may be adjourned and continued to a date selected by the Board or the hearing officer prior to the License Hearing.

e) Pre-hearing conferences under this Section shall be open to the public, notice shall be given in the same manner as notice is given of meetings of the Board, and a transcript shall be kept and shall become a part of the record in the proceeding.

f) Under no circumstance shall offers of settlement, offers of agreement, concessions or statements made at the pre-hearing conference be admissible in evidence for any purpose at the License Hearing.

Section 205.85 Hearing Officer

The Chairman of the Board may preside over any hearings or pre-hearing conference in accordance with this Part; or the Chairman may appoint a Board member or an Illinois licensed attorney as a hearing officer to conduct any hearings or pre-hearing conference in accordance with this Part. The hearing officer shall perform such duties as provided in 230 ILCS 5/14(a) and 14a.

Section 205.90 Filing and Service of Motions

Any party filing a motion shall serve 15 copies of the motion on the Board and shall also serve a copy on each of the other parties. Service shall be by messenger, overnight delivery, facsimile or in person. Applicants applying for organization licenses at the same race track may file motions to consolidate parties for the purpose of consolidating evidence and testimony. The deadline for filing motions shall be determined by the Board at the pre-hearing conference.

Section 205.95 Evidence

a) Evidence shall be received by way of direct and cross examination of witnesses and introduction of documentary evidence subject to the rules of evidence.

b) The Chairman of the Board, or a Board member appointed by the Chairman, who is a licensed Illinois attorney, shall decide all evidentiary objections and questions of evidence raised at the License Hearing, subject to de novo review by the Board. The Chairman or Board member appointed to rule on matters of evidence may seek the advice of the other members of the Board on evidentiary issues at his/her discretion. Any evidence ruled inadmissible may be submitted as an offer of proof.

c) The rules of evidence shall be applied liberally. Any relevant evidence may be admitted and shall be sufficient in itself to support a finding if it is the sort of evidence on which reasonably prudent persons are accustomed to rely in the conduct of serious affairs. The Board or its appointed hearing officer shall exclude immaterial, irrelevant and repetitious evidence.

d) The rules of evidence shall apply only to the parties. The Board may rely on technical and/or scientific facts within the Board's specialized knowledge. Nothing in this subsection shall be deemed to diminish the ability of the Board to enter documentary or testimonial evidence in its own discretion.

Section 205.100 License Hearing

a) The License Hearing shall commence on the date fixed by the Board during the last 15 days of September of the year prior to the applicable racing dates.

b) The Board shall conduct, and the Chairman or the duly appointed hearing officer shall preside over the License Hearing. Any testimony shall be given under oath or affirmation.

c) Cases shall be presented by category of breed. Applicants for one breed may proceed in alphabetical order, or reverse alphabetical order, as determined by the Chairman.

d) Board members may question any applicant or witness during the course of or following testimony.

e) Each party may conduct adverse examination of witnesses according to the rules of evidence applicable for cross and redirect examination in the Circuit Court of Cook County, Illinois for non-jury trials and as provided in Section 10-40 of the IAPA [5 ILCS 10/10-40].

f) At this meeting, the Board will announce the award of racing dates, live racing schedule and designation of host track to the applicants and its approval or disapproval of each application. [230 ILCS 5/20(e)]

g) The Chairman or hearing officer may limit the time allotted to parties for both direct and cross examination, if the examination of witnesses would unduly obstruct the award of an organization license within the time allotted in Section 20(e) of the Act [230 ILCS 5/20(e)].

Section 205.110 Disqualification of Hearing Officer

a) Whenever any party believes a hearing officer or any Racing Board member should be disqualified, for bias, prejudice, conflict of interest or any other reason, from conducting, or continuing to conduct, a License Hearing, that party may file with the Racing Board a motion to disqualify the hearing officer or Board member, setting forth the alleged grounds for disqualification. A party shall file such a motion promptly upon learning of any grounds for disqualification. The motion shall be filed as provided in Section 205.90. The Board shall enter a written ruling on the motion within 3 days after the date on which the motion is filed.

b) A Hearing Officer or Board member may recuse himself or herself from presiding at a License Hearing.

Section 205.120 Ex Parte Communications

a) After service of the notice of the License Hearing on the parties, and until such time a formal written Dates Order is executed by the Board, any communication, directly or indirectly, in connection with any matter regarding the award of racing dates, between any Board member, Racing Board employee or hearing officer, with any party or representative of any party to the License Hearing, shall be considered ex parte pursuant to Section 10-60(a) of the IAPA.

b) Pursuant to Section 20 (e-10) of the Act [230 ILCS 5/20(e-10)], ex parte communication shall be allowed provided that such communications are in the best interest of racing. The phrase "best interest of racing" includes, among other factors, the quality and integrity of racing, public interest, State revenue and the availability of wagering opportunities.

c) Pursuant to Section 10-60(c) of the IAPA, any ex parte communication received by any Board employee, Board member or hearing officer shall be made a part of the record of the License Hearing, including all written communications, all written responses to the communications and a memorandum stating the substance of all oral communications and all responses made, and the identity of each person from whom the ex parte communication was received.

d) Communications between Board employee and the applicants pursuant to Section 21(a) of the Horse Racing Act [230 ILCS 5/21(a)] regarding the correction of deficiencies of the application within the prescribed 21 day time period after submission of the application shall not be considered ex parte communication under this Section.

e) Communications regarding matters of procedure and practice, such as format of applications, number of copies required, manner of service and status of proceedings are not considered ex parte communication under this Section.

f) Ex parte communications pursuant to this Section shall not be exempt from the provisions of the Open Meetings Act [5 ILCS 120].

Section 205.125 Record

a) The transcript made in connection with the hearing shall constitute the official transcript.

b) The record in an administrative hearing shall include:

1) Applications, amended applications and exhibits;

2) All notices, motions, briefs and rulings;

3) Evidence received;

4) A statement of matters officially noticed;

5) Past annual reports;

6) Offers of proof, objections and rulings;

7) Official transcript;

8) Report of Findings of Fact by the Hearing Officer, if the License Hearing is conducted by a hearing officer; and

9) Ex parte communications pursuant to Section 205.120.

c) The complete record of the License Hearing shall be submitted to the Board. If the decision of the Board is unanimous, the Chairman of the Board, or a member of the Board appointed by the Chairman, shall draft the final Dates Order. If the decision of the Board is split, the majority shall draft the Board's final Dates Order. The majority opinion shall be submitted to all Board members who voted with the minority, and the minority Board members may draft a minority opinion. Any and all minority opinions shall be attached to the final Dates Order and made a part of the record. A formal written Dates Order shall be executed by the Board no later than October 15 of the year prior to the racing schedule.

Section 205.130 Incorporation of Part 204

Except as stated herein, or as inconsistent with this Part, the provisions of Sections 204.40 through 204.110, 204.130, and 204.140 of Title 11, Subtitle B, Chapter I of the Illinois Administrative Code shall apply to Licensing Hearings.

Section 205.140 Notice to and Acceptance by Applicants

a) The Board shall, within 5 days after the date its formal order is executed:

1) Send each applicant a copy of that executed order awarding racing dates by certified mail, return receipt requested, addressed to the applicant at the address stated in its application;

2) Issue letters of acceptance to successful applicants for racing dates no later than 5 days after the date of execution of its formal order. Each applicant shall submit signed acceptance letters to the Board by certified mail, return receipt requested, or by personal delivery at the central office of the Board. Applicants shall furnish signed acceptance letters, together with required fees, to the Board no later than 10 days after receipt of the Board's executed Dates Order. Acceptance letters, mailed or delivered, shall be received at the central office of the Board on or before the expiration of the 10 day limit. Acceptance of dates pursuant to this Section shall not abridge an applicant's right to appeal.

b) In the event an applicant does not submit a signed acceptance letter and/or the required fees in the manner and within the 10 day limit stated in subsection (a)(2) of this Section, the Board may conduct an emergency hearing, as provided in Section 205.150, and may re-award racing dates previously awarded to the

applicant. The Board may exercise its discretion not to re-award dates when to do so would not be in the best interest of the sport, industry and/or State of Illinois (instances include, but are not limited to, conflicting meets, failure to maximize State revenue, shortage of horses, inadequate facilities or officials, lack of character or financial fitness of the applicant and inadequate promotional budget).

Section 205.150 Emergency Hearing to Re-award Dates

a) Pursuant to Section 20(f-5) of the Act [230 ILCS 5/20(f-5), the Board may conduct an emergency hearing and may re-award dates if acceptance is not received from the applicant in the 10 days prescribed by the Act or a license to conduct a race meeting has been suspended or revoked.

b) The Board shall serve notice personally or by certified mail to all interested parties of the date, time and place of the emergency hearing and dates for filing applications and supporting documentation for the racing dates in question.

c) A re-award of racing dates shall be based on the criteria contained in Section 20(e-5) of the Act [230 ILCS 5/20(e-5)].

d) Article 10 of the Illinois Administrative Procedure Act shall not apply to the conducting of an emergency hearing for the reallocation of racing dates pursuant to this Section (see 230 ILCS 5/20 (f-5)).

SOURCE: Emergency adoption at 16 Ill. Reg. 16318, effective October 6, 1993, for a maximum of 150 days; emergency expired March 5, 1993; emergency rule adopted at 17 Ill. Reg. 6859, effective April 16, 1993, for a maximum of 150 days; adopted at 17 Ill. Reg. 13615, effective July 30, 1993; emergency amendment at 19 Ill. Reg. 8011, effective June 5, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13953, effective October 1, 1995; amended at 20 Ill. Reg. 7944, effective June 1, 1996; emergency amendment at 29 Ill. Reg. 10425, effective July 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 20033, effective November 28, 2005.

PART 206
BOARD MEETINGS

Section

206.10 Request for Board Action
206.20 Board Meeting Agenda
206.30 Annual Notice of Monthly Meetings

Section 206.10 Request for Board Action

a) All persons who seek Board action shall submit a request or application to the Board in writing no later that fifteen (15) calendar days before the date of the Board meeting at which the request or application is to be heard.

b) This rule shall not apply to requests for hearings under Part 204 (11 Ill. Adm. Code 204) or to applications for the conduct of race meetings conducted pursuant to Part 205 (11 Ill. Adm. Code 205).

Section 206.20 Board Meeting Agenda

a) The Board shall prepare for each Board meeting an agenda. The agenda shall constitute notice of the matters to be heard by the Board at that meeting. Copies of the agenda shall be made available free of charge to all interested persons.

b) The Board may take action on matters that do not appear on the agenda only if the Board finds that an emergency exists and that such an emergency could not have been anticipated. However, the Board shall neither amend its Dates Order (e.g. change of dates, change of hours, or matters relating to purses) nor waive the applicability of any of its rules or regulations unless notice of the matter appears on the printed agenda.

Section 206.30 Annual Notice of Monthly Meetings

The Board shall publish on or before January 1 its tentative schedule of monthly Board meetings for that calendar year. This publication, however, shall not preclude the Board from changing the date of a meeting when necessary to achieve the attendance of the maximum number of Board members. The Board will notify all interested parties whenever a meeting date is changed.

SOURCE: Adopted at 5 Ill. Reg. 10331, effective September 25, 1981; codified at 5 Ill. Reg. 10878; amended at 18 Ill. Reg. 7407, effective April 29, 1994.

PART 208
CHARITABLE FUNDS

SUBPART A: GENERAL ADMINISTRATIVE PROVISIONS

Section
208.10 Application Procedure
208.20 General Program Requirements
208.30 Funding Priorities
208.40 Award of Charitable Funds

SUBPART B: FISCAL AND MONITORING REQUIREMENTS

Section
208.100 Use of Funds
208.110 Accounting Requirements
208.120 Audits

SUBPART A: GENERAL ADMINISTRATIVE PROVISIONS

Section 208.10 Application Procedure

Pursuant to Section 31.1 of the Illinois Horse Racing Act of 1975 [230 ILCS 5/31.1], the Illinois Racing Board (Board) shall annually distributed funds collected from organization licensees pursuant to the Act.

a) Applicants for such funds shall submit a completed application, on a form provided by the Board, no later than October 1 or each year. Incomplete applications shall be returned to the applicant, with a written explanation as to why the materials are incomplete and a date by which the additional materials are to be submitted. Incomplete applications shall not be considered.

b) Any non-profit organization that provides medical and family counseling and similar services to persons who reside or work on the backstretch of Illinois racetracks may apply for funds pursuant to Section 31.1 of the Act [230 ILCS 5/31.1]. Each applicant must be able to document its not-for-profit status with a 501(c)(3)(26 U.S.C. 501(c)(3)0 Internal Revenue Service ruling or a letter from the Illinois Attorney General's Charitable Trust Division containing the applicant's current registration number and confirming that the applicant is current in the filing of their financial reports.

Section 208.20 General Program Requirements

a) Recipients of funding shall not deny charitable services or discriminate in the hiring or promotion of staff on the basis of race, sex, age, religion, national origin or handicap.

b) Client intake policies and procedures shall be set forth in writing and shall be available for review by the Board.

c) Personnel policies and volunteer training procedures shall be set forth in writing and be available for review by the Board.

d) Recipients of funding shall have rules to govern conflict of interest situations and shall incorporate such rules in their constitution or by-laws and publish such rules as agency policy. Such rules shall be available to the Board for review.

Section 208.30 Funding Priorities

In considering applications for funds made pursuant to Section 31.1(b) of the Act, the board shall consider the following factors in determining whether to award funding: The impact of the charitable activities of the charitable organization on the racing industry; the sources of revenue of the charitable organization; the character, reputation, experience and financial integrity of the charitable organization; and, the extent to which there exists a demonstrated need for the proposed services in the charitable organization's proposed service area.

Section 208.40 Award of Charitable Funds

No later than December 31 of each year, the board shall inform all applicants of the decision made relative to their applications and shall distribute all those funds awarded. All awards are subject to the availability of funds as specified in Section 31.1(a) of the Act.

SUBPART B: FISCAL AND MONITORING REQUIREMENTS

Section 208.100 Use of Funds

a) All funds awarded by the Board must be used in the manner and for the purpose set forth in the application which served as the basis of the Board's award. The recipient shall not change, modify revise, alter, amend or delete any part of the services it has agree to provide in the application with the written consent from the Board.

b) Procedures for Modification

1) The recipient must notify the Board and identify the modification.

2) The recipient shall submit a written explanation of the circumstances requiring modification with a new proposed budget itemizing the requested modification.

3) The explanation shall be approved by the Board if the request is consistent with the original intent of the application and services.

4) The Board shall notify the recipient of its approval or denial of the request.

c) Failure to meet the requirements of this Section shall result in the recipient's disqualification from future funding for a period of time as determined by the Board.

Section 208.110 Accounting Requirements

a) Each entity receiving funds shall establish and maintain a formal modified accrual accounting system in accordance with generally accepted accounting principles of the American Institute of Certified Public Accountants (AICPA) including a level of documentation, classification of entries and audit trails sufficient to meet the requirements of this Part.

b) All accounting entries must be supported by source documents, recorded in books or original entry, and posted to a general ledger on a monthly basis.

c) For programs funded by the Board, expenses are to be recorded by specific program. All expenses not funded by the Board may be booked in total.

d) All fiscal records must be maintained by the recipient for five years after the end of the funding period. In instances involving unresolved issues arising from an audit, pending litigation or tax issues, records related to those issues must be retained until the issues are resolved.

Section 208.120 Audits

a) Each recipient shall have an annual audit performed at the close of its fiscal year. This audit is to be performed in accordance with generally accepted auditing standards by an independent certified public accountant registered by the State of Illinois. The resulting audit report is to be prepared in accordance with the American Institute of Certified Public Accountants (AICPA)(1987).

b) Audit Report

1) Each annual audit report is to be filed with the Board within 120 days of the end of the recipient's fiscal year. A request of an extension of time to file an audit report must be submitted in writing 60 days prior to the deadline for filing the audit report. A request for an extension of time to file an audit report shall only be granted when the auditor submits a signed statement certifying that the audit cannot be completed in the designated time due to circumstances beyond the control of the auditor and the recipient. The auditor's statement must also detail the circumstances which form the basis for this request.

2) The report shall contain the basic financial statements presenting the financial position of the agency, the results of its operations, and changes in fund balances.

3) The reports shall contain a schedule of income by source. Individual sources of income should not be combined (e.g., funds received from several state or federal agencies should not be combined into once classification, such as "State of Illinois" or "Federal Government".

4) The report shall contain a schedule of operating expenses by program - operating fund. The term "operating fund" includes all funds a recipient may have in its accounting records except those in a capital fund or contingency fund.

5) The report shall also contain the auditor's opinion regarding the financial statements taken as a whole, or an assertion to the effect that an opinion cannot be expressed. If the auditor expresses a qualified opinion, a disclaimer of opinion, or an adverse opinion, the reason therefor must be stated. The auditor shall communicate any material weakness in the recipient's internal controls.

c) Recipients shall also be subject to audit by Board personnel to determine whether the funds awarded by the Board are being used in accordance with proposed budget contained in the application.

SOURCE: Adopted at 13 Ill. Reg. 1232, effective January 13, 1989; amended at 18 Ill. Reg. 7410, effective April 29, 1994; amended at 20 Ill. Reg. 7941, effective June 1, 1996.

PART 210
DEFINITIONS

Section

210.10 Definitions

Section 210.10 Definitions

"Act" - The Illinois Horse Racing Act of 1975.

"Added Money" - The money added by a racing association to the various fees paid by the owners of the horses nominated to, entered in and/or starting in a race.

"Added Money Early Closing Event" - A harness race closing in the same year in which it is to be contested in which all entrance and declaration fees received are added to the purse.

"Advanced Wagering" - Any wagering on a race or races to be conducted during a racing program before the next scheduled race.

"Age" - The age of a horse shall be reckoned from the first day of January of the year of foaling.

"Allowance" - Weights and other conditions of a race.

"Allowance Race" - A race, other than a claiming race, for which certain conditions of eligibility are established.

"Also Eligible" - A horse that has been entered in a race but is not permitted to start unless the number of entrants is reduced by scratches.

"Appeal" - A request for the Board to investigate, consider or review any decisions or rulings of the officials of a meeting or the decision of the Board itself.

"Applicant" - A person who applies for an organization or occupation license in a specified category or categories.

"Approximate odds" - The probable ratio of the pay-out price to a $1 wager in the win pool in a pari-mutuel system.

"Arrears" - All monies owed by a licensee, including subscriptions, jockey fees, forfeitures, and any default incident to these rules.

"Association" - A person or business entity holding a license from the Board to conduct racing with pari-mutuel wagering.

"Association Grounds" - All areas used by a racing association in conducting a race meeting.

"Authorized Agent" - A person appointed by an owner or trainer in accordance with Board rules the appointment to be designated in a document signed by the owner or trainer, approved by the stewards, executed annually and filed with the Illinois Racing Board.

"Battery" - Any battery, buzzer, electrical, or mechanical device or other appliance, except for the ordinary whip, that can be used to stimulate or depress a horse or affect its speed in a race or workout.

"Beneficial Interest" - Profit, benefit or advantage resulting from a contract or an ownership interest in an estate as distinct from legal title or ownership, i.e., an interest as a devisee, legatee or donee solely for his own use or benefit and not as holder of title for use and benefit of another.

"Betting interest" - Horse, entry or field.

"Bleeder" - A horse that is examined by an official veterinarian following a race or workout and sheds blood from one or both nostrils or upon endoscopic examination shows observable amounts of free blood in the respiratory tract.

"Board" - Illinois Racing Board

"Bookmaker" - A person who accepts wagers on races other than through a pari-mutuel machine.

"Breakage" - The odd cents by which the amount payable on each dollar wagered exceeds a multiple of 104.

"Breeder" - (Harness) The owner of a horse's dam at the time of breeding, (Thoroughbred) The owner of the horse's dam at the time of foaling.

"Canceled Ticket" - A ticket that represents a wager that has been canceled and withdrawn from the pari-mutuel pools.

"Carryover" - The total amount of non-distributed pool money in a pool that is retained and added to a corresponding pool in accordance with this Part.

"Cashed Ticket" - Any pari-mutuel ticket that is refunded or that is presented for payment of a winning wager and is paid.

"Cashier Accounting" - The record of teller activity by transaction and time of

transaction.

"Central Processing Unit" - The main computer that controls and stores both program and data.

"Civil Penalty" - A penalty imposed on a licensee for a violation of Board rules or the Act.

"Claim" - The act of an eligible owner requesting the stewards to order the sale of a horse in a claiming race to him/her for a predetermined amount; to request a weight allowance; to file a claim in a claiming race; to acquire a horse by claiming.

"Claimant" - A person or racing interest meeting one of the three criteria for claiming eligibility.

"Claim Form" - The form upon which an eligible owner agrees to purchase a horse from a claiming race.

"Claiming Price" - The predetermined price at which a horse in a claiming race must be sold if it is claimed.

"Claiming Race" - A race in which any horse starting may be purchased for a predetermined amount in conformance with Board rules.

"Colt" – An uncastrated male horse under five years of age.

"Computer Log Library" - A record of all operator initiated actions of the transaction processor.

"Concessionaire" - An individual, firm, partnership, corporation, trustee or legal representative licensed to operate as a concessionaire to sell or provide food, beverages, programs, tip sheets or parking to the public at a race track in Illinois.

"Condition Book" - A booklet published by a thoroughbred racing association that sets out the conditions, purses and descriptions of future races. (Synonym: Condition Sheet).

"Conditioned Race" - An overnight event in which entry eligibility is governed by previously specified qualifications.

"Condition Sheet" - A listing, written by the Racing Secretary, with the conditions a horse must meet in order to enter a particular race.

"Conditions" - Qualifications that determine a horse's eligibility to be entered in a particular race.

"Confirmed Test" - A second analytical procedure used to identify the presence of a specific drug or metabolite in a urine specimen.

"Console" - The totalizator status monitor that displays current race pool status information.

"Contest" - A competitive racing event on which pari-mutuel wagering is conducted.

"Contestant" - An individual participant in a contest.

"Controlled Substance" - Any substance listed in 21 USC 812.

"Coupled Entry" - Two or more contestants in a contest that are treated as a single betting interest for pari-mutuel wagering purposes. (Also see "Entry")

"Dam" - The female parent.

"Day" - A 24 hour period beginning at 12:01 a.m. and ending at 12:00 midnight.

"Dead Heat" - A race in which two or more horses cross the finish line in a tie.

"Declaration" - (Harness) The process of entering a horse in a particular race. (Thoroughbred) The withdrawal of a horse entered for a race after the closing of entries. (Synonym: scratch)

"Decoder" - A device and/or means to convert encrypted audio-visual signals and/or data into a form recognizable as the original content of the signals.

"Disqualification" - The act of barring a person from acting as an official or from starting or driving a horse in a race. In the case of a horse, the act of barring it from starting or altering its finishing position for betting and purse purposes.

"Disqualify" - To place a horse in a lower position, in the official order of finish in a race, than it actually finished due to an infraction of the rules.

"Downlink" - A receiving antenna coupled with an audio-visual signal receiver compatible with and capable of receiving simultaneous audio-visual signals and/or data emanating from an organization licensee or track outside Illinois, and includes the electronic transfer of received signals from the receiving antenna to TV monitors within the inter-track wagering facility.

"Early Closing Race" - A harness race in which entries close at least six weeks preceding the race.

"Eligible to Race" - Refers to a horse whose trainer has been granted stall space on association grounds or has been approved to stable elsewhere and to ship in to race at a

specific race meeting.

"Encryption" - The scrambling or other manipulations of the audio-visual signals to mask the original video content of the signal and so cause those signals to be indecipherable and unrecognizable to any person receiving that signal without a decoder.

"Entry" – A horse made eligible to participate in a race or two or more horses entered in the same race when owned or trained by the same person or trained in the same stable or by the same management. For thoroughbred racing, entries of separate ownership shall be uncoupled.

"Equipment" - The items worn by or attached to a horse in a race.

"Exclusion" - The act of barring from all or part of association grounds or the grounds under the jurisdiction of the Illinois Racing Board. Unless specified in the ruling, an exclusion is unconditional and encompasses all of the association grounds.

"Exhibition Race" - A race on which no wagering is permitted.

"Expired Ticket" - An outstanding ticket that was not presented for redemption within the required time period for which it was issued.

"Extended Pari-Mutuel Meeting" - A meeting at which no agricultural fair is in progress, of more than 10 days annually, with pari-mutuel wagering.

"Field" - All the horses that compete in a race; a number of horses grouped together as an entry for the purpose of pari-mutuel betting.

"Filly" - (Thoroughbred) A female horse under five years of age. (Harness) A female horse under four years of age.

"Financial Interest" - An interest that could result in directly or indirectly receiving a pecuniary gain or sustaining a pecuniary loss as a result of ownership or interest in a horse or business entity~~;~~ or as a result of salary, gratuity or other compensation or remuneration from any person. The lessee and lessor of a horse have financial interests.

"Finish Line" - A real or imaginary line, perpendicular to the race course, that marks the end of a race. (Synonyms: finish wire, wire)

"Flat Race" - A race in which horses mounted by jockeys run over a course on which no obstacles are placed.

"Foreign Substance" - All substances except those that exist naturally in the untreated horse of normal physiological concentrations or substances, or metabolites thereof that

are contained in equine feeds or feed supplements but do not contain any pharmacodynamic and/or chemotherapeutic agents or pharmaceutical aids.

"Forfeit" - Money due from a licensee because of error, fault, neglect of duty, breach of contract or a penalty imposed by the stewards or the Board.

"Foul" - An improper act committed by a jockey or a horse in the running of a race.

"Foul Claim" or "Claim of Foul" - An objection, alleging a foul, made to the stewards or their designee by a driver, jockey, owner or trainer of a horse involved in a race.

“Furosemide List” - A tabulation maintained by the Board of all horses approved to race with furosemide.

“Futurity” - (Harness) A stakes race in which the dam of the competing animal is nominated either when in foal or during the year of foaling. (Thoroughbred) A stakes race for horses not older than three years of age, in which nominations are made before the horse becomes a three-year old.

"Gelding" - A castrated horse.

"Gender and Number" - Pronouns of one gender include the other and Singular words include the plural and vice-versa, unless the context clearly indicates otherwise.

"Gimmick Race" - A race on which a form of multiple wagering is conducted, such as Daily Double, Quinella, Exacta, Perfecta, Trifecta, etc.

"Guaranteed Stakes" - A stakes race with a guarantee by the party offering it that the sum paid shall not be less than the amount named (see Stakes Race).

"Guest Association" - An association that offers licensed pari-mutuel wagering on contests conducted by another association (the host) in either the same or another state.

"Handicap" - (Harness) A race in which starting positions are assigned on the basis of past performance so as to equalize the chance of all horses entered, (Thoroughbred) A race in which the weights carried by the entered horses are assigned by the Racing Secretary for the purpose of equalizing each horse’s respective chance of winning.

"Handle" - The aggregate dollar amount of all pari-mutuel pools, excluding refundable wagers.

"Heat" - One of two or more installments of a race.

"Horse" - An all encompassing term for any equine of any age including, colt, filly, gelding, ridgeling, mare or stallion.

"Host Association" - The association conducting a licensed pari-mutuel meeting from which authorized contests or entire programs are simulcast.

"Hypodermic Injection" - Any injection into or under the skin or mucosa, including but not limited to intradermal injection, subcutaneous injection, submucosal injection, intramuscular injection, intravenous injection, intra-arterial injection, intra-articular injection, intrabursal injection, intraocular (intraconjunctival) injection.

"Ineligible Horse" - A horse not qualified to participate in a specific racing under the rules or conditions of that race.

"Ineligible Person" - A person not qualified to participate in a specific racing activity under the rules of that activity.

"Illinois-Bred Colt" or "Illinois-Bred Filly" - A horse sired by a stallion owned by an Illinois resident and standing in the State of Illinois for the season in which the mare was bred.

"Illinois Foaled" - A horse dropped in Illinois.

"Illinois Owned" - A horse owned by a resident of Illinois at the time the horse is declared in to start and at the time of the race.

"Illinois Racing Board" - Whenever the word "Board" is used, it means the Illinois Racing Board.

"Initial Screening" - A sensitive screening that determines the presence of drugs and their corresponding families.

"Interference" - Any act, which by design or otherwise, and regardless of actual contact, hampers or obstructs any competing horse or horses.

"Intertrack Wagering Facility" - The physical premises, structure and equipment utilized by an intertrack wagering location or intertrack wagering location licensee for the conduct of intertrack wagering or simulcast wagering.

"Inquiry" - An investigation or examination, conducted by the Board or Stewards, into a possible rule violation.

"Issued Ticket" - A wager for which the ticket issuing machine produces a hard copy.

"Jockey" - A rider of a thoroughbred race horse.

"Laboratory" - The Illinois Racing Board Laboratory or an independent testing laboratory contracted by the Board.

"Late Closing Race" - A race for a fixed amount to which entries close less than six weeks and more than three days before the race is to be contested.

"Lessee" - A licensed owner whose interest in a horse is by lease agreement.

"Licensee" - A person or legal entity that has been issued an occupation license to participate in racing under the jurisdiction of the Board. (Synonym: Occupation Licensee).

"Maiden" - (Harness) A horse that has never won a heat or race at the gait it is entered to start, for which a purse was offered, (Thoroughbred) A horse that has never earned a winner's purse in a flat race at a recognized meeting in any country.

"Maiden Race" - A contest restricted to non-winners.

"Mare" - (Harness) A female horse four years of age or older. (Thoroughbred) A female horse five years of age or older.

"Match Race" - A race between two horses under conditions agreed to by their owners.

"Matinee Race" - A race with no entrance fee and where the prizes, if any, are other than money.

"Meeting" - The specified period and inclusive dates each year during which an association is authorized to conduct racing by approval of the Board.

"Minor" - Any person under the age of 18.

"Minus Pool" - A minus pool occurs when the amount of money to be distributed on winning wagers is in excess of the amount of money comprising the net pool.

"Month" - A calendar month.

"Mutuel Field" - Two or more horses in a contest that are treated as a single betting interest for pari-mutuel wagering purposes when the total number of betting interests exceeds the number that can be handled individually by the pari-mutuel system.

"Mutuel Manager" - The racing official designated by the organization licensee to supervise its pari-mutuel department.

"Net Pool" - The amount of gross ticket sales less refundable wagers and statutory commissions.

"Nominator" - The person or entity in whose name a horse is nominated for a race or series of races.

"Nominee" - A horse nominated to a stakes and/or handicap race.

"Nomination" - The naming of a horse to a stakes and/or handicap race. In a futurity, the naming of a foal in utero to a certain race or series of races, eligibility to which is conditioned on the payment of a fee at the time of naming and the payment of subsequent sustaining fees and/or starting fees.

"Objection" - A claim of foul lodged with the stewards or their designee by a jockey of a horse in a race immediately after a race and before the race is made official, or a claim of foul lodged with the patrol judge in a starting car by a driver of a horse in a race, immediately after the race and before the driver dismounts.

"Odds Board" - A large sign-board structure, located in the infield of a race track, upon which the approximate odds are prominently displayed. (Synonym: Tote Board).

"Off Bell" - The bell, operated by the stewards, that signals the locking of ticket-issuing machines. The bell that rings as a race starts.

"Official Order of Finish" - The order of finish of the horses in a contest as declared official by the stewards.

"Official Starter" - The official responsible for dispatching horses to begin a race.

"Official Time" - The elapsed time from the moment the first horse crosses the starting point until the first horse crosses the finish line.

"Official Veterinarian" - A veterinarian employed by the Board or employed by an organization licensee and approved by the Board.

"Off Time" - The moment at which, on the signal of the official starter, the doors of the starting gate are opened, officially dispatching the horses in each contest.

"Off-Track Stabling" - Any farm, any Illinois race track not licensed by the Board in the current calendar year, or any other location designated and approved for the purpose of stabling horses to be raced at a race track under the jurisdiction of the Board.

"Organization Licensee" - Any person or entity receiving an organization license from the Board to conduct a race meeting or meetings.

"Outstanding Ticket" - An uncashed winning or refundable pari-mutuel ticket that was not redeemed during the performance for which it was issued and that must be cashed within the statutory time limit.

"Overnight Event" - A contest for which entries close at a time set by the racing secretary. (Synonym: Overnight Race, Overnight)

"Owner" - A person or stable that has property rights in a horse or horses, by ownership or lease of a horse or horses.

"Paddock" – An enclosed area in which harness horses scheduled to compete in a contest are confined and thoroughbred horses are saddled prior to racing.

"Pari-Mutuel Auditor" - An employee of the Board's Pari-Mutuel Audit Unit.

"Pari-Mutuel Audit Unit" - The State Director of Mutuels and the Pari-Mutuel Auditors.

"Pari-Mutuel System" - The manual, electro-mechanical, or computerized system and all software (including the totalizator, account betting system and off-site betting equipment) that is used to record wagers and transmit wagering data.

"Patron" - A member of the public present on the grounds of a pari-mutuel association during a meeting for the purpose of wagering or to observe racing.

"Payoff" - The amount of money payable on winning wagers.

"Person" - Any individual, partnership, corporation or other association or entity.

"Pharmaceutical Aids" - Polyethylene glycol, polyoxyethylene glycol, polyalkylene glycol, polyoxyalkylene glycol, polysorborates, sorbitans and their analogues and derivatives.

"Pool" - Total amount of money wagered on all horses in a race to finish in a specific position or positions.

"Post" - The place on a race course from which the horses start in a race.

"Post Position" - The pre-assigned positions from which the horses leave the starting gate.

"Post Time" - The scheduled starting time of a contest.

"Prescription Drugs" - Any chemical substance that is prohibited from being dispensed by any federal or Illinois law without a valid prescription.

"Prima Facie Evidence" - Evidence that, until its effect is overcome by other evidence, will suffice as proof of fact in issue.

"Profit" - The net pool after deduction of the amount wagered on the winners.

"Profit Split" - A division of profit among separate winning betting interests or winning betting combinations resulting in two or more payoff prices.

"Program" - The published listing of all contests and contestants for a specific day's

racing. The races of a particular day, considered together.

"Protest" - An objection lodged with the stewards of any infringement of the rules of racing.

"Purse" - The amount of money won by the owner of any competitor in a race.

"Purse Race" - A race for money to which the owners of the competing horses do not contribute.

"Qualifying Race" - A race for the purpose of viewing horses for speed, racing manners and competitiveness in which no purse money is offered and on which no pari-mutuel wagering is conducted.

"Quarter Horse" - A horse registered with the American Quarter Horse Association of Amarillo, Texas.

"Race" - A contest between horses at a licensed meeting for purse, stakes, prize or reward.

"Race Course" - The actual racing surface.

"Race on the Flat" - (see Flat Race)

"Race Track Enclosure" - Association grounds, owned, leased or controlled by the racing association, whether or not enclosed by a fence and including, but not limited to, track parking lots.

"Race Track Operator" - Any person, association or corporation licensed by the Illinois Racing Board to conduct horse racing within Illinois for any stake, purse or reward.

"Race Meeting" - The period of time, whether for consecutive or nonconsecutive dates, for which an organization license has been issued.

"Racing Association" - Any person, partnership, corporation, or other entity licensed by the Board to conduct a race meeting. (Synonyms: Organization licensee or Race Track Operator

"Racing Interest" - Any individual owner, partnership of owners, or corporation that participates as an owning entity or nominator of a race horse.

"Racing Jurisdiction" - A governmental regulatory body that, by statute or ordinance, regulates pari-mutuel racing.

"Racing Soundness Exam" - The physical examination for racing soundness and health

of each horse by an official veterinarian.

"Recognized Meeting" - Any race meeting with regularly scheduled races licensed by and conducted under rules promulgated by a governmental regulatory body including meetings in foreign countries.

"Record" - The fastest time made by a horse in a race that horse won or in a performance against time.

"Refunded Ticket" - A ticket that has been refunded for the value of a wager that is no longer valid (e.g., when a horse has been scratched or the wagering canceled).

"Restricted Area" - An area on the grounds of a race track where admission can be obtained only upon presentation of valid credentials. Such areas shall include the stable areas, detention barn, jockey or driver room, paddock, race course and pari-mutuel department.

"Result" - That part of the official order of finish used to determine the pari-mutuel payoff pools for each individual contest.

"Ruled Off" - Synonymous with suspended or excluded.

"Rules" - Regulations promulgated by the Board pursuant to the Horse Racing Act.

"Ruling" - A written decision, determination, and/or order of the stewards.

"Satellite Transponder" - A leased space segment of time of an earth-orbit communication satellite.

"Scoring" - Preliminary warm-ups by horses.

"Scratch" - The withdrawal of a horse from a race after the closing of entries.

"Scratch Time" - The time designated by the racing association as a deadline for an owner or trainer to file a request for a scratch.

"Simulcast" - The live audio and visual transmission of a contest to another location for pari-mutuel wagering purposes.

"Single Price Pool" - An equal distribution of profit to winning betting interests or winning betting combinations through a single payoff price.

"Stable Name" - The assumed name or nom de course under which a person or stable races horses.

"Stakes" - All the fees paid by subscribers to a stakes race, which may include the

nomination, eligibility, supplemental, entry or starting fees or any fee that is required by the conditions of a race.

"Stakes Race" - A race that is closed to nominees more than 72 hours before it is run, with a purse that includes all stakes payments in addition to the money added by the racing association.

"Starter" - The racing official whose duty it is to get the horses away to a fair start in a race. Any horse which participates, i.e., starts, in a race.

"Starter Race" - An overnight event under allowance or handicap conditions, restricted to horses who have previously started for the designated claiming price or less, as stated in the conditions of the race.

"State Director of Mutuels" - The individual representing the Board in the supervision and verification of the pari-mutuel wagering pool totals for each racing day.

“State Veterinarian” - A veterinarian employed by the Board.

"Steeplechase Race" - A contest in which horses mounted by jockeys run over a course on which jumps or other obstacles are placed.

"Steward" - Duly appointed top official at a race track with the power to fine, suspend, and rule off persons licensed in racing.

"Stewards' Stand" - The room, generally located on the roof of a race track grandstand or clubhouse, from which the State stewards and association stewards observe the running of races.

"Subscription" - The nomination or entry of a horse in a stakes race.

"Sulky" - A dual-shaft, dual wheel racing vehicle.

"Suspension" - A penalty in which the rights and privileges of a licensee are withdrawn for a specified period of time. An occupation licensee whose license is suspended is prohibited from engaging in any licensed occupation and is excluded from all grounds under the jurisdiction of the Board, unless otherwise specified in the ruling or order (example: suspended from riding or driving).

"Sweepstakes" - A race where the owners of horses entered or engaged for the race contribute to a purse to which money or any other prize may be added, and nominations to which close 72 hours or more before starting.

"Takeout" - The total amount of money, excluding breakage, withheld from each pari-mutuel pool, as authorized by statute or rule.

"Test Level" - The concentration of a foreign substance found in a test sample.

"Test Sample" - Any substance, including but not limited to, blood or urine taken from a horse or licensee for the purpose of testing for foreign or controlled substances.
"Threshold Level" - The concentration of a foreign substance found in a test sample.

"Ticket Issuing Machine" - A machine that prints hard copies of wagers.

"Totalizator" - An electronic device that automatically registers the wagers made on each horse or pool and prints or issues a ticket representing each wager or wagers.

"Totalizator System Licensee" - Any person, corporation, company, association or any other entity that sells, leases, or operates totalizator equipment and is licensed by the Board.

"Tote Room" - The room at a race track in which the totalizator system's computer is housed.

"Tout" - Someone who furnishes information concerning selection of a horse for wagering purposes, or predicts the outcome of a race for wagering purposes, in exchange for a consideration.

"Trial Race" - Part of a series of contests in which horses participate for the purpose of determining eligibility for a subsequent contest.

"Uplink" - An earth station broadcasting facility, whether mobile or fixed, that is used to transmit audio-visual signals and/or data on FCC-controlled frequencies, and includes any electronic transfer of audio-visual signals from within a racing enclosure to the location of the transmitter at the uplink.

"Utilities" - Programs that are provided by computer vendors to perform tasks such as duplication of program tapes, modification of master files, and access to passwords.

"Validation "- The act or process by which the Board's licensing office at a race meeting stamps or otherwise marks the licensee's identification card, thereby allowing the licensee access to restricted areas during a specific race meeting.

"Vendor" - A seller of feed, medication, stable supplies, or other merchandise in restricted areas.

"Veterinarian" - A veterinary practitioner licensed as such by the Illinois Department of Professional Regulation.

“Veterinarian’s List” - A tabulation maintained by the State Veterinarian of horses that are not permitted to enter a race until their names are removed from the list.

"Walkover" - An event in which all horses but one in a race are withdrawn, leaving that horse to walk the prescribed course at the distance of the race. A walkover may be between two or more horses if they belong to a single interest.

"Week" - A calendar week.

"Weigh-In" - The presentation of a jockey to the Clerk of Scales for weighing after a race.

"Weigh-Out" - The presentation of a jockey to the Clerk of Scales for weighing prior to a race.

"Weight for Age" - A race in which a fixed scale is used to assign the weight to be carried by individual horses according to age, sex, distance of the race, and season of the year.

"Winner" - The horse whose nose reaches the finish line first. If there is a dead heat for first, those horses shall be considered winners.

"Wire" - See Finish line.

"Year" - A calendar year.

SOURCE: Adopted at 18 Ill. Reg. 2072, effective January 21, 1994; amended at 18 Ill. Reg. 17732, effective November 28, 1994; amended at 19 Ill. Reg. 13891, effective October 1, 1995; amended at 25 Ill. Reg. 15590, effective December 1, 2001; amended at 29 Ill. Reg. 8388, effective June 1, 2005.

PART 213
PURSE RECAPTURE

Section

213.10 General
213.20 Definitions
213.30 Estimated Purse Recapture Certification
213.40 Purse Recapture Certification
213.50 Notice of Purse Recapture Certification
213.60 Department of Agriculture Grant Agreements
213.70 Distribution of the Purse Recapture Reimbursement

Section 213.10 General

Pursuant to Section 26(g)(13) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/26(g)(13)], qualified licensed Illinois wagering facilities are permitted to deduct an amount equal to 2% of the difference between the wagering facility's 1994 handle on Illinois races and its handle on Illinois races in the year in question, from amounts allocated or payable to purses in the succeeding year, at the racetrack from which the wagering facility is affiliated. Recapture amounts shall not be taken until after certification by the Board.

Section 213.20 Definitions

Comparative Handle Calendar Year - the calendar year that is being analyzed for purposes of determining the recapture amount. The comparative handle calendar year is always compared to calendar year 1994.

Purse Recapture - the amounts certified and authorized by the Board to be deducted by each qualified wagering facility from amounts payable to purses at the licensee's affiliated racetrack.

Purse Recapture Reimbursement - the amount appropriated by the Illinois General Assembly from the General Revenue Fund to the Department of Agriculture for payment or credit to the racetrack purse accounts, in accordance with the Board's certification of the purse recapture.

Purse Recapture Certification - the Board's written notification of the amounts of purse recapture in which qualified wagering facilities are entitled to deduct from amounts payable to purses. The certification shall be issued or published no later than January 31 of the year succeeding the comparative handle calendar year.

Section 213.30 Estimated Purse Recapture Certification

The Board shall calculate and prepare a written estimate or projection of the purse recapture amounts anticipated in the succeeding year no earlier than December 1 of the comparative handle calendar year. The Board shall provide the Bureau of the Budget, the four legislative leaders, and the Department of Agriculture with the written estimate no later than December 15 of the comparative handle year.

Section 213.40 Purse Recapture Certification

The Board shall determine and certify in writing the amounts of purse recapture authorized to be deducted from purses no later than January 31 of the year succeeding the comparative handle calendar year.

Section 213.50 Notice of Purse Recapture Certification

The Board shall notify and provide the purse recapture certification to the Bureau of the Budget, four legislative leaders, Department of Agriculture, organization licensees (including those organization licensees from which wagering facilities derive their license), the thoroughbred and standardbred organizations representing the largest number of horse owners and trainers that has negotiated a contract with an organization licensee, and all Illinois thoroughbred and standardbred breeders organizations. The purse recapture certification shall be provided to the interested parties no later than January 31 of the year succeeding the comparative handle calendar year.

Section 213.60 Department of Agriculture Grant Agreements

The Department of Agriculture shall administer the purse recapture reimbursement and distribute these funds by an executed grant agreement between the Department of Agriculture and the organization licensees acting as custodian of purse funds payable at each eligible racetrack. The Department of Agriculture may condition the grants with reporting requirements and /or other reasonable standards.

Section 213.70 Distribution of the Purse Recapture Reimbursement

a) The amounts to be reimbursed to the purse accounts at eligible racetracks shall be those authorized pursuant to the Board's purse recapture certification.

b) The aggregate purse recapture reimbursement shall not exceed the Illinois General Assembly's fiscal year appropriation to the Department of Agriculture intended for this purpose.

c) In the event that the Illinois General Assembly's fiscal year appropriation to the Department of Agriculture for purse recapture reimbursement is less than the aggregate amount of the Board's certification, the purse recapture reimbursement to each eligible racetrack's purse account shall be allocated in proportion to its share of the total purse recapture.

SOURCE: Adopted at 24 Ill. Reg. 17484, effective November 8, 2000; amended at 30 Ill. Reg. 16316, effective October 1, 2006.

PART 300
PARI-MUTUELS

Section

300.10	General
300.20	Records
300.30	Pari-Mutuel Tickets
300.40	Pari-Mutuel Wagers
300.50	Pari-Mutuel Races
300.60	Advanced Wagering
300.70	Scratches or Non-Starter
300.80	Pools Dependent Upon Betting Interests
300.90	Minimum Payoff
300.100	Pari-Mutuel Complaints

Section 300.10 General

a) No person shall wager after the start of a race.

b) Each licensee shall provide an information window. A complete and current Board rulebook shall be available for public inspection during racing hours at each information window.

c) No licensee shall permit any minor to purchase or cash pari-mutuel tickets. Minors shall be prohibited from all mutuel windows.

d) Each mutuel department employee shall wear on his/her person, in plain view, a name badge.

e) A summary explanation of pari-mutuel wagering shall be published in the official program for each race program. The official Board rules relative to each type of pari-mutuel pool offered shall be published in the official program on each day that type of pool is offered.

f) Unless expressly noted within specific wagering pool rules, refunds shall be granted on all valid wagers when a race is canceled or declared "no contest".

g) The host track and/or organization licensee shall be responsible for the closing of wagering on each contest after which time no pari-mutuel wagers shall be accepted for that contest. Each licensed facility not utilizing the host track's totalizator vendor shall be responsible for the close of wagering at its own facility.

h) The host track and/or organization licensee shall have a qualified individual representing its pari-mutuel department at its totalizator computer system hub (host) at all times it conducts the pari-mutuel system of wagering.

i) The organization licensee and/or Illinois host track shall provide, electronically within 24 hours, a summary of pari-mutuel operations report, in a format prescribed by the State Director of Mutuels, to the board as the original record of wagering activities on that race program.

Section 300.20 Records

Each licensee shall maintain records of all wagering including the opening line, subsequent odds fluctuation, the amounts wagered on each betting interest and such other information as may be required. Such records shall be delivered to the Board upon request.

Section 300.30 Pari-Mutuel Tickets

a) A valid pari-mutuel ticket shall contain the following imprinted information:

1) the name of the organization or track conducting the races;

2) the name of the licensee issuing the ticket;

3) the name of the Illinois host track;

4) a unique identifying number or code;

5) identification of the terminal at which the ticket was issued;

6) a designation of the performance for which the wagering transaction was issued;

7) the contest number for which the pool is conducted;

8) the type or types of wagers represented;

9) the number or numbers representing the betting interests for which the wager is recorded; and

10) the amount or amounts of the contributions to the pari-mutuel pool or pools for which the ticket is evidence.

b) To prevent re-entry in the pari-mutuel system for duplicate cashing, each cashed or refunded ticket shall be marked to indicate that it has been cashed or refunded. The manner in which cashed or refunded tickets are marked shall not destroy the identity of the ticket.

c) No claims for lost pari-mutuel tickets shall be considered. Mutilated or altered pari-mutuel tickets shall not be accepted for payment.

Section 300.40 Pari-Mutuel Wagers

a) All organization, intertrack and intertrack wagering location licensees shall offer the same types of pari-mutuel pools and minimum pari-mutuel prices at both manned an unmanned terminals, unless specifically restricted by Board rule (e.g., tickets may not be exchanged at unmanned ticket issuing machines).

b) All intertrack wagering facilities shall establish and maintain minimum purchase prices of pari-mutuel wagers that are the same as those offered by the organization licensee providing the simulcast.

c) All organization licensee shall require out-of-state wagering facilities to maintain the same minimum purchase prices of pari-mutuel wagers established for Illinois licensees. If it is determined that an out-of-state wagering facility has not maintained the same minimum purchase price of pari-mutuel wagers, the organization licensee shall be subject to civil penalties pursuant to Section 5/9(l) of the Act [230 ILCS 5/9(l)]. This Section shall apply only to organization licensees conducting commingled or combined wagering pools with out-of-state wagering facilities.

d) All intertrack wagering facilities shall offer the same pari-mutuel pools as offered by the organization providing the simulcast.

Section 300.50 Pari-Mutuel Races

a) Wagering shall be prohibited on more than 11 live harness races during the course of a single racing program except on Fridays, Saturdays and Sundays when wagering shall be prohibited on more than 12 live harness races, unless permission to wager on additional races has been granted by the Board.

b) Wagering shall be prohibited on more than 10 live thoroughbred races during the course of a single racing program, unless permission to wager on additional races has been granted by the Board.

Section 300.60 Advanced Wagering

a) A licensee may permit advanced wagering on races prior to the day the race occurs.

b) The host track and/or organization licensee shall submit to the State Pari-Mutuel Auditor a totalizator system report reflecting any advanced wagers from previous days to be added to that day's pari-mutuel pools.

Section 300.70 Scratches or Non-Starter

a) In the event a betting interest is scratched, all wagers including the scratched betting interest shall be refunded, unless otherwise provided in Board rules (e.g., second half daily double grants a consolation payoff to wagers which include scratched betting interests).

b) In the event the doors in front of a stall of the starting gate, in thoroughbred or quarter horse racing, should fail to open, thereby preventing a horse from starting, all wagers including the horse shall be refunded. There shall be no refund if the horse is part of a coupled entry or mutuel field.

Section 300.80 Pools Dependent Upon Betting Interests

Unless otherwise provided in Board rules, the organization licensee may prohibit:

a) show wagering on all contests with five or fewer betting interests.

b) place wagering on any contest with four or fewer betting interests.

c) win, quinella or perfecta wagering on any contest with three or fewer betting interests.

Section 300.90 Minimum Payoff

a) In the event there is insufficient money available in the net pari-mutuel pool to return $2.20 on each $2 wager, the minimum payoff by the organization licensee shall be $2.10.

b) In the event of a minus pool, any deficiencies shall be paid from the commission.

c) The applicable surcharges as established in the Act, imposed on winning wagers and winnings from wagers on pari-mutuel pools shall not be deducted if it would result in a minimum payoff of less than $2.10 on a $2 wager.

Section 300.100 Pari-Mutuel Complaints

Illinois Racing Board complaint forms shall be made available to the public by all licensees. Upon receiving any such complaint form, the licensee shall submit a copy to the Board with a statement of the action taken, if any, or proposed action to be taken by the licensee.

SOURCE: Adopted at 19 Ill. Reg. 13935, effective October 1, 1995; emergency amendment at 20 Ill. Reg. 12522, effective September 1, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 955, effective January , 1997; amended at 22 Ill. Reg. 7044, effective May 1, 1998; emergency amendment at 23 Ill. Reg. 7772, effective June 28, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13935, effective November 2, 1999; amended at 25 Ill. Reg. 15257, effective November 1, 2001.

PART 301
WIN, PLACE AND SHOW POOLS

Section

301.10 General
301.20 Win Pools
301.30 Place Pools
301.40 Show Pools

Section 301.10 General

a) All pari-mutuel pools shall be separately and independently calculated and distributed. Takeout shall be deducted from each gross pool pursuant to the Act [230 ILCS 5]. 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 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.

Section 301.20 Win Pools

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, then

2) To those whose selection finished second; but if there are no such wagers, then

3) To those whose selection finished third; but if there are no such wagers, then

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.

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

Section 301.30 Place Pools

a) The amounts wagered to place on the first two betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into two equal portions, one being assigned to each winning betting interest and divided by the amount wagered to place on that betting interest, the resulting quotient being 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 on the official order of finish:

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

2) As a profit split to those whose selection is included within the first two finishers; but if there are no such wagers, then

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

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

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

c) 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.

2) contestants representing two or more betting interests, the place pool shall be divided with one-half of the profit distributed to place wagers on the betting interest finishing first and the remainder is distributed equally among place wagers on those betting interests involved in the dead heat for second.

Section 301.40 Show Pools

a) The amounts wagered to show on the first three betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into three equal portions, one 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. 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 places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise,

2) If contestants of a coupled entry or mutuel field finished as two of the first three finishers, the profit is divided with two-thirds distributed to those who selected the coupled entry or mutuel field and one-third distributed to those who selected the other betting interest included within the first three finishers; otherwise

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

4) As a profit split to those who selected the two covered betting interests included within the first three finishers; but if there are no such wagers, then

5) As a profit split to those who selected the one covered betting interest included within the first three finishers; but if there are no such wagers, then

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

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

b) If there is a dead heat for first involving:

1) two contestants representing the same betting interest, the profit is divided with two-thirds distributed to those who selected the first place finisher and one-third distributed to those who selected the betting interest finishing third.

2) three contestants representing a single betting interest, the show pool shall be distributed as a single price pool.

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

c) If there is a dead heat for second involving:

1) contestants representing the same betting interest, the profit is divided with one-third distributed to those who selected the betting interest finishing first and two-thirds distributed to those who selected the second place finishers.

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

3) contestants representing three betting interests, the show pool is divided with one-third of the profit distributed to show wagers on the betting interest finishing first and the remainder is distributed equally among show wagers on those betting interests involved in the dead heat for second.

d) 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.

2) contestants representing two or more betting interests, the show pool is divided with two-thirds of the profit distributed to show wagers on the betting interest finishing first and second and the remainder is distributed equally among show wagers on those betting interests involved in the dead heat for third.

SOURCE: Adopted at 19 Ill. Reg. 15238, effective November 1, 1995.

PART 302
INTERSTATE COMMON POOLS

Section

302.10 General
302.20 Illinois as the Guest State
302.30 Illinois as the Host State
302.40 Shared Carryover Pools

Section 302.10 General

a) All executed contracts governing participation in interstate common pools shall be submitted to the Board.

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 withholding in addition to the takeout shall only be applied in the jurisdiction imposing such surcharges or withholdings.

Section 302.20 Illinois as the Guest State

a) Pari-mutuel wagering pools may be combined with corresponding wagering pools in the host state, or with corresponding pools established by one or more other jurisdictions.

b) In the event that an organization licensee commingles Illinois pools with the pools of an out-of-state track, Illinois pool data shall be transmitted by each totalizator system used by Illinois licensees, independent and separately from any other totalizator system used by Illinois licensees.

c) In the event that an organization licensee commingles Illinois pools with the pools of an out-of-state track, all rules in effect in the host state shall apply.

d) In the event that an organization licensee commingles Illinois pools with the pools of an out-of-state track, if for any reason it becomes impossible to successfully merge all Illinois wagers into the interstate common pool, the interstate host track prices shall be paid for the following pools: win, place, show, daily double, perfecta/exacta, quinella, trifecta and Pick-3. For all other wagering pools that are unsuccessfully merged, payouts shall be calculated based on the licensees' pools of the totalizator system that failed to merge with the interstate host track. All separately calculated Illinois pools shall not include the interstate host track's guaranteed minimum pool or payout, and/or carryover pool. Each individual licensee shall be responsible for its wagering pool payouts required under this Part. In all cases, the organization licensee and/or Illinois

host track shall determine the liabilities for all licensees as agreed upon by the State Director of Mutuels. If a totalizator used by Illinois licensees is unable to successfully merge pools, a representative of that totalizator shall notify both the Illinois host track and the Board auditor by the start of the following race of the affected interstate host track. All Illinois licensees shall publish a copy of this subsection in their official programs.

e) In the event that an organization licensee commingles Illinois pools with the pools of an out-of-state track, where takeout rates in the common pool are not identical to the takeout rate applicable in Illinois, the Illinois organization licensee may adopt the takeout rate of the sending state or utilize the net price calculation method.

f) An interstate commission fee shall exceed 5% only for Grade 1 thoroughbred races and only for harness races with purses exceeding $200,000.

g) All Illinois licensees shall provide the Board with pari-mutuel data by way of electronic transmission in a Board prescribed format.

Section 302.30 Illinois as the Host State

a) With the approval of the Board, an organization licensee may offer one or more of its pari-mutuel races to guest facilities in other states and participate in a common pool.

b) Where takeout rates in the common pool are not identical, the net price calculation method may be utilized.

c) Illinois pari-mutuel rules shall apply.

d) If for any reason it becomes impossible to successfully merge pool data into the interstate common pool of the organization licensee, or a Board representative determines that attempting to effect transfer of pool data from the guest state may endanger the organization licensee's wagering pool, or cause an unreasonable delay of the racing program, the Board's pari-mutuel auditor shall determine under the circumstances whether to manually merge guest pools, exclude guest pools or delay the Illinois program.

Section 302.40 Shared Carryover Pools

a) With the approval of the State Director of Mutuels and at least 30 days notice, an organization licensee may participate with other Illinois racetracks or out of state racetracks in a shared carryover pool on any wagering pool that provides for a carryover amount.

b) The carryover pools generated by the wagering activity on races conducted by the organization licensee may be carried in to another racetrack's pool, and the carryover pools generated by the wagering activity on races conducted on other racetrack's pools may be carried in to the pools of the organization licensee.

SOURCE: Emergency rules adopted at 19 Ill. Reg. 8002, effective June 5, 1995, for a maximum of 150 days; emergency expired November 2, 1995; adopted at 19 Ill. Reg. 13922, effective October 1, 1995; amended at 28 Ill. Reg. 7117, effective May 10, 2004; amended by emergency rulemaking at 32 Ill. Reg. 7426, effective May 1, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 13522, effective August 1, 2008.

PART 303
DAILY DOUBLE

Section

303.10 Definition
303.20 Pool Distribution
303.30 Dead Heats
303.40 Scratches
303.50 Cancellations

Section 303.10 Definition

The Daily Double requires selection of the first-place finisher in each of two successive, specified contests. All daily double wagers shall be calculated in an entirely separate pool.

Section 303.20 Pool Distribution

The net daily double pool shall be distributed to winning wagers in the following manner, based upon the official order of finish:

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

b) As a profit split to those who selected the first-place finisher in either of the two contests; but if there are no such wagers, then

c) As a single price pool to those who selected the one covered first-place finisher in either contest; but if there are no such wagers, then

d) As a single price pool to whose selection finished second in each of the two contests; but if there are no such wagers, then

e) The entire pool shall be refunded on daily double wagers for those contests.

Section 303.30 Dead Heats

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

a) contestants representing the same betting interest, the daily double pool shall be distributed as if no dead heat occurred.

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

Section 303.40 Scratches

a) In the event a betting interest in first-half of the daily double is 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 daily double pool and refunded.

b) In the event a betting interest in the second-half of the daily double is scratched prior to the close of wagering, all money wagered on combinations including the scratched betting interest shall be deducted from the daily double pool and refunded.

c) In the event a betting interest in the second half of the daily double is scratched after the close of wagering, all wagers combining the winner of the first contest with the scratched betting interest shall receive a consolation payoff.

Section 303.50 Cancellations

a) If either of the daily 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.

b) If the second double contest is canceled or declared "no contest" after the close of wagering on 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.

SOURCE: Adopted at 19 Ill. Reg. 15192, effective November 1, 1995.

PART 304
QUINELLA

Section

304.10 Definition
304.20 Pool Distribution
304.30 Dead Heats
304.40 Scratches

Section 304.10 Definition

The Quinella requires selection of the first two finishers, irrespective of order, for a single designated contest. The quinella wager shall be calculated in an entirely separate pool.

Section 304.20 Pool Distribution

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

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

b) As a single price pool to those whose combination finished as the first two betting interests; but if there are no such wagers, then

c) As a profit split to those whose combination included either the first or second place finisher; but if there are no such wagers, then

d) As a single price pool to those whose combination included the one covered betting interest included within the first two finishers; but if there are no such wagers, then

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

Section 304.30 Dead Heats

a) 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.

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

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

b) 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.

c) If there is a dead heat for second involving contestants representing two or more betting interests, the quinella pool shall be distributed to wagers in the following manner:

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 covered combination, then

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

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, then

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, then

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

Section 304.40 Scratches

a) In the event any contestant, which is not part of an entry or field, is scratched, all wagers including the scratched betting interests shall be refunded.

b) In the event any contestant in a coupled entry or mutuel field is scratched, the remaining contestant(s) in that coupled entry or mutuel field shall remain valid betting interests and no refunds shall be granted.

c) In the event all contestants within a coupled entry or mutuel field are scratched, all wagers including such betting interests shall be refunded.

SOURCE: Adopted at 19 Ill. Reg. 15205, effective November 1, 1995.

PART 305
PERFECTA/EXACTA

Section

305.10 Definition
305.20 Pool Distribution
305.30 Dead Heats
305.40 Scratches

Section 305.10 Definition

The perfecta/exacta requires the selection of the first two finishers, in their exact order, for a single designated contest. Perfecta/exacta wagers shall be calculated in an entirely separate pool.

Section 305.20 Pool Distribution

The net perfecta/exacta pool shall be distributed to winning wagers in the following manner, based upon the official order of finish:

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

b) As a single price pool to those whose combination finished in correct sequence as the first two betting interests; but if there are no such wagers, then

c) 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, then

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

e) The entire pool shall be refunded on perfecta/exacta wagers for that contest.

Section 305.30 Dead Heats

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

1) contestants representing the same betting interest, the perfecta/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.

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

b) If there is a dead heat for second involving contestants representing the same betting interests, the perfecta/exacta shall be distributed as if no dead heat occurred.

c) If there is a dead heat for second involving contestants representing two or more betting interests, the perfecta/exacta pool shall be distributed in the following manner:

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 are no such wagers, then

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

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 perfecta/exacta wagers for that contest.

Section 305.40 Scratches

a) In the event any contestant, which is not part of an entry or field, is scratched, all wagers including the scratched betting interests shall be refunded.

b) In the event any contestant in a coupled entry or mutuel field is scratched, the remaining contestant(s) in that coupled entry or mutuel field shall remain valid betting interests and no refunds shall be granted.

c) In the event all contestants within a coupled entry or mutuel field are scratched, all wagers including such betting interests shall be refunded.

SOURCE: Adopted at 19 Ill. Reg. 15199, effective November 1, 1995.

PART 306
TRIFECTA

Section

306.10 Definition
306.20 Entries (Repealed)
306.30 Minimum Fields
306.40 Pool Distribution
306.50 Dead Heats
306.60 Scratches

Section 306.10 Definition

The trifecta requires the selection of the first three finishers, in their exact order, for a single designated contest. All trifecta wagers shall be calculated in an entirely separate pool.

Section 306.30 Minimum Fields

a) Trifecta wagering shall not be scheduled on a thoroughbred race unless at least five betting interests are carded. In the event of a scratch, trifecta wagering on a thoroughbred race in which four betting interests remain is permissible.

b) Trifecta wagering shall not be scheduled on a standardbred race unless at least six betting interests are carded. In the event of a scratch, trifecta wagering on a standardbred race in which five betting interests remain is permissible.

(AMENDED EFFECTIVE JULY 22, 2010)

Section 306.40 Pool Distribution

a) The net trifecta 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, in any combination, within the first three finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest; otherwise

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

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

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, then

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

b) If less than three 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 (e.g., 2 horses finish = 1-2-All or 1 horse finishes = 1-All-All).

Section 306.50 Dead Heats

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

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

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

b) 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.

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

Section 306.60 Scratches

a) In the event any contestant that is not part of an entry or field, is scratched, all wagers including the scratched betting interests shall be refunded.

b) In the event any contestant in a coupled entry or mutuel field is scratched, the remaining contestant(s) in that coupled entry or mutuel field shall remain valid betting interests and no refunds shall be granted.

c) In the event all contestants within a coupled entry or mutuel field are scratched, all wagers including such betting interests shall be refunded.

Source: Adopted at 19 Ill. Reg. 15225, effective November 1, 1995; amended at 24 Ill. Reg. 7397, effective May 1, 2000; amended at 26 Ill. Reg. 4900, effective March 20, 2002; amended at 26 Ill. Reg. 12355, effective August 1, 2002; amended at 27 Ill. Reg. 5024, effective March 7, 2003; amended at 30 Ill Reg. 2651, effective February 21, 2006; amended at 30 Ill. Reg. 10459, effective June 1, 2006; amended at 31 Ill. Reg. 8518, effective June 1, 2007; amended at 32 Ill. Reg. 10139, effective July 1, 2008; amended at 34 Ill. Reg. 11436, effective July 22, 2010.

PART 307
TWIN TRIFECTA

Section

307.10 Definition
307.20 General Provisions
307.30 Pool Distribution
307.40 Dead Heats
307.50 Scratches
307.60 Races Canceled
307.70 Mandatory Distribution

Section 307.10 Definition

The twin trifecta requires selection of the first three finishers, in their exact order, in each of two designated contests. Each winning wager 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 contest. Winning first half twin trifecta wagers will receive both an exchange and a monetary payoff. All twin trifecta wagers shall be calculated in an entirely separate pool.

Section 307.20 General Provisions

a) Unless expressly noted in this Part, all trifecta rules shall apply.

b) Twin trifecta tickets shall be sold and exchanged by licensed facilities and at attended ticket-issuing machines. The sale, exchange or transfer of twin trifecta tickets by any other facility or person is prohibited.

c) Twin trifecta wagers shall not be sold in denominations of less than $1.

d) The twin trifecta rules shall be prominently displayed in the official program on each day the twin trifecta wager is offered.

e) If a wagering facility is unable to process wagers on the second twin trifecta contest, due to unforeseen problems, including but not limited to totalizator malfunction, natural disaster, electrical failure, holders of winning wagers on the first twin trifecta contest shall be entitled to the monetary value of the winning wager but shall not be eligible for an exchange ticket on the second twin trifecta contest.

f) Any organization licensee who elects to offer a twin trifecta wager shall notify the State Director of Mutuels, in writing, at least 30 days prior to the start of its meet.

Section 307.30 Pool Distribution

a) An organization shall elect a 50% or 75% carryover method prior to the start of its meet. The remaining 50% or 25% shall be the daily net pool.

b) In the first twin trifecta contest, winning wagers and distribution of the daily net pool 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 betting interests; but if there are no such wagers, then

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

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, then

4) The entire twin trifecta pool, for that contest, shall be added to the carryover pool and the second half shall be canceled.

c) If no first half twin trifecta wager selects the first three finishers of that contest in exact order, winning wagers shall not receive any exchange tickets for the second half twin trifecta pool. In such cases, the second twin trifecta pool shall be retained and added to any existing twin trifecta carryover pool.

d) The carryover pool shall be distributed to winning wagers on the second twin trifecta contest according to the following precedence, based upon the official order of finish for the second twin trifecta contest:

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

2) The entire carryover pool for that contest shall be added to any existing carryover and retained for the next consecutive second half twin trifecta pool.

e) If a winning first half twin trifecta wager is not presented for payment and exchange prior to the second half twin trifecta contest, the ticket holder shall receive 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.

Section 307.40 Dead Heats

a) If there is a dead heat or multiple dead heats in either the first or second twin trifecta contest, all twin trifecta wagers selecting the correct order of finish, including any dead-heated contestant, shall be considered winners.

b) If there is a dead heat in the first twin trifecta contest, payoffs shall be calculated as a profit split.

c) If there is a dead heat in the second twin trifecta contest, payoffs shall be calculated as a single price pool.

Section 307.50 Scratches

a) Should a betting interest in the first twin trifecta contest be scratched, those wagers including the scratched betting interest shall be refunded.

b) Should a betting interest in the second twin trifecta contest 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 twin trifecta pool.

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

Section 307.60 Races Canceled

a) If either of the twin trifecta contests are canceled prior to the first twin trifecta contest, the entire twin trifecta pool shall be refunded on twin trifecta wagers for that contest and the second twin trifecta contest shall be canceled.

b) If the second twin trifecta contest is canceled, all exchange tickets and outstanding first half winning twin trifecta tickets shall be entitled to the daily net twin trifecta pool for that contest as a single price pool, but not the twin trifecta carryover.

Section 307.70 Mandatory Distribution

a) The twin trifecta carryover shall be designated for distribution on the last program of a race meeting or the last program during a consecutive race meeting of the same type of racing at the same track and shall be advertised to the public.

b) In the event a mandatory distribution is required, the following precedence will be followed in determining winning wagers for the second twin trifecta contest, based upon the official order of finish:

1) As a single price pool to those who selected the first three finishers in exact order; but if there are no such wagers, then

2) As a single price pool to those whose combination correctly selected the first and second place finishers in correct order; but if there are no such wagers, then

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

4) As a single price pool to those whose combination correctly selected the second and third place finishers in exact order; but if there are no such wager, then

5) As a single price pool to those whose combination correctly selected the second-place betting interest; but if there are no such wagers, then

6) As a single price pool to those whose combination correctly selected the third-place betting interest; but if there are no such wagers, then

7) As a single price pool to holders of valid exchange tickets.

c) In the event no valid exchange tickets are issued the carryover shall be distributed in the following precedence, based upon the official order of finish:

1) As a single price pool to those whose combination correctly selected the first and second place betting interests in the first twin trifecta contest; but if there are no such wagers, then

2) As a single price pool to those whose combination correctly selected the first-place finisher in the first twin trifecta contest; but if there are no such wagers, then

3) As a single price pool to those holding first half twin trifecta wagers.

SOURCE: Adopted at 19 Ill. Reg. 15230, effective November 1, 1995.

PART 308
PICK (N) POOLS

Section

308.10 Pick (n)
308.20 Pool Calculations
308.30 Dead Heats
308.40 Scratches
308.50 Cancellation of Races
308.60 Carryover Cap
308.70 Mandatory Distribution
308.80 Disclosure
308.90 Pick 3 Pools

Section 308.10 Pick (n)

The Pick (n) requires selection of the first-place finisher in each of a designated number of contests. The organization licensee shall designate the number of contests for the Pick (n) and the method for pool calculation prior to the start of its meet. The organization licensee shall submit, in writing, its intent to offer the Pick (n) wager to the State Director of Mutuels no later than 30 days prior to the start of its meet.

Section 308.20 Pool Calculations

The organization licensee may select one of the following methods for conducting its Pick (n) pool. As used in this Part, "Major pool" is defined as 75% of the daily net pool; and "Minor pool" is defined as 25% of the daily net pool. Any deviation from the major/minor pool percentage division must be approved by the State Director of Mutuels.

a) Method 1, Pick (n) with Carryover: The net Pick (n) pool and 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, and the remainder shall be added to the carryover.

b) Method 2, 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, and the major share shall be added to the carryover.

c) Method 3, 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.

d) Method 4, 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.

e) Method 5, 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.

f) Method 6, Pick (n) with Minor Pool and Carryover: The net Pick (n) pool and 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. If there are no wagers selecting the first-place finisher in all Pick (n) contests, two-thirds of the net pool (major pool) or one-half of the total gross pool, whichever is greater, shall be distributed as a single price pool to those who present a valid pari-mutuel wager for that Pick (n) pool and the remaining one-third of the net pool shall be added to the carryover. The minimum pay-off provisions contained in 11 Ill. Adm. Code 405.130 shall not apply when distributing the major pool in this pool calculation.

g) Method 7, Pick (n) with "Unique Winning Ticket" Provision: The net Pick (n) pool and carryover, if any, shall be distributed to the holder of a unique winning ticket that 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 is no unique winning ticket selecting the first-place finisher in each of the Pick (n) contests, or 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, and the major share shall be added to the carryover. Unique winning ticket, as used in this subsection, shall be defined as having occurred when there is one and only one winning ticket that correctly selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish, to be verified by the unique serial number assigned by the tote company that issued the winning ticket. In the event that there is more than one winning ticket that correctly selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish, the unique winning ticket shall be deemed to not have occurred.

Section 308.30 Dead Heats

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

a) contestants representing the same betting interest, the Pick (n) pool shall be distributed as if no dead heat occurred.

b) contestants representing two 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.

Section 308.40 Scratches

Should a betting interest in any of the Pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the closing 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 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 that became winners as a result of the substitution, in addition to the normal winning combination.

Section 308.50 Cancellation of Races

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

1) at least two contests included as part of a Pick 3 are canceled or declared "no contest".

2) at least three contests included as part of a Pick 4 or Pick 5 are canceled or declared "no contest"

3) at least four contests included as part of a Pick 6 or Pick 7 are canceled or declared "no contest".

4) at least five contests included as part of a Pick 8 or Pick 9 are canceled or declared "no contest".

5) at least six contests included as part of a Pick 10 or Pick 11 are canceled or declared "no contest".

b) If at least one contest included as part of a Pick (n) is canceled or declared "no contest", but not more than the number specified in subsection (a), the net pool shall be distributed as a single price pool to those whose selection finishes 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.

Section 308.60 Carryover Cap

The Pick (n) carryover may be capped at a designated level approved by the State Director of Mutuels 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 Section 308.70. After the Pick (n) carryover is frozen, 100 percent 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.

Section 308.70 Mandatory Distribution

a) A written request for permission to distribute the Pick (n) carryover on a specific performance may be substituted to the State Director of Mutuels. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

b) 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 State Director of Mutuels as provided for in subsection (a).

2) Upon written approval from the State Director of Mutuels when there is a change in the carryover cap, a change from one type of Pick (n) wagering to another, or when the Pick (n) is discontinued.

3) On the closing performance of the meet, split meet or successive or intervening race meeting at the same race track.

c) If, for any reason, the Pick (n) carryover must be held over to the corresponding Pick (n) of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the State Director of Mutuels. 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 designated by the State Director of Mutuels.

d) With written approval of the Board, the organization licensee may contribute to the Pick (n) carryover a sum of money up to any designated cap.

Section 308.80 Disclosure

The organization licensee may display potential distribution to ticket holders depending on the outcome of the appropriate Pick (n) contest.

Section 308.90 Pick 3 Pools

a) The Pick 3 requires selection of the first-place finisher in each of three specified contests.

b) The net Pick 3 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 contests; but if there are no such wagers, then

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

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

4) The entire pool shall be refunded on Pick 3 wagers for those contests.

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

1) contestants representing the same betting interest, the Pick 3 pool shall be distributed as if no dead heat occurred.

2) contestants representing two or more betting interests, the Pick 3 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 3 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 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 that became winners as a result of the substitution, in addition to the normal winning combination.

e) If two or three Pick 3 contests are cancelled or declared "no contest", the entire pool shall be refunded on Pick 3 wagers for those contests.

f) If one of the Pick 3 contests is cancelled or declared "no contest", the Pick 3 pool will remain valid and shall be distributed in accordance with subsection (b)(2).

SOURCE: Adopted at 18 Ill. Reg. 7433, effective May 8, 1994; amended at 19 Ill. Reg. 5039, effective April 1, 1995; amended at 30 Ill. Reg. 6165, effective April 1, 2006; amended at 32 Ill. Reg. 10143, effective July 1, 2008; amended at 35 Ill. Reg., effective July 22, 2011.

PART 309
SUPERTRIFECTA

Section

309.10 Definition
309.20 General Provisions
309.30 Pool Distribution
309.40 Dead Heats
309.50 Scratches
309.60 Races Canceled
309.70 Mandatory Distribution

Section 309.10 Definition

The supertrifecta requires selection of the first three finishers, in their exact order, in the first of two designated contests and the first four finishers, in exact order, in the second of two designated contests. The supertrifecta wager shall be calculated in an entirely separate pool.

Section 309.20 General Provisions

a) Unless expressly noted in this Part, all trifecta rules apply.

b) Supertrifecta wagers shall not be sold in denominations of less than $1.

c) The supertrifecta rules shall be prominently displayed in the official program on each day the supertrifecta wager is offered.

d) Any organization licensee that elects to offer a supertrifecta wager shall notify the State Director of Mutuels, in writing, at least 30 days prior to the start of its meet.

Section 309.30 Pool Distribution

The daily net pool and any carryover pool shall be distributed as a single price pool to those whose combination finished in correct sequences as the first three betting interests in the first supertrifecta contest and the first four finishers, in correct sequence, in the second supertrifecta contest; but if there are no such wagers, then the daily net pool shall be combined with the carryover pool and carried forward to the next consecutive supertrifecta wager.

Section 309.40 Dead Heats

If there is a dead heat or multiple dead heats in either the first or second supertrifecta contest, all supertrifecta wagers selecting the correct order of finish, including any dead-heated contestant, shall be considered winners and the pool shall be distributed as a single price pool.

Section 309.50 Scratches

a) Should a betting interest in either supertrifecta contest be scratched prior to the first supertrifecta contest, those wagers including the scratched betting interest shall be refunded.

b) Should a betting interest in the second supertrifecta contest be scratched after the first supertrifecta contest, wagers including the scratched betting interest shall be withdrawn from the supertrifecta pool and made part of the consolation pool. The consolation pool shall be distributed to those wagers including the scratched betting interest as a profit split.

c) If, due to a late scratch, the number of betting interests in the second supertrifecta contest is reduced to fewer than the minimum, the daily net supertrifecta pool shall be distributed as a single price pool to those who correctly selected the first supertrifecta contest. In the event there are no wagers correctly selecting the first supertrifecta contest, the supertrifecta pool shall be added to any existing carryover.

Section 309.60 Races Canceled

a) If either of the supertrifecta contests are canceled prior to the first supertrifecta contest, the entire supertrifecta pool shall be refunded on supertrifecta wagers for that program.

b) If the second supertrifecta contest is canceled after the first supertrifecta contest is run, the supertrifecta pool shall be distributed as a single price pool to those who selected the first three finishers, in correct sequence, in the first supertrifecta contest. In the event there are no wagers correctly selecting the first supertrifecta contest, the supertrifecta pool shall be added to any existing carryover.

Section 309.70 Mandatory Distribution

a) The supertrifecta carryover shall be designated for distribution on the last program of a race meeting or the last program during a consecutive race meeting of the same type of racing at the same track and shall be advertised to the public.

b) In the event a mandatory distribution is required, the following precedence will be followed in determining winning wagers for the second supertrifecta contest, based upon the official order of finish:

1) As a single price pool to those who selected the first three finishers in exact order, but if there are no such wagers; then

2) As a single price pool to those whose combination correctly selected the first and second place finishers in correct order; but if there are no such wagers, then

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

4) As a single price pool to those whose combination correctly selected the second and third place finishers in exact order; but if there are no such wager, then

5) As a single price pool to those whose combination correctly selected the second place betting interest; but if there are no such wagers, then

6) As a single price pool to those whose combination correctly selected the third and fourth place betting interest; but if there are no such wagers, then

7) As a single price pool to those whose combination correctly selected the third place betting interest; but if there are no such wagers, then

8) As a single price pool to those whose combination correctly selected the fourth place betting interest; but if there are no such wagers, then

9) As a single price pool to those whose combination correctly selected the first three finishers in the first supertrifecta contest; but if there are no such wagers, then

10) As a single price pool to those whose combination correctly selected the first and second place finishers in the first supertrifecta contest; but if there are no such wagers, then

11) As a single price pool to those whose combination correctly selected the first place finisher in the first supertrifecta contest; but if there are no such wagers, then

12) As a single price pool to holders of valid supertrifecta wagers.

SOURCE: Adopted at 19 Ill. Reg. 15209, effective November 1, 1995.

PART 310
SUPERTRIFECTA EXCHANGE

Section

310.10 Definition
310.20 General Provisions
310.30 Pool Distribution
310.40 Dead Heats
310.50 Scratches
310.60 Races Canceled
310.70 Mandatory Distribution

Section 310.10 Definition

The supertrifecta exchange requires selection of the first three finishers, in their exact order, in the first of two designated contests, and the selection of the first four finishers, in their exact order in the second of two designated contests. Each winning wager for the first supertrifecta exchange contest must be exchanged for a free ticket on the second supertrifecta exchange contest in order to remain eligible for the second half supertrifecta exchange contest. Winning first half supertrifecta exchange wagers will receive both an exchange and a monetary payoff. All supertrifecta exchange wagers shall be calculated in an entirely separate pool.

Section 310.20 General Provisions

a) Unless expressly noted in this Part, all trifecta rules shall apply.

b) Supertrifecta exchange tickets shall be sold and exchanged by licensed facilities and at attended ticket issuing machines. The sale, exchange or transfer of supertrifecta exchange tickets by any other facility or person is prohibited.

c) Supertrifecta exchange wagers shall not be sold in denominations of less than $1.

d) The supertrifecta exchange rules shall be prominently displayed in the official program on each day the supertrifecta exchange wager is offered.

e) If a wagering facility is unable to process wagers on the second supertrifecta exchange contest, due to unforeseen problems, including but not limited to totalizator malfunction, natural disaster, electrical failure, holders of winning wagers on the first supertrifecta exchange contest shall be entitled to the monetary value of the winning wager but shall not be eligible for an exchange ticket on the second supertrifecta exchange contest.

f) Any organization licensee who elects to offer a supertrifecta exchange wager shall notify the State Director of Mutuels, in writing, at least 30 days prior to the start of its meet.

Section 310.30 Pool Distribution

a) An organization shall elect a 50% or 75% carryover method prior to the start of its meet. The remaining 50% or 25% shall be the daily net pool.

b) In the first supertrifecta exchange contest, winning wagers and distribution of the daily net pool shall be determined using the following precedence, based upon the official order of finish for the first supertrifecta exchange contest:

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

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

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, then

4) The entire supertrifecta exchange pool, for that contest, shall be added to the carryover pool and the second half shall be canceled.

c) If no first half supertrifecta exchange wager selects the first three finishers of that contest in exact order, winning wagers shall not receive any exchange tickets for the second half supertrifecta exchange pool. In such cases, the second half supertrifecta exchange pool shall be retained and added to any existing supertrifecta exchange carryover pool.

d) The carryover pool shall be distributed to winning wagers on the second supertrifecta exchange contest according to the following precedence, based upon the official order of finish for the second supertrifecta exchange contest:

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

2) The entire carryover pool for that contest shall be added to any existing carryover and retained for the next consecutive second half supertrifecta exchange pool.

e) If a winning first half supertrifecta exchange wager is not presented for payment and exchange prior to the second half supertrifecta exchange contest, the ticket holder shall receive the monetary value associated with the first half supertrifecta exchange pool but forfeits all rights to any distribution of the second half supertrifecta exchange pool.

Section 310.40 Dead Heats

a) If there is a dead heat or multiple dead heats in either the first or second supertrifecta exchange contest, all supertrifecta exchange wagers selecting the correct order of finish, including any dead heated contestant, shall be considered winners.

b) If there is a dead heat in the first supertrifecta exchange contest, payoffs shall be calculated as a profit split.

c) If there is a dead heat in the second supertrifecta exchange contest, payoffs shall be calculated as a single price pool.

Section 310.50 Scratches

a) Should a betting interest in the first supertrifecta exchange contest be scratched, those wagers including the scratched betting interest shall be refunded.

b) Should a betting interest in the second supertrifecta exchange contest 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 supertrifecta exchange contest, the ticket holder forfeits all rights to the second supertrifecta exchange pool.

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

Section 310.60 Races Canceled

a) If either of the supertrifecta exchange contests are canceled prior to the first supertrifecta exchange contest, the entire supertrifecta exchange pool shall be refunded.

b) If the second supertrifecta exchange contest is canceled, all exchange tickets and outstanding first half winning supertrifecta exchange tickets shall be entitled to the daily net supertrifecta exchange pool for that contest as a single price pool, but not the supertrifecta exchange carryover.

Section 310.70 Mandatory Distribution

a) The supertrifecta exchange carryover shall be designated for distribution on the last program of a race meeting or the last program during a consecutive race meeting of the same type of racing at the same track and shall be advertised to the public.

b) In the event a mandatory distribution is required, the following precedence will be followed in determining winning wagers for the second supertrifecta exchange contest, based upon the official order of finish:

1) As a single price pool to those who selected the first four finishers in exact order; but if there are no such wagers, then

2) As a single price pool to those whose combination correctly selected the first, second and third place betting interests; but if there are no such wagers, then

3) As a single price pool to those whose combination correctly selected the first and second place finishers; but if there are no such wagers, then

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

5) As a single price pool to those whose combination correctly selected the second, third and fourth place finishers; but if there are no such wagers, then

6) As a single price pool to those whose combination correctly selected the second and third place betting interest; but if there are no such wagers, then

7) As a single price pool to those whose combination correctly selected the second place betting interest; but if there are no such wagers, then

8) As a single price pool to those whose combination correctly selected the third and fourth place betting interest; but if there are no such wagers, then

9) As a single price pool to those whose combination correctly selected the third place betting interest; but if there are no such wagers, then

10) As a single price pool to those whose combination correctly selected the fourth place betting interest; but if there are no such wagers, then

11) As a single price pool to holders of valid exchange tickets.

c) In the event no valid exchange tickets are issued the carryover shall be distributed in the following precedence, based upon the official order of finish:

1) As a single price pool to those whose combination correctly selected the first and second place betting interests in the first supertrifecta exchange contest; but if there are no such wagers, then

2) As a single price pool to those whose combination correctly selected the first place finisher in the first supertrifecta exchange contest; but if there are no such wagers, then

3) As a single price pool to those holding first half supertrifecta exchange wagers.

SOURCE: Adopted at 19 Ill. Reg. 15214, effective November 1, 1995.

PART 311
SUPERFECTA

Section

311.10 Superfecta
311.20 Pool Distribution
311.25 Scratches
311.30 Dead Heats
311.35 Minimum Fields
311.40 Entries (Repealed)

Section 311.10 Superfecta

The Superfecta requires selection of the first four finishers, in their exact order, for a single contest.

Section 311.20 Pool Distribution

The organization licensee may choose to distribute pools in accordance with subsection (a), (b) or (c). The organization licensee must give the Board 30 days notice if it chooses to distribute pools under subsection (b) or subsection (c), including the exact percentages it will use to determine the minor and major pools. The racing program shall indicate when the method described in subsection (b) or subsection (c) is being used for a meet.

a) 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 betting interests; but if there are no such wagers, then

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

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

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, ~~;~~then

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

b) Distribution of Winnings

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

A) As a single price pool to those whose combination finished in correct sequence as the first four betting interests; but if there are no such wagers; then

B) The net pool will be divided into two separate pools. The major pool of the net pool shall be paid as a carryover pool into the next regularly scheduled Superfecta race. The remaining minor pool shall be paid as a Superfecta consolation pool, which will be equally divided among those ticket holders who correctly select the first three betting interests; but if there are no such wagers; then

C) The Superfecta consolation pool will be divided among those ticket holders who correctly select the first two interests; but if there are no such wagers; then

D) The Superfecta consolation pool will be divided among those ticket holders who correctly select the first betting interest; but if there are no such wagers; then

E) The entire net pool shall become a carryover pool into the next regularly scheduled Superfecta race.

2) On the last Superfecta race on the final day of the meeting, the net pool shall be redistributed using the method described in subsection (a).

c) Distribution of Winnings

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

A) As a single price pool to those whose combination finished in correct sequence as the first four betting interests; but, if there are no such wagers, then

B) The entire pool shall be paid as a carryover pool into the next regularly scheduled superfecta race.

2) On the last superfecta race on the final day of the meeting, the net pool shall be redistributed using the method described in subsection (a).

d) If fewer than four 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.

Section 311.25 Scratches

In the event any contestant that is not part of an entry or field is scratched, all wagers, including the scratched betting interest, shall be refunded.

Section 311.30 Dead Heats

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

1) contestants representing four or more betting interests, all of the wagering combinations selecting four 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 betting interests, all of the wagering combinations selecting the three dead heated betting interests, irrespective of order, along with the fourth place betting interest shall share in a profit split.

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

b) If there is a dead heat for second involving:

1) contestants representing three or more betting interests, all of the wagering combinations correctly selecting the winner combined with any of the three betting interests involved in the dead heat for second shall share in a profit split.

2) contestants representing two betting interests, all of the wagering combinations correctly selecting the winner, the two dead heated betting interests, irrespective of order, and the fourth place betting interests shall share in a profit split.

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

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

Section 311.35 Minimum Fields

a) Superfecta wagering shall not be scheduled on a thoroughbred race unless at least six betting interests are carded. In the event of a scratch, superfecta wagering on a thoroughbred race in which five betting interests remain is permissible.

b) Superfecta wagering shall not be scheduled on a standardbred race unless at least seven betting interests are carded. In the event of a scratch, superfecta wagering on a standardbred race in which six betting interests remain is permissible.

(AMENDED EFFECTIVE JULY 22, 2010)

SOURCE: Adopted at 18 Ill. Reg. 7440, effective May 8, 1994; amended at 19 Ill. Reg. 6663, effective May 1, 1995; amended at 26 Ill. Reg. 4903, effective March 20, 2002; amended at 26 Ill. Reg. 12357, effective August 1, 2002; emergency amendment at 26 Ill. Reg. 14702, effective September 16, 2002, for a maximum of 150 days; emergency expired February 12, 2003; emergency amendment at 26 Ill. Reg. 16854, effective November 15, 2002, for a maximum of 150 days; emergency expired April 13, 2003; amended at 28 Ill. Reg. 7121, effective May 10, 2004; amended at 29 Ill. Reg. 7792, effective September 1, 2005; amended at 29 Ill. Reg. 11763, effective November 7, 2005; amended at 30 Ill. Reg. 2491, effective June 1, 2006; amended at 32 Ill. Reg. 13525, effective August 1, 2008; amended at 34 Ill. Reg. 2320, effective January 27, 2010; amended at 34 Ill. Reg. 11440, effective July 22, 2010.

PART 312
PLACE PICK N POOLS

Section

312.10 Place Pick N
312.20 Pool Calculations
312.30 Dead Heats
312.40 Scratches
312.50 Cancellation of Races
312.60 Carryover Cap
312.70 Mandatory Distribution
312.80 Disclosure
312.90 Pick Three Pools

Section 312.10 Place Pick N

The Place Pick N requires selection of the first and second-place finisher in each of a designated number of contests. The organization licensee shall designate the number of contests for the Place Pick N and the method for pool calculation prior to the start of its meet. The organization licensee shall submit, in writing, its intent to offer the Place Pick N wager to the State Director of Mutuels no later than 30 days prior to the start of its meet.

Section 312.20 Pool Calculations

The organization licensee may select one of the following methods for conducting its Place Pick N pool. As used in this Part, "Major Pool" is defined as seventy-five (75%) of the daily net pool; and "Minor Pool" is defined as twenty-five (25%) of the daily net pool. Any deviation from the Major/Minor pool percentage division must be approved by the State Director of Mutuels.

a) Method 1, 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 and 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 and second-place finisher in the greatest number of Place Pick N contests; and the remainder shall be added to the carryover.

b) Method 2, 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 and 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 and 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 and 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 and second-place

finisher in the greatest number of Place Pick N contests; and the major share shall be added to the carryover.

c) Method 3, 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 and 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.

d) Method 4, 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 and 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 and 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 and 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 and second-place finisher in the greatest number of Place Pick N contests. If the greatest number of first and 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.

e) Method 5, 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 and 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 and 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 and 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 and second-place finisher in the greatest number of Place Pick N contests. If there are no wagers selecting the first and 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 and second-place finisher in each of the Place Pick N contests. If there are no winning wagers, the pool is refunded.

f) Method 6, Place Pick N with Minor Pool and Carryover: The net Place Pick N pool and carryover, if any, shall be distributed to those who selected the first and second-place finisher in each of the Place Pick N contests, based upon the official order of finish. If there are no wagers selecting the first and second-place finisher in all Place Pick N contests, two-thirds of the net pool (major pool) or one-half of the total gross pool, whichever is greater, shall be distributed as a

single price pool to those who present a valid pari-mutuel wager for that Place Pick N pool and the remaining one-third of the net pool shall be added to the carryover. The minimum pay-off provisions contained in 11 Ill. Adm. Code 405.130 shall not apply when distributing the major pool in this pool calculation.

Section 312.30 Dead Heats

a) 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.

2) contestants representing two or more betting interests, the Place Pick N pool shall be distributed as a single price pool with each winning wager including each betting interest participating in the dead heat.

b) 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.

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

Section 312.40 Scratches

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 closing 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 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.

Section 312.50 Cancellation of Races

a) 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 contests included as part of a Pick 3 are canceled or declared "no contest".

2) at least three contests included as part of a Pick 4 or Pick 5 are canceled or declared "no contest".

3) at least four contests included as part of a Pick 6 or Pick 7 are canceled or declared "no contest".

4) at least five contests included as part of a Pick 8 or Pick 9 are canceled or declared "no contest".

5) at least six contests included as part of a Pick 10 or Pick 11 are canceled or declared "no contest".

b) If at least one contest included as part of a Place Pick N is canceled or declared "no contest", but not more than the number specified in subsection (a), the net pool shall be distributed as a single price pool to those whose selection finishes first and 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.

Section 312.60 Carryover Cap

The Place Pick N carryover may be capped at a designated level approved by the State Director of Mutuels 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 Section 312.70. After the Place Pick N carryover is frozen, 100 percent 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 and second in the greatest number of Place Pick N contests for that performance.

Section 312.70 Mandatory Distribution

a) A written request for permission to distribute the Place Pick N carryover on a specific performance may be substituted to the State Director of Mutuels. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

b) 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 and 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 and 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 only under the following circumstances:

1) Upon written approval from the State Director of Mutuels as provided for in subsection (a).

2) Upon written approval from the State Director of Mutuels when there is a change in the carryover cap, a change from one type of Place Pick N wagering to another, or when the Place Pick N is discontinued.

3) On the closing performance of the meet, split meet or successive or intervening race meeting at the same race track.

c) If, for any reason, the Place Pick N carryover must be held over to the corresponding Place Pick N of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Sate Director of Mutuels. 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 designated by the State Director of Mutuels.

d) With written approval of the Board, the organization licensee may contribute to the Place Pick N carryover a sum of money up to any designated cap.

Section 312.80 Disclosure

The organization licensee may display potential distribution to ticket holders depending on the outcome of the appropriate Place Pick N contest.

Section 312.90 Place Pick Three Pools

a) The Place Pick Three requires selection of the first and second-place finisher in each of three specified contests.

b) The net Place 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 and second in each of the three contests; but if there are no such wagers, then

2) As a single price pool to those who selected first and second-place finisher in any two of the three contests; but if there are no such wagers, then

3) As a single price pool to those who selected the first and second-place finisher in any one of the three contests; but is there are no such wagers, then

4) The entire pool shall be refunded on Place Pick Three wagers for those contests.

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

1) contestants representing the same betting interest, the Place Pick Three pool shall be distributed as if no dead heat occurred.

2) contestants representing two or more betting interests, the Place Pick Three pool shall be distributed as a single price pool with each winning wager including each betting interest participating in the dead heat.

d) If there is a dead heat for second in any of the three contests involving:

1) contestants representing the same betting interest, the Place Pick Three pool shall be distributed as if no dead heat occurred.

2) contestants representing two or more betting interests, the Place Pick Three pool shall be distributed as a single price pool with each 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 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 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) If two or three Place Pick Three contests are canceled or declared "no contest", the entire pool shall be refunded on Place Pick Three wagers for those contests.

g) If one of the Place Pick Three contests is canceled or declared "no contest", the Place Pick Three pool will remain valid and shall be distributed in accordance with subsection (b)(2).

SOURCE: Adopted at 19 Ill. Reg. 13943, effective October 1, 1995.

PART 313
HI/LOW

Section

313.10 Hi/Low
313.20 General Provisions
313.30 Pool Variations
313.40 Pool Distribution

Section 313.10 Hi/Low

The Hi/Low wager is the sum of the official program numbers of the first three finishers, irrespective of order, in a designated contest upon which winning wagers are determined. All Hi/Low wagers shall be calculated as an entirely separate wagering pool.

Section 313.20 General Provisions

a) The minimum Hi/Low wager shall not be more than $20. The designated minimum wager shall be displayed in the official program on each day the Hi/Low wager is offered.

b) The Section shall be displayed in the official program on each racing day the Hi/Low wager is offered.

c) The designated target number and/or pool variation selected by the organization licensee in accordance with Section 313.30 of this Part shall be prominently displayed in the official program for each race designated for Hi/Low wagering. The target number selected by the organization licensee shall not be lower than 6 or greater than the sum of the 3 highest post position numbers.

d) Hi/Low wagering shall be prohibited on races that contain coupled entries or mutuel fields.

e) Takeout shall be deducted from each gross Hi/Low pool pursuant to the Act [230 ILCS 5/26(a)]. The takeout rate established by the organization licensee shall be prominently displayed in the official program each racing day that the Hi/Low wager is offered.

Section 313.30 Pool Variations

The organization licensee shall select one of the following 3 variations for each Hi/Low wager:

a) A target number plus 2 designated by the organization licensee, which creates 2 wagering options (Hi or Low).

b) A target number designated by the organization licensee, which creates three wagering options (Hi, Low or Push). A push shall be a wager which correctly selects the target number and not the Hi or Low category.

c) Three wagering options, designated by the organization licensee, based on the total possible minimum and maximum range (i.e., 6 to 12, 13 to 17, and 18 to 27 for a 10 horse field).

Section 313.40 Pool Distribution

a) The Hi/Low wager shall be distributed as a single price pool as described in 11 Ill. Adm. Code 300.20.

b) In the event there are fewer than 3 finishers in a designated Hi/Low contest, the entire Hi/Low pool shall be refunded.

c) In the event there is a dead heat in a designated Hi/Low contest, the sum of program numbers for all horses placed first, second and third shall be the number upon which winning wagers are determined (e.g., finishing horses 1, 2 (dead heated), 3 and 4; total number to determine the pool would be 10).

d) In the event there are no winning wagers for a Hi/Low contest, the entire Hi/Low pool shall be refunded.

e) In the event a scratch of betting interests eliminates one or more of the wagering options established pursuant to Section 313.20 of this Part the entire Hi/Low pool shall be refunded.

SOURCE: Adopted at 20 Ill. Reg. 10702, effective August 1, 1996.

PPT
PART 314

Section

314.10 General
314.20 Pool Distribution
314.30 Scratches
314.40 Dead Heats
314.50 Races Canceled
314.60 Mandatory Distribution

Section 314.10 General

a) The PPT (perfecta, perfecta, trifecta) requires the selection of the first two finishers in each of two designated contests and the first three finishers of a third designated contest, in exact order.

b) PPT wagers shall be calculated in an entirely separate pool.

c) An organization licensee offering the PPT wager may rename the wager so long as the name adopted by the organization licensee remains the same throughout the race meet.

d) Entries and fields shall be allowed in the two designated perfecta contests without restriction. Entries and fields shall be allowed in the designated trifecta contest only in accordance with Section 306.20.

e) The minimum field requirements set forth in Section 306.30 for trifectas shall apply to the designated trifecta contest of the PPT.

f) In the event the organization licensee prohibits perfecta wagering pursuant to 11 Ill. Adm. Code 300.80(c), all PPT wagers shall be refunded.

g) Each PPT contest shall be clearly designated in the official program.

h) An organization licensee may offer only one PPT wager per program.

Section 314.20 Pool Distribution

The organization licensee shall choose one of the following pool distributions:

a) Method 1, PPT with carryover: The net PPT pool and carryover, if any, shall be distributed to those who selected the exact winning PPT combinations.

b) Method 2, PPT with carryover and refund: The net PPT pool and carryover, if any, shall be distributed to those who selected the exact winning PPT

combinations. If there are no such wagers selecting the exact winning PPT combinations, 50 % of each PPT wager which represents 50% of the daily gross pool shall be refunded to those holding valid PPT wagers and the remaining 50%, excluding takeout, shall be added to the carryover pool.

Section 314.30 Scratches

a) In the event any contestant that is not part of an entry or field is scratched prior to the first designated PPT contest being declared official, all wagers including the scratched betting interests shall be refunded.

b) In the event any contestant that is part of an entry or field is scratched prior to the first designated PPT contest being declared official, the remaining contestants in that entry or field shall remain valid betting interests and no refunds shall be granted.

c) In the event any contestant is scratched after the first designated PPT contest has been declared official, those holding wagers which contain scratched betting interests with exact winning combinations in two of the three PPT contests shall receive a refund.

1) In the event the organization licensee elects method 1 of the pool distribution (Section 314.20(a)), those whose wagering combination contains a scratched betting interest without any winning combinations in two of the three PPT contests shall not receive a refund.

2) In the event the organization licensee elects method 2 of the pool distribution (Section 314.20(b)), those whose wagering combination contains a scratched betting interest without any winning combinations in two of the three PPT contests shall receive a 50% refund only in the event no wager correctly selects the exact winning combination for the entire PPT wager.

d) In the event of a mandatory distribution, those wagers containing a scratched betting interest with exact winning combinations in two of the three PPT contests shall not be subject to a refund, only in the event no wager correctly selects the exact winning combination for the entire PPT wager.

e) In the event scratches reduce the number or betting interests below the minimum field requirement for the trifecta contest of the PPT, the daily net PPT pool shall be distributed as a single price pool to those whose combination contains the winning combinations for the two perfecta contests. If there are no wagers which correctly select the winning combination for both perfecta contests, the daily net pool shall be refunded and the carryover pool, if any, shall be carried to the next racing program.

Section 314.40 Dead Heats

In the event of a dead heat in any of the designated PPT contests, all wagers containing the dead heated horses shall be considered winners. In the event the PPT net and carryover pools are subsequently distributed, those holding wagers containing the winning combinations shall share in a single price pool.

Section 314.50 Races Canceled

a) In the event one of the PPT contests is canceled, the daily net pool shall be distributed to holders of PPT wagers which correctly select the exact winning combinations for the remaining two PPT contest, as a single price pool. The carryover, if any shall be carried forward to the next racing program.

b) In the event two or more of the PPT contests are canceled, all valid PPT wagers shall be refunded and the carryover, if any, shall be carried forward to the next racing program.

Section 314.60 Mandatory Distribution

a) A written request for permission to distribute the PPT carryover pool on specific performances may be submitted to the State Director of Mutuels. The request shall contain justification of the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

b) The PPT carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

1) Upon written approval from the State Director of Mutuels as provided for in subsection (a).

2) Upon written approval from the State Director of Mutuels when there is a change in the carryover cap or when the PPT is discontinued.

3) On the closing performance of the meet, split meet or successive or intervening race meeting at the same race track of the same horse breed.

c) In the event the PPT carryover pool is designated for distribution on a specific date and performance in which there are no wagers selecting the exact winning PPT combination, the entire pool shall be distributed based on the official order of finish:

1) As a single price pool to those whose combination correctly selected the winning betting interests, in exact order, of the first two PPT contests and the first two finishers, in exact order, of the third PPT contest; but if there are no such wagers, then

2) As a single price pool to those whose combination correctly selected the winning betting interests, in exact order, of the first two PPT contests and the first place finisher of the third PPT contest; but if there are no such wagers, then

3) As a single price pool to those whose combination correctly selected the winning betting interests, in exact order, of the first two PPT contests; but if there are no such wagers, then

4) As a single price pool to those whose combination correctly selected the winning betting interests, in exact order of the first PPT contest and the first place finisher of the second PPT contest; but if there are no such wagers, then

5) As a single price pool to those whose combination correctly selected the winning betting interests, in exact order of the first PPT contest; but if there are no such wagers, then

6) As a single price pool to those whose combination correctly selected the first place finisher in the first PPT contest; but if there are no such wagers, then

7) As a single price pool to holders of valid PPT wagers.

d) If, for any reason, the PPT carryover must be held over to the corresponding PPT of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Sate Director of Mutuels. The PPT carryover plus accrued interest shall then be added to the net PPT pool of the following meet or second portion of a split meet on a date and performance designated by the State Director of Mutuels.

SOURCE: Adopted at 21 Ill. Reg. 3247, effective April 1, 1997; amended at 22 Ill. Reg. 2221, effective January 1, 1998.

PART 315
MATCH RIVAL

Section

315.10 General
315.20 Pool Distribution
315.30 Scratches

Section 315.10 General

a) The match rival wager requires the selection of the winning contestant in a competition between two or more equally matched betting interests or based on the sportsmanship and/or skill of the jockeys/drivers and/or trainers in a designated contest or series of contests regardless of the official placing of the other betting interests in that contest or series of contests. The match rival wager shall be calculated in an entirely separate pool.

b) Match rival wagers shall not be sold in denominations of less than $1.

c) The match rival rules shall be prominently displayed in the official program each day the match rival wager is offered.

d) The organization licensee may re-name this wager, but shall notify the State Director of Mutuels of the name that will be used.

e) The Racing Secretary, with the advice and consent of the stewards, shall determine the contestants for each match rival contest. The matching of contestants for the match rival shall be limited to horse versus horse, jockey versus jockey, driver versus driver and/or trainer versus trainer.

f) The contestants chosen for the match rival wager shall be conspicuously identified in the official program.

g) The organization licensee shall deduct the appropriate take-out and taxes as established in the Illinois Horse Racing Act of 1975. Match rival wagers consisting of a single contest shall be considered a single wager. Match rival wagers consisting of two contests shall be considered a feature wager. Match rival wagers consisting of three or more contests shall be considered a multiple wager.

h) The organization licensee may select one of the following methods for conducting its match rival pool. The method selected, as well as the payouts used and points assigned, shall be conspicuously identified in the official program.

1) Method 1, a single contest determined by the first to arrive at the finish line;

2) Method 2, a series of contests determined by the first to arrive at the finish line;

3) Method 3, a series of contests determined by the total accumulated points based on the finish order of the contests; or

4) Method 4, a series of contests determined by the total accumulated points based on the on-track pari-mutuel payoff of the contests. Either the win, win and place, or win, place, and show payouts may be used.

Section 315.20 Pool Distribution

The net match rival pool shall be distributed to winning wagers based upon the official order of finish as a single price pool to those whose selection arrives at the finish line first in a single contest or contains the most winners or has accumulated the highest point total in a series of contests.

a) In the event all contestants in this wager fail to finish in a single event contest or the contest is cancelled or declared no contest, the entire match rival pool shall be refunded.

b) In a series of contests of a match rival wager, more than half of the contests must be completed or the entire wager shall be cancelled and the entire match rival pool refunded.

c) In the event there is a dead heat in a single event contest in which there are only two contestants, the entire pool shall be refunded for that wager. In the event there is a dead heat in a single event in which there are three or more contestants, or in one or more races in a series of contests, all contestants involved in the dead heat shall be considered winners.

Section 315.30 Scratches

a) In a single event contest, if any betting contestant is scratched, or declared a non-starter by the Stewards, all wagers including the scratched contestant shall be refunded. If less than two valid betting interests remain, the contest shall be cancelled and all wagers refunded.

b) In a series of contests where the method of selecting the first to arrive at the finish line is used, or where the method of total accumulated points based on the finish order of the contests is used, in the event any contestant is scratched or declared a non-starter by the Stewards, then that particular contest in the series shall be cancelled. If fewer than two valid betting interests remain, the contest shall be cancelled and all wagers refunded.

c) In a series of contests where the method of the total accumulated points based on the on-track pari-mutuel payout is used, in the event any contestant is scratched or declared a non-starter by the Stewards that results in the contestants being a valid betting interest in zero contests, all wagers including the scratched contestant shall be refunded. If fewer than two valid betting interests remain, the contest shall be cancelled and all wagers refunded.

d) In a series of contests where the method of the total accumulated points is used based on the pari-mutuel payout and the contestant is a jockey or driver, if there is a jockey or driver change in any contest and that horse wins the contest (in the context of this Section), then that particular contest in the series shall be cancelled.

SOURCE: Adopted at 21 Ill. Reg. 6579, effective May 19, 1997; amended at 22 Ill. Reg. 2214, effective January 1, 1998; amended at 30 Ill. Reg. 14574, effective September 1, 2006.

PART 316
SHOW QUINELLA

Section

316.10 General
316.20 Pool Distribution
316.30 Dead Heat
316.40 Scratches

Section 316.10 General

a) The Show Quinella requires the selection of two of the first three place finishers, irrespective of order, for a single contest. The Show Quinella wager shall be calculated in an entirely separate pool.

b) The Show Quinella rules shall be prominently displayed in the official program each day the wager is offered.

c) Show Quinella wagers shall not be sold in denominations of less than $1, unless otherwise approved by the Board pursuant to 11 Ill. Adm. Code 300.40(a).

d) The organization licensee may re-name this wager, but shall notify the State Director of Mutuels of the name to be used.

Section 316.20 Pool Distribution

The organization licensee shall elect one of the following methods for distribution of the Show Quinella pool:

a) Method 1: Single price with no carryover: The net Show Quinella pool shall be distributed as a single price to those whose combinations finished as the first two betting interests, the first and third betting interests and/or the second and third betting interests; but if there are no such wagers, then the entire pool shall be refunded on Show Quinella wagers for that contest.

b) Method 2: Single price with carryover: The net Show Quinella pool shall be distributed as a single price pool to those whose combination finished as the first two betting interests, the first and third betting interests and/or the second and third betting interests; but if there are no such wagers, then the net pool shall be carried forward, added to any existing carryover and added to the next Show Quinella pool.

c) Method 3: Profit split with no carryover: The net Show Quinella pool shall be distributed as a profit split to those whose combination finished as the first two betting interests, the first and third betting interests and/or the second and third

betting interests; but if there are no such wagers, then the entire pool shall be refunded on Show Quinella wagers for that contest.

d) Method 4: Profit split with carryover: The net Show Quinella pool shall be distributed as a profit split to those whose combination finished as the first two betting interests, the first and third betting interests and/or the second and third betting interests; but if there are no such wagers, then the net pool shall be carried forward, added to any existing carryover and added to the next Show Quinella pool.

e) If contestants of a coupled entry or mutuel field finish within the first three finishers, the next separate betting interest shall be used to comprise the first three place finishers to determine the winning combinations for this wager.

Section 316.30 Dead Heat

a) In the event there is a dead heat for first place involving:

1) two or three separate betting interests, the net pool shall be distributed as if no dead heat occurred.

2) four or more separate betting interests, the net pool shall be distributed between all possible winning combinations of the first and second, first and third, and second and third place finishers.

b) In the event there is a dead heat for second place involving:

1) two separate betting interests, the net pool shall be distributed as if no dead heat occurred.

2) three or more separate betting interests, the net pool shall be distributed between all possible winning combinations of the first and second, first and third, and second and third place finishers.

c) In the event there is a dead heat for third place involving two or more separate betting interests, the net pool shall be distributed between all possible winning combinations of the first and third, second and third, and first and second place finishers.

Section 316.40 Scratches

a) In the event any contestant, which is not part of an entry or mutuel field, is scratched, all wagers including the scratched betting interest shall be refunded.

b) Scratches involving an entry or mutuel field shall not be refunded unless all contestants of the entry or mutuel field are scratched.

c) In the event scratches reduce the number of betting interests in any Show Quinella contest to fewer than five, the entire pool shall be refunded.

SOURCE: Adopted at 21 Ill. Reg. 6583, effective May 19, 1997.

PART 317
COUNTDOWN

Section

317.10 General
317.20 Pool Calculations
317.30 Dead Heats
317.40 Scratches
317.50 Cancellation
317.60 Minimum Fields
317.70 Carryover Cap
317.80 Mandatory Distribution

Section 317.10 General

a) The Countdown wager consists of four consecutive designated contests. The Countdown wager requires the selection of the fourth place finisher in the first designated contest; the third place finisher in the second designated contest; the second place finisher in the third designated contest; and the first place finisher in the fourth designated contest. The Countdown wager shall be calculated in an entirely separate pool.

b) The Countdown wager shall be described in detail in the official program on each day the wager is offered. The scratch provisions contained in Section 317.40 shall be prominently displayed in the official program each day the wager is offered.

c) Each designated contest of the Countdown wager shall be conspicuously identified in the official program.

d) Countdown wagers shall not be sold in denominations of less than $1.

e) The organization licensee may re-name this wager, but shall notify the State Director of Mutuels of the name to be used.

Section 317.20 Pool Calculations

The organization licensee may select one of the following methods for conducting its Countdown pool. As used in this Part, "Major Pool" is defined as 75% of the daily net pool; and "Minor Pool" is defined as 25% of the daily net pool. Any deviation from the Major/Minor pool percentage division must be approved by the State Director of Mutuels.

a) Method 1, Countdown with Carryover: The net Countdown pool and carryover, if any, shall be distributed as a single price pool to those who selected the correct winning betting interest in each of the four designated contests as established in Section 317.10 of this Part, 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 greatest number of winning betting interests in the Countdown contests; the remainder shall be added to the carryover.

b) Method 2, Countdown with Minor Pool and Carryover: The major share of the net Countdown pool and the carryover, if any, shall be distributed to those who selected the winning betting interest in each of the four designated contests as established in Section 317.10 of this Part, based upon the official order of finish. The minor share of the net Countdown pool shall be distributed to those who selected the second greatest number of winning betting interests in the Countdown contests, based upon the official order of finish. If there are no wagers selecting the winning betting interest in each of the four designated Countdown contests, the minor share of the net Countdown pool shall be distributed as a single price pool to those who selected the greatest number of winning betting interests in the Countdown contests; the major share shall be added to the carryover.

c) Method 3, Countdown with No Minor Pool and No Carryover: The net Countdown pool shall be distributed as a single price pool to those who selected the greatest number of winning betting interests in the Countdown contests, based upon the official order of finish. If there are no winning wagers on any of the Countdown contests, the pool is refunded.

d) Method 4, Countdown with Major Pool and No Carryover: The major share of the net Countdown pool shall be distributed to those who selected the greatest number of winning betting interests in the Countdown contests, based upon the official order of finish. The minor share of the net Countdown pool shall be distributed to those who selected the second greatest number of winning betting interests in the Countdown contests, based upon the official order of finish. If there are no wagers selecting the second greatest number of winning betting interests in the Countdown contests, the minor share of the net Countdown pool shall be combined with the major share for distribution as a single price pool to those who selected the greatest number of winning betting interests in the Countdown contests. If the greatest number of winning betting interests is one, the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

e) Method 5, Countdown with Minor Pool and No Carryover: The major share of net Countdown pool shall be distributed to those who selected the winning betting interests in each of the four designated Countdown contests, based upon the official order of finish. The minor share of the net Countdown pool shall be distributed to those who selected the second greatest number of winning betting interests in the Countdown contests, based upon the official order of finish. If there are no wagers selecting the winning betting interest in each of the designated Countdown contests, the entire net Countdown pool shall be

distributed as a single price pool to those who selected the greatest number winning betting interests in the Countdown contests. If there are no wagers selecting the second greatest number of winning betting interests in the Countdown contests, the minor share of the net Countdown pool shall be combined with the major share for distribution as a single price pool to those who selected the winning betting interests in each of the four designated Countdown contests. If there are no winning wagers on any of the Countdown contests, the pool is refunded.

Section 317.30 Dead Heats

a) In the event there is a dead heat involving any of the first through fourth place finishers in a Countdown contest, the Countdown pool shall be distributed as a single price pool.

b) In the event there is a dead heat in any of the Countdown contests, the following shall apply:

1) In the first designated Countdown contest, all betting interests involved in a dead heat for third or fourth place shall be considered winners. If there is a dead heat for third and fourth place, only those betting interests involved in the dead heat for third place shall be considered winners.

2) In the second designated Countdown contest, all betting interests involved in a dead heat for second or third place shall be considered winners. If there is a dead heat for second and third, only those betting interests involved in the dead heat for second place shall be considered winners.

3) In the third designated Countdown contest, all betting interests involved in a dead heat for first or second place shall be considered winners. If there is a dead heat for first and second place, only those betting interests involved in the dead heat for first place shall be considered winners.

4) In the fourth designated Countdown contest, all betting interests involved in a dead heat for first place shall be considered winners.

Section 317.40 Scratches

In the event a betting interest is scratched from any of the Countdown contests, the contestant with the greatest amount wagered in the win pool with the lowest program number shall be substituted for the scratched betting interest.

Section 317.50 Cancellation

a) The Countdown pool shall be canceled and all Countdown wagers for the individual performance shall be refunded if three or more contests included as part of the Countdown wager are canceled or declared “no contest".

b) If one or two contests included as part of a Countdown are canceled or declared “no contest”, the daily net pool shall be distributed as a single price pool to wagers correctly selecting the winning betting interests in the remaining Countdown contests. The carryover, if any, shall be carried to the next racing program.

Section 317.60 Minimum Fields

a) In the event the field of contestants in the first leg of the countdown contest is reduced to fewer than 6 contestants, that contest shall be canceled.

b) In the event the field of contestants in the second leg of the countdown contest is reduced to fewer than 5 contestants, that contest shall be canceled.

c) In the event the field of contestants in the third leg of the countdown contest is reduced to fewer than 4 contestants, that contest shall be canceled.

d) In the event the field of contestants in the fourth leg of the countdown contest is reduced to fewer than 3 contestants, that contest shall be canceled.

Section 317.70 Carryover Cap

The Countdown carryover, if any, may be capped at a designated level approved by the State Director of Mutuels so that if, at the close of any performance, the amount in the Countdown carryover equals or exceeds the designated cap, the Countdown carryover will be frozen until it is won or distributed pursuant to Section 317.70 of this Part. After the Countdown carryover is frozen, 100 percent of the net pool, part of which ordinarily would be added to the Countdown carryover, shall be distributed to those whose selection correctly designates the greatest number of winning betting interests, as defined in Section 317.10 of this Part, in the Countdown contests for the performance.

Section 317.80 Mandatory Distribution

a) A written request for permission to distribute the Countdown carryover on a specific performance may be submitted to the State Director of Mutuels. The request shall contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

b) Should the Countdown carryover be designated for distribution on a specified date and performance in which there are no wagers selecting the winning betting

interest in each of the four designated Countdown contests, the entire pool shall be distributed as a single price pool to:

1) those whose selection correctly designates the winning betting interest in any three of the four Countdown contests, but if there are no such wagers, then

2) those whose selection correctly designates the winning betting interest in any two of the four Countdown contests, but if there are no such wagers, then

3) those whose selection correctly designates the winning betting interests in one of the four Countdown contests.

c) The Countdown carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

1) Upon written approval from the State Director of Mutuels as provided for in subsection (a) of this Section.

2) On the closing performance of the meet, spilt meet or successive or intervening race meeting at the same race track.

d) If, for any reason, the Countdown carryover must be held over to the corresponding Countdown of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the State Director of Mutuels. The Countdown carryover plus accrued interest shall then be added to the net Countdown pool of the following meet on a date and performance designated by the State Director of Mutuels.

e) With written approval of the Board, the organization licensee may contribute to the Countdown carryover a sum of money up to any designated cap.

SOURCE: Adopted at 21 Ill. Reg. 6572, effective May 19, 1997; amended at 22 Ill. Reg. 2212, effective January 1, 1998.

PART 318
FUTURE WAGER POOL

Section

318.10 Definition
318.20 General Provisions
318.30 Pool Calculations
318.40 Dead Heats
318.50 Refunds and Cancellations

Section 318.10 Definition

The Future Wager requires selection of the appropriate winning combination, depending on the type of pool of the Future Wager.

Section 318.20 General Provisions

a) The organization licensee shall apply in writing to the State Director of Mutuels for approval to offer the Future Wager on a specified contest and shall not offer the wager until approval by the State Director of Mutuels has been granted. The application shall include the date and time for the pool to be opened and closed, a description of the system for compiling the pool and calculating odds and payout prices, and the time interval for displaying the odds.

b) The organization licensee, or, in the case of interjurisdiction common pool wagering, the host track, shall name the contestants included in each betting interest on which Future Wagers may be made and shall assign a program number to each betting interest.

Section 318.30 Pool Calculations

The appropriate pool calculation shall be used depending on the type of pool of the Future Wager.

Section 318.40 Dead Heats

The appropriate dead heat rules shall apply depending on the type of pool of the Future Wager.

Section 318.50 Refunds and Cancellations

a) No refund shall be issued for Future Wager pool wagers on betting interests that do not start or finish the race. No cancellations shall be permitted once the patron has left the window. If the organization licensee is notified that a betting interest is unable to start the race and the pool is still open, the organization licensee shall immediately suspend betting on that betting interest. Horses do not have to be nominated to the race to be included in the Future Wager.

b) The entire Future Wager pool shall be refunded if:

1) the applicable pool calculation rule regarding refunds dictates so; or

2) the specified race is declared no contest by the stewards having jurisdiction over the specified race; or

3) the specified race does not occur; or

4) for whatever reason, the Future Wager pool cannot be determined and the payout price cannot be calculated.

SOURCE: Adopted at 26 Ill. Reg. 8148, effective June 1, 2002.

PART 319
PARLAY

Section

319.10 Definition
319.20 Pool Distribution
319.30 Dead Heats
319.40 Scratches
319.50 Cancellations
319.60 Entries and Fields

Section 319.10 Definition

The Parlay is a series of wagers on one particular program combining betting in win, place, or show pools (when such pools are offered in corresponding races). The wager shall combine at least 2 races (or legs) and have a maximum of 6 races. The parlay shall not combine bets in the same race. The series of wagers shall be bet on races in chronological order but not necessarily on consecutive contests. The Parlay is not a separate pari-mutuel pool.

Section 319.20 Pool Distribution

a) The initial bet constitutes the wager on the 1st leg. If successful, the payoff from the 1st leg is then bet on the 2nd leg. If successful again and the parlay has at least 3 legs, the payoff is then bet on the 3rd leg. This continues through a possible 6 legs.

b) Parlay amounts shall be included in appropriate pools as soon as possible so amounts of those wagers will be reflected in pools displayed to the public. Parlay wager totals shall be displayed to the lowest dollar.

Section 319.30 Dead Heats

In case of a dead heat for win, place, or show in a particular Parlay leg, 11 Ill. Adm. Code 301 (Win, Place and Show Pools) shall apply for those pools.

Section 319.40 Scratches

If any race or pool is cancelled, or a betting interest is scratched, the Parlay wager shall consist of the remaining leg or legs. The Parlay shall terminate when no legs remain in the wager.

Section 319.50 Cancellations

Parlay wagers may be cancelled in accordance with 11 Ill. Adm. Code 433.120 prior to "stop betting" of the 1st leg of the Parlay. After the 1st leg, a Parlay wager must be completed as required by this Part to be entitled to a payoff. After the 1st leg, the bettor will not have the option of cashing in a parlay wager prior to completion of all legs included in the Parlay wager.

Section 319.60 Entries and Fields

In the event any contestant in a coupled entry or field is scratched in the Parlay wager, the remaining contestants in that coupled entry or field shall remain valid betting interests.

SOURCE: Adopted at 29 Ill. Reg. 14029, effective September 1, 2005.

PART 320
EXACTA DOUBLE

Section

320.10 General
320.20 Pool Distribution
320.30 Dead Heats
320.40 Scratches
320.50 Races Cancelled

Section 320.10 General

a) The exacta double requires the selection of the first two finishers, in exact order, in each of two specified contests.

b) Exacta double wagers shall be calculated in an entirely separate pool.

c) An organization licensee offering the exacta double wager may rename the wager so long as the name adopted by the organization licensee remains the same throughout the race meet.

d) Entries and fields shall be allowed in the exacta double without restriction.

e) Exacta double wagers shall be considered a feature wager.

Section 320.20 Pool Distribution

The organization licensee may choose to distribute pools in accordance with either subsection (a) or (b). The organization licensee must notify the Board 30 days prior to the beginning of its race meet, of which method it will use to distribute pools under this Section.

a) The net exacta 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 who selected, in exact order, the first two finishers in each of the two exacta double contests; but, if there are no such wagers, then

2) As a profit split pool to those who selected, in exact order, the first two finishers in either of the two exacta double contests; but, if there are no such wagers on one of those contests, then

3) As a single price pool to those who selected, in exact order, the first two finishers in the one covered exacta double contest; but, if there are no such wagers, then

4) The entire pool shall be refunded on exacta double wagers for those contests.

b) The net exacta 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 who selected, in exact order, the first two finishers in each of the two exacta double contests; but, if there are no such wagers, then

2) The entire net pool shall be paid as a carryover pool into the next regularly scheduled exacta double race.

Section 320.30 Dead Heats

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

1) Contestants representing the same betting interest, the exacta double 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 for that contest.

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

b) If there is a dead heat for second in either of the two contests involving:

1) Contestants representing the same betting interest, the exacta double pool shall be distributed as if no dead heat occurred.

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

Section 320.40 Scratches

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

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

c) Should a betting interest in the second exacta double contest be scratched after the close of wagering on the first exacta double contest, all wagers combining the winning combination in the first exacta double contest with a combination including the scratched betting interest in the second exacta double contest shall be allocated a consolation payoff. In calculating the consolation payoff, the net exacta double pool shall be divided by the total amount wagered on the winning combination in the first exacta double 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 exacta double contest combined with a combination including then scratched betting interest in the second exacta double contest to obtain the consolation payout. Breakage is not declared in this calculation. The consolation payout is deducted from the net exacta double pool before calculation and distribution of the winning exacta double payout. In the event of a dead heat, the net exacta double pool shall be distributed as a profit.

Section 320.50 Races Cancelled

a) If either of the exacta double contests is cancelled prior to the first exacta double contest, or the first exacta double contest is declared "no contest", the entire exacta double pool shall be refunded on exacta double wagers for those contests.

b) If the second exacta double contest is cancelled or declared "no contest" after the conclusion of the first exacta double contest, the net exacta double pool shall be distributed as a single price pool to wagers selecting, in exact order, the first two finishers in the first exacta double contest. If there are no wagers selecting the winning combination in the first exacta double contest, the entire exacta double pool shall be refunded on exacta double wagers for those contests.

SOURCE: Adopted at 30 Ill. Reg. 14580, effective September 1, 2006; amended at 32 Ill. Reg. 13530, effective August 1, 2008.

PART 321
ACCOUNT WAGERING

Section

321.10 General
321.20 Account Opening
321.30 Refusals
321.40 Patron Information
321.50 Deposits
321.60 Sufficient Account Balance
321.70 Account Credits
321.80 Account Operation
321.90 Account Closure

Section 321.10 General

a) A licensee may offer a system of account wagering to its patrons whereby wagers are debited and payouts are credited to a sum, deposited in an account by the patron, and held by the licensee. The licensee shall request authorization from the State Director of Mutuels before a system of account wagering is offered.

b) The licensee shall notify the patron, at the time of opening the account, of any rules the licensee has made concerning deposits, withdrawals, cancellations, average daily balance, user fees, interest payments, provisions for closing accounts and any other aspect of the operation of the account. The licensee shall notify the State Director of Mutuels and the patron whenever rules governing the account are changed, such notification occurring before the new rules are applied to the account and including the opportunity for the patron to close or cash in the account.

Section 321.20 Account Opening

a) The licensee may offer to open for its patrons:

1) daily, anonymous accounts, where balances are purged at the end of the day and any remaining balance is available as a voucher;

2) permanent, named accounts that remain open at the end of the day, and that require the patron to provide all pertinent data;

3) permanent, anonymous accounts (i.e. the new type of Cash Card account) that remain open at the end of the day, and for which no customer data is known; and

4) voucher accounts, where the patron cashes a winning ticket and has the winnings placed on a voucher in lieu of cash. A voucher is the same as cash but payouts are not automatically credited to a sum.

b) The patron may choose to credit winning payouts in cash and may choose to close or cash-in the account at any time.

Section 321.30 Refusals

The licensee may reserve the right at any time to refuse to open an account, to accept a wager, or to accept a deposit.

Section 321.40 Patron Information

Each named account holder shall provide such personal information as the licensee and the State Director of Mutuels require, including an address to which communications are to be delivered. The licensee shall provide, for each account holder, a confidential account number and password to be used by the patron to confirm validity of every account transaction.

Section 321.50 Deposits

Deposits may be made in cash or by check. The check may first need banker's clearance. Holding periods shall be determined by the licensee and advised to the account holder. A receipt for the deposit shall be issued to the account holder, but does not need to reflect the current account balance.

Section 321.60 Sufficient Account Balance

Each account holder shall be deemed to be aware of the status of that account at all times. Wagers shall not be accepted which would exceed the available balance of that account. Any account not updated when a transaction is completed shall be inoperable until the transaction is posted and the account balance updated.

Section 321.70 Account Credits

When an account holder is entitled to a payout or refund, all monies shall be credited to that account, thus increasing the credit balance. It is the responsibility of the account holder to verify proper credits and, if in doubt, notify the licensee. Unresolved disputes shall be forwarded to the State Director of Mutuels by the licensee or account holder.

Section 321.80 Account Operation

a) The licensee shall maintain complete records of every deposit, withdrawal, wager, cancellations and winning payout for each account. Voucher accounts shall be recorded in a manner similar to a ticket. These records shall be made available to the Board upon request. The Board shall request said records when

there is probable cause for such a request. Examples of instances when probable cause exists include, but are not limited to, allegations of race-fixing and wagering schemes.

b) Any account wagering system shall provide for the account holder's review and finalization of a wager before it is accepted by the licensee.

c) Cancellation of wagers shall be permitted at unmanned wagering terminals. Any cancellation of wager shall conform to the provisions of 11 Ill. Adm. Code 433.120. Licensees shall review wagering accounts daily to monitor for compliance. Violations shall be reported to the State Director of Mutuels within 48 hours after the occurrence.

Section 321.90 Account Closure

The licensee may close any account when the holder thereof attempts to operate with an insufficient balance or when the account is dormant for a period pursuant to the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505/2SS], that is 5 years after the date of issuance. In either case, the licensee shall refund the remaining balance of the account whenever possible.

SOURCE: Adopted at 20 Ill. Reg. 5878, effective April 15, 1996; amended at 24 Ill. Reg. 7382, effective May 1, 2000; amended at 32 Ill. Reg. 10147, effective July 1, 2008.

PART 322
SIMULCAST REQUIREMENTS

Section

322.10 General
322.20 Duties of the Organization Licensee
322.30 Duties of the Wagering Licensee

Section 322.10 General

a) All executed contracts governing participation in any intrastate and/or interstate simulcasting programs shall be submitted to the Board within 48 hours of the first simulcast.

b) Each Illinois host track and non-host track conducting a supplemental simulcast shall notify the State Director of Mutuels and the on-site State pari-mutuel auditor, in writing, of its designated simulcast program. Notification shall be made at least 48 hours prior to any wagers being accepted on such simulcast program. Notification shall include:

1) each racetrack providing a race or races for the simulcast program.

2) the number or races provided by each racetrack.

3) the official scheduled post time of each race in Central Time Zone (CST or CDT).

4) the method of conducting a pari-mutuel system of wagering on each race (i.e., interstate common pool, separate Illinois pool, net pool pricing).

Section 322.20 Duties of the Organization Licensee

a) Every organization licensee simulcasting its performance, if requested, may contract with an authorized receiver for the purpose of providing authorized users its simulcast.

b) An organization licensee is responsible for content of the simulcast and shall use all reasonable effort to present a simulcast which offers the viewers an exemplary depiction of each performance.

c) Each simulcast shall contain in its video content a digital display of actual time of day, the name of the host facility from where it emanates, the number of the contest being displayed, and any other relevant information available to patrons at the host facility.

d) The host association shall maintain such security controls, including encryption over its uplink and communications systems, as directed or approved by the Board.

Section 322.30 Duties of the Wagering Licensee

a) A wagering licensee shall provide:

1) adequate transmitting and receiving equipment of acceptable broadcast quality, which shall not interfere with the closed circuit TV system of the host association for providing any host facility patron information.

2) pari-mutuel terminals, pari-mutuel odds displays, modems and switching units enabling pari-mutuel data transmissions, and data communications between the host and guest sites.

3) a voice communication system between guest sites and the Illinois host site providing timely voice contact among the Board designees, stewards and pari-mutuel departments.

b) The host track and all licensees shall conduct pari-mutuel wagering pursuant to applicable Board rules.

c) Not less than 30 minutes prior to the commencement of transmission of each simulcast, the guest site shall initiate a test program of its downlink, decoder, and tote data communications to assure proper operation of the system.

SOURCE: Adopted at 19 Ill. Reg. 13959, effective October 1, 1995.

PART 323
WPS PICK (N)

Section

323.10 General
323.20 Pool Distribution
323.30 Dead Heats
323.40 Scratches
323.50 Races Cancelled
323.60 Carryover Cap
323.70 Mandatory Distribution
323.80 Disclosure

Section 323.10 General

a) The WPS (win, place, show) Pick (n) requires selection of a winning contestant in each of a designated number of contests. Each individual contest in the WPS Pick (n) will be designated as a win contest, place contest, or show contest.

b) A win contest requires the selection of the first place finisher, a place contest requires the selection of a first or second place finisher, and a show contest requires the selection of a first or second or third place finisher.

c) The organization licensee shall designate the number of contests, whether each individual contest is a win, place, or show contest, and the method for pool calculation prior to the start of its meet.

d) The organization licensee shall submit, in writing, its intent to offer the WPS Pick (n) wager to the State Director of Mutuels no later than 30 days prior to the start of its meet.

e) An organization licensee offering the WPS Pick (n) wager may rename the wager so long as the name adopted by the organization licensee remains the same throughout the race meet.

f) WPS Pick (n) wagers shall be calculated in an entirely separate pool.

Section 323.20 Pool Distribution

The organization licensee may select one of the following methods for conducting its WPS Pick (n) pool. As used in this Part, "major pool" is defined as 75% of the daily net pool; and "minor pool" is defined as 25% of the daily net pool. Any deviation from the major/minor pool percentage division must be approved by the State Director of Mutuels.

a) Method 1, WPS Pick (n) with Carryover: The net WPS Pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected a winning contestant in each of the WPS 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 a winning contestant in the greatest number of WPS Pick (n) contests; and the remainder shall be added to the carryover.

b) Method 2, WPS Pick (n) with Minor Pool and Carryover: The major share of the net WPS Pick (n) pool and the carryover, if any, shall be distributed to those who selected a winning contestant in each of the WPS Pick (n) contests, based upon the official order of finish. The minor share of the net WPS Pick (n) pool shall be distributed to those who selected a winning contestant in the second greatest number of WPS Pick (n) contests, based upon the official order of finish. If there are no wagers selecting a winning contestant of all WPS Pick (n) contests, the minor share of the net WPS Pick (n) pool shall be distributed as a single price pool to those who selected a winning contestant in the greatest number of WPS Pick (n) contests and the major share shall be added to the carryover.

c) Method 3, WPS Pick (n) with No Minor Pool and No Carryover: The net WPS Pick (n) pool shall be distributed as a single price pool to those who selected a winning contestant in the greatest number of WPS Pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

d) Method 4, WPS Pick (n) with Minor Pool and No Carryover: The major share of the net WPS Pick (n) pool shall be distributed to those who selected a winning contestant in the greatest number of WPS Pick (n) contests, based upon the official order of finish. The minor share of the net WPS Pick (n) pool shall be distributed to those who selected a winning contestant in the second greatest number of WPS Pick (n) contests, based upon the official order of finish. If there are no wagers selecting a winning contestant in a second greatest number of WPS Pick (n) contests, the minor share of the net WPS Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected a winning contestant in the greatest number of WPS Pick (n) contests. If the greatest number of winning contestants selected is one, the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

e) Method 5, WPS Pick (n) with Minor Pool and No Carryover: The major share of net WPS Pick (n) pool shall be distributed to those who selected a winning contestant in each of the WPS Pick (n) contests, based upon the official order of finish. The minor share of the net WPS Pick (n) pool shall be distributed to those who selected a winning contestant in the second greatest number of

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

f) Method 6, WPS Pick (n) with Minor Pool and Carryover: The net WPS Pick (n) pool and carryover, if any, shall be distributed to those who selected a winning contestant in each of the WPS Pick (n) contests, based upon the official order of finish. If there are no wagers selecting a winning contestant in all WPS Pick (n) contests, two-thirds of the net pool (major pool) or one-half of the total gross pool, whichever is greater, shall be distributed as a single price pool to those who present a valid pari-mutuel wager for that WPS Pick (n) pool and the remaining one-third of the net pool shall be added to the carryover. The minimum pay-off provisions contained in 11 Ill. Adm. Code 405.130 shall not apply when distributing the major pool in this pool calculation.

Section 323.30 Dead Heats

a) If there is a dead heat for first, second, or third in any of the WPS Pick (n) contests involving contestants representing the same betting interest, the WPS Pick (n) pool shall be distributed as if no dead heat occurred.

b) If there is a dead heat for first in any of the WPS Pick (n) contests designated as a win contest involving contestants representing two or more betting interests, the WPS Pick (n) pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

c) If there is a dead heat for first in any of the WPS Pick (n) contests designated a place or show contest involving contestants representing two or more betting interests, the WPS Pick (n) pool shall be distributed as if no dead heat occurred.

d) If there is a dead heat for second in any of the WPS Pick (n) contests designated as a win or show contest, the WPS Pick (n) pool shall be distributed as if no dead heat occurred.

e) If there is a dead heat for second in any of the WPS Pick (n) contests designated as a place contest, involving contestants representing two or more betting interests, the WPS Pick (n) pool shall be distributed as a single price pool with each winning wager including each betting interest that finished

first, or any betting interest involved in the dead heat for second.

f) If there is a dead heat for third in any of the WPS Pick (n) contests designated as a win or place contest, the WPS Pick (n) pool shall be distributed as if no dead heat occurred.

g) If there is a dead heat for third in any of the WPS Pick (n) contests designated as a show contest, involving contestants representing two or more betting interests, the WPS Pick (n) pool shall be distributed as a single price pool with each winning wager including each betting interest that finished first or second, or any betting interest involved in the dead heat for third.

Section 323.40 Scratches

Should a betting interest in any of the WPS Pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the win pool at the closing 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 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 that became winners as a result of the substitution, in addition to the normal winning combination.

Section 323.50 Cancelled Races

a) The WPS Pick (n) pool shall be cancelled and all WPS Pick (n) wagers for the individual performance shall be refunded if:

1) At least two contests included as part of a WPS Pick 3 are cancelled or declared "no contest".

2) At least three contests included as part of a WPS Pick 4 or WPS Pick 5 are cancelled or declared "no contest".

3) At least four contests included as part of a WPS Pick 6 or WPS Pick 7 are cancelled or declared "no contest".

4) At least five contests included as part of a WPS Pick 8 or WPS Pick 9 are cancelled or declared "no contest".

5) At least six contests included as part of a WPS Pick 10 or WPS Pick 11 are cancelled or declared "no contest".

b) If at least one contest included as part of a WPS Pick (n) is canceled or declared "no contest", but not more than the number specified in subsection (a), the net pool shall be distributed as a single price pool to those who

selected a winning contestant in the greatest number of WPS Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the WPS Pick (n) carryover but not the carryover from previous performances.

Section 323.60 Carryover Cap

The WPS Pick (n) carryover may be capped at a designated level approved by the State Director of Mutuels so that if, at the close of any performance, the amount in the WPS Pick (n) carryover equals or exceeds the designated cap, the WPS Pick (n) carryover will be frozen until it is won or distributed under Section 323.70. After the WPS Pick (n) carryover is frozen, 100% of the net pool, part of which ordinarily would be added to the WPS Pick (n) carryover, shall be distributed to those who selected a winning contestant in the greatest number of WPS Pick (n) contests for that performance.

Section 323.70 Mandatory Distribution

a) A written request for permission to distribute the WPS Pick (n) carryover on a specific performance may be submitted to the State Director of Mutuels. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

b) Should the WPS Pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selecting a winning contestant in each of the WPS Pick (n) contests, the entire pool shall be distributed as a single price pool to those who selected a winning contestant in the greatest number of WPS Pick (n) contests. The WPS 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 State Director of Mutuels as provided for in subsection (a).

2) Upon written approval from the State Director of Mutuels when there is a change in the carryover cap, a change from one type of WPS Pick (n) wagering to another, or the WPS Pick (n) is discontinued.

3) On the closing performance of the meet, split meet or successive or intervening race meeting at the same race track.

c) If, for any reason, the WPS Pick (n) carryover must be held over to the corresponding WPS Pick (n) of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Sate Director of Mutuels. The WPS Pick (n) carryover plus accrued interest shall then be added to the net WPS Pick (n) pool of the following meet on a date and

performance designated by the State Director of Mutuels.

d) With written approval of the Board, the organization licensee may contribute to the WPS Pick (n) carryover a sum of money up to any cap designated by the Board.

Section 323.80 Disclosure

The organization licensee may display potential distribution to ticket holders depending on the outcome of the appropriate WPS Pick (n) contest.

SOURCE: Adopted at 30 Ill. Reg. 14585, effective September 1, 2006.

PART 324
PENTAFECTA

Section

324.10 Pentafecta
324.20 Pool Distribution
324.30 Scratches
324.40 Dead Heats
324.50 Minimum Fields
324.60 Entries (Repealed)

Section 324.10 Pentafecta

a) The Pentafecta requires selection of the first five finishers, in their exact order, for a single contest.

b) The organization licensee may re-name this wager, but shall notify the State Director of Mutuels of the name that will be used.

Section 324.20 Pool Distribution

The organization licensee may choose to distribute pools in accordance with subsection (a), (b), (c) or (d). The organization licensee must give the Board 30 days notice if it chooses to distribute pools under subsection (b), subsection (c), or subsection (d) including the exact percentages it will use to determine the minor and major pools if subsection (b) is used. The racing program shall indicate when the method described in subsection (b),subsection (c), or subsection (d) is being used for a meet.

a) Distribution of Winnings – Option 1

The net Pentafecta 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 five betting interests, but if there are no such wagers, then

2) As a single price pool to those whose combination included, in correct sequence, the first four betting interests but if there are no such wagers, then

3) As a single price pool to those whose combination included, in correct sequence, the first three betting interests, but if there are no such wagers, then

4) As a single price pool to those whose combination included, in correct sequence, the first two betting interests, but if there are no such

wagers, then

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

6) The entire pool shall be refunded on Pentafecta wagers for that contest.

b) Distribution of Winnings – Option 2

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

A) As a single price pool to those whose combination finished in correct sequence as the first five betting interests, but if there are no such wagers, then

B) The net pool will be divided into two separate pools. The major pool of the net pool shall be paid as a carryover pool into the next regularly scheduled Pentafecta race. The remaining minor pool shall be paid as a Pentafecta consolation pool, which will be equally divided among those ticket holders who correctly select the first four betting interests, but if there are no such wagers, then

C) The Pentafecta consolation pool will be divided among those ticket holders who correctly select the first three interests, but if there are no such wagers, then

D) The Pentafecta consolation pool will be divided among those ticket holders who correctly select the first two interests, but if there are no such wagers, then

E) The Pentafecta consolation pool will be divided among those ticket holders who correctly select the first betting interest, but if there are no such wagers, then

F) The entire net pool shall become a carryover pool into the next regularly scheduled Pentafecta race.

2) On the last Pentafecta race on the final day of the meeting, the net pool shall be redistributed using the method described in subsection (a).

c) Distribution of Winnings – Option 3

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

A) As a single price pool to those whose combination finished in correct sequence as the first five betting interests, but if there are no such wagers, then

B) The entire net pool shall be paid as a carryover pool into the next regularly scheduled Pentafecta race.

2) On the last Pentafecta race on the final day of the meeting, the net pool shall be redistributed using the method described in subsection (a).

d) Distribution of Winnings – Option 4

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

A) As a single price pool to the holder of a unique winning ticket whose combination finished in correct sequence as the first five betting interests, but if there is no such unique winning ticket, then

B) The net pool will be divided into two separate pools. The major pool of the net pool shall be paid as a carryover pool into the next regularly scheduled Pentafecta race. The remaining minor pool shall be paid as a Pentafecta consolation pool, which will be equally divided among those ticket holders who correctly select the first five interests, but if there are no such wagers, then

C) The entire net pool shall become a carryover pool into the next regularly scheduled Pentafecta race.

2) Unique winning ticket, as used in this subsection(d)(1), shall be defined as having occurred when there is one and only one winning ticket whose combination finished in correct sequence as the first five betting interests, to be verified by the unique serial number assigned by the tote company that issued the winning ticket. In the event that there is more than one winning ticket whose combination finished in correct sequence as the first five betting interests, the unique winning ticket shall be deemed to not have occurred.

3) On the last Pentafecta race on the final day of the meeting, the net pool shall be redistributed using the method described in subsection (a).

e) If fewer than five betting interests finish and the contest is declared official, payoffs will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection beyond the number of betting interests completing the contest shall be ignored. If the pools are being distributed under either subsection (b) or subsection (c), any previous

Pentafecta contest's carryover will not be included in the payoff and will be retained for the next contest's carryover, and this contest's net Pentafecta pool will be distributed using the method described in subsection (a).

Section 324.30 Scratches

In the event any contestant that is not part of an entry or field is scratched, all wagers, including the scratched betting interest, shall be refunded.

Section 324.40 Dead Heats

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

1) contestants representing five or more betting interests, all of the wagering combinations selecting five betting interests that correspond with any of the betting interests involved in the dead heat shall share in a profit split.

2) contestants representing four betting interests, all of the wagering combinations selecting the four dead heated betting interests, irrespective of order, along with the fifth place betting interest shall share in a profit split.

3) contestants representing three betting interests, all of the wagering combinations selecting the three dead heated betting interests, irrespective of order, along with the fourth place and fifth place betting interests shall share in a profit split.

4) contestants representing two betting interests, both of the wagering combinations selecting the two dead heated betting interests, irrespective of order, along with the third place, fourth place and fifth place betting interests shall share in a profit split.

b) If there is a dead heat for second involving:

1) contestants representing four or more betting interests, all of the wagering combinations correctly selecting the four dead heated betting interests shall share in a profit split.

2) contestants representing three betting interests, all of the wagering combinations correctly selecting the three dead heated betting interests, irrespective of order, and the fifth place betting interests shall share in a profit split.

3) contestants representing two betting interests, all of the wagering combinations correctly selecting the two dead heated betting interests, irrespective of order, and the fourth place and fifth place betting

interests shall share in a profit split.

c) If there is a dead heat for third involving:

1) contestants representing three or more betting interests, all of the wagering combinations correctly selecting the three dead heated betting interests shall share in a profit split.

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

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

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

Section 324.50 Minimum Fields

a) Pentafecta wagering shall not be scheduled on a harness race unless at least nine betting interests are carded. In the event of a scratch, Pentafecta wagering on a race in which eight betting interests remain is permissible.

b) Pentafecta wagering shall not be scheduled on a thoroughbred race unless at least eight betting interests are carded. In the event of a scratch, Pentafecta wagering on a race in which seven betting interests remain is permissible.

c) This Section shall not be applicable to stakes races.

d) Upon the approval of the Stewards, this Section shall not be applicable on the closing day of a meet to ensure the payout of the carryover.

SOURCE: Adopted by emergency rulemaking at 32 Ill. Reg. 7429, effective May 1, 2008, for a maximum of 150 days; adopted at 32 Ill. Reg. 10153, effective July 1, 2008; amended at 35 Ill. Reg., effective July 22, 2011.

PART 325
ADVANCE DEPOSIT WAGERING

Section

325.10 Definitions
325.20 License to Conduct Advance Deposit Wagering
325.30 Advance Deposit Wagering Rules
325.40 Requirements to Establish an Advance Deposit Wagering Account
325.50 Powers of the Board
325.60 Organization Licensee Simulcast Signals and Commission Fees
325.70 Interstate Simulcast Signals
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Section 325.10 Definitions

"Account" means an account for advance deposit wagering with a specific identifiable record of deposits, wagers, and withdrawals established by an account holder and managed by the advance deposit wagering licensee.

"Account holder" means an individual who successfully completed an application and for whom the advance deposit wagering licensee has opened an account.

"Advance deposit wagering" or "ADW" means a method of pari-mutuel wagering that is permissible under the Interstate Horseracing Act (15 USC § 3001 et seq.) and in which an individual may establish an account with an entity licensed by the Board, deposit money into the account, and use the account balance to pay for pari-mutuel wagers in person, by telephone, or through other electronic media including, but not limited to, the internet.

"Advance deposit wagering licensee" or "ADW licensee" means a person licensed by the Board to conduct advance deposit wagering. An advance deposit wagering licensee shall be an organization licensee or a person or third party who contracts with an organization licensee in order to conduct advance deposit wagering.

"Applicant" means an individual who has submitted an application to establish an ADW account with an ADW licensee.

"Confidential information" includes, but is not limited to:

The amount of money credited to, debited from, withdrawn from, or present in any particular account holder's account;

The amount of money wagered by a particular account holder on any race or series of races;

The account number and secure personal identification code of a particular account holder;

The identities of particular entries on which the account holder is wagering or has wagered; and

Unless otherwise authorized by the account holder, the name, address, and other personal information in the possession of the ADW licensee or organization licensee that would identify the account holder to anyone other than the Board or the advance deposit wagering licensee.

"Credits" means all inflow of money to an account.

"Debits" means all outflow of money from an account.

"Deposit" means a payment of money by cash, check, money order, credit card, debit card, or other electronic funds transfers made by an account holder to the account holder's account.

"Individual" means any natural person at least 18 years of age, but does not include any corporation, partnership, Limited Liability Company, trust, estate or other legal entity.

"Licensee" means an individual organization licensee, an inter-track wagering licensee, an inter-track wagering location licensee, or an advance deposit wagering licensee, as this Part requires.

"Principal residence address" means the street address identified by an applicant or a current account holder as that individual's residential address, as that address may be verified by the advance deposit wagering licensee.

"Proper identification" means a form of identification accepted in the normal course of business to establish that the person making a transaction is an account holder.

"Terms of agreement" means the agreement, approved by the Board, between an advance deposit wagering licensee and an account holder that includes but is not limited to the terms and conditions for deposits, credits, debits, withdrawals and the opening and closing of accounts.

"Withdrawal" means a payment of money from an account by the ADW licensee to the account holder when properly requested by the account holder.

(AMENDED EFFECTIVE JANUARY 1, 2011)

Section 325.20 License to Conduct Advance Deposit Wagering

An organization licensee or a person or third party who contracts with an organization licensee in order to conduct ADW shall be licensed by the Board prior to accepting advance deposit

wagers from Illinois residents.

a) No ADW licensee or organization licensee may place or caused to be placed any wagering terminal or electronic device that facilitates the placement of an advance deposit wager anywhere other than in a licensed wagering facility as authorized in Section 26(g) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/26(g)].

b) The advance deposit wagering license application shall include:

1) If a third party is utilized, a copy of the contract(s), including the consent of the horsemen's association, to provide ADW services by an ADW operator licensed by the Board to an organization licensee licensed by the Board;

2) A copy of all current ADW, pari-mutuel wagering, and gaming licenses regardless of jurisdiction;

3) A list of all totalisator hub and ADW personnel processing Illinois wagers containing the name, position, job location, and licensed jurisdiction for each person (if applicable);

4) A list of all officers, directors, partners, and shareholders with a 5% or greater share of ownership or beneficial interest;

5) Full disclosure of all fees and other financial considerations relating to the contract with the organization licensee;

6) A detailed description of procedures to allow the Board prompt access to reports, logs, wagering transaction detail, and customer account detail, in printed form or standard electronic format approved by the Board;

7) A detailed description of systems and procedures used to validate the identity, age, and legal residency of account holders and procedures validating the legality of wagers accepted;

8) A detailed description of procedures to allow the Board prompt access to all records relating to customer identification, age, and residency in hard copy or standard electronic format acceptable to the Board;

9) A detailed description of procedures to allow the Board prompt access to customer account detail in hard copy or an electronic format acceptable to the Board for customers who are Illinois residents;

10) A description of the secure retention procedures of all records related to wagering and customers accounts for a period of not less than three years or a period specified by the Board;

11) A copy of account holder rules/terms governing the acceptance and management of accounts, and a copy of any amendments in the rules at least 10 days prior to the effective date;

12) A bond from a surety company admitted in the State of Illinois or other form of financial security in the amount of $500,000; and

13) A chart illustrating the organizational structure, including reporting lines.

c) All employees working on behalf of the ADW licensee shall either be licensed by the Board or licensed by the state where the ADW center is located. In addition, key personnel, persons that have the authority to develop or administer policy or to make discretionary decisions, shall be licensed by the Board.

d) An ADW licensee shall utilize or contract with a Board approved and licensed totalisator system.

e) An ADW licensee must operate and communicate with the totalisator system in such a way as not to provide or facilitate a wagering advantage based on access to wagering information and methods of processing of wagers by ADW account holders relative to persons who wager at racetracks or off track wagering facilities.

Section 325.30 Advance Deposit Wagering Rules

a) The ADW licensee shall notify the patron, at the time of opening the account, of any rules the ADW licensee has made concerning deposits, withdrawals, average daily balance, user fees, interest payments and any other aspect of the operation of the account. The ADW licensee shall notify the patron whenever the rules governing the account are changed, such notification occurring before the new rules are applied to the account and including the opportunity for the patron to close or cash-in the account. The patron shall be deemed to have accepted the rules of account operation upon establishing and maintaining a balance on the account.

b) The ADW licensee reserves the right at any time and for any reason to refuse to open a patron account, to accept a wager, to accept a deposit, or to close an account.

c) Each account holder shall provide such personal information as the ADW licensee and the Board require by mail, email or on-line application, including an address to which communications are to be delivered. The ADW licensee shall provide each account holder, an account number, username and password to be used by the patron to confirm the validity of every account transaction. Each account holder shall be responsible for keeping his or her username and password confidential and shall be deemed to be aware of the status of that account at all times and responsible for all activity on his or her account. Wagers shall not be accepted that would exceed the available balance of that

account. Any account not updated when a transaction is completed shall be inoperable until the transaction is posted and the account balance updated.

d) Account deposits may be made in cash, check, money order, credit card, debit card, other electronic fund transfers, or any other means if permitted by the ADW. As allowable by State and Federal law, deposit holding periods will be permitted by the ADW licensee. A receipt for the deposit, in hard copy or electronic format, shall be issued to the account holder, but does not need to reflect the current account balance.

e) When a customer account is entitled to a payout or refund, monies shall be credited promptly to the respective accounts. The account holder shall verify proper credits and notify the ADW licensee pursuant to the terms of the customer agreement. Unresolved disputes may be forwarded to the Board by the ADW licensee or the account holder. No claim shall be considered by the Board unless submitted in writing and accompanied by supporting evidence.

f) Account Operation:

1) The ADW licensee must maintain complete records of every deposit, withdrawal, wager and winning payout. These records shall be made available to the Board upon request.

2) For account wagers made by telephone, the ADW licensee shall make a voice or data recording of the entire transaction and shall not accept any wager if the voice or data recording system is inoperable. Voice and data recordings shall be retained for not less than six months and shall be made available to the Board upon request. In the case of a wager made by telephone, the voice or data recording of the confirmation of the transaction shall be deemed to be the actual wager, regardless of what was recorded by the pari-mutuel system.

3) The ADW licensee shall provide for the account holder's review and verification of a wager before it is accepted by the ADW. Neither the account holder nor the ADW licensee shall change a wager after the account holder has reviewed and verified the wager. All wagering cancellation policies shall be approved by the State Director of Mutuels.

g) The ADW licensee may close any account with an insufficient balance or dormancy pursuant to the terms of the customer agreement. The ADW licensee shall refund the remaining balance of the closed account to the account holder.

Section 325.40 Requirements to Establish an Advance Deposit Wagering Account

a) Accounts shall be established in person, by mail, telephone or other electronic media before any wagering shall be conducted. An account shall only be established in the name of an individual and is non-transferable.

b) Any individual prohibited from wagering by the Board shall be prohibited

from establishing an account or placing a wager.

c) The information required to establish an account shall include:

1) Account holder's full legal name.

2) Principal residence address.

3) Telephone number.

4) Social security number.

5) Identification or certification to prove the account holder is at least 18 years of age.

6) Any other information required by the ADW licensee.

d) The ADW licensee shall employ electronic verification with respect to each account holder's name, principal residence address, date of birth and social security number at the time of account establishment by a Board-approved, independent, credit reference service or other verification service as approved by the Board. If the verification process fails, using procedures approved by the Board, the ADW licensee may accept physical proof of age, identity and residency through actual documentation.

e) The ADW licensee may refuse to establish an account if it is found that any of the information supplied is false incomplete or for any other reason the ADW deems appropriate. An ADW licensee may close accounts for violation of its terms of agreement or any other reason it deems appropriate.

f) An ADW licensee may cease wagering on any particular race or racetrack.

g) The account holder shall designate a means of personal identification verification to use to access his or her account.

h) An ADW licensee shall designate an account number for each account. The ADW licensee shall inform the account holder of the assigned account number and provide a copy of its ADW procedures, terms and conditions as well as any information that pertains to the operation of the account.

i) The ADW licensee shall comply with Internal Revenue Service (IRS) requirements for reporting and withholding proceeds from advance deposit wagers by account holders and shall send to account holders subject to IRS reporting or withholding a Form W2-G summarizing the information for tax purposes following a winning wager being deposited into an account. Upon written request, the ADW licensee shall provide account holders with

summarized tax information on advance deposit wagering activities.

j) Only Illinois residents who have accounts with an ADW licensee licensed by the Board may engage in advance deposit wagering.

Section 325.50 Powers of the Board

a) The Board shall have unrestricted access to all records and financial information of the ADW licensee, including all account information. This information shall be made available to the Board, by the ADW licensee, upon notice from the Board to the extent that disclosure is not expressly prohibited by law. Board access to and use of information concerning wager transactions and ADW customers shall be considered proprietary and shall not be disclosed publicly except as may be required by law. This information may be shared for multi-jurisdiction investigative purposes. An ADW licensee shall report to the Board any known or suspected rule violations by any person involving ADW and cooperate in any subsequent investigations.

b) The following reports shall be available for inspection by the Board upon request:

1) ADW handle;

2) Reports for taxation purposes;

3) Customer complaints;

4) List of active accounts;

5) List of excluded persons;

6) List of account holders;

7) Log of all system accesses; and

8) List of all deposits, withdrawals, wagers and winning payouts.

Section 325.60 Organization Licensee Simulcast Signals and Commission Fees

a) All advance deposit wagering licensees shall televise or broadcast or display via the internet the simulcast signal of the live racing of all organization licensees and accept wagers on the live racing of all organization licensees.

b) Advance deposit wagering licensees shall not be permitted to accept out-of-state wagers on any organization licensee's live racing signal without the approval and consent of the organization licensee providing the signal.

c) The Board finds that as a means to maximize and support the highest simulcast commission rates charged to out-of-state entities by all organization licensees and therefore maximize revenues to horsemen's purse accounts and organization licensees, and to establish commission and purse splits consistent with existing wagering facility revenue divisions, all organization licensees shall provide their live racing simulcast signal to all advance deposit wagering licensees for a simulcast commission fee not to exceed 8%.

d) An advance deposit wagering licensee's interstate commission fee shall not exceed 9% except for Grade 1 thoroughbred races and harness races with purses of $200,000 or more.

(AMENDED EFFECTIVE JANUARY 1, 2011)

Section 325.70 Interstate Simulcast Signals

The Board finds that, as a means of maximizing revenues to the State, horsemen's purses, and organization licensees, the Board may prohibit any advance deposit wagering licensee from receiving a signal from any out-of-state racetrack if it finds that another Illinois advance deposit wagering licensee has been unreasonably denied the same interstate simulcast signal.

Section 325.80 Anti-Competitive Practices

a) No licensee shall engage in any anti-competitive practices in the process of contracting for the right to receive or send any interstate simulcast signal or wagering on such signal. For the purpose of this Part, anti-competitive practices shall include, but not be limited to:

1) any agreement to pay excessive or unreasonable fees for the right to receive an interstate signal. In determining whether a fee is excessive or unreasonable, the Board shall consider prevailing rates paid for comparable signals in the past, and whether any commonality of ownership or revenue sharing exists, partially or wholly, between the Illinois licensee and the entity receiving the fees; or

2) any agreement, combination, trust or joint enterprise with any other track or entity in which multiple interstate signals are bundled together for the purpose of securing an excessive or unreasonable fee for one or more signals in the group in exchange for the right to receive any of the signals in the group; or

3) any other activity designed to artificially inflate prices beyond reasonable market rates.

b) Licensees in violation of this Part shall be subject to civil penalties up to $10,000 per occurrence and/or license suspension or revocation.

(ADDED EFFECTIVE JANUARY 1, 2011)

SOURCE: Adopted by emergency rulemaking at 33 Ill. Reg., effective September 2, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 539, effective January 1, 2010; emergency amendment at 34 Ill. Reg. 581, effective January 1, 2010, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 34 Ill. Reg. 2761, effective February 3, 2010 for a maximum of 150 days; emergency amendment at 34 Ill. Reg. 2823, effective February 3, 2010, for a maximum of 150 days; amended at 34 Ill. Reg. 10517, effective July 12, 2010; emergency amendment at 34 Ill. Reg. 13558, effective September 2, 2010; amended at 35 Ill. Reg. 522, effective January 1, 2011.

PART 326
QUINELLA DOUBLE

Section

326.10 General
326.20 Pool Distribution
326.30 Dead Heats
326.40 Scratches
326.50 Race Cancelled

Section 326.10 General

The Quinella Double requires selection of the first two finishers, irrespective of order, in each of two specified contests.

Section 326.20 Pool Distribution

The net Quinella Double pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

a) If a coupled entry or mutuel field finishes as the first two 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 finishers in the alternate Quinella Double contest; otherwise

b) As a single price pool to those who selected the first two finishers in each of the two Quinella Double contests; but if there are no such wagers, then

c) As a profit split to those who selected the first two finishers in either of the two Quinella Double contests; but if there are no such wagers on one of those contests, then

d) As a single price pool to those who selected the first two finishers in the one covered Quinella Double contest; but if there were no such wagers, then

e) The entire pool shall be refunded on Quinella Double wagers for those contests.

Section 326.30 Dead Heats

a) If there is a dead heat for first in either of the two 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 betting interests, the Quinella Double pool shall be distributed as if no dead heat occurred.

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

b) 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.

c) If there is a dead heat for second in either of the Quinella Double contests involving contestants representing two or more betting interests, the Quinella Double pool shall be distributed as a profit split.

Section 326.40 Scratches

a) 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.

b) 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.

c) 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 payout. In calculating the consolation payout, 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 payout. Breakage is not declared in this calculation. The consolation payout is deducted from the net Quinella Double pool before calculation and distribution of the winning Quinella Double payout. In the event of a dead heat involving separate betting interests, the net Quinella Double pool shall be distributed as a profit split.

Section 326.50 Race Cancelled

a) If either of the Quinella Double contests is cancelled 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.

b) If the second Quinella Double contest is cancelled 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.

SOURCE: Adopted at 35 Ill. Reg., effective July 22, 2011.

PART 402
CONCESSIONAIRE RULES

Section

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Section 402.10 Definitions

The term "concessionaire" shall include an individual, firm, partnership, corporation, trustee or legal representative licensed to operate as a concessionaire to sell or provide food, beverages, programs, tip sheets or parking to the public at any race track in Illinois.

Section 402.20 Occupation License

No concessionaire shall operate at any race track in Illinois without an occupation license duly issued by the Board.

Section 402.30 License Application

a) An application for a license to operate as a concessionaire shall be made on forms furnished by the Board and shall be verified.

b) One original and ten executed copies of the application shall be filed with the Board.

c) The applicant shall submit with the application all relevant contracts, including but not limited to contracts with suppliers, contracts with any and all racing associations, and instruments evidencing any indebtedness between the applicant or the owner of any beneficial interest in the applicant and any and all racing associations.

d) If circumstances change or events occur after the application is filed so that the application no longer presents the facts, the applicant shall submit an amended application correcting any incorrect statements.

Section 402.40 Time of Filing

a) Application for an occupation license as a concessionaire shall be filed on or before 60 days prior to the opening of the racing meet at the race track at which the concession is to be operated, however

b) The Board in its discretion, upon good cause shown may act upon applications for an occupational license to operate as a concessionaire received subsequent to the dates specified in this rule.

Section 402.50 Necessity of License

No person shall conduct or operate a concession upon any race track grounds within the State of Illinois during any racing meet without first obtaining an occupation license from the Board.

Section 402.60 Application Contents, Substantial Owners

a) Each application for an occupation license as a concessionaire shall be on forms prescribed by the Board. If the applicant is a corporation, the application shall disclose, among other things, the names and addresses of its directors, officers, and owners of substantial beneficial interest and shall state whether or not any such individuals

1) have been convicted of a crime,

2) have been found guilty of a violation of the Illinois Horse Racing Act of 1975 or the rules and regulations of the Board, and

3) or have been suspended from operating as a concessionaire or denied a permit to operate as a concessionaire at any race track in any other state.

b) A person owning 5% or more of the equity of an applicant shall be considered a substantial owner for the purposes of these rules.

Section 402.70 Grounds for Denial

The Board may, in its discretion, refuse an occupation license to any person seeking to operate as a concessionaire:

a) Who has been convicted of a crime;

b) Who is unqualified to perform the duties required of such applicant;

c) Who fails to disclose or states falsely any information called for in the application;

d) Who has been found guilty of a violation of the Act or of the rules and regulations of the Board; or

e) Whose license or permit has been suspended, revoked or denied for just cause in any other state.

Section 402.80 Concession Prices

Pursuant to Section 25(d) of the Illinois Horse Racing Act of 1975, prices to be charged by a "concessionaire" shall not exceed prices set forth in the application for an organization license by the organization at which the concession is to be operated without first obtaining prior approval of the Board. In considering requests for price increases, the Board shall consider all relevant factors, including, but not limited to, the following: the cost of goods or services provided, the margin of profit, and the effect of the requested price increases on the racing public.

Section 402.90 Disclosure Statements, of Whom Required

On or before the date an application for an occupational license is required to be filed, all officers, directors, creditors and substantial owners of any beneficial interest in any concessionaire desiring to operate at any race track within the State of Illinois shall make written disclosure on forms prescribed by the Board for approval of their participation in racing in the State of Illinois. Said forms shall be submitted under oath as prescribed in the form and shall be considered as part of the application for occupational license to operate as a concessionaire. A person owning 5% or more of the equity of an applicant to operate as a concessionaire shall be considered a substantial owner for the purpose of this rule. A person extending credit for more than one year or extending credit in excess of $10,000 for less than one year, but more than 30 days, shall be considered a creditor for the purposes of this rule.

Section 402.100 Disclosure by Corporations

Where a corporation owns 25% or more of the equity of an applicant to operate as a concessionaire, holders of 10% or more of its capital stock shall make written disclosure under these rules and regulations on the forms prescribed. However, this rule shall not apply to any corporation, the securities of which are registered with the Securities and Exchange Commission pursuant to the Securities Act of 1933 and the rules and regulations issued thereunder. Corporations qualifying under this exemption shall file with the Board copies of all papers filed with the Securities and Exchange Commission.

Section 402.110 Change of Owners, Directors, etc.

Within 15 days after election, appointment, acquisition of substantial ownership, or extending of credit, the Board shall be notified of the identity of each new officer, director, substantial

owner, or creditor of a concessionaire. Each new officer, director, substantial owner, or creditor shall make a written disclosure to the Board on forms prescribed by the Board for approval of their participation in racing in Illinois.

Section 402.120 Observe Rules

Imposed on each concessionaire is the duty of obeying the applicable rules and regulations imposed by the Board under which the licenses are granted, the Board reserving the right to amend, alter or repeal any rule, regulation or condition herein imposed or to supplement said rules and regulations.

Section 402.130 Financial Statements

a) At the end of each meet, each concessionaire shall prepare and submit to the Board a record of its operations at the track. The report shall include verified financial statements including:

1) Balance sheet; and

2) a statement of profit and loss showing the concessionaire's combined operations for that year; and the results of such operations for each specified racing meet at which the concessionaire conducted business during the year.

b) Income and expense items shall be shown in such detail as required in accordance with generally accepted accounting principles. Such report shall be filed with the Board within 75 days after the end of each individual meet.

Section 402.140 License Deemed Personal

Licenses to operate as a concessionaire are deemed personal in nature and non-transferable, and will terminate upon a substantial change of ownership of the concessionaire, unless the Board has granted prior approval. The sale or transfer of 25% or more of the equity of a concessionaire shall be considered a substantial change of ownership. In acting upon a request for approval of a substantial change in ownership, the Board shall consider the same factors as it considers in the initial grant of an occupation license to a concessionaire.

Section 402.150 Penalties

a) The Board may suspend or revoke any occupational license of any concessionaire:

1) for violation of any of the provisions of the Illinois Horse Racing Act of 1975;

2) for violation of any of the rules or regulations of the Board;

3) for any cause which, if known to the Board, would have justified the Board in refusing to issue such occupational licenses; or (d) for any other just cause. (Ill. Rev. Stat., Ch. 8, par. 37-15(d)).

b) The Board is vested with the power to impose civil penalties of up to $5,000 against individuals for each violation of any provision of the Act, any rules adopted by the Board or any other action which, in the Board's discretion, is a detriment or impediment to horse racing. (Ill. Rev. Stat., Ch. 8, par. 37-9(1)).

Section 402.160 Political Contributions Prohibited

No concessionaire or officer, director or holder or controller of 5% or more legal or beneficial interest in any concession shall make any sort of gift or contribution of any kind or pay or give any money or other thing of value to any person who is a public official or a candidate or nominee for public office [230 ILCS 5/24(f)].

Section 402.170 Remedies

Any concessionaire aggrieved by any order of the Board may pursue any remedies before the Board available by law or rule to any other licensee.

SOURCE: Adopted at 3 Ill. Reg. 45, p. 106, effective October 29, 1979; codified at 5 Ill. Reg. 10880; amended at 17 Ill. Reg. 21845, effective December 3, 1993.

PART 403
ILLINOIS RACE TRACK RULES FOR FIRE SAFETY

Section

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Section 403.10 Purpose

These rules have been established to enforce a reasonable level of fire safety at race tracks to reduce the potential for loss of human life, horses, and track operation.

Section 403.20 Scope

These rules shall apply to all facilities which are part of a race track complex where the complex is utilized primarily for the purpose of conducting a horse racing meet where pari-mutuel wagering is authorized.

Section 403.30 Enforcement

a) The enforcement of these rules shall be under the jurisdiction of the Office of the State Fire Marshal of the Division of Fire Prevention, Illinois Department of Law Enforcement.

b) New buildings constructed after the adoption of these rules shall comply fully with all provisions of these rules.

c) Buildings already in existence at the time of the adoption of these rules shall be made to comply immediately with the rules under any one of the following circumstances:

1) If, in the opinion of the State Fire Marshal, lack of compliance presents an imminent danger to human life, horses, or continued operation of the race track.

2) If additions, alterations or repairs are made in any period of 12 months, costing in excess of 25% of the current replacement cost of the building.

3) If a building is increased in floor area by more than 10% or if the building is increased in the number of stories.

4) If the basic occupancy classification of a building is changed in such a manner as to increase the fire hazard.

d) Existing track facilities shall meet the following minimum fire safety requirements within the times indicated from the date of adoption of these rules:

1) Provide adequate exits, exit signs, and emergency lighting for grandstand structures within one year in compliance with Sections 5.11 through 5.13. (11 Ill. Adm. Code Sections 403.50(a)(1) through (3).

2) Provide a complete system of manual fire reporting stations within one year for all buildings as provided in Section 7.81. (11 Ill. Adm. Code Section 403.70(h)(1)).

3) Provide permanent type identification or signs above each fire extinguisher, fire hose station, and fire reporting station within ninety days.

4) Install automatic sprinklers within two years in grandstands as required in Sections 5.14 and 5.15. (11 Ill. Adm. Code Sections 403.50(a)(4) and (5))

5) Combustible barns shall either be replaced with noncombustible barns in accordance with these rules at a rate of not less than 20% per year of the total number of existing combustible barns or shall be equipped with automatic sprinklers at a rate of not less than 20% per year of the total number of existing combustible barns.

6) Combustible structures other than barns and grandstands shall be protected by automatic sprinklers if their size, type of construction, and occupancy are deemed hazardous.

7) Fire hydrants shall be provided as required in Section 7.21 (11 Ill. Adm. Code Section 403.70(b)(1)). Standpipes shall be installed in grandstands as provided in Section 7.41. (11 Ill. Adm. Code Section 403.70(d)(1)). Class B and C barns not protected by automatic sprinklers shall be provided with hose stations in accordance with Sections 7.51 through 7.53. (11 Ill. Adm. Code Sections 403.70(e)(1) through (3)) All installations shall be completed within two years.

8) Compliance with hay storage Sections 6.441 (11 Ill. Adm. Code Sections 403.60(d)(1) through (3)) through 6.43 shall be required within one year.

e) Within one year, unsprinklered dormitories shall be equipped with automatic fire alarm systems with automatic fire detectors in every apartment or room, (or the equivalent in terms of fire alarm and fire detection effectiveness if approved

by the Fire Marshal) unless the apartments or rooms are separated by at least 3/4-hour fire resistant construction and each apartment or sleeping room has a direct exit to the outside.

f)

1) The Board and the State Fire Marshal shall be notified in writing, prior to construction of structures, additions, alterations or occupancy changes covered under Section 3.3 (11 Ill. Adm. Code Section 403.30(c)) Construction shall not start until approved by the Board and the State Fire Marshal.

2) These rules shall not nullify any local codes or regulations. If a conflict exists, the more stringent requirement shall be applicable. In areas not specified and not covered by these rules or by local codes, compliance with the provisions of one of the nationally recognized model building codes shall be acceptable.

g) It is the intent of the State Fire Marshal that if any section, paragraph, sentence or word of these rules be declared invalid for any reason, all other portions of the rules shall still apply.

h) The owner of the facility or his designated agent shall be responsible for compliance with these rules and other recognized good practices and applicable regulations in order to maintain fire safe conditions. The omission of such recognized good practices or applicable regulations from these rules shall not be considered reason for noncompliance.

i) The specific requirements of these rules may be modified by the State Fire Marshal to allow alternative arrangements that will secure as nearly equivalent safety from fire as practical; but in no case shall the modification afford less safety from fire than compliance with the corresponding provisions contained in these rules.

Section 403.40 Definitions

"Automatic": As applied to fire protection shall mean a device or system activated by a fire and performing its intended function without the necessity of human intervention.

"Barn": A building used primarily for horses which may or may not have sleeping rooms.

"Building": A structure covered by a roof, separated from other structures by space or fire walls and designed for housing people, animals or equipment.

"Building Area": The maximum horizontal projected area of the building at or above grade.

"Building Construction": Types of building construction such as fire resistive, heavy timber, noncombustible, ordinary and wood frame, shall be as defined in NFPA Standard No. 220-1961, Standard Types of Building Construction.

"Combustible": A material which does not comply with the definition of noncombustible.

"Combustible Wall": A wall constructed of combustible structural elements.

"Dormitory": A building or a portion of a building containing sleeping rooms, rest rooms, laundries and other normal housekeeping facilities.

"Emergency Lighting": Lighting designed to come on automatically in the event of failure of the primary electric power supply.

"Exit": An opening in an exterior wall or an access to a protected way of travel to allow occupants to escape from a building with reasonable safety.

"Fire Detection System": A system designed to automatically detect a fire and alert those responsible for taking emergency action.

"Fire Door": A listed door, frame, hardware, and accessories designed to provide protection against passage of fire for a specified period of time.

"Fire Hose Station": A cabinet, rack, or reel where the fire hose is stored for use in manual fire fighting.

"Fire Alarm or Notification System": A system designed to alert building occupants to a fire.

"Fire Patrols": Patrols by track personnel assigned specifically to check building areas for fires or fire hazards. Supervised patrols utilize portable clocks or other means to assure that the patrolman covers all areas on a regular basis. Freelance patrols leave the route and areas covered to the discretion of the patrolman.

"Fire Reporting System": A communications system for public use designed to notify those responsible for taking emergency action that a fire is in progress.

"Fire Wall": A self supporting noncombustible wall having at least two hour fire resistance.

"Flammable Liquid": A liquid having a flash point below 100NF and other properties as defined in NFPA Standard No. 30-1973, Flammable and Combustible Liquids Code.

"Grandstand": The structure for seating spectators, including communicating areas used for betting, club rooms, restaurants, concession stands, rest rooms, and other related facilities.

"Hay Storage": Areas used for the storage of hay or straw.

"Heating System": A system which provides comfort heating for building occupants.

"Hood and Exhaust Ventilation System": A system for exhausting heat and fumes from ranges, grills, and other cooking equipment.

"Listed": Equipment or materials included in a list published by a nationally recognized testing laboratory inspection agency, or other organization concerned with product evaluation, that maintains periodic inspections of production of listed equipment or materials, and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in specified manner.

"Manual": As applied to fire protection shall mean a device or system which requires human operation to perform its intended function.

"Masonry Wall": A wall constructed of brick, adobe, concrete, hollow blocks, solid blocks, or stone.

"NFPA": National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210.

"Noncombustible": A material that will not ignite or flame when inserted for five minutes in a furnace heated to 1380NF.

"Noncombustible Wall": A wall constructed of masonry, concrete, metal, metal lath and plaster, gypsum board, glass block, or similar noncombustible materials.

"Protected Combustible Construction": As defined in NFPA Standard No. 220-1961, for protected ordinary construction and protected wood frame construction.

"Protected Non-Combustible Construction": As defined in NFPA Standard No. 220-1961.

"Recognized Standards": Standards of performance testing utilized by a nationally recognized testing agency such as Underwriters Laboratories, Inc., or the Factory Mutuel System, or standards of good practice as promulgated by agencies such as the National Fire Protection Association.

"Roof Covering": The covering applied to a building roof for weather resistance, fire resistance, or appearance.

"Self Closing": As applied to a fire door, a door that is normally closed and is equipped with an approved listed device to automatically re-close the door after opening.

"Sleeping Room": Any room in which occupant(s) is permitted to have sleeping facilities.

Section 403.50 General Construction Requirements

a) Grandstands

1) Grandstands shall comply with the requirements of NFPA Standard No. 102-1972, Tents, Grandstands and Air Supported Structures Used for Places of Assembly, and NFPA Standard No. 101-1973, Life Safety Code, except as modified in Sections 5.12 through 5.13. (11 Ill. Adm. Code Sections 403.50(a)(2) and (3))

2) Exits from enclosed grandstand spaces which empty into open grandstand spaces from which occupants can make their way to a safe location or which are a safe area of refuge can be counted as part of the required exit capacity for the enclosed spaces.

3) The occupant load of enclosed grandstand spaces shall be based on the seating capacities of these spaces plus an allowance for standees' floor area, if any, based on one person for every 10 sq. ft. of net standing floor area. Required aisle space serving the fixed seats shall not be used when computing net standing floor area.

4) Automatic sprinklers shall be installed in accordance with Section 7.3 (11 Ill. Adm. Code Section 403.70(c)) throughout all enclosed grandstand areas of unprotected combustible construction. If the roof structure alone is combustible, sprinklers shall be required only in all concealed roof spaces.

5) Automatic sprinklers shall be installed in all grandstands in the following locations:

A) All spaces used for storage and maintenance having an area of over 100 sq. ft. and that are not enclosed with at least 1-hour fire resistive construction and fire doors. Automatic sprinklers may be supplied by the domestic water system up to a limit of 20 sprinklers per space provided that a density of at least .15 gallons per minute (GPM) per sq. ft. in the space can be provided. Such space shall also be enclosed with at least 1-hour fire resistive construction and an approved self-closing fire door when deemed necessary by the Fire Marshal.

B) Inside combustible concealed spaces of over 2500 sq. ft. fire area.

C) All spaces used for displays or exhibitions or storage of display or exhibition materials.

D) All kitchens with interior finish having a flame spread rating over 25.

E) All interior spaces with an occupancy load of 200 persons or over 4000 sq. ft. in area, which have interior wall and ceiling finish having a flame spread over 75, unless the interior wall finish is of solid lumber at least 1 inch thick.

F) All interior spaces and rooms under 4000 sq. ft. having wall or ceiling finish with a flame spread rating of more than 100.

G) All interior exitways, including corridors, stairwells, and other paths to the exterior which have interior wall or ceiling finish with a flame spread of over 25.

6) Emergency fire escape provisions shall be provided from the stewards stand and press areas where required, and subject to the State Fire Marshal's approval.

b) Barns

1) Construction Classification Structures used as barns shall be classified as follows:

A) Class A - Walls and roof of noncombustible materials. Stall dividers of noncombustible material or two inch dimension hardwood lumber. Use of combustible kick boards shall not cause otherwise noncombustible stall dividers to be classed as combustible.

B) Class B - Walls masonry; roof of combustible materials.

C) Class C - Walls and roof of combustible material.

2) Size Limitations:

A) Buildings used as barns constructed after the adoption of these rules shall not exceed in area the values in the following table:

Barn Size Limitations
Maximum Building Area in Square Feet

Construction Class	Non-Sprinklered	Sprinklered
A	Unlimited	Unlimited
B	Not Permitted	18,000
C	Not Permitted	12,000

B) Class B and Class C construction without sprinkler protection shall not be permitted.

3) Height Limitations: The height of barns used primarily for horses shall not exceed one story. Where dormitory rooms are located above the barn structure the structure shall not exceed 2 stories in height.

4) Spacing Requirements:

A) Structures enumerated in Section 5.2 (11 Ill. Adm. Code Section 403.50(b)) constructed after the adoption of these rules shall be separated by the following minimum distances:

Spacing Between Barns (in feet)

Types of Facing-Walls	Masonry	Noncombustible	Combustible
Masonry	25		
Noncombustible	25	35	
Combustible	35	50	75

B) A reduction in spacing of 50% shall be permitted for a masonry wall without openings and with a parapet extending at least 18" above any combustible roof construction within 10 ft. of the parapet and a reduction of spacing of 33 1/3 % shall be permitted for sprinklered combustible barns in accordance with Section 7.3 (11 Ill. Adm. Code Section 403.70(c))

5) Fire Walls: Barns divided by a fire wall having at least two-hour fire resistance shall be considered as separate buildings in applying the size limitations of Section 5.22 (11 Ill. Adm. Code Section 403.50(b)(2))

A) Fire walls when required shall extend through combustible roofs and walls. The height of the wall shall be at least 32" above the roof and the side shall extend at least 24" beyond combustible exterior walls.

B) All openings in fire walls separating barns shall be protected by self-closing 1 2-hour B label fire doors.

6) Exits: Barns shall be designed so that there is a doorway leading directly outside within 100 ft. travel distance of all portions of the building. It shall be possible to exit from any point in the building in at least two directions; dead ends longer than 30 ft. shall not be permitted. Travel distance may be increased to 150 ft. when the barn is of masonry or masonry veneer construction and is protected by an automatic sprinkler system.

A) Doorways provided to meet the requirements of Section 5.26 (11 Ill. Adm. Code Section 403.50(b)(6)) shall be at least 8 ft. high and 6 ft. in width.

B) All latches on exterior barn doors shall be operable from inside the building.

7) Smoke Relief Venting: Stall areas in unsprinklered barns shall be provided with exterior openings for smoke relief, located at a high level to permit natural removal of heat and combustion products. Vent openings shall be provided on the basis of 1 sq. ft. of venting area for each 60 sq. ft. of stall floor area.

c) Sleeping Facilities

1) Dormitories, tack rooms, and other facilities used for sleeping purposes shall be of at least :-hour fire resistant protected construction and shall comply with applicable provisions of NFPA Standard No. 101-1973, Life Safety Code.

2) Fire Separation: Individual sleeping rooms shall be separated from each other and from barns, stalls, laundry rooms, rest rooms, storage rooms, and similar occupancies by walls, floors, and ceilings having at least a :-hour fire resistive rating. Any wall openings shall be protected by a self-closing solid core wood or hollow metal door, 1 :" thick.

3) Fire Detection: An automatic fire alarm and detection system complying with Section 7.7 (11 Ill. Adm. Code Section 403.70(g)) shall be provided in all sleeping rooms, heating rooms, kitchens, laundry and storage rooms. A fire detection system shall not be required in sleeping facilities protected by an automatic sprinkler system complying with Section 7.3, (11 Ill. Adm. Code Section 403.70(c)) or in sleeping rooms of at least :-hour fire resistant construction with a direct exit to the exterior.

d) Roof Coverings

All track buildings shall have roof coverings meeting Underwriters Laboratories, Inc. requirements for Class C roofing or better.

e) Insulation

Track buildings shall not use combustible insulating materials installed so that the surface of the insulation is exposed.

Section 403.60 General Occupancy Requirements

a) Heating and Cooking Equipment

1) Heating and cooking equipment shall be listed by Underwriters Laboratories, Inc. or the American Gas Association. Installation of the equipment and related fuel storage and piping facilities shall be in accordance with recognized standards and good practices as found in the following standards: NFPA Standard No. 54-1974, Storage and Handling of Liquefied Petroleum Gases and NFPA Standard No. 70-1975, National Electrical Code.

2) Cylinders or tanks of compressed fuel gases shall not be permitted in grandstands or in buildings except as provided in NFPA pamphlet 58, 1974.

3) Sleeping rooms shall be heated by steam, hot water, warm air, electricity or approved individual gas-fired heating units.

4) Steam and hot water boilers and furnaces shall be located in a separate building or enclosure with fire resistive floors, walls, ceilings and doors. Enclosures around high pressure boilers (operating at over 15 per square inch (psi) gauge pressure) shall have two-hour fire resistance with openings protected by 1 2-hour fire doors; enclosures around low pressure boilers (operating below 15 per square inch (psi) gauge pressure for steam and 30 per square inch (psi) gauge pressure for hot water) and furnaces shall have :-hour fire resistance with openings protected by :-hour fire doors.

5) Ranges, deep fat fryers and grills shall have a hood and exhaust ventilation system to the outside as outlined in NFPA Standard No. 96-1973, Ventilation of Commercial Cooking Equipment.

6) Hood and Vent Systems: All hood and vent systems over cooking equipment shall be protected by a listed automatic fire extinguishing system installed according to NFPA Standard No. 96-1973, Ventilation of Commercial Cooking Equipment. Actuation of the system shall transmit an alarm to a constantly attended location.

b) Electrical System

1) New electrical systems shall be installed by qualified electricians in accordance with NFPA Standard No. 70-1975, the National Electric Code. Existing electrical systems installed in accordance with the requirements of the National Electric Code in effect at the time of installation will not be required to be replaced provided they are properly maintained, and provided that electrical systems shall be updated to conform to NFPA Standard No. 70-1975 as buildings are updated in accordance with Section 3.3 of these rules (11 Ill. Adm. Code Section 403.30(c))

2) Plug receptacles in electrical systems in barns are permitted provided that the receptacles are at least 4 ft. above floor level (centered between stalls) and of grounded type. In addition, electrical equipment (unless double insulated) shall be of the 3 wire (grounded) type.

3) Electrical systems in sleeping rooms shall be provided with at least one double plug receptacle having two standard outlets.

c) Flammable Liquids

1) Flammable liquids shall be stored and handled in accordance with recognized standards and good practices as found in NFPA Standard No. 30-1973, Flammable and Combustible Liquids Code.

2) No flammable liquids shall be stored in the grandstand structure. Beverage containers of one gallon or less shall be exempt.

3) Bulk supplies of flammable liquids over 55 gallons shall be stored in buried tanks.

4) Bulk supplies of flammable liquids in containers of 55 gallons or less shall be stored outside of and at least 50 feet from all buildings. Outside storage under this section shall be limited to 550 gallons in aggregate stored in any one location. Storage areas shall be enclosed by either a masonry wall or non-combustible fence not less than six (6) feet in height with entrance kept locked when not in use.

5) Listed safety cans shall be used for handling flammable liquids in less than drum quantities. (Paints, insecticides, and veterinary medicines in original containers of 5 gallons or less shall be exempt from this requirement.)

d) Hay Storage

1) Facilities for the storage of hay or straw may be located either within or detached from the barn structure. Hay Storage shall not be permitted in barn lofts.

2) Hay storage rooms located within the barn shall be:

A) Separated from the rest of the stalls and sleeping rooms by walls extending to roof deck having at least one-hour fire resistance rating with doorways protected by self-closing :-hour fire door.

B) Provided with smoke relief venting of at least 1 sq. ft. for each 25 sq. ft. of hay storage area unless the area is sprinklered.

3) Detached hay storage buildings having an area of less than 200 sq. ft., shall be located at least 10 ft. from Class A or B barns, and 20 ft. from Class C barns, provided however, that detached hay storage buildings with exterior walls of masonry, masonry veneer, or one-hour fire resistive protected construction and having an area of less than 200 sq. ft. shall be located at least 10 ft. from buildings with combustible exterior walls. Hay storage buildings having an area greater than 200 sq. ft. shall comply with the spacing provisions of Section 5.24 (11 Ill. Adm. Code Section 403.50(b)(4))

Section 403.70 Fire Protection Requirements

a) Water Supply

The track shall have a water system capable of providing an adequate and reliable water supply for fire fighting purposes. Grandstands, barns and dormitories and other facilities shall have a water supply capable of providing at least 1000 gallons per minute (gpm) at 20 per square inch (psi) residual pressure for a period of two hours.

b) Fire Hydrants

1) All portions of major track structures such as barns, dormitories, kitchens and maintenance buildings shall be within 400 ft. of a fire hydrant. Grandstands shall comply with Section 7.41 [11 Ill. Adm. Code Section 403.70(d)(1)].

2) To allow access, new fire hydrants shall be located at least 25 ft. away from masonry and noncombustible walls and 50 ft. away from combustible walls.

3) Fire hydrants shall be located so that a fire department pumper can approach to within 10 ft. of the outlet.

4) Fire hydrants adjacent to doorways, parking lots or other areas where subject to vehicular damage shall be protected to prevent such damage.

5) Fire hydrants shall be approved by the local fire department. All hose connections shall have threads matching those of the public fire department serving the track.

c) Automatic Sprinklers

1) Automatic sprinkler systems shall be installed in accordance with NFPA Standard No. 13-1975, Installation of Sprinkler Systems.

2) Automatic sprinklers protecting grandstands and dormitories shall be designed for Light Hazard Occupancies, except those areas containing combustible storage or that are used as exhibition halls shall be designed for Ordinary Hazard (Group 3) Occupancies. Sprinklers for barns shall be designed for Ordinary Hazard Occupancies (Group 2).

3) Automatic sprinklers shall have a waterflow alarm device, value supervision and air pressure supervision transmitting a signal to a constantly attended location. The signaling system shall be installed in accordance with the general requirements of Section 7.7 (11 Ill. Adm. Code Section 403.70(g)) covering fire detection systems.

d) Standpipes

Grandstand structures shall be provided with Class III standpipes. Standpipes shall be designed and installed in accordance with NFPA Standard No. 14-1975, Standpipe and Hose Systems. A 1-2" rubber lined hose connected to the standpipe shall be provided in all non-sprinklered areas. Each standpipe shall be equipped with a valved 2-2" hose connection to conform with the local fire department thread. All portions of the grandstand shall be within 125 ft. of a standpipe or within 400 ft. of a fire hydrant, except for open seating spaces of noncombustible constructions. All fire department standpipe connections shall be within 100 ft. of a fire hydrant.

e) Fire Hose

1) Class B and C barns not protected by automatic sprinklers shall be provided with hose stations containing not more than 150 ft. of 1" hard rubber hose secured in a wall-mounted reel and equipped with an adjustable nozzle. Such hose stations are acceptable provided they are in compliance with Section 7.52 (11 Ill. Adm. Code Section 403.70(e)(2)) Until such hose stations are installed, 50 gallon water drums shall be provided 50 ft. apart in barn aisles with two buckets per drum. Drums shall be kept filled with water.

2) Hose stations shall be located so that all portions of the structures are within reach of at least one hose stream.

3) Each fire hose station shall be marked with a sign(s) visible from each direction of approach saying "FIRE HOSE."

f) Fire Extinguishers

1) Enclosed grandstand areas, barns, and sleeping room buildings shall be provided with a basic complement of approved fire extinguishers having a minimum Underwriters Laboratories, Inc. rating of Class 2-A, within 75

ft. of travel distance from any point in the building. Non-freeze type units shall be used in areas subject to temperatures below 40NF. Exception: Hoses may be substituted in barns in lieu of the above requirements for fire extinguishers. Such hose substitutes shall contain not more than 100 ft. of :" hard rubber or synthetic hose on a wall-mounted reel and be equipped with an adjustable nozzle. These hose substitutes must comply with Sections 7.52 and Sections 7.53. (11 Ill. Adm. Code Sections 403.70(e)(2) and (3)).

2) Kitchens, concession booths and maintenance areas shall have at least one multipurpose type extinguisher with a minimum Underwriters Laboratories, Inc. rating of 20-BC. Additional extinguishers shall be provided, if necessary, so that an extinguisher is within 50 ft. travel distance of any point in these areas.

3) Totalizator rooms, main electrical panels, and other locations containing significant amounts of electrical equipment shall have at least one liquefied gas type extinguisher having a minimum Underwriters Laboratories, Inc. rating of 10-BC. Additional extinguishers shall be provided, if necessary, so that an extinguisher is within 50 ft. travel distance of any point in these areas.

g) Fire Detection Systems

1) The performance, location, mounting and testing of automatic fire detectors shall comply with NFPA Standard No. 72E-1974, Automatic Fire Detectors. Fire detectors shall be of the combination rate-of-rise/fixed temperature type, or equivalent in performance under the conditions of use.

2) The interconnection of detectors and control equipment shall comply with the applicable portions of NFPA Standards No. 71-1974, Central Station Signaling Systems; No. 72A-1974, Local Protective Signaling Systems; No. 72B-1974, Auxiliary Signaling Systems; No. 72C-1974, Remote Station Signaling Systems; No. 72D-1974, Proprietary Signaling Systems and No. 70-1975, National Electrical Code.

3) Fire alarm and detection systems shall have standby power supplies capable of operating the system, including audible warning devices, for a period of 2 hours in the event of primary electrical power outage.

4) Fire alarm control equipment such as relays, rectifiers, transformers, batteries and trouble alarm devices shall not be located inside sleeping rooms, or outside where exposed to weather conditions unless in a weather-proof cabinet. All such control equipment that is accessible to the public shall be in cabinets equipped with sturdy locks.

5) Fire detection systems shall transmit alarm and trouble signals to a constantly attended location. The system shall be designed so that the specific building from which the alarm or trouble signals originate can be identified.

h) Fire Reporting and Notification Systems

1) Fire Reporting System: The grandstands, barns, dormitories, track kitchens, maintenance buildings and other buildings normally occupied during track operations shall be provided with manual fire reporting stations.

A) Manual fire reporting stations shall be located so that the normal horizontal travel distance from any building area to a station does not exceed 200 ft. in grandstands and 300 ft. in barn and other areas.

B) Manual fire reporting stations shall transmit an alarm signal to a central location manned by trained personnel.

C) Non-voice manual fire reporting stations shall be arranged in zones to provide signals that will identify to the central receiving locations the general area served without need of voice communication.

D) If voice or telephone type manual fire reporting stations are utilized, each station shall be provided with a sign indicating its location or zone so that the user can give this information readily to the central receiving location.

E) Every manual fire reporting station shall be marked with an overhead sign(s) visible from all directions of approach saying "FIRE ALARM." Stations located in outdoor areas that are poorly lit shall be provided with a 40-watt overhead red light.

2) Fire Notification System: An audible fire notification system shall be provided to alert building occupants to a fire emergency.

A) The track public address system may be considered an acceptable means of performing this function when fire reports are received directly by a person with a microphone connected to the public address system.

B) For buildings not covered by a public address system outlined in Section 7.821, (11 Ill. Adm. Code Section 403.70(h)(2)(A) or during periods that buildings are occupied and the public address system is not in operation, other audible means shall be provided to alert occupants. Such a system may either be manually actuated from a central location

manned at all times buildings are occupied, or automatically actuated by a fire detection system.

C) Fire notification systems shall be designed to awaken occupants of sleeping rooms.

Section 403.80 Operating Requirements

a) Track Fire and Security Personnel

1) When grandstands are open to the public, at least one trained fireman shall be assigned to freelance patrol duty in the grandstand at all times. Additional firemen may be required depending upon the size of the facility and the nature of the activities.

2) When grandstands are closed to the public, supervised fire patrols shall be conducted every three hours.

3) Barns and other major track buildings shall have supervised fire patrols every three hours when the facilities are unoccupied.

4) Fire patrols shall not be required in track facilities which are protected by properly functioning automatic sprinklers or automatic fire detection systems installed in accordance with Sections 7.3 and 7.7 [11 Ill. Adm. Code Sections 403.70(c) and (g)].

b) Employee Fire Training

1) Security and other track and concessionaire employees shall receive training in the operation of the fire reporting system, fire extinguishers, standpipe hoses and in elementary fire fighting techniques. Training shall be given by a qualified fire department instructor.

2) During the racing meets, occupants of each barn, kitchen and other major buildings shall receive instructions by a qualified fire department instructor on fire prevention rules, fire reporting methods, and proper use of fire extinguishers and small hand hose. Instruction shall be given at least twice during each licensed meet with one session during the first two weeks of the meet.

c) Housekeeping

1) Good housekeeping standards shall be maintained in all track facilities.

2) During the racing meets, trash shall be removed from the premises daily or more often if necessary. Trash containers shall be constructed of noncombustible materials.

3) At the close of the racing meet, trash shall be removed from all buildings and yard areas, and good housekeeping maintained until the track reopens.

d) Maintenance Practices

1) Track management shall establish the following maintenance practices; every licensee shall keep such records and make such reports as the State Fire Marshal shall prescribe. All such records shall be open to inspection by the State Fire Marshal.

A) All heating and cooking equipment shall be inspected by qualified service personnel at least annually, preferably immediately before the start of the racing season to determine that it is in safe working order.

B) When in use, hood and vent systems over cooking equipment shall be inspected daily and cleaned as necessary to prevent the build-up of combustible grease and residue.

C) The electrical system shall be inspected by a qualified electrician at least annually, preferably immediately before the start of the racing season to determine that the system is in reliable condition.

D) All emergency lighting units shall be tested weekly during the racing meets. If an emergency generator is provided, it shall be started each week.

E) An up-to-date map of the fire protection water system shall be maintained, showing the location and size of pipes, valves, hydrants and other portions of the system. A copy of this map shall be provided to the local fire department.

F) Track water supply systems shall be flow tested annually to determine the adequacy and reliability of the basic water supply. Tests shall be witnessed by the fire department. Water control valves shall be inspected weekly during the racing meets and monthly during the balance of the year to assure that they are open. Fire pumps shall be started each week and subjected to a complete operational test on an annual basis.

G) Fire hydrants shall be inspected and serviced in the spring and fall. Servicing shall include flushing the hydrant, lubricating the hose outlet

threads with a dry lubricant such as graphite, and providing any other service necessary to maintain the hydrant in good operating condition Weeds shall be removed from around hydrants and painting shall be provided to assure good visibility. The fall inspection shall include checking for proper drainage to prevent freezing.

H) Sprinkler control valves shall be inspected, drain tests conducted and water flow alarms tested weekly basis during the racing meets and monthly during the balance of the year. Dry pipe sprinkler valves shall be tripped annually during nonfreezing weather.

I) Rubber lined fire hoses shall be inspected annually.

i) Fire extinguishers shall be inspected and serviced as required by NFPA Standard No.10-1974, Portable Fire Extinguishers.

ii) Fire detection and notification systems shall be tested at least every two weeks during the racing meets and monthly during the balance of the year. The entire system shall be inspected and serviced by a qualified contractor at least annually. A record of tests and inspections shall be kept available for inspection by the State Fire Marshal.

iii) Automatic fire extinguishing systems for hood and vent installations shall be inspected and serviced on an annual basis by a qualified contractor.

e) Off Season Periods

1) All automatic fire detection, sprinkler and other protective systems shall be maintained operational throughout the year.

2) Fire extinguishers shall be maintained in all occupied buildings throughout the year.

3) Fire hose stations subject to freezing may be shut off and drained during periods that the buildings which they service are unoccupied.

f) Fire Protection Rules

1) The following track fire protection rules shall be prominently posted at each exit in all barn and dormitory areas and strictly enforced by security and other track personnel.

2) Fire protection rules shall include the following:

A) Smoking shall be prohibited in barns, hay storage buildings and in bed.

B) Electrical extension cords shall be heavy duty 3 wire cord. Multiple plugs are prohibited.

C) Portable heating appliances shall be prohibited in barns and sleeping rooms.

D) Cooking shall be prohibited in barns and sleeping rooms.

E) Sleeping shall be prohibited in stalls or hay storage areas.

F) Good housekeeping shall be maintained in all areas.

G) Flammable liquids, except as provided in Sections 6.32 and 6.35, (11 Ill. Adm. Code Sections 403.60(c)(2) and (5)) shall be prohibited in the grandstand structure, barns, and sleeping rooms.

H) Aisles shall be maintained clear of obstruction at all times and access to fire equipment shall not be blocked

I) A halter shall be worn by each horse in accordance with Illinois Racing Board rules.

J) Vehicles shall not be parked within 15 ft. of fire hydrants, fire hose stations, fire reporting stations, or building doors.

K) Vehicles shall not be parked in fire lanes provided to give fire department vehicles access to buildings.

L) Appropriate signs as prescribed by the State Fire Marshal shall be posted in keeping with rules a, h, j, and k. [11 Ill. Adm. Code Sections 403.80(f)(2)(A),(H),(J), and (K)].

SOURCE: Illinois Racing Track Rules for Fire Safety, no date; codified at 5 Ill. Reg. 10882.

PART 411
RACE-TRACK SURFACES

Section

411.10 Reports
411.20 Standards
411.30 Daily Records
411.40 Surface Conversion and Protection

Section 411.10 Reports

The organization licensee, conducting the first meeting of each type of racing at each race track, shall provide the Board with scientific reports on the construction, elevations and surface composition of the track's training and racing surfaces. The reports shall be filed with the Board within seven days after the opening of the meet and shall be mandatory.

a) during the first year after the adoption of this rule and
b) whenever there is substantial renovation of a training or racing surface.

Section 411.20 Standards

The Board shall develop standards and criteria for adequate and proper equipment to maintain training and racing surfaces, and for sufficient trained personnel to properly operate such equipment. In developing these standards, the Board shall consider all relevant factors including, but not limited to, the size of the race track, the time of year in which the racing is conducted, and the type of racing conducted. The Board shall also consult with and solicit the opinions of representatives of horsemen, jockeys and other interested parties.

Section 411.30 Daily Records

Each thoroughbred organization licensee shall maintain daily records on the condition of each training and racing surface which shall be kept in a location on the race track which is convenient to the public, horsemen and the Board. Such records shall be open for inspection during training and racing hours.

Section 411.40 Surface Conversions and Protection

At each race track where both thoroughbred and harness racing dates have been allocated for any one year, the owner of the race track or his lessee shall, at the conclusion of one type of meet, promptly convert the racing surface for use in the other type of racing, except where a racing surface is being used for training of the first type in which case a reasonable delay of conversion will be permitted. Whenever the thoroughbred cushion is removed any portion which is to be reused shall be covered or otherwise protected from the adverse effects of weather.

SOURCE: Adopted at 5 Ill. Reg. 3832, effective April 8, 1981; codified at 5 Ill. Reg. 10896.

PART 412
UNIFORM SYSTEM OF ACCOUNTS

Section

412.10 Definitions
412.20 Application of Regulation
412.30 Rules of General Application
412.40 General Notes to Financial Statements
412.50 Balance Sheet Accounts
412.60 Income Accounts
412.70 Expense Accounts

Section 412.10 Definitions

When used in this chapter:

a) "Accounts" means the accounts prescribed in this system of accounts.

b)

1) "Affiliated companies" means companies of persons that, directly or indirectly, through one or more intermediary companies, or alone, control, or are controlled by, or are under common control with the reporting licensee.

2) "Control" means the possession of the power to direct or cause the direction of the management and policies of a company or licensee. Such power may be established through a majority or minority ownership or voting of securities, common directors, officers, or stockholders, voting trusts, holding trusts, associated companies, contract or agreement or any other direct or indirect means.

c) "Act" means the Illinois Horse Racing Act of 1975, Ill. Rev. Stat., Ch. 8, Section 37-1 et seq., as now or hereinafter amended.

d) "Board" means the Illinois Racing Board.

e) "Book cost" means the amount at which property is recorded in these accounts without deduction or related provisions for accrued depreciation, amortization, or for other purposes.

f) "Cost" means the amount of money actually paid for property or services. When the consideration given is other than cash, the fair value of the consideration surrendered or the fair value of the asset received, whichever is more clearly evident, should be used to determine cost.

g) "Current assets" is used to designate cash and other assets or resources commonly identified as those which are reasonably expected to be realized in cash or sold or consumed within one year.

h) "Current liabilities" is used to designate those obligations whose liquidation is reasonably expected to require the use of existing current assets, or the creation of other current liabilities within one year.

i) "Financial statements," as used herein, includes all notes to the statements and all related schedules.

j) "Licensee" means "organization licensee" as defined in Section 3.11 of the Act.

Section 412.20 Application of Regulation

a) All licensees shall keep their financial records in the manner prescribed by these rules. In addition, this uniform system of accounts shall also apply to the form and content of all financial statements to be filed as a part of the Application for a license to conduct any racing meeting.

b) These rules are adopted pursuant to the authority granted to the Board in Sections 9(b), 9(c), 9(g), 20(a)(5), and 21(c) of the Act (Ill. Rev. Stat., Chapter 8, Section 37-1 et seq.)

Section 412.30 Rules of General Application

a) All money amounts required to be shown in financial statements may be expressed in whole dollars.

b) The information required with respect to any statement shall be furnished as a minimum requirement. Further material information shall be added whenever necessary to make the required statements not misleading in the light of the circumstances under which they are made. Conversely, if any amount required to be shown with respect to any caption note or schedule is not material, it need not be shown.

c)

1) Each licensee shall maintain its books of account and all other records and supporting documentation in order to be able to readily furnish to the Board full disclosure of any item included in any account.

2) No licensee shall destroy any such books or records unless prior permission to do so is obtained from the Board. The Board will grant such permission if the books and records are more than five years old.

3) In addition to the prescribed accounts, clearing accounts, temporary accounts and subdivisions of any account may be utilized, provided the integrity of the prescribed accounts is not impaired.

4) Any questions regarding the accounting for a specific item should be submitted to the Board for an interpretation

d)

1) The account numbering framework used herein consists of a system of three- and four- digit numbers as follows:

100.0 - 199.9	Assets and Other Debits
200.0 - 299.9	Liabilities and Other Credits
300.0 - 399.9	Income Accounts
400.0 - 499.9	Expense Accounts

2) In many instances, numbers have been skipped in order to allow for possible later expansion or to permit better coordination of the accounts by the licensees.

3) Each licensee may adopt such scheme of account numbers as it deems appropriate, provided however, that it shall keep readily available to the Board the information required by the Application form.

e) All applications for racing dates shall contain:

1) A copy of the audited certified public financial statements for the most recently completed fiscal year; and

2) Financial statements for the most recently completed race meeting accompanied by a review by a Certified Public Accountant expressing limited assurance that no significant changes are required in the financial statements.

f) Income and expenses are required by type of operation. If any item not specifically provided for can be identified with a type of operation, such item should be allocated in the income statement. An example of this would be if real estate taxes could be identified for the parking lot, such taxes should be allocated to the parking operation. Items of revenue, cost or expense which are not properly identifiable with any operating department as defined in the system of accounts shall be accounted for in the "Other" column on the Income Statement. Supplementary listings explaining any such material items shall be submitted along with the application.

Section 412.40 General Notes to Financial Statements

The following notes shall be included in each application filed. This information may be set forth on the face of the application statement, in a supporting schedule or in notes appropriately captioned.

a) Summary of significant accounting policies.

1) Principles of consolidation including accounting for investments in subsidiaries not consolidated. A brief description of the principles followed in consolidating the separate financials. If there has been a change in the entities included or excluded from the previous fiscal year, state the entities and the effect.

2) Depreciation and amortization methods. State the policy followed in computing the provision for depreciation of physical property and leasehold improvements, including the method and rates used.

3) Pension and retirement plan accounting. State a brief description of the essential provisions of the plan and the related accounting and funding policies, including the cost of the plan for the year. Also state whether or not the plan has been submitted to and/or approved by the Internal Revenue Service.

4) Recognition and deferral of income taxes.

A) The following components of income tax expense shall be disclosed in the income statement or a note thereto:

i) taxes currently payable,

ii) tax effects of timing differences, and

iii) tax effects of operating losses and the net deferred investment tax credits.

B) Include a brief description of the nature of such timing differences. Include a brief statement as to the policy for accounting for investment credit.

5) Amortization of intangible assets. Include a brief statement as to the policy and method of amortization.

6) Intercompany profits and losses. Include a brief description as to the amounts and the policy for the accounting for intercompany items.

7) Deferred charges and credits. State the nature and the write-off period of any significant deferred charges.

8) Any other accounting policies that materially affect the determination of financial position, results of operation and changes in financial position.

b) Assets subject to lien. Briefly identify assets mortgaged, pledged or in any other way subject to lien.

c) Defaults. Briefly describe the nature and effect of any defaults of security agreements, indentures and loan agreements.

d) Restrictions on retained earnings. Briefly describe and give the amount of the most restrictive of any such restrictions.

e) Commitments and contingent liabilities. Disclose the amounts and nature of any significant commitments and contingent liabilities.

f) Capital stock. Describe the pertinent facts regarding any stock options, warrants or rights outstanding.

g) Any other footnotes essential to an understanding of the financial statements.

Section 412.50 Balance Sheet Accounts

100 Cash

This account shall include the amount of cash on hand and demand deposits in banks which are immediately available for general business purposes.

Typical Items
- Working funds
- Petty cash funds
- Undeposited receipts
- General checking accounts
- Payroll checking accounts

101 Cash - Restricted, Outstanding Mutuel Tickets

This account shall include the amount of cash on hand and time and demand deposits in banks which are restricted in use, as required by the Act, for payment of outstanding mutuel tickets.

102 Special Funds

Cash on deposit in banks which is not readily available for normal business disbursements because of specific legal withdrawal restrictions (i.e., provisions of loan agreements, etc.) shall be included in this account.

110 Temporary Cash Investments

This account shall reflect the book cost of interest-bearing cash deposits and marketable securities acquired for the purpose of temporarily investing cash. Separate sub-accounts shall be maintained as described below for this account:

Accounts		Typical Items
Interest-bearing cash	#111	Savings accounts, time deposits and certificates of deposit deposits
Marketable services	#112	U.S. Treasury bills and notes State and municipal bonds Corporate bonds, notes and stock Promissory and demand notes

120 Receivables

This account shall include amounts due from individuals or organizations, including other licensees, for sales, claims, loans and advances or other debtor obligations, but only to the extent that such amounts are expected to be realized within one year's time.

Typical Items

- Uncollected rents
- Overpayment of current year's income tax liability or other obligation
- Accrued interest on investments
- Uncollected billings or accruals under occupancy agreements or other obligation from other licensees
- Substantiated claims against suppliers or public carriers
- Claims against NSF checks
- Loans and advances due from the licensee's officers and employees, but not expense advances (see Account #130), affiliated companies or others
- Obligations in the form of notes receivable
- Uncollected proceeds from property sales
- Dividends receivable

This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item or items in order to facilitate the more accurate identification of the aggregate of receivables where the amount(s) associated with such item(s) make up a majority of the total balance in this account.

120.1 Reserve for Doubtful Accounts

This account shall include an amount equal to anticipated collection losses and other adjustments or allowances which, in the normal course of events, will reduce the gross charge to the debtor.

Accounts which are determined to be uncollectible should be written off against the reserve, and the recoveries of accounts previously written off should be credited to the reserve.

The corresponding charge relating to the establishment of this reserve shall be made to the Other Expense Account. (See account #469 in 11 Ill. Adm. Code Section 412.70)

130 Prepayments

This account shall include the costs incurred for benefits or services not yet received, but only to the extent that such costs are expected to be realized substantially within the next year.

Typical Items

- Rent
- Insurance
- Racing License fees
- Commissions
- Taxes
- Inventories of supplies
- Expense advances to employees in the ordinary course of business.

This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item or items in order to facilitate the more accurate identification of the aggregate of "prepayments" where the amount(s) associated with such item(s) make up a majority of the total balance in this account.

140 Other Current Assets

This account shall include the amounts of all other current and accrued assets which are expected to be realized within the following year and which are not properly includable in any of the other current asset accounts as defined herein.

This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item or items in order to facilitate the more accurate identification of the aggregate of "other current assets" where the amount(s) associated with such item(s) make up a majority of the total balance in this account.

150 Investments in Affiliated Companies

This account shall include the cost of capital stocks of affiliates acquired by the licensee. In addition, such investments shall be adjusted periodically to reflect the company's proportionate share of subsequent increases or decreases in the underlying book values of such affiliates acquired. (Accounting for investments on the equity method.)

The following sub-accounts shall be maintained to provide for the accounting in this area:

	Account
Underlying book value of investment	#150.1
Cost in excess of underlying book value at date of investment	#150.2

The underlying book value account shall reflect the initial cost of the acquisition as recorded on the affiliate's books plus any subsequent adjustments by the association to record its share of any increases or decreases to this initial book value.

The cost in excess of underlying book value at date of acquisition account shall reflect that portion of the licensee's total cost of acquisition which exceeded the book value of the affiliate at the initial date of investment.

151 Loans and Advances Receivable From Affiliated Company

This account shall include the book amount of loans and advances made to affiliated companies but only to the extent that such loans and advances are expected to be realized after one year's time. See Account #120 for recording of loans and advances receivable within one year.

160 Property, Plant and Equipment

Sub-accounts as described below shall be maintained to reflect the cost of acquisition or construction of the licensee's owned tangible property.

Main Facilities--Plant and Track

	Account	Typical Items
Land	#161	All land
Ground Improvement	#162	Parking lots, walkways, landscaping, track, improvements, etc.
Buildings and improvements	#163	Main plant (grandstand and mutuels building) paddock building, patrol judge towers, etc.
Machinery and equipment	#164	Trucks, tractors, office equipment, heating and cooling equipment, etc.

Furniture and fixtures	#165	Office furniture, etc.

Backstretch Facilities

Buildings and improvement	#166	Stables, barns, tackrooms, training sheds, track kitchen, detention building, recreation building, etc.
Machinery and equipment	#167	The cost of machinery and equipment used exclusively in the backstretch area.
Furniture and fixtures	#168	The cost of furniture and fixtures located in the backstretch area.

160.1 Accumulated Depreciation

This account shall reflect the accumulated provisions made for depreciation upon the licensee's owned tangible property and shall be the sum of the amounts contained in the sub-accounts shown below. See Exhibit B for reporting of applicable useful lives and method(s) of computing provisions for depreciation.

Main Facilities--Plant and Track

	Account
Accumulated depreciation--ground improvements	#162.1
Accumulated depreciation--buildings/improvements	#163.1
Accumulated depreciation--machinery/equipment	#164.1
Accumulated depreciation--furniture/fixtures	#165.1

Backstretch Facilities

Accumulated depreciation--buildings/improvements	#166.1
Accumulated depreciation--machinery/equipment	#167.1
Accumulated depreciation--furniture/fixtures	#168.1

170 Leasehold Improvements

This account shall include the costs of acquisition or construction of improvements made to facilities leased by the licensee.

170.1 Accumulated Amortization of Leasehold Improvements

This account shall reflect the accumulated provisions made for amortization of leasehold improvement costs. Such provisions shall be determined on the shorter of the expected useful lives of the improvements or the remaining term of the lease.

180 Other Noncurrent Assets

This account shall include the amounts of all other noncurrent and accrued assets which are expected to be realized over the period following one year's time and which are not properly includable in any of the other noncurrent asset accounts as defined herein. For example, cash held by a licensee for payment in future years of race purses such as the purse for American National races shall be reflected in this account. Other items properly accounted for in this account shall include deferred charges and other miscellaneous assets which are unusual in nature or the proper final disposition of which is uncertain. Deferred charges is defined as the amount of charges and expenses to be assigned to future periods. Organizations expense is an example. Items in this account are distinguished from similar items classified as prepayments (see Account #130) by the reason that such charges are generally applicable over longer periods of time. Another distinction between a prepayment and a deferred charge is that a prepayment (i.e., insurance) is an amount incurred or paid for services not yet received or the benefit of which has not been fully realized--whereas a deferred charge is a cost of service or goods already received but the income against which such costs are to be matched will not be received until a future period. The write-off of deferred charges is therefore made according to recognition of income from the related projects.

200 Accounts Payable

This account shall include amounts payable to individuals or organizations, including other licensees and affiliates for receipt of an asset, service, expense incurred or other obligation, but only to the extent that such amounts are expected to be liquidated within one year.

Typical Items

- Unpaid rents
- Trade payables to suppliers
- Unpaid billings under occupancy agreements or other obligation with other licensees or affiliates
- Deposits or loans and advances payable to affiliated companies or others
- Unpaid amounts on property purchases
- Dividends declared but unpaid
- Withholdings from employees for income and social security taxes

This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item in order to facilitate the more accurate identification of the aggregate of "payables" where the amount(s) associated with such item(s) make up a majority of the total balance in this account.

201 Notes Payable

This account shall include amounts payable for current maturities of debt obligations for borrowed funds, such as notes or mortgages payable to banks and others, bonds or debentures.

202 Special Purse and Reward Fund

This account shall reflect the aggregate utilization of monies from the Special Purse and Reward Fund for payment of purses and awards.

203 Entry and Nomination Fees

This account shall reflect the aggregate utilization of monies from entry and nomination fee escrow accounts for payment of purses.

204 Admissions Tax

This account shall reflect the amount of state and local taxes paid relating to admissions.

205 Parking Tax

This account shall reflect the amount of local taxes paid relating to parking.

210 Accruals

This account shall reflect the total estimated liability for costs that are not immediately payable although the benefit thereon has been received in the current period. Separate subaccounts shall be maintained as described below for this account:

	Account	Typical Items
Taxes	#211	Real estate, personal property, income and other taxes
Interest	#212	Interest liability on borrowed funds
Other	#213	Salaries, vacation and holiday pay, social security.

If Federal and state income taxes are significantly overpaid, the classification of such overpayment should be as a current asset. (See Account #120.)

220 Liability for Outstanding Mutuel Tickets

This account shall include the amount of outstanding mutuel tickets for which the licensee has the liability of redemption. (See Account #101.)

221 Purse Underpayment Liability

This account shall include the amount of the licensee's liability for the underpayment of purses as determined by contract with the horsemen. This account shall also include

the licensee's liability for the underpayment of purses provided by the Special Purse and Reward Fund. Any purse overpayment should be recorded as an account receivable in Account #120.

230 Loans and Advances Payable to Affiliates

This account shall include the face amount of loans and advances made to the licensee by affiliated companies but only to the extent that such loans and advances are expected to be liquidated after one year's time. See Account #200 for recording of loans and advances payable within one year.

231 Long-Term Debt

This account shall include the face amount of debt obligations for borrowed funds such as notes or mortgages payable to banks and others, bonds or debentures but only to the extent that such obligations are expected to be liquidated in the period following one year's time. See Account #201 for recording of debt obligations payable within one year.

240 Deferred Income Taxes

This account shall include an amount equal to the tax differences which result from differences in timing or reporting certain transactions for income tax purposes as compared with financial reporting purposes. For example, the application of accelerated depreciation for tax purposes and straight-line depreciation for financial reporting purposes will result in deferred income taxes equal to the tax effect of the difference in the depreciation provision resulting from the use of these two methods.

250 Other Long-Term Liabilities

This account shall include the amounts of all other noncurrent and accrued liabilities which are expected to be liquidated over the period following one year's time and which are not properly includable in any of the other noncurrent liability accounts as defined herein. This account shall be maintained in such a manner as to permit segregation and separate reporting of any component item or items in order to facilitate the more accurate identification of the aggregate of "other noncurrent liabilities" where the amount(s) associated with such item(s) make up a majority of the total balance in this account.

260 Preferred Stock

This account shall include the par value of the state value of stock without par value.

261 Common Stock

This account shall include the par value or the stated value of stock without par value.

262 Additional Paid-In Capital

This account shall include the excess of the actual cash value of the consideration received on issues of preferred and/or common stock over the par or stated value of such stock.

263 Retained Earnings

This account shall include the balance, either debit or credit, of retained earnings arising from earnings.

263.1 Equity in Undistributed Earnings (Loss) of Affiliates

This account shall include the amount of the periodic adjustments made by the licensee to reflect its proportionate share of increases or decreases in the underlying book value of investments in affiliates.

Section 412.60 Income Accounts

301 Mutuel Commissions

This account shall reflect the monies legally retainable by the licensee under the applicable statute, with the exception that such commissions are to be recorded net of those monies retained due to breaks. This account shall not include applicable state privilege taxes or Special Purse and Reward Fund requirements. When minus pools occur, the payment made by the licensee to meet the public pool requirements shall be recorded as deduction from this account.

302 Race Track Improvement Fund

This account shall include only those monies deposited with the State Treasurer in the licensee's account pursuant to Section 32(b) of the Act. The state's share of the breakage generated from the racing meet is not to be recorded in this account.

303 Admissions

This account shall reflect the gross receipts from all admission sources, excluding that portion of receipts applicable to local and state taxes.

Typical Items

Grandstand and clubhouse gate receipts
Reserved seat and box seat sales and rentals
Club membership receipts
Special guest receipts

304 Concession Receipts

This account shall include all receipts from sales of food and drink as well as other concessions, such as cigarettes, novelties, field glasses rental, etc., which have occurred at the racing meeting being reported upon. Similar income received from other licensees while they are conducting racing meetings shall be recorded as "other income." (See Account #470 in 11 Ill. Adm. Code Section 412.70) In those instances where the licensee conducting the racing meeting does not operate its own restaurant, bar or concession services, the income recorded in this account shall be equal to any commission or contract income received from the outside operators of such facilities.

305 Program Receipts

This account shall include all receipts from sales of daily race programs and pencils. When this operation is performed by individuals or organizations other than the licensee conducting the race meet, the income recorded in this account shall be equal to any commission or contract income received from such other individuals or organizations.

306 Newspapers and Publication Receipts

This account shall include all receipts from sales of newspapers, racing publications (other than daily race programs) and tip sheets. When this operation is performed by individuals or organizations other than the licensee conducting the racing meet, the income recorded in this account shall be equal to any commission or contract income received from such other individuals or organizations.

307 Parking Receipts

This account shall include all receipts generated from the operation of parking facilities by the licensee conducting the racing meeting being reported upon. Similar income received from other licensees while they are conducting racing meetings shall be recorded as "other income." (See Account #470 in 11 Ill. Adm. Code 412.70) In those instances where the licensee conducting the racing meeting does not operate its own parking facilities, any income received under terms of the agreement with the outside operator of such facilities shall be recorded in this account.

Typical Items
General parking lot entrance fees
Preferred parking fees

Section 412.70 Expense Accounts

401 Purses

This account shall reflect the aggregate actual purse distributions payable pursuant to the Act during the period of the race meeting. Separate accounts shall be maintained

hereunder to identify the amounts of monies used in the payment of purses which were received from sources other than the revenues of the licensee conducting the race meeting. (See Accounts #202 and #203 in 11 Ill. Adm. Code Section 412.50)

402 Salaries and Wages--Racing

This account shall include the compensation (gross salaries and wages) to employees of the licensee in departmental areas other than concessions, programs, newspapers and publications and parking. In addition, salaries and wages which can be specifically identified as being attributable to repair and maintenance services shall not be recorded in this account. In this latter respect, the compensation of track superintendents, plant directors, etc., shall be allocated to this account unless the time spent by such individuals on supervision and direction of specific repair and maintenance projects can be identified.

Typical Items

Mutuel Department:	General Office:
Director	Controller and assistants
Manager	Clerks
Supervisors	Secretaries
Calculators	Receptionist
Sellers	Season retention employees
Cashiers	
Runners	
Clerks	
	Track and Grounds:
	Track Superintendent
	Physical plant director
Executive Officers:	
Association directors	
President	
Vice President	Promotion:
Secretary	Director of publicity and assistants
Treasurer	Public relations personnel

403 Salaries and Wages -- Concessions

This account shall include the compensation to employees of the licensee for their services in operating restaurant, bar and concession facilities.

404 Salaries and Wages -- Programs

This account shall include the compensation to employees of the licensee for their services in selling daily race programs.

405 Salaries and Wages -- Newspaper and Publications

This account shall include compensation to employees of the licensee for their services in selling newspapers, racing publications and tip sheets.

406 Salaries and Wages -- Parking

This account shall include compensation to employees of the licensee for their services in operating parking lot facilities.

410 Payroll Taxes

Separate accounts shall be maintained as described below to reflect the licensee's share of social security and Federal and state unemployment compensation expense. The allocation to such accounts shall be the same as that described for Salaries and Wages.

Account	
#410.1	Payroll Taxes -- Racing
#410.2	Payroll Taxes -- Concessions
#410.3	Payroll Taxes -- Programs
#410.4	Payroll Taxes -- Newspapers and Publications
#410.5	Payroll Taxes -- Parking

415 Employee Benefits

Separate accounts shall be maintained as described below to reflect all costs other than salaries and wages and payroll taxes incurred by the licensee on behalf and to the benefit of its employees. The allocation to such accounts shall be the same as that described for Salaries and Wages.

Account	
#415.1	Employee Benefits -- Racing
#415.2	Employee Benefits -- Concessions
#415.3	Employee Benefits -- Programs
#415.4	Employee Benefits -- Newspapers and Publications
#415.5	Employee Benefits -- Parking

Typical Items

Workmen's Compensation
Pensions*
Group and life insurance
Medical, hospital, accident, sickness and death benefits or insurance

*Includes payments to the Electrical Insurance Trustees for mutuel employees' pension and welfare funds.

420 Horsemen Welfare, Pension and General Funds

This account shall include all costs incurred by the license on behalf and for the benefit of horsemen operating at the racing meeting as a result of agreements and understandings with the Horsemen's Benevolent and Protective Association or the Illinois Harness Horsemen's Association.

421 Repairs and Maintenance -- Racing

This account shall include the cost of labor, materials used and expenses incurred in the repair and maintenance of the race track and all the race track and backstretch structures, fixtures and general grounds other than those associated with concession (i.e., restaurant and bar) and parking lot operations. As a general rule, maintenance operations shall be construed as those operations required year-round, as opposed to those operations limited to the period of the racing meeting. For example, the cost of cleaning race track stands is not properly includable in this account as a maintenance expense because the incurrence of such cost is limited to the period of the racing. Therefore, if the cleaning was performed by an employee of the licensee, the related labor cost would be accounted for either as wages of the racing operation or as contractual services of the racing operation if the work was performed by a labor force outside the employ of the licensee. However, if an outside labor force was contracted with to perform a service on a year-round basis, such as the upkeep of the general grounds, the associated cost would be properly accounted for in this account rather than as outside service. (See Account #440)

If total costs of labor, materials used or expenses incurred under certain circumstances require allocation as to amounts applicable to repairs and maintenance, such allocation must be valid and accurate. If the accounting required for such allocation is not reasonable under the circumstances, then the costs in question shall be included in other appropriate accounts herein identified as relating to racing operations.

422 Repairs and Maintenance -- Concessions

This account shall include the cost of labor, materials used and expenses incurred which are specifically identifiable as repairs and maintenance to food- and drink-related facilities (e.g., restaurant, bar and concession structures and fixtures)

423 Repairs and Maintenance -- Parking

This account shall include the cost of labor, materials used and expenses incurred which are specifically identifiable as repairs and maintenance to parking lot facilities.

425 Depreciation

The accounts described below shall include the amount of depreciation expense which has been incurred during the year as determined by the nature and estimated useful life

and salvage value of the property involved. Such accounts shall only be utilized by those licensees who own the land and plant facilities used in the conduct of their racing meetings.

Account	Items
#425.1 Depreciation—Racing	All race track buildings, structures, equipment, furniture and fixtures except as set forth below.
#425.2 Depreciation-Concessions	Restaurant, bar and concession equipment, furniture and fixtures.
#425.3 Depreciation-Parking	Parking lot structures and improvements.

430 Amortization of Leasehold Improvements

The accounts described below shall include the amount of amortization expense incurred during the year on facilities erected or installed by licensees on leased facilities used in the conduct of their racing meetings. Useful lives used in the determination of such expenses shall be the shorter of the expected useful life of the facilities or the remaining term of the lease.

Account	Amortization of Leasehold Improvements	Items
#430.1	Racing	All race track buildings, structures, equipment, furniture and fixtures except as set forth below.
#430.2	Concessions	Restaurant, bar and concession equipment, furniture and fixtures.
#430.3	Parking	Parking lot structures and improvements.

435 Track Rental

This account shall include all costs incurred under terms of a lease agreement or contract for the use of land or facilities necessary to the conduct of the race meeting being reported upon. However, if, for example, the lessee is required to pay real estate taxes under terms of the lease, such expenses shall be accounted for as "Other Taxes" (see Account #455) rather than as components of this account.

436 Equipment Rental

This account shall include all equipment rent expenses.

Typical Items

- Totalizator
- Closed-circuit monitoring
- Starting gate
- Electronic timer
- Photo-finish
- Automatic transcribing equipment

Money counters
Office equipment

440 Outside Services

Separate accounts shall be maintained by the operating areas described below to reflect the expense incurred by the licensee for services rendered by others.

Account		Typical Items
#440.1	Outside Services--Racing	Legal and audit Ambulance service Race patrol services Illinois Department of Law Enforcement -- Investigative Services Division Burns security services Andy Frain ushers Armored-car services Computer services Tameling and disposal services Radio and TV coverage
#440.2	Outside Services--Concessions	Expenses under lease with outside operators
#440.3	Outside Services--Programs	Expenses under lease with outside operators
#440.4	Outside Services—Newspapers and Publications	Expenses under lease with outside operators
#440.5	Outside Services—Parking	Expenses under lease with outside operators

445 Cost of Items Sold

Accounts shall be maintained for the operating areas described below to reflect the costs of items sold by the licensee during the operation of its racing meeting.

Account		Items
#445.1	Cost of Concessions Sold	Cost of food, drink, cigarettes and novelties
#445.2	Cost of Programs Sold	Cost of programs

#445.3	Cost of Newspapers and Publications Sold	Cost of newspapers, racing publications and tip sheets

450 Licenses

Separate accounts shall be maintained by the operating areas described below to reflect the license fee expense incurred.

Account		Items
#450.1	Licenses--Racing	License fees required by statute to accompany the application for racing dates and for racing days granted.
#450.2	Concessions	License fees (if any) paid by the license for the privilege of operating restaurant and bar facilities

455 Other Taxes

Separate accounts shall be maintained by the operating areas described below to reflect all tax expenses which were incurred by the licensee in addition to payroll and income tax expenses.

Account		Items
#445.1	Other Taxes B Racing	Real estate, personal property and other advalorem taxes.
#455.2	Other Taxes B Concessions	Sales taxes on sales of food and drink.

460 Utilities

This account shall include the cost incurred by the consumption/utilization of heat, light, power and water as well as telephone and telegraph costs.

461 Insurance

This account shall include all insurance expenses incurred by the licensee in addition to those insurance expenses accounted for a "Employee Benefits."

462 Advertising

This account shall include all advertising and publicity costs incurred in addition to those accounted for as "Salaries and Wages" or "Contractual Services."

Typical Items

- Newspaper, television, radio and magazine costs
- Photography and artwork
- Public relations fees
- Pass and special promotions

463 Contributions

This account shall include the amount of all contributions or donations made by the licensee for charitable, social or community welfare purposes.

464 Subscriptions and Dues

This account shall be used to account for all disbursements made in payment of membership dues.

Typical Items

Harness Tracks of America
Racing Association of Illinois

465 Breeders Awards and Trophies

This account shall reflect the total of all awards and trophies distributed by the licensee to breeders of horses.

466 Travel and Entertainment

This account shall include all expenses incurred by the licensee during the fiscal reporting period for transportation of its officers and employees and for the entertainment of individuals in connection with the business of making application for conducting and operating the racing meeting.

467 Printing and Stationery

This account shall include the cost and expense incurred for publications and pamphlets used by the licensee in it operations.

Typical Items

Condition books
Notices to horsemen

468 General Supplies

This account shall reflect the expense incurred for those supplies normally consumed in the administration and operation of the licensee's operations.

Account		Typical Items
#468.1	Racing	Office Supplies
		Cleaning Supplies
		Gas, oil, grease, etc.
		Badges and tickets
		Postage
#468.2	Concessions	Miscellaneous supplies
		(e.g., ice, laundry, etc.)

469 Other

This account shall include all other costs of labor, materials supplied or expenses incurred in connection with the operation of the racing meeting which are not properly accounted for elsewhere in the accounts.

Account	Typical Items
#469.1 Racing	Uncollectible checks
	Cash over and short
	Jockey Guild assessment
	Bad debts
	Amortization of organization expense

470 Other Income

This account shall include those revenues which by their nature are not identifiable as being the direct result or benefit of the business of conducting a racing meeting.

Typical Items

Rental income-

Race Track
Equipment
Stable areas
Outdoor billboards
Stalls

Interest income-

On advances made to
affiliated companies
Investment

Gain on sales-

Equipment
Marketable securities
Insurance recoveries
Dividends
Equity in undistributed earnings of subsidiaries

476 Other Expense

This account shall include those costs and expenses which by their nature are not identifiable as being directly related to the operation of racing meetings.

Typical Items

Interest charges-
Parent company
Affiliated companies
Loss on sales-
Equipment
Marketable securities
Trustees' fees and expenses

480 and 481 Federal and State Income Taxes

Accounts shall be maintained for the operating areas listed below to reflect the amount of Federal and state income taxes necessary to meet the actual liability for such taxes incurred as a result of operations in these specific areas for the period covered by the income statement. Such taxes should be computed on a basis from which the income and deductions originated.

Account	
#480.1	Federal Income Taxes--Racing
#480.2	Federal Income Taxes--Concessions
#480.3	Federal Income Taxes--Programs
#480.4	Federal Income Taxes--Newspapers and Publications
#480.5	Federal Income Taxes--Parking
#481.1	State Income Taxes--Racing
#481.2	State Income Taxes--Concessions
#481.3	State Income Taxes--Programs
#481.4	State Income Taxes--Newspapers and Publications
#481.5	State Income Taxes--Parking

482 Provision for Deferred Income Taxes

Accounts shall be maintained for the operating areas listed below to reflect an amount equal to that by which income taxes payable on book income for the current year are decreased because of the current deduction for income tax purposes of accelerated depreciation, amortization and other timing differences. Reference should be made to the instructions for Account #240 in 11 Ill. Adm. Code Section 412.50

Account	
#482.1	Provision for Deferred Federal and State Income Taxes--Racing
#482.2	Provision for Deferred Federal and State Income Taxes--Concessions
#482.3	Provision for Deferred Federal and State Income Taxes--Programs
#482.4	Provisions for Deferred Federal and State Income Taxes--Newspapers and Publications
#482.5	Provisions for Deferred Federal and State Income Taxes--Parking

483 Income Taxes Deferred in Prior Years

Accounts shall be maintained for the operating areas listed below to reflect an amount equal to that by which income taxes payable for the current year are attributable to a deferral of taxes on income in a prior year. (See Account #240 in 11 Ill. Adm. Code Section 412.50)

Account	
#483.1	Federal and State Income Taxes Deferred in Prior Years--Racing
#483.2	Federal and State Income Taxes Deferred in Prior Years--Concessions
#483.3	Federal and State Income Taxes Deferred in Prior Years--Programs
#483.4	Federal and State Income Taxes Deferred in Prior Years--Newspapers and Publications
#483.5	Federal and State Income Taxes Deferred in Prior Years

485 Extraordinary Gains and Losses

This account shall include those material gains and losses associated with events and transactions which by their underlying nature are of a character significantly different from the normal business activities of the licensee. Such events and transactions are, by definition, non-recurring factors not to be considered in the evaluation of normal business operations.

Typical Items

Sale of significant segment of the business
Sale of an investment not acquired for resale
Significant uninsured losses due to fires, floods, etc.
Significant lawsuit losses, etc.

SOURCE: Adopted at 3 Ill. Reg. 41, p.248, effective October 8, 1979; codified at 5 Ill. Reg. 10897.

PART 415
PROGRAMS

Section

415.10 Required Information
415.30 Thoroughbred Programs
415.40 Harness Programs
415.50 Quarterhorse Programs
415.60 Availability of Programs
415.70 Distribution of Programs

Section 415.10 Required Information

Programs shall contain the following information:

a) A statement that the race meeting is conducted pursuant to a license issued by the Board and pursuant to the rules and regulations of the Board.

b) The address and telephone number of the central office of the Board.

c) The names of the Board members, the officers and directors of the organization licensee, and Board and track racing officials.

d) The post time of the first pari-mutuel race of the program.

e) A symbol identifying the horses that have been administered furosemide prior to each race and where applicable, a different symbol identifying horses that have been administered furosemide for the first time.

f) A notice specifying the exact location of information and/or complaint window or windows for the convenience of the patrons.

g) A clear, conspicuous statement of the racing organization's election to impose a surcharge under Section 26.3 of the Horse Racing Act of 1975.

h) A brief description of the pari-mutuel wagering system.

i) A statement that wagers are to be made by program number and not by post position or handicap rating number.

j) A statement that pay-offs are not permitted until the stewards have notified the pari-mutuel department of the official order of finish.

k) A statement that tickets should be retained until the official results have been posted.

l) A statement that the Illinois Racing Board rules and complaint forms are available at the information and/or complaint window and at the office of the Illinois Racing Board.

Section 415.30 Thoroughbred Programs

a) At all thoroughbred meetings, the program shall contain at least the following information for each horse: name, sex, color, and age or year foaled; sire and dam; owner's name and colors; trainer's name; post position and program number; jockey's name and the weight to be carried. For each race, the purse and the conditions of the race, including the distance, shall be specified.

b) The program shall describe any change with respect to blinker equipment from that carried in the horse's previous race, or if any horse races without whip.

c) In the event an organization licensee elects to provide past performance or chart lines in its program, and if any horse entered to race has competed in an "optional claiming race", that chart line shall appear in the published past performance.

Section 415.40 Harness Programs

a) At all harness meetings, the program shall contain at least the following information for each horse: name, sex, color and age; sire and dam; owner's name and trainer's name; driver's name and colors. For each race, the purse and condition of the race, including the distance, shall be specified.

b) The following additional information will be furnished:

1) Six performance lines of the current year if the horse has started six times at that gait.

2) Identification of drivers racing with a provisional license.

3) Identification of pacers racing without hopples.

4) A summary of starts in purse races, earnings, and best win time for the current and preceding year, whether earned in a purse or non-purse race but not in a time trial.

5) Accurate performance or chart lines, including qualifying races, shall show: date of race; race track; size of the track if other than a half-mile; symbol for free-legged pacer; track condition; type of race; distance; the fractional times of the leading horse including finish time; post position; position at one-quarter; one-half; three-quarters; stretch with lengths behind leader; finish with lengths behind leader; individual time of the

horse; closing odds; name of the driver; names of the horses placed first, second and third; and, where appropriate, workouts ordered by the stewards or judges. The standard symbols for "breaks" and horses "parked out" shall be used where applicable.

Section 415.50 Quarterhorse Programs

a) At all Quarterhorse meetings the program shall contain at least the following information for each horse: name, sex, color, and age or year foaled; sire and dam; owner's name and trainer's name; post position and program number; jockey's name and, the weight to be carried.

b) The following additional information will be furnished:

1) The five most recent performance lines including: date of race; race track; number of race; distance of race; winning time; track condition; closing odds; weight carried; order of finish; jockey; type of race; speed rating; horse's time; names of the horses placed first; second and third; number of horses in race.

2) Summary of starts in purse races and earnings in present and previous year.

3) The program shall describe any change with respect to blinker equipment from that carried in the horse's previous race.

Section 415.60 Availability of Programs

Every licensee shall provide programs for each day of operation. In the event the supply of programs for any day of operation becomes depleted, the licensee shall provide photocopies, free of charge, to those patrons requesting programs. Failure to supply photocopies of the programs may result in a civil penalty, not exceed $1,000. For subsequent violations of this rule, the civil penalty shall be double the amount of the preceding penalty. Civil penalties shall not be assessed when extenuating circumstances exist (e. g., breakdown of equipment). This Section shall be prominently displayed at each location where programs are sold.

Section 415.70 Distribution of Programs

Each organization licensee shall provide electronic transmission of program information to all intertrack licensees and intertrack location licensees at least 24 hours before the scheduled post of the first race of its racing program.

SOURCE: Adopted at 4 Ill. Reg. 43, effective October 20,1980; codified at 5 Ill. Reg. 10900; emergency amendment at 7 Ill. Reg. 16201, effective November 28, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 5698, effective April 16, 1984; amended at 14 Ill. Reg. 11314,

effective July 3, 1990; amended at 16 Ill. Reg. 7486, effective April 24, 1992; amended at 18 Ill. Reg. 17756, effective November 28, 1994; amended at 19 Ill. Reg. 12691, effective September 1, 1995, amended at 21 Ill. Reg. 12208, effective September 1, 1997; amended at 24 Ill. Reg. 7046, effective May 1, 1998.

PART 420
SANITATION RULES

Section

420.5 Compliance With Standards
420.10 Cleaning of Facilities
420.20 Equipment Requirements
420.30 Cleaning and Inspection Requirements
420.40 Separate Compartments for Toilets
420.50 Closing Devices for Toilet Doors
420.60 Shower Compartments
420.70 Records for Inspection

Section 420.5 Compliance With Standards

The tackrooms and sanitary facilities for backstretch personnel at every race track shall comply with the standards set forth in the Illinois Migrant Labor Camp Law and the revised rules and regulations of the Illinois Department of Public Health where applicable and where local laws affecting the backstretch and its personnel are silent or less stringent than the aforementioned standards.

Section 420.10 Cleaning of Facilities

Each sanitary facility, toilet, sink, and shower shall be thoroughly cleaned twice daily. All sanitary facilities shall be maintained in operable condition. Inoperable facilities shall be made operable within 48 hours. The schedule of cleaning and the contractor or supervisory employee by whom such cleaning is to be performed shall be furnished to the Board at least 30 days prior to the commencement of a racing meet.

Section 420.20 Equipment Requirements

Sanitary facilities shall include shower curtains, mirrors, adequate lighting, and a continuous supply of toilet tissue.

Section 420.30 Cleaning and Inspection Requirements

Tenants shall be instructed by the association to clean their rooms daily and to have them available for inspection upon demand by an appropriate official of the association, municipality, or a duly appointed representative of the Board.

Section 420.40 Separate Compartments for Toilets

Each toilet (closet) shall occupy a separate compartment which shall be equipped with a door, a latch, and a clothes hanger.

Section 420.50 Closing Devices for Toilet Doors

The door to every toilet room shall be fitted with an effective self-closing device.

Section 420.60 Shower Compartments

Shower compartments shall have walls constructed of smooth, noncorrosive, and nonabsorbent waterproof material to a height of not less than 6 feet above the floor.

Section 420.70 Records for Inspection

Each association shall have at the stable gate and security office for inspection by proper authorities the following information:

a) Total number of tackrooms per barn;

b) Total number of persons of each sex per barn occupying such tackrooms, including the names of the occupants;

c) Total number of rooms per barn for feed and equipment.

SOURCE: Sanitation Rules, (formerly Harness Rule 28 and thoroughbred rules 500-507) passed September 13, 1974, filed September 19, 1974; codified at 5 Ill. Reg. 10914.

PART 422
APPROVAL OF RACING OFFICIALS

Section

422.10 Racing Officials
422.20 Approval of New Officials
422.30 Standards for Approval and Disapproval of Officials
422.40 Recommendation of Board
422.50 Suspension and Removal of Officials
422.60 Conflict of Interest Provisions
422.70 Emergency Approval
422.80 Physical Examination
422.90 Officials Approved by the Stewards
422.100 Occupation License
422.110 Penalties

Section 422.10 Racing Officials

a) Each organization licensee shall submit to the Board for its approval or disapproval the names of all persons whom the licensee has selected as racing officials or employees whose duties relate to the actual running of the races. The list shall include, when applicable, the following thoroughbred and harness racing officials:

Association Stewards
Presiding Judge
Associate Judge
Racing Secretary
Assistant Racing Secretary
Patrol Judges
Placing Judges
Paddock Judges
Breathalyzer Operator
Starter
Marshal or Outrider
Clerk of the Scales
Director of Security
Clerk of Course
Track Veterinarian
Track Superintendent
Mutuel Manager
Timer
Program Director
General Manager

b) The list of names shall be submitted to the Board in writing at least 20 days prior to the opening of any race meeting and the list shall indicate whether the nominee has previously been employed at any Illinois race track.

Section 422.20 Approval of New Officials

a) The organization licensee shall file the following documents with respect to each nominee who was not previously approved by the Board as a racing official:

1) A complete application which must include the following information:

A) Date of birth,
B) Social security number,
C) Home address,
D) Home telephone number,
E) Names of previous employers,
F) Phone numbers and contact person for verification of prior employment, and
G) Educational background

2) A signed statement ("Authorization for Release of Information Form") authorizing the release of information to the Illinois Department of Law Enforcement and the Board.

3) A completed FBI Fingerprint Card

b) The documents shall be filed directly with the Board at least sixty days prior to the opening of the race meeting.

Section 422.30 Standards for Approval and Disapproval of Officials

The Board's approval or disapproval of the racing officials selected by the organization licensee shall be based on the standards and guidelines set forth in Sections 37-15(c) and (d) of the Act for denial, suspension, and revocation of an occupation license. The Board shall also give particular consideration to the nominee's experience, if any, as a racing official and his/her qualifications for the position.

Section 422.40 Recommendation of Board

The Board shall act on the organization licensee's list of officials at a meeting of the Board. If Board staff recommends disapproval of an official, the organization licensee shall be notified of the recommendation in advance of the Board meeting.

Section 422.50 Suspension and Removal of Officials

The Board may suspend or remove a racing official. The Board's action in the suspension or removal of a racing official shall be based on the standards and guidelines set forth in Sections 37-15(c) and (d) of the Act for denial, suspension, and revocation of an occupation license.

Section 422.60 Conflict of Interest Provisions

No person shall serve or act as a racing official of a race meeting if that person holds an occupation license at that same meeting as an owner, trainer, jockey, driver, blacksmith, veterinarian, or vendor, except that the disqualification, as an owner, shall not apply to the general manager where there is full disclosure of such ownership to the Board.

Section 422.70 Emergency Approval

If a racing official approved by the Board becomes incapacitated or is unable to perform his/her duties, the stewards shall approve an emergency appointment. Such approval shall be based on the standards set forth in Section 422.30 and shall be immediately reported to the Board for consideration at the next Board meeting. If the emergency appointee has not previously been considered by the Board, the organization licensee shall comply with Section 422.20.

Section 422.80 Physical Examination

The Board may request any person whose name is proposed as a racing official to submit to a physical examination and to forward the results of said examination to the Board. The request will be made only where there is a reasonable basis for suggesting that the person's physical condition would hinder or prevent him/her from performing his/her duties as a racing official.

Section 422.90 Officials Approved by the Stewards

a) The organization licensee shall submit to the stewards for their approval or disapproval the names and complete license applications of all persons whom the organization licensee has selected as racing officials or employees whose duties relate to the actual running of the races.

b) Stewards shall approve or disapprove the nominees based on the standards set forth in Section 422.30.

Section 422.100 Occupation License

No person shall serve or act as a racing official unless such person has an occupation license.

Section 422.110 Penalties

For each violation of this Part 422, the Board shall impose a civil penalty of up to $1,000 against individuals and up to $10,000 against organizations. When imposing penalties, the Board shall consider all factors in aggravation or mitigation of the offense including, but not limited to, the degree of culpability; the offender's record, if any, of previous violations, and the damage to the state.

SOURCE: Adopted at 5 Ill. Reg. 10341, effective September 25, 1981; codified at 5 Ill. Reg. 10905, amended at 10 Ill. Reg. 10141, effective May 27, 1986; amended at 13 Ill. Reg. 1558, effective January 23, 1989; amended at 16 Ill. Reg. 13069, effective August 10, 1992.

PART 423
PROHIBITED CONDUCT

Section

423.20 Sale of Products
423.30 Political Contributions

Section 423.20 Sale of Products

a) No Board member, employee or appointee of the Board or racing official approved by the Board (see 11 Ill. Adm. Code 422) shall directly or indirectly, upon the grounds of any organization licensee, offer to sell, solicit sales for, or distribute any product in which such person has a beneficial interest, or who may receive compensation from the promotion, sale or distribution of such product. For the purpose of this Section, a horse shall not be considered a product.

b) The prohibitions in subsection (a) of this Section shall not apply to ownership interests in concessionaires (defined in 11 Ill. Adm. Code 402.10) by racing officials so long as such ownership interests are disclosed to the Board in the application for a concessionaire's license.

Section 423.30 Political Contributions

No organization licensee or concessionaire or officer, director or holder or controller of 5% or more legal or beneficial interest in any organization licensee or concession shall make any sort of gift or contribution of any kind or pay or give any money or other thing of value to any person who is a public official, or a candidate or nominee for public office. [230 ILCS 5/24] Violation of this Section shall be grounds for revocation or suspension of license, revocation or denial of racing dates, or any other appropriate remedy.

SOURCE: 5 Ill. Reg. 8833, effective August 25, 1981; codified at 5 Ill. Reg. 10636; emergency amendment at 5 Ill. Reg. 11593, effective October 20, 1981, for a maximum of 150 days; emergency expired March 17, 1982; amended at 6 Ill. Reg. 10714, effective August 20, 1982; amended at 7 Ill. Reg. 10782, effective August 24, 1983; amended at 7 Ill. Reg. 16098, effective November 22, 1983; amended at 8 Ill. Reg. 21593, effective October 23, 1984; amended at 9 Ill. Reg. 16204, effective October 9, 1985; emergency amendment at 9 Ill. Reg. 18151, effective November 12, 1985, for a maximum of 150 days; emergency expired April 11, 1986; amended at 10 Ill. Reg. 16649, effective September 22, 1986; amended at 11 Ill. Reg. 9540, effective May 5, 1987; amended at 12 Ill. Reg. 11730, effective June 30, 1988; amended at 13 Ill. Reg. 10598, effective June 19, 1989; amended at 14 Ill. Reg. 10798, effective June 20, 1990; amended at 15 Ill. Reg. 11598, effective August 2, 1991; amended at 16 Ill. Reg. 11078, effective June 30, 1992; amended at 17 Ill. Reg. 10795, effective July 1, 1993; amended at 18 Ill. Reg. 10090, effective June 21, 1994; amended at 19 Ill. Reg. 11787, effective August 3, 1995; amended at 20 Ill. Reg. 10874, effective August 5, 1996; amended at 21 Ill. Reg. 9077, effective June 26, 1997; amended

at 22 Ill. Reg. 14836, effective August 3, 1998; amended at 23 Ill. Reg. 9066, effective July 28, 1999; amended at 24 Ill. Reg. 8938, effective June 19, 2000; amended at 25 Ill. Reg. 9895, effective July 17, 2001; amended at 26 Ill. Reg. 14680, effective September 20, 2002; amended at 28 Ill. Reg. 11873, effective July 27, 2004; amended at 29 Ill. Reg. 8409, effective June 1, 2005.

PART 425
RACE TRACK SECURITY

Section

425.150 Jockey Room and Driver Room Security

Section 425.150 Jockey Room and Driver Room Security

The organization licensee shall station a security guard at the entrance and exit of all jockey rooms and drivers rooms one (1) hour prior to the first race of each racing program continuously until one-half (2) hour after the end of the final race of that program has been made official. Where the physical location of the buildings permits the guard to observe both the paddock and the jockeys room or drivers room, the organization licensee will not be required to hire an additional guard in order to comply with this rule.

SOURCE: Adopted and codified at 7 Ill. Reg. 2374, effective February 10, 1983.

PART 431
RACE TRACK LEASES

Section

431.10 Lease of Race Track

Section 431.10 Lease of Race Track

a) The Board shall not approve any application for racing dates made by an applicant which leases a race track enclosure unless the applicant's lease contains the following provision:

Lessor and lessee recognize that the Illinois Racing Board, pursuant to statutory authority, may allot a different number of racing days and also different dates and days than those requested by the various applicants to hold horse racing and harness racing meetings submitted to it each year. Accordingly, it is agreed by lessor and lessee with respect to any year for which lessor submits such an application and for which the said Illinois Racing Board awards dates to lessor, that, in the event the dates awarded to lessor are otherwise included within the term of this lease, this lease shall be void and of no effect for the period of such date award and the lessee shall not assert any claim or right hereunder to oppose lessor's right to take possession of the race track and to conduct thereon the meeting for which it has been awarded dates.

b) No lease existing on October 25, 1974, under which the lessee has the unconditional and exclusive right of possession of a race track for a specified term or specified portion of a term and under which lessee is unconditionally obligated to pay substantial rent to lessor shall be required to be amended to conform with this rule.

SOURCE: Adopted and codified at 6 Ill. Reg. 11064, effective September 1, 1982.

PART 432
TOTALIZATOR SYSTEM LICENSEES

Section

432.10 Criteria for Eligibility
432.20 License Application
432.30 Time of Filing an Application
432.40 Application from Corporation
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432.60 Change of Officers or Directors
432.70 License Deemed Personal

Section 432.10 Criteria for Eligibility

An application for an occupation license as an operator of a totalizator system shall:

a) have a contract to provide a totalizator system with an organization, or inter-track wagering licensee; and

b) either have operated a totalizator system at a pari-mutuel race meeting in Illinois for at least three years prior to the effective date of these rules; or

c) provide the Board evidence that the applicant has the experience and expertise to operate a totalizator system at the race meeting at which the applicant proposes to participate in Illinois racing. Such evidence shall include, but not be limited to, a demonstration that the applicant can comply with 11 Ill. Adm. Code 433.

Section 432.20 License Application

a) An application for a license to operate as a totalizator system licensee shall be made on forms furnished by the Board.

b) One original and ten copies of the application shall be filed at the Board's central office at 100 W. Randolph St., #7-701, Chicago, IL 60601.

c) The applicant shall submit $25.00 for a one-year license fee.

d) The applicant shall submit with the application copies of all contracts with organization licensees and instruments evidencing any indebtedness between the applicant and any and all organization licensees.

e) If circumstances change or events occur after the filing of an application, the applicant shall submit an amendment to the Board. Examples of such changes include, but are not limited to, a change of corporate officers, the signing of additional contracts with organization or inter-track wagering licensees.

Section 432.30 Time of Filing an Application

a) Applications for an occupation license as a totalizator system licensee shall be filed 60 days prior to the opening of the first racing meet, or inter-track wagering meet, during a calendar year at an Illinois race track at which the applicant seeks to participate in Illinois racing.

b) The Board may, in its discretion, upon good cause shown, receive applications for an occupation license to operate as a totalizator system licensee at a date subsequent to the date of a totalizator contract fewer than 60 days prior to the opening of a meet. Good cause means a change in ownership of totalizator licensee; upgrading a totalizator; changes in the financial position of a totalizator system licensee, such as, but not limited to, the dissolution or bankruptcy of the totalizator system licensee; or the impossibility of a licensee to furnish equipment for an upcoming racing or inter-track meet.

Section 432.40 Application from Corporation

A corporation applicant for a license as a totalizator system licensee shall disclose the names and business addresses of its directors, officers, and the owners of any legal or beneficial interest of five percent of more of the corporation. If the corporation is owned, in whole or in part, by another corporation, such disclosure shall be made for such other corporation and for the owners of 25% or more of the equity of such other corporation.

Section 432.50 Grounds for Denial of an Application

The Board may deny an application for an occupation license as a totalizator system licensee based on the rules contained in 11 Ill. Adm. Code 502.60 through 502.110. An applicant whose application for a license is denied may request a hearing pursuant to 11 Ill. Adm. Code 204.

Section 432.60 Change of Officers or Directors

Within 15 days after election, appointment or resignation of an officer or director of a licensed totalizator system, the totalizator system licensee shall notify the Board in writing of the identity of each new or resigned officer or director and shall file an amended application for each person.

Section 432.70 License Deemed Personal

Licenses to operate totalizator systems are deemed personal in nature and non-transferable, and will terminate upon a substantial change of ownership of the totalizator company unless the Board grants approval of the substantial change of ownership. The sale or transfer of 25% or more of the equity of a totalizator company shall be considered a substantial change or ownership. In acting upon a request for approval of a substantial change in ownership, the Board shall consider the same factors as it considers in the initial grant of an occupation license to an applicant for a totalizator system license.

SOURCE: Adopted at 11 Ill. Reg. 12405, effective July 18, 1987.

PART 433
TOTALIZATOR OPERATIONS

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SUBPART A: DEFINITIONS AND GENERAL PROVISIONS

Section 433.10 Definitions

In addition to those definitions provided in 11 Ill. Adm. Code 401, the following definitions shall apply to this Part:

Act means the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1985, ch.8, par.37-1 et seq.)

Advance wagering means any wagering on a race or races to be conducted during a racing program before the next scheduled race.

Bet and wager, as used in this Part, are synonymous.

Board means Illinois Racing Board.

Cancelled ticket means a ticket which represents a wager which has been cancelled and withdrawn from the pari-mutuel pools.

Cashed ticket means any pari-mutuel ticket which is refunded or which is presented for payment of a winning wager and is paid.

Cashier accounting means the record of teller activity by transaction and time of transaction.

Central processing unit or C.P.U. means the main computer which controls and stores both programs and data.

Computer log library means a record of all operator initiated actions of the transaction processor.

Console means the totalizator status monitor which displays current race pool status information.

Issued ticket means a wager for which the ticket issuing machine produced a hard copy.

Organization licensee as used herein applies to an organization licensee conducting a race meeting, an intertrack wagering licensee conducting simulcast wagering, or an intertrack wagering location.

Pari-Mutuel Auditor or PMA is a member of the Board's Pari-Mutuel Audit Unit.

Pari-Mutuel Audit Unit or PMA unit means the pari-mutuel auditors and the State Director of Mutuels.

Refunded ticket means a ticket which has been refunded for the value of a wager that is no longer valid, e.g., when a horse has been scratched or the wagering cancelled.

Ticket issuing machine or T.I.M. means a machine which prints hard copies of wagers.

Totalizator is sometimes abbreviated herein as "tote"

Totalizator system licensee means any person, corporation, company, association or any other entity which sells, leases, or operates totalizator equipment and is licensed by the Board pursuant to 11 Ill. Adm. Code 432.

Tote room means the room at a race track in which the totalizator system's computer is housed.

Utilities means programs that are provided by computer vendors to perform tasks such as duplication of program tapes, modification of master files, and access to passwords.

Section 433.15 Purpose

This Part is designed to permit the Board to perform its statutory duty to supervise the pari-mutuel wagering system, to collect the taxes prescribed in the Act and to protect the wagering public. To this end, this Part establishes clear lines of responsibility between the organization licensee's pari-mutuel department and the totalizator system licensee and its employees, as well as detailing the duties and responsibilities of the Pari-Mutuel Audit Unit. This Part also requires security and backup procedures.

Section 433.20 Pari-Mutuel Audit Unit

The Pari-Mutuel Audit Unit shall be supervised by the State Director of Mutuels. The Pari-Mutuel Audit Unit is hereby delegated the responsibility of representing the Board in the supervision and verification of the pari-mutuel wagering pool totals for each racing day and for each program, which verification shall be the basis for computing state privilege taxes, organization commissions and purses. The Pari-Mutuel Audit Unit shall also assist the Board and the stewards in investigation of alleged violations of the Act and of the rules of the Board.

Section 433.25 Access to Totalizator and Pari-Mutuel Facility

a) To accomplish the duties set forth herein, the Pari-Mutuel Audit Unit is given the power to enter, during normal business hours of the organization licensee of the totalizator system licensee, all rooms and facilities on the grounds of the race track used by, or in connection with, the operation of the pari-mutuel department and the totalizator system.

b) The Executive Director of the Board shall authorize other Board employees to enter such facilities in accordance with paragraph 37-9(c) of the Act. (Ill. Rev. Stat. ch.8, par. 37-9(c)(1985)).

Section 433.30 Work Area for Pari-Mutuel Auditors

Each organization licensee shall provide a work area for use by the PMA. This work area shall:

a) be located not more than 150 feet from the entrance of the tote room;

b) permit unrestricted entry to the totalizator facilities, particularly computer data entry devices, such as control desk consoles, inside tote board, or closed circuit television monitor of the outside tote board whichever is used, and printers;

c) include locking file cabinets within the work area or other locking storage facilities, which can store computer printouts or magnetic tape and are sufficient in size to handle all state controlled wagering records for each individual organization licensee for a period of one year for the sole use of Board representatives;

d) include a video and audio device which enables the PMA to receive the same information as the patrons;

e) include power outlets to operate electronic equipment; and

f) include a telephone.

Section 433.35 System Failure

a) Any failure of tote equipment at any facility shall be reported immediately to the state stewards, pari-mutuel auditor and the mutuel manager for the host track involved and the general manager at all affected facilities. The totalizator system license shall keep the state stewards and the pari-mutuel auditor advised of the efforts to correct such failure. If it is determined that the failure cannot be corrected, the stewards shall order a cancellation of wagering for that program and the refund of affected wagers. The stewards shall have the authority to permit some, or all of the remaining races to be contested as non-wagering exhibitions, having taken into consideration factors such as, but not limited to, the purse, the amount of wagering, and the time required to repair the totalizator system.

b) The general manager at all affected facilities shall file a written report with the State Director of Pari-Mutuels no later than 7 days thereafter detailing the reasons for the failure.

Section 433.45 Scientific Advancements

a) An organization licensee, intertrack wagering licensee, intertrack wagering location licensee or totalizator system licensee may petition the Board for permission to effect technological improvements, provided:

1) a written application is first submitted to Board in compliance with 11 Ill. Adm. Code 206.10 describing, in detail, the purpose, nature, and extent of the requested technological changes;

2) actual demonstrations of the technology are presented to the State Director of Mutuels; and

3) a report of the State Director of Mutuels, analyzing and evaluating the actual demonstration submitted to the Board.

b) If the petition complies with this Section and if the new technology described therein will significantly improve the efficiency, including but not limited to, the speed or accuracy of either the existing wagering system or the Board's pari-mutuel audit function, the Board may approve the implementation of the improvement.

c) Notwithstanding the provisions of subparagraph (a) hereof, the Board may order an organization licensee, intertrack wagering licensee, intertrack wagering location licensee and/or a totalizator system licensee to implement any available technological improvements that will satisfy the provisions of subsection (b).

Section 433.50 Filings

Whenever this Part requires a document to be filed with the Board, the Executive Director of the Board, the State Director of Mutuels, or the Pari-Mutuel Audit Unit, such document shall be filed at the Board's central office at 100 W. Randolph St., Suite 7-701, Chicago, IL. 60601.

Section 433.55 Standards

In administering this Part, where Board employees are given the authority to request information or otherwise to exercise discretion, in addition to the criteria specifically set forth in the Act and in this Part, Board employees shall only make such requests when necessary for:

a) the supervision and verification of pari-mutuel wagering pool totals;

b) the collection of the taxes prescribed by the Act;

c) the performance of an audit of an organization licensee's financial records;

d) the investigation of wagering or racing research requested by the Board.

SUBPART B: PROCEDURES AND REPORTS REQUIRED OF ORGANIZATIONS LICENSEES

Section 433.60 Cashed Tickets

Each organization licensee shall maintain facilities and enforce procedures which ensure the security of cashed tickets and the integrity of outstanding ticket records. Such security requirements shall include, but not be limited to, the following:

a) Access of all totalizator employees to cashed tickets storage areas shall be prohibited.

b) Cashed tickets shall be maintained in a two hour fire resistant facility unless other comparable fire protection is installed and operable.

c) Cashed and cancelled tickets shall be maintained for 60 days unless the PMA or the stewards request the organization licensee, in writing, for an extension for the purpose of conducting an investigation.

d) Cashed ticket storage facilities shall be secured by a locking system. Access to the locked cashed ticket storage facilities is the sole responsibility of the mutuel manager.

e) Only the mutuel manager or his designee shall have access to cashed tickets, storage areas for outstanding ticket records, and uncashed ticket records.

f) Access to magnetic log tapes and the computer log library tapes by the mutuel manager and employees of the Mutuel Department shall be prohibited, except for the computer operator and assistant operator, but this prohibition shall not be interpreted to deny the mutuel manager and his employees access to data generated by such tapes. If the totalizator system licensee does not operate in Illinois continuously, the possession of magnetic log tapes and computer log library tapes shall be retained on the premises of the organization licensee for one (1) year.

SUBPART C: MUTUEL TICKETS

Section 433.100 Marking of Tickets

To prevent re-entry in the pari-mutuel system for duplicate cashing, each cashed or refunded ticket shall be marked to indicate that it has been cashed or refunded such as tearing a corner in a manner which will not destroy the identity of the ticket, or by computer imprint.

Section 433.110 Status of Outs Account

The organization licensee shall provide the Pari-Mutuel Auditor, each racing day, with a computer print-out of outstanding tickets cashed during the previous racing day and, at the

request of the PMA, produce, subject to the limitation in Subsection 433.60(c), the actual tickets requested which were cashed during a particular program.

Section 433.120 Cancellation of Tickets

a) Cancellation at Terminals

1) Any wager at a manned terminal with a price of $500 or less may be cancelled, at the option of the holder, without question.

2) Any wager at an unmanned terminal with a price of $250 or less may be cancelled during afternoon host hours, at the option of the holder, without question. Any wager at an unmanned terminal with a price of $50 or less may be cancelled during evening host hours, at the option of the holder, without question (other than at or within the two minute period before post time).

b) Wagers with a price exceeding $500 may only be cancelled with approval of the Mutuel Manager of the organization licensee (e.g., race moved from turf to dirt, late jockey/driver change, late scratch of a horse).

c) In order to prevent practices detrimental to the public interest, the State Director of Mutuels may, at all terminals, increase or decrease the time period before post time within which wagers may not be cancelled and/or increase or decrease the price of wagers that may be cancelled. Any change in such time periods or wager prices shall be published in the program prior to the affected race.

Section 433.130 Records of Refunds and Cancellations

In all totalizator systems, the seller/cashier shall retain and account for all refunded and/or canceled tickets. These refunded/canceled tickets will be retained by the organization licensee, in the manner prescribed in Section 433.60. In the case of a request for an extension, as detailed in Section 433.60, the tickets shall be retained until all audit tests have been completed and the State Director of Mutuels, or his designee, issues a letter allowing for the disposal of such tickets and records. If a refunded/canceled ticket is not available for inspection then sufficient supporting documentation, i.e., seller/cashier history, shall be available upon request. In no event will a refunded/cashier ticket which has been removed from the tote system by a keyboard entry be accepted by the Pari-Mutuel Audit Unit as a record of payment unless the actual hard copy ticket is presented during the audit or lost bet report.

Section 433.140 Computer Print-Outs

Each organization licensee shall make available to the PMA for inspection and review all computer printouts generated by the totalizator system and shall, upon request, supply the Pari-Mutuel Auditor with copies of such printouts.

Section 433.145 Additional Method of Calculation

If any written method of calculation or check-up, in addition to the computer printouts specified in Section 433.140, is used or undertaken by the organization licensee, exact copies of all such calculations or check-ups shall be handed to the PMA as soon as possible after each race.

SUBPART D: MUTUEL FACILITIES; TICKETS; SPECIFICATION REQUIREMENTS AND PROCEDURES

Section 433.200 No Reduction in Capacity

An organization licensee shall not change a totalizator system if the change will reduce the functional capacity of the system. A decrease in functional capacity is defined as going from a cash/sell system to a sell only system.

Section 433.210 Totalizators

Each organization licensee shall use ticket issuing machines, linked to a computer based totalizator system, that shall:

a) record the progressive, aggregate, and final total in dollars bet in each pool and on each entry or mutuel field;

b) compute the approximate and final odds in the win pool for each entry in each race at intervals not greater than 60 seconds and relay those odds to the infield display board and to other display devices;

c) compute commissions, breaks, and components thereof; and

d) compute the pay-off prices.

Section 433.220 Final Confirmation

For the purpose of confirming the final record of pari-mutuel sales for each race, each organization licensee shall for each wagering pool obtain a computer printout or store on magnetic media, the following information for each ticket issuing machine:

a) the total dollars wagered on each entry; and

b) the combination of entries.

Section 433.230 Status Report

Where advance wagering and or earlybird wagering is conducted, the computer printout required in Section 433.220 shall also contain a status report indicating the total dollars wagered on all subsequent pools.

Section 433.240 Locking Devices

Each organization licensee shall provide, for the purpose of locking ticket issuing machines at the start of each race:

a) one switch located within the stewards' stands; and

b) one switch located in the tote room for use as an emergency locking device independent from the console.

Section 433.250 Control of Locking Devices

The locking control switch referred to in Section 433.240 shall be controlled by a Board representative. This switch shall disable all ticket issuing machines from issuing tickets instantaneously. The execution of the locking control switch shall be noted by the ringing of the off bell. It shall be the primary responsibility of the state steward and the secondary responsibility of the mutuel department to assure that "stop betting" occurs. In no event are bets to be accepted or tickets to be cancelled after the related stop betting command has been issued.

Section 433.260 Accounting for Individual Tickets

For the purpose of accounting for individual tickets, each ticket shall be identified by a unique computer generated ticket number.

Section 433.270 Tickets

Every issued ticket shall have printed on it:

a) the name of the race track or organization licensee;
b) the number of the race;
c) the uniquely assigned computer generated ticket number;
d) the date the ticket was issued;
e) the date for which the ticket is issued;
f) when appropriate, the designation of either matinee or night program;
g) the number of the T.I.M. or window location;
h) the type of pool;
i) the number of each entry;
j) the denomination of each bet; and
k) the total dollar amount of each bet.

Section 433.280 Security for Tote Equipment

Each organization licensee shall provide a security system for the facilities housing the totalizator computers when such equipment is on site. Such security system shall:

a) be capable of detecting authorized and unauthorized entry through use of a coded locking system, e.g., card identification;

b) detect unauthorized entry and notify the Board and/or the State Director of Mutuels prior to the next program; and

c) contain procedures for entry to the facilities outside normal operating hours.

Section 433.290 Access to Tote Room

Each organization licensee shall authorize specific individuals, and may authorize visitors, to have access to the tote room. A list of such authorized individuals shall be maintained by the organization licensee and be made available to the PMA unit. Such individuals, and those persons authorized pursuant to Section 433.25, shall be the only individuals permitted to enter the tote room.

Section 433.295 Fax Machine

Properly operating Fax Machines shall be present in all rooms and facilities used in connection with the operation of a totalizator system.

Section 433.298 Hot-Line Telephone

All totalizator system licensees shall provide hot-line telephones from their rooms to any facility used by another totalizator system licensee for purposes of conducting intertrack wagering.

SUBPART E: TOTALIZATOR SYSTEM: SYSTEM REQUIREMENTS

Section 433.300 General System Requirements

Totalizator system licensees must meet or exceed the totalizator system features listed in Sections 433.310 through 433.490.

Section 433.310 Redundant Capabilities

Totalizator systems shall have redundant capabilities and shall be defined as a master/slave configuration to ensure the comparison of individual pool totals so that no data is lost due to a processor failure.

Section 433.320 Redundant Hardware

All totalizator systems must have a redundant hardware including, but not limited to, the acceptance, recording, and accounting of wagering transactions, to ensure that in normal operating circumstances a totalizator system failure will not cause interruption in pari-mutuel operations.

Section 433.330 Stop Betting Command

All totalizator systems shall provide a switch located in the stewards' stand and the tote room which shall disable all ticket issuing machines from accepting all bets and issuing tickets on all races for which the "stop betting" command has been issued pursuant to Section 433.250.

Section 433.340 Record of Stop Betting Command

All totalizator systems shall:

a) identify and record on the system log file which switch issued the stop betting command;

b) record the time of day that the command was issued; and

c) confirm visually and audibly to the stewards that betting has stopped.

Section 433.350 Odds Board Control

The controls necessary to operate the order of finish on the odds board shall be located in the stewards' stand or immediately adjacent thereto and be controlled by a state steward or his designee.

Section 433.360 Odds Update

a) In conjunction with the totalizator system, there shall be one or more odds boards. Approximate odds on each betting interest in the win pool shall be updated on the odds board at intervals of not more than 60 seconds.

b) All totalizator systems shall provide a computer printout, at intervals of not more than 60 seconds, of all dollars wagered on each betting interest in the win, place, and show pools, and other wagering information given to the public during the wagering period.

Section 433.370 Retention of Racing Program Data

All totalizator systems must store racing program data on disk or other storage devices with the capability to transfer the data to hard copy in readable format. Such information shall be stored for a period of six months.

Section 433.380 Control Access to Tote Computer Equipment

Security/safeguard mechanisms must be installed by the tote system licensee to prevent unauthorized access to totalizator computer equipment. Such security shall be capable of detecting authorized and unauthorized entry through use of a password. Security systems meeting the above requirements shall be approved by the Executive Director or his designee.

Section 433.390 Software

All totalizator systems must have the necessary software to create, read, and verify the integrity of the data on the magnetic tapes. Each tape shall be labeled separately for each racing program. The label shall include organization licensee name, program number, file generation number (e.g., all files may start with 001 equal to the first program number), date produced, and time of day produced.

Section 433.400 Provide Summary

All totalizator systems shall be able to produce and provide the Board:

a) subject to the time limitation in Section 433.370, a log file which can recreate the program and produce hard copy;

b) a report which summarizes each racing program's total wagering activity on a race by race basis; and

c) a listing of the daily cashed tickets and outstanding tickets cashed by unique ticket number and/or ticket issuing machine for each program.

Section 433.410 Unique Ticket Number

All totalizator systems shall assign a unique ticket number to each ticket issued. The unique ticket number shall be printed on the ticket at the time of issue by the ticket issuing machine and shall be recorded in the computer.

Section 433.420 Uncashed Tickets

All totalizator systems shall retain within the computer system ticket numbers of all outstanding tickets. These ticket numbers shall be retained in a computer data file protected by the security system. All access to such file outside of normal operating routines shall be password protected and a log of all such access shall be recorded.

Section 433.430 Computer Produced Reports

All totalizator systems shall print on all computer produced reports: the tote software's version number, date of execution, time of day executed, and page number. The page numbering shall be sequential from the first page through the last produced during a program.

Section 433.440 Magnetic Log Files

All totalizator systems shall use the magnetic log files as input for the accounting reports produced in the cashier accounting function.

Section 433.450 Security Sub-System

Totalizator program operation shall be under the control of a software security sub-system.

a) This sub-system shall have the ability to validate used sign-on data entered through a T.I.M. and use table lock-up techniques to determine which functions the user is permitted to perform when the totalizators are in use.

b) The security sub-system shall record on the system log file any attempt to:

l) stop execution of the system

2) alter the contents of the memory or auxiliary storage device, or

3) modify the sequence of instructions within the computer(s).

Section 433.455 Access to Sub-Systems

The operating and or security sub-system shall be accessible from no more than two terminals at any one point in time. These terminals shall be located in the tote room and access to these sub-systems shall require password entry prior to execution.

Section 433.458 Emergency Power Source

Each tote system licensee shall provide an emergency or alternate system of electrical supply capable of providing enough power to operate the central processing units where data which has been accepted is stored.

Section 433.460 Power Fluctuations

All totalizator systems shall provide the hardware, i.e., voltage regulators, isolation transformers, to minimize the effects of a power fluctuation on the totalizator system. This hardware, insofar as possible, shall maintain power into the computers at a constant level within design limits and shall be selected by the totalizator company for compatibility with its system design.

Section 433.470 Two Independent Sets of Pool Totals

All totalizator systems shall have the capability to maintain at least two independent sets of pool totals and compare them at least every 60 seconds. An entry to the system logs shall be produced at any time a difference in final pool totals is encountered. If it cannot be ascertained by the totalizator system licensee which final pool is correct, the highest pool total shall be used in all calculations, including pay-offs, commissions.

Section 433.480 Loss of Communications Reports

All totalizator systems shall detect and write to the system log file and produce a hard copy report of lost communication with hardware peripheral devices including disc drives, printers, consoles, ticket issuing machines, and any other devices, which may be part of the system configuration. Also, it shall include a message on the system log file indicating such loss of communication and the time thereof. In the event of a system failure, a written report with hard copy back-up shall be required and included in the hard copy reports of the system log file.

Section 433.490 Cancellations

Where totalizator systems allow issued tickets to be cancelled such cancellations must occur within the provisions of Section 433.120.

SUBPART F: TOTALIZATOR SYSTEM: PROCEDURAL REQUIREMENTS

Section 433.500 General Procedural Requirements

Every totalizator system licensee must satisfy the procedural requirements set forth in Sections 433.510 through 433.610.

Section 433.510 Pre-Program Tests

All totalizator equipment in use for a program shall, before the start of each program, be tested by the totalizator personnel and all necessary repairs and adjustments made to ensure proper operation of ticket issuing machines and totalizator computers, and recording of bets in accordance with these rules. These tests shall be:

a) conducted at a time that does not conflict with the time established by the organization licensee for opening the pari-mutuel windows for sales; and

b) conducted with data supplied by the PMA unit when so requested by the State Director of Mutuels.

Section 433.520 Totalizator Programs

a) All copies of programs at a pari-mutuel facility shall be on magnetic tape or disk file and be stored in a secured cabinet under the control of a totalizator representative manager.

b) After the program has been loaded into the computer, the magnetic tape or disk file shall be resecured.

Section 433.530 Duplicate Copy of Totalizator Programs

All totalizator system licensees shall maintain a duplicate copy of all totalizator programs to be used during the race meeting. The duplicate copy will be in source code format or absolute program files and be placed on magnetic tape for storage. These tapes will be placed under seal by the totalizator system licensee and the Board and retained for future comparison with totalizator programs actually in use during the meet. These duplicate tapes will be kept under the dual control of the totalizator system licensee and the Pari-Mutuel Audit Unit and will be retained on the premises of the organization licensee.

Section 433.540 Notice of Software Modifications

All totalizator system licensees shall inform the State Director of Mutuels of planned totalizator program modifications by sending written notice to the Board at least one week in advance of performing a software modification. In situations where programs are modified in response to operational problems requiring immediate attention, the totalizator system licensee shall inform the State Director of Mutuels of the change immediately after the modification has been made. A narrative log explaining all software modifications shall be kept in the tote room.

Section 433.550 Testing of Software Modifications

Totalizator system licensees shall establish written procedures to test software modifications. Documentation of testing procedures and results shall be made available to the PMA unit upon request. Totalizator operators shall use either a hardware or software transaction generator to provide entry data for use in simulation of a complete program, including production of all reports. The PMA shall review such test procedures and results prior to installation of a new version of a totalizator system within the State.

Section 433.560 Controlling System Utilities

All totalizator system licensees shall adhere to formal written procedures for controlling system utilities and furnish the State Director of Mutuels with a copy of these procedures. These procedures shall include, but not be limited to, such matters as control over duplication or program tapes, control over use of any system utility programs or any application programs used to modify master files, and control over utility programs or other procedures used to change system passwords.

Section 433.570 Access to Tote Room

Ten days prior to the opening of each race meeting, the totalizator system licensee shall provide the State Director of Mutuels with a list of its representatives authorized to have access to the tote room, paper stock, or equipment for each meeting.

Section 433.580 Control Log

Each totalizator system licensee shall maintain, in conjunction with the organization licensee, a control log of keys or other security entry devices used to access the totalizator room and a log indicating to whom each is assigned. When the employment of a person possessing a key or security entry device to the totalizator room is terminated, the key or security entry device shall be collected.

Section 433.600 Back-Up Procedures

Totalizator operators shall include back-up procedures to reconstruct all computer programs and data files. The Board reserves the right to review and approve back-up procedures, based upon, including but not limited to, the ability to recover lost data, and the ability to provide grandfather-father-son backup.

Section 433.610 Shut-Down Procedures

Each totalizator system licensee shall as part of its normal daily shut-down procedures:

a) remove all console logs from the hardware. Each entry on the console log must be preceded by the date and time of the entry;

b) clear all C.P.U. memory or magnetic core program date; and

c) secure the tote room to prohibit unauthorized entry.

SOURCE: Adopted at 11 Ill. Reg. 12380, effective July 18, 1987; amended at 14 Ill. Reg. 20059, effective December 4, 1990; amended at 15 Ill. Reg. 2736, effective February 5, 1991; amended at 16 Ill. Reg. 20171, effective December 9, 1992; amended at 18 Ill. Reg. 7443, effective May 8, 1994; amended at 19 Ill. Reg. 13963, effective October 1, 1995; amended at 30 Ill. Reg. 1372, effective February 1, 2006.

PART 434
OUTSTANDING TICKETS

Section

434.5 Outstanding Tickets
434.10 End of Meeting Report
434.20 Removal of the Outs Account
434.30 Alternative Procedure
434.40 Payments

Section 434.5 Outstanding Tickets

An outstanding pari-mutuel ticket shall be valid only until December 31 of calendar year following its purchase.

Section 434.10 End of Meeting Report

Within ten days after the close of each race meeting, the organization licensee shall:

a) remove its outs liability account from the totalizator system computer and deliver to the Illinois Racing Board (Board) a report of its outstanding ticket liability (the "outs" book), as provided in Section 434.20; or

b) comply with Section 434.30.

Section 434.20 Removal of the Outs Account

a) The organization licensee shall notify in writing the State Director of Mutuels at least three week days prior to the day and time that the outs liability account is to be removed from the totalizator system.

b) The outs book shall include:

1) the date of the race;

2) the denominations of each outstanding ticket;

3) the pay-offs; and

4) the unique serial number of each outstanding ticket. "Unique" is defined in 11 Ill. Adm. Code 433.260.

c) Only two sets of outs books shall be printed at the time the outs liability account is removed from the computer system. No subsequent sets of the outs book shall be printed without written approval by the Board requested in compliance with 11 Ill. Adm. Code 206.10 (written request must be made 15 days in advance of

the Board meeting at which the request is to be heard). Approval shall be given for good cause shown, e.g., when an original has been destroyed.

d) A copy of the magnetic tape used to generate the outs books shall be provided to the Board.

Section 434.30 Alternative Procedure

a) An organization licensee may keep its outs liability account in the totalizator system computer if the totalizator system is operating at a racetrack where a race meeting is in progress. If an organization licensee elects to keep the outs liability account in the computer system beyond ten days, that organization licensee, within ten days after the close of the meeting, must file a letter with the Board which shall:

1) state the dollar amount of the outstanding tickets at the close of the race meeting;

2) state that the outs liability account will remain in the computer system;

3) state the name of the racetrack where the account will be open for cashing of winning tickets by members of the public;

4) state the name of the person who will be responsible for maintaining the integrity of the outs account and for maintaining the daily record of the account for reporting to the Board;

5) indicate the approximate date when the account will be removed from the computer system; and

b) remove the outs liability account not later than 30 days after the last program of consecutive race meetings of the same type of racing at the racetrack at which the tickets were purchased; and

c) comply with Section 434.20

Section 434.40 Payments

a) Pursuant to Section 26(c) of the Illinois Horse Racing Act of 1975, (Act), the organization licensee shall submit to the State Director of Mutuels, no later than January 5 of each year, the outstanding tickets and a check representing the value of all outstanding tickets which remain unpaid from the calendar year preceding the year prior to the year of payment (e.g., outs tickets purchased in calendar year 1992 shall be remitted with payment to the State Director of Mutuels no later than January 5, 1994).

b) Cashed tickets which have been submitted for payment shall be segregated and remitted in accordance with subsection (a) in the following manner:

1) by tote;

2) by calendar year; and

3) by location.

SOURCE: Adopted at 11 Ill. Reg. 12370, effective July 18, 1987; amended at 16 Ill. Reg. 17761, effective November 5, 1992.

PART 435
INTER-TRACK WAGERING FACILITIES

Section

435.20 Application for Intertrack Wagering License
435.30 Board Approval of an Application
435.40 Penalties and Conditions
435.50 Board Office
435.110 Licensing of Employees
435.120 Concessionaire License
435.130 Prohibited Practices by Employees

Section 435.20 Application for Inter-track Wagering License

a) Each application for an inter-track wagering license filed with the Illinois Racing Board (Board) must contain such information and be accompanied by such documents or exhibits as specified by the Board.

b) Each application for an inter-track wagering license shall also contain a plan of operation, which plan shall include:

1) a feasibility report that shows:

A) the anticipated revenue to be generated from the inter-track wagering facility;

B) the expenditures expected to be incurred by the facility;

C) the level of attendance expected and the area from which said attendance is anticipated to be drawn to the inter-track wagering facility;

D) level of anticipated inter-track wagering;

E) a demographic study or market survey depicting the applicants on-track attendance; and

F) the probable impact of the inter-track wagering facility on revenue to local government.

2) an application for an inter-track wagering license shall also show:

A) the number of simulcast racing programs to be displayed;

B) the amount and source of revenue necessary to acquire and construct the inter-track wagering facility;

C) the type of communication and transmission equipment to be utilized ;

D) the type and operation of the totalizator equipment which must be operated as prescribed by 11 Ill. Adm. Code 432 and 433;

E) a security plan which shall include, but not be limited to, as description of the security measures to protect the inter-track wagering facility, to control crowds, to safeguard the transmission and reception of simulcast signals, and to control the transmission of wagering data to effect combined common parimutuel wagering pools;

F) the accommodations available to the public;

G) a good faith affirmative action plan to recruit, train and upgrade minorities and females in all classifications within the licensee;

H) a certificate of compliance or approval from the Industrial Commission of the State of Illinois that the applicant has complied with, and has elected to be bound by, the provisions of the Worker's Compensation Act (Ill. Rev. Stat. 1991, ch. 48, par. 138.1 et seq.); and

I) a current Municipal or County Health and Safety Report and a current State Fire Inspection Report. Updated reports shall be submitted by each inter-track wagering facility on January 15 and July 15 of each year of operation.

Section 435.30 Board Approval of an Application

The Board shall consider every completed application for a license to conduct inter-track wagering at an inter-track wagering facility at a hearing before the Board. The Board shall approve or deny the application in accordance with Section 26(h)(3) of the Horse Racing Act of 1975 (Act) (Ill. Rev. Stat 1985, ch 8, par 37-1 et seq.). The Board will take such action within sixty days of the filing of the application unless the applicant requests and is granted a continuance.

Section 435.40 Penalties and Conditions

a) Each license shall specify the person to whom it is issued, the dates on which such wagering is permitted, the tracks or location where the wagering is to be conducted, and a recital that all wagering under such license is subject to the Act, the rules and regulations of the Board and nay requirements imposed by the Board as a condition for the exercise of the license. The Board may impose as a

condition of licensure any provisions which it determines meets the criteria contained in Section 26(h)(3) of the Act.

b) The Board may impose a civil penalty of up to $5,000 against individuals and up to $10,000 against organization licensees, inter-track wagering licensees, and inter-track wagering location licensees for each violation of the terms of the Act relating to the conduct of inter-track wagering, any rules adopted by the Board, any order of the Board, any action, or failure to act, which the Board finds and determines a detriment or impediment to inter-track wagering, or any requirement imposed as a condition of licensure pursuant to Section 435.40(a).

c) Any modifications of the conditions of licensure may be requested by the Board or the licensee and may be approved at a public meeting of the Board in accordance with 11 Ill. Adm. Code 206 and Section 26(h)(3) of the Act.

d) No licensee of an inter-track wagering facility shall discontinue operations at the facility until a reasonable period of time after notice of such intention has been transmitted to the Board.

Section 435.50 Board Office

Each inter-track wagering facility shall provide adequate working space at the inter-track wagering facility for Board employees to carry out their duties of inspection and regulation.

Section 435.110 Licensing of Employees

a) No person shall perform any work or services which are conducted in whole or in part on the grounds of an inter-track wagering facility without first obtaining a license issued by the Board. No provisions of this Section shall apply to any persons employed as a pari-mutuel clerk, parking attendant, security guard or employee of concessionaire.

b) Licensing of persons pursuant to this Section shall in all respects not specified herein be governed by the provisions of 11 Ill. Adm. Code 502, Subparts A, B and C.

c) The Board shall require all persons licensed pursuant to this Section who routinely come in contact with the public to display an identification badge on their outer garment during the course of their employment.

Section 435.120 Concessionaire License

No concessionaire shall operate at any inter-track wagering facility in Illinois without an occupational license issued by the board. Licensing of concessionaires shall be governed, in all respects not specified herein, by the provisions of 11 Ill. Adm. Code 402

Section 435.130 Prohibited Practices by Employees

a) No pari-mutuel clerk, parking attendant or security guard shall commit any act prohibited under Section 15.2 of the Act during the period of their employment at an inter-track wagering facility.

b) The licensee of any inter-track wagering facility shall provide the Board with immediate written notice of any prohibited activity by parimutuel clerks, security guards or parking lot attendants at an inter-track wagering facility.

SOURCE: Emergency rules adopted at 12 Ill. Reg. 6805, effective march 23, 1988, for a maximum of 140 days; adopted at 12 Ill. Reg. 11235, effective June 20, 1988; amended at 16 Ill. Reg. 13073, effective August 10, 1992; amended at 19 Ill. Reg. 13914, effective October 1, 1995.

PART 436
SECURITY AREAS

SUBPART A: ORGANIZATION LICENSEES RESPONSIBILITIES

Section

436.5 Security Area
436.20 Sanitation, Hygiene and Health
436.60 Penalties

SUBPART B: CONDUCT IN SECURITY AREA

Section

436.70 Reporting for Stall Assignments
436.100 Prohibited Equipment and Substances
436.110 Trainer's Responsibility to Guard
436.130 Furosemide List Horses

SUBPART A: ORGANIZATION LICENSEES RESPONSIBILITIES

Section 436.5 Security Area

a) Every horse entered to race shall be in the stall assigned to it by the Racing Secretary two (2) hours prior to the post time of the race in which the horse is entered, and shall remain there until its presence is required in the paddock. Standardbreds may leave their stall for purposes of warming up prior to the start of the race.

b) A sign designating the horse's stall as a secure area shall be posted on the horse's stall two (2) hours prior to the post time of the race in which the horse has been entered to run. The format and contents of the sign shall include, but not be limited to, the dimensions of 82" by 11" and the words "Security Stall" which are easily read and understood by those licensees in the barn area. The format and contents of the sign shall be approved by the Board. The signs, necessary hardware to affix the signs and maintenance to ensure that the hardware is suitable for use every day on all stalls will be provided by the track operator.

c) The trainer of record shall designate a stall guard to attend and provide constant surveillance until the horse is brought to the paddock or receiving barn.

d) A security force composed of Illinois Racing Board personnel and racetrack security guards shall monitor compliance with this Part. The racetrack security guards shall be equipped with radios. The number of guards utilized at each track will be approved by the Board. The criteria for determining the number of guards at each racetrack shall include, but not be limited to, the number of

horses entered to race that day, the distribution of the barns at the racetrack, and the total number of barns at the racetrack. The security guards may, in their discretion, require the stall guard or any other individual, in and around the secure area, to present his/her Illinois Racing Board credentials (11 Ill. Adm. Code 1302.90 and 1408.60), and may check equine identification numbers. The race track may require transferable identification tags to be displayed by those persons acting as stall guards. The race track security guards will be under the supervision of the Illinois Racing Board or its designees.

Section 436.20 Sanitation, Hygiene and Health

Each organization licensee shall ensure that the location is heated and ventilated, so as to allow for sufficient care and preparation of the horses and security area, and that all stalls are suitable and ready for use at the appropriate time.

Section 436.60 Penalties

a) A civil penalty shall be imposed upon any organization licensee who fails to meet the requirements of any or all Sections contained in Subpart A consistent with 11 Ill. Adm. Code 204.

b) Failure to have a horse in the assigned stall, or failure to provide constant surveillance of the stall at the designated deadline shall be penalized by the horse being scratched and a civil penalty imposed upon the trainer of record. Subsequent offenses shall be penalized by the horse being scratched and the civil penalty shall be double the amount of the preceding penalty. The number of violations, for the purpose of determining civil penalty, shall start at the beginning of each meet. The civil penalty shall be waived only when very extreme weather conditions prevent the trainer from getting the horse to the racetrack at the designated deadline, but the horse shall be scratched.

c) A civil penalty shall be imposed upon any trainer who fails to have the sign posted on the assigned stall at the designated deadline. The civil penalty shall not be imposed if the track operator has not provided the sign, hardware to affix sign or the maintenance of the hardware that will allow the trainer to affix the sign to the stall. The civil penalty shall be double the amount of the preceding penalty for each subsequent offense.

d) A civil penalty shall be imposed upon the racetrack operator for failing to provide signs, hardware to affix signs to stalls or the maintenance of the hardware for use on security stalls.

SUBPART B: CONDUCT IN SECURITY BARN LOCATIONS

Section 436.70 Reporting for Stall Assignments

a) The trainer, when entering a horse, shall declare to the Racing Secretary or his/her designee, the number of the barn in which the horse being entered will be stabled the day of the race. The trainer must declare horses to be shipped-in at the time of entry.

b) The Racing Secretary shall assign a barn, at the time of entry, to those horses being shipped-in.

c) As soon as the overnight sheet is finalized, the Racing Secretary or his/her designee shall provide to the Illinois Racing Board or its designees a list showing, by race, the name of the horse, post position, trainer's name and the identification number or letter of the barn where the horse is to be stabled the day of the race.

d) The Racing Secretary or his/her designee shall notify the Illinois Racing Board or its designees, of all ownership or trainer changes on horses, as soon as they come to his/her knowledge.

e) As soon as the overnight sheet is finalized, the Racing Secretary or his/her designee shall provide the Illinois Racing Board or its designee a list, by race, showing the horse's name and its tattoo number.

Section 436.100 Prohibited Equipment and Substances

a) No laser machines, needles syringes or injectables shall be permitted in the security area. The use of any other machine or equipment shall be approved by the state veterinarian.

b) The use of nebulizers shall be permitted in the security area. Water shall be the only solution allowed for use in a nebulizer unless other solutions have been approved by the state veterinarian

c) The use of breathing compounds, for oral and nasal dosing, such as, but not limited to, Traileze, Vapol, Vicks vapor-rub, wind-aid and exhale ease, or others containing but not limited to methyl salicylate, camphor and potassium iodide, shall not be permitted in the security area. A trainer must obtain the state veterinarian's approval for use of any other breathing compound. The use of DMSO, (Dimethyl Sulfoxide) preparations containing the DMSO or any other substances containing ingredients with qualities to penetrate the skin, to be used for topical applications, shall not be permitted in the security area.

d) Violations of this Section shall result in the horse being scratched and a civil penalty imposed on the trainer of record. Subsequent violations shall be penalized by the horse being scratched and the civil penalty shall be double the amount of the preceding penalty.

Section 436.110 Trainer's Responsibility to Guard

The duties imposed upon trainers in 11 Ill. Adm. Code 603.50 will continue to be in effect while a horse is in the security area.

Section 436.130 Furosemide List Horses

a) All horses on the furosemide list shall be treated with furosemide as provided in 11 Ill. Adm. Code 603.70.

b) Following the administration of furosemide, the trainer of record or his/her designee shall immediately return the horse to its assigned stall and shall remain with the horse and provide constant surveillance in accordance with Section 436.05(c). Violations of this subsection (b) shall be penalized in accordance with Section 436.60(b).

c) A sign designating the stall as a "Security Stall" shall be posted on the horse's stall 4 hours and 15 minutes prior to the post time of the race in which the horse has been entered to race. Violations of this subsection (c) shall be penalized in accordance with Section 436.60(c).

SOURCE: Adopted at 12 Ill. Reg. 6304, effective March 18, 1988; emergency amendment at 15 Ill. Reg. 12944, effective August 16, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 4520, effective March 10, 1992; amended at 25 Ill. Reg. 15622, effective December 1, 2001; amended at 33 Ill. Reg. 11880, effective August 1, 2009.

PART 450
HORSEMAN'S BOOKKEEPING SYSTEM LICENSEES

Section

450.10 Criteria for Eligibility
450.20 License Application
450.30 Time of Filing an Application
450.40 Application from Corporation
450.50 Grounds for Denial of an Application
450.60 Change of Officers or Directors
450.70 Audit
450.80 License Deemed Personal

Section 450.10 Criteria for Eligibility

An applicant for an occupation license as an operator of a horseman's bookkeeping system shall:

a) have a contract to provide a horseman's bookkeeping system with an organization licensee;

b) either:

1) have operated a horseman's bookkeeping system at a pari-mutuel race meeting in Illinois for at least 3 years prior to the effective date of this Part; or

2) provide the Board evidence that the applicant has the experience and expertise to operate a horseman's bookkeeping system at the race meeting at which the applicant proposes to participate in Illinois racing;

c) provide the Board with a current Table of Organization, Ownership and Control in sufficient detail to identify the individuals that manage, own or control the interests and assets of the applicant; and

d) establish, maintain, update and provide to the Board an Internal Control System that is subject to audit, with the cost of the audit borne by the occupation licensee.

Section 450.20 License Application

a) An application for a license to operate as a horseman's bookkeeping system licensee shall be made on forms furnished by the Board.

b) One original and one copy of the application shall be filed at the Board's central office at 100 W. Randolph St., #7-701, Chicago, IL 60601.

c) The applicant shall submit a one-year license fee of $25.

d) The applicant shall submit with the application all contracts with organization licensees and instruments evidencing any indebtedness between the applicant and any and all organization licensees.

e) If circumstances change or events occur after the filing of an application, the applicant shall submit an amendment to the Board. Examples of these changes include, but are not limited to, a change of corporate officers and the signing of additional contracts with organization licensees.

Section 450.30 Time of Filing an Application

a) Applications for an occupation license as a horseman's bookkeeping system licensee shall be filed 60 days prior to the opening of the first race meet during a calendar year at an Illinois race track at which the applicant seeks to participate in Illinois racing.

b) The Board may, in its discretion, upon good cause shown, receive applications at a time other than that specified in subsection (a). Good cause means a change in ownership of horseman's bookkeeping system licensee; changes in the financial position of a horseman's bookkeeping system licensee, such as, but not limited to, the dissolution or bankruptcy of the licensee~~,~~ or the impossibility of a licensee furnishing services for an upcoming race meet.

Section 450.40 Application from Corporation

A corporation applicant for a license as a horseman's bookkeeping system licensee shall disclose the names and business addresses of its directors and officers and the owners of any legal or beneficial interest of 5% of more of the corporation. If the corporation is owned, in whole or in part, by another corporation, disclosure shall be made for the other corporation and for the owners of 25% or more of the equity of the other corporation.

Section 450.50 Grounds for Denial of an Application

The Board may deny an application for an occupation license as a horseman's bookkeeping system licensee based on 11 Ill. Adm. Code 502.60 through 502.110. An applicant whose application for a license is denied may request a hearing pursuant to 11 Ill. Adm. Code 204.

Section 450.60 Change of Officers or Directors

Within 15 days after election, appointment or resignation of an officer or director of a licensed horseman's bookkeeping system, the licensee shall notify the Board in writing of the identity of each new and resigned officer or director and shall file an amended application for each person.

Section 450.70 Audit

The Board's Executive Director may at any time inspect, review or audit the records and performance of the horseman's bookkeeping system licensee. The cost of the audit shall be borne by the licensee. The Executive Director shall establish the scope, procedures and reporting requirements of any audit.

Section 450.80 License Deemed Personal

Licenses to operate a horseman's bookkeeping system are deemed personal in nature and non-transferable, and will terminate upon a substantial change of ownership of the licensee unless the Board grants approval of the substantial change of ownership. The sale or transfer of 25% or more of the equity of a licensee shall be considered a substantial change of ownership and within 15 days after the change of ownership, the licensee must notify the Board of the identity of each substantial owner. In acting upon a request for approval of a substantial change in ownership, the Board shall consider the same factors it considers in the initial grant of a horseman's bookkeeping system license.

SOURCE: Adopted at 33 Ill. Reg. 11884, effective August 1, 2009.

PART 452
RACETRACK IMPROVEMENTS

Section

452.10 Purpose
452.20 Definitions
452.30 Verification of Expenditures
452.40 Deadline for Filing

Section 452.10 Purpose

a) Pursuant to Section 26.1 of the Illinois Horse Racing Act [230 ILCS 5/26.1], the Board shall verify that an amount equal to at least 50% of the breakage retained by each licensee is used by the organization licensee for racetrack improvements at the racetrack from which the wagering facility derives its license.

b) Pursuant to Section 54.75(b)(2) of the Illinois Horse Racing Act (Horse Racing Equity Trust Fund), the Board shall verify that moneys distributed to the organization licensee are used to improve, maintain, market and otherwise operate its racing facilities to conduct live racing, which shall include backstretch services and capital improvements related to live racing and the backstretch.

Section 452.20 Definitions

"Racetrack Improvements" - erection, improving or acquisition of seating stands, buildings or other structures, ground or track and the necessary purchase or required restoration of depreciable property and equipment used in the operation of a racetrack. Ordinary repairs and maintenance shall not be considered racetrack improvements.

Section 452.30 Verification of Expenditures

Each organization licensee shall submit to the Board annually a report containing the following information:

a) Pursuant to Section 26.1 of the Act, the amount of breakage earned in the previous year by organization licensee, intertrack wagering licensee~~,~~ and intertrack wagering location licensee;

b) Pursuant to Section 54.75(b)(2) of the Act, the amount of moneys received by the organization licensee in the previous year from the Horse Racing Equity Trust Fund;

c) A detailed description of improvements made pursuant to Section 26.1 of the Act;

d) A detailed description of expenditures made using the moneys received by the organization licensee pursuant to Section 54.75(b)(2) of the Act, including

moneys used for improvements, maintenance, marketing, backstretch services, capital improvements and other operating expenses. Moneys received shall be applied prospectively from December 13, 2009 (the date the Treasurer transferred funds from the Protest Fund to the Horse Racing Equity Trust Fund), and organization licensees are prohibited from applying the moneys retroactively; and

e) If the Board so requests, verification of payment, including, but not limited to, canceled checks and/or invoices.

Section 452.40 Deadline for Filing

As detailed in Section 452.30, each organization licensee shall submit to the Board a report no later than January 31 of the succeeding year.

SOURCE: Adopted at 24 Ill. Reg. 15439, effective October 5, 2000; amended at 34 Ill. Reg. 2955, effective February 22, 2010.

PART 455
OTHER GAMING

Section

455.10 Charitable Gaming
455.20 Lottery Events at Wagering Facilities

Section 455.10 Charitable Gaming

d) No licensee shall, without the prior approval of the Board, allow a charitable gaming event to be held at a wagering facility (excludes Advance Deposit Wagering licensees). (See 11 Ill. Adm. Code 210 for the definition of a licensee)

e) All requests by licensees to the Board regarding charitable gaming events shall be in writing and include the following information:

   1) The day and time of the proposed event;

   2) The charity to benefit from the proposed event and a copy of the charity's Charitable Gaming license obtained in accordance with 230 ILCS 30/3;

   3) A copy of the provider's license obtained by the licensee in accordance with 230 ILCS 30/4; and

   4) Assurance that no raffles, slot machines, coin-in-the-slot-operated devices or other games of chance will be present on the date of the charitable gaming event.

f) Any charitable gaming held at a wagering facility shall be subject to all regulations promulgated under the Charitable Games Act [230 ILCS 30]. (See 86 Ill. Adm. Code 435)

g) No licensee shall allow more than eight charitable gaming events to be held at a wagering facility in a calendar year.

h) Pursuant to 230 ILCS 30/8(15), only the following games may be conducted as part of the charitable gaming event: roulette, blackjack, poker, pull tabs, craps, bang, beat the dealer, big six, gin rummy, five card stud poker, chuck-a-luck, keno, hold-em poker, and merchandise wheel.

i) No other gaming/gambling events shall be held at the wagering facility unless permitted by other Illinois statute (i.e., the Horse Racing Act [230 ILCS 5], the Raffles Act [230 ILCS 15], the Illinois Pull Tabs and Jar Games Act [230 ILCS 20], Bingo License and Tax Act [230 ILCS 25], the Illinois Lottery Law [20 ILCS 1605]).

j) No concessionaire shall be allowed to sell food, beverages, or programs at the charitable gaming event unless licensed by the Board.

Section 455.20 Lottery Events at Wagering Facilities

a) No licensee shall, without the prior approval of the Racing Board, enter into or implement any agreement with the Illinois Lottery Control Board providing for:

   1) Selection of the winner of any lottery prize by a method that depends, in whole or in part, upon the results of a race conducted at a wagering facility; or

   2) The conduct of any lottery drawing or the award of any lottery prize at a wagering facility.

b) Any licensee seeking Racing Board approval of an agreement with the Illinois Lottery Control Board shall submit a copy of the proposed agreement together with the request, and shall supply other information concerning the proposed lottery event as the Racing Board may require.

c) No lottery events shall be conducted at a wagering facility in Illinois unless they are in compliance with the Illinois Lottery Law [20 ILCS 1605].

SOURCE: Adopted at 34 Ill. Reg. 7736, effective May 24, 2010.

PART 502
LICENSING

SUBPART A: PROCEDURE

Section

502.10 Submission of Application
502.20 Complete Application
502.30 License Fees
502.40 Duration and Extent of Occupation Licenses
502.50 Rulings and Hearings
502.55 Denial of License
502.58 License to Participate

SUBPART B: STATUTORY GROUNDS FOR DENIAL OF A LICENSE

Section

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SUBPART A: PROCEDURE

Section 502.10 Submission of Application

a) Any person desiring an occupation license shall apply on forms provided by the Illinois Racing Board (Board). If additional information is requested for the purpose of determining an applicant's eligibility or qualifications, the Board shall notify the applicant that he or she shall provide the supplemental information.

b) Applications may be obtained from the license office at any race track regulated by the Board or from the Board's central office in Chicago or at the Board's website (www.state.il.us/agency/irb).

c) Applications shall be filed in the licensing office, at the race track where the applicant wishes to participate in a race meeting. Applications may also be filed at the Board's central office, but the applicant shall indicate on the application the race track at which the applicant wishes to participate.

Section 502.20 Complete Application

An application shall not be considered until the application form has been filled out completely, all information requested by the Board has been supplied, and the appropriate license fee has been paid in accordance with 11 Ill. Adm. Code 502.30.

Section 502.30 License Fees

a) Applications for annual occupation licenses shall be accompanied by a non-refundable fee according to the following schedule:

1) $25-owner, trainer, owner/trainer owner/trainer/driver, driver, jockey, apprentice jockey, jockey agent, veterinarian, farrier, apprentice farrier, authorized agent, vendor, partnership, starter, steward, totalizator employee, racing official, intertrack employee and business agent;

2) $15-assistant trainer and veterinarian's assistant;

3) $10-exercise person, pony person, foreman and vendor helper;

4) $5-hot walker and groom.

b) The following individuals shall submit the license application together with any other information (where applicable, listed in Subpart B or C) required by the Board, including but not limited to fingerprint cards, the required fee for fingerprint cards and certification of licensure, but shall not be assessed a license fee:

1) persons who perform professional services, such as members of the clergy, doctors, EMTs, dentists, social workers, and substance abuse counselors.

2) race track employees such as valets, assistant starters, charters, jockey room masseurs, kitchen help and jockey room custodians.

Section 502.40 Duration and Extent of Occupation Licenses

a) Each occupation license shall expire December 31 of each year. Owners otherwise meeting the requirement of Section 502.30 and Subparts B, C, and D of this Part shall be granted a temporary license pending completion of the full application, which will be valid for 30 days from the date of issuance. Upon expiration of the 30-day temporary license, the owner's occupation license will be suspended pending completion of all licensing procedures.

b) An occupation license issued at one race meeting during the calendar year shall be valid at any other race meeting regulated by the Board that year provided that the holder:

1) is not found to be in violation of the Act or of the rules of the Board;

2) is not convicted of a crime as defined in 502.60;

3) has not had his license or permit suspended or revoked in any other racing jurisdiction; and

4) is qualified to perform the duties required of such applicant, according to Sections 502.120 through 520.790.

Section 502.50 Rulings and Hearings

If the stewards recommend, based upon Sections 502.60, 502.90, 502.95, 502.100 or 502.104, that a completed application be denied by the Board, they shall issue a ruling to that effect. The applicant may then request a hearing before the Board pursuant to the provisions of 11 Ill. Adm. Code 204. If the applicant does not exhaust these administrative remedies by requesting a hearing within the time specified in 11 Ill. Adm. Code 204.20(c), the stewards' ruling shall become a final decision of the Board, and the applicant shall be ineligible to reapply for a license for the balance of the calendar year from the date of the stewards' ruling.

Section 502.55 Denial of License

The denial of a license by the Board to any applicant has the effect as a ruling for the violation of a rule, and the denial of a license by the Board will continue in effect until such time as the Board shall approve a subsequent application for a license in accordance with the criteria in Sections 502.60 through 502.104.

Section 502.58 License to Participate

No person shall participate in a race meeting unless such person has been granted a license.

SUBPART B: STATUTORY GROUNDS FOR DENIAL OF A LICENSE

Section 502.60 Denial of a License for Criminal Conviction

a) Pursuant to Section 15(c) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1985, ch. 8, par. 37-15(c)) (the Act), THE BOARD MAY, IN ITS DISCRETION, REFUSE TO GRANT AN OCCUPATION LICENSE TO ANY PERSON WHO HAS BEEN CONVICTED OF A CRIME.

b) For purposes of this Section, a crime includes both felonies and misdemeanors, except for minor traffic offenses, such as parking or speeding tickets. Driving under the influence, as defined in Section 11-501 of the Illinois Rules of the Road (Ill. Rev. Stat. 1985, ch. 952, par. 11-501) is also a crime.

c) A criminal conviction exists when a plea of guilty, finding of guilty, or a plea of nolo contendere was entered.

d) Upon a request for a hearing pursuant to 11 Ill. Adm. Code 204 from the stewards' recommendation in accordance with Section 502.50, the Board will review the nature of the crime(s), especially crimes of dishonesty, fraud, deceit or violence, when the crimes were committed and the applicant's subsequent employment history.

Section 502.72 First-time Applicant Who Has Been Convicted of a Crime

a) Provisions of this Section shall apply only to applicants who have never previously applied for a license and who have been convicted of a crime within a period of four years prior to the date of filing a first-time application for a license with the Board.

b) Applicants who have been convicted of a crime shall attach with the application the following:

1) a certified copy of the judgment of the conviction; and

2) at least two letters of reference from persons, none of whom are relatives, who have known the applicant for more than four years and who have personal knowledge of the applicant's character and his reputation for honesty and integrity.

c) An applicant shall not construe compliance with the provisions of this section to mean that he is automatically entitled to a license.

Section 502.76 Prohibitions Against Persons on Conditional Discharge, Parole, Probation or Supervision

No license shall be granted to any person while on conditional discharge, parole, probation or supervision for any crime relating to horse racing, gambling, drugs, use of firearms, acts of violence, or crimes involving dishonesty such as forgery, deceptive practices, or theft, unless the Board finds that the applicant has complied with the conditions and terms of his court-ordered disposition.

Section 502.78 Probationary Nature of Licenses

a) All licenses granted by the Board are subject to suspension or revocation pursuant to Section 15(d) of the Act or due to violations of Section 502.100 of the rules or any crimes, as defined in Section 502.60, that occur or are later discovered after the license has been granted.

b) An applicant who receives a license pursuant to Sections 502.72 and 502.76 shall be admonished, at the time the license is granted, that severe sanctions, such as license revocation or suspension, will be imposed if the holder of such a license violates the Act or the rules of the Board.

c) Notwithstanding the Board's approval of an applicant under Sections 502.72 and 502.76, an applicant may be denied a license because:

1) The applicant otherwise fails to possess the fitness or experience set forth in Sections 502.120 through 502.790; or

2) An apparent or actual conflict of interest exists, as prohibited by the Board in Sections 502.800 through 502.850.

Section 502.80 Unqualified to Perform the Duties

Pursuant to Section 15(c)(2) of the Act, the Board may refuse or deny a license application if the applicant:

a) fails to meet the specific criteria set forth in Sections 502.120 through 502.790; or

b) has an apparent or actual conflict of interest as set forth in Sections 502.800 through 502.850.

Section 502.90 Falsifying Answers or Omitting Facts

a) Pursuant to Section 15(c)(3) of the Act, the Board shall deny a license application if the applicant:

1) Knowingly gives false answers to questions during the course of a steward's inquiry; or

2) Knowingly gives false answers in a hearing by the Board; or

3) Knowingly withholds information in his application.

b) Applicants are cautioned to read the application carefully and take care in providing their social security numbers and dates of birth. If the applicant has a question about the application, he may seek assistance from the Board's licensing personnel or the Stewards. However, the applicant will be solely responsible for the truth and correctness of all information furnished in the application.

Section 502.100 Just Cause

The Board shall deny a license if the applicant's license or permit has been suspended, revoked, or denied for just cause in another racing jurisdiction. For the purpose of this Section and Section 502.104, "just cause" means a violation of the statutes, ordinances, or rules of another racing jurisdiction. Just cause shall not include any cause based solely on race, color, creed, national origin, or sex.

Section 502.102 Burden of Going Forward

Any applicant previously licensed by any other racing jurisdiction whose license has been suspended or revoked, or who has been excluded by another racing jurisdiction, shall have the burden of going forward with the following:

a) Evidence that the applicant's license has been restored; and

b) Evidence that establishes that the applicant has the experience and general fitness for licensure in Illinois.

Section 502.104 Denial of a License for Just Cause in Illinois or in Another Racing Jurisdiction

a) Pursuant to Sections 15(c)(4) and (5) of the Act, the Board shall deny an application for a license for just cause if:

1) The applicant's license in another racing jurisdiction has been suspended or revoked; or

2) The applicant has been excluded by another racing jurisdiction; or

3) The applicant has violated the Board's rules or the Act.

b) Pursuant to Section 16(a) of the Act, the Board may refuse to issue or may suspend the occupation license of any person who fails to file a tax return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied.

c) Just cause shall not include any cause based solely on race, color, creed, national origin or sex.

SUBPART C: GENERAL CRITERIA

Section 502.110 Criteria for Determining Eligibility

In considering license applications, the Board shall consider those criteria set forth in Section 502.60 through 502.104.

Section 502.115 Standards Required of All Applicants

a) An applicant, other than a corporation, for an occupation license shall be at least 16 years of age, except as provided in Sections 502.120(b), 502.200, 502.230, and 502.250.

b) An applicant for an occupation license shall furnish with his license application two sets of classifiable fingerprints on the law enforcement agency cards provided by the Board:

1) when applying for a license; or

2) when requested by the stewards in the course of an investigation or inquiry; and

3) pursuant to Section 15(e) of the Act, each applicant may fulfill his fingerprint requirement at either the licensing office of each racetrack or, with prior approval of the state stewards, at a law enforcement agency.

c) An applicant for an occupation license in all categories, except that of owner, shall be a United States citizen, a permanent resident alien, or be the holder of a temporary or permanent work permit, pursuant to 20 CFR

d) In addition to the foregoing requirements, applicants shall meet the specific standards for eligibility set forth in Section 502.120 through 502.790 herein.

SUBPART D: OWNERS

Section 502.120 Owners

a) An applicant for an owner's license shall own, in whole or in part, or lease a horse eligible to race at the race meeting where the applicant seeks to participate. The horse must be under the care of a trainer licensed by the Board.

b) If younger than 18 years of age, an applicant for an owner's license shall submit an affidavit from a parent or legal guardian stating that the parent or legal guardian shall assume legal responsibility for the applicant's financial, contractual, or other obligations relating to the applicant's participation in racing if the license is granted. A parent or legal guardian submitting such an affidavit shall also submit the information required in subsection (c) below.

c) An applicant for an owner's license shall be capable of meeting the financial obligations incurred in the ownership, stabling, racing, training, and care of a race horse.

d) Owners licenses are personal in nature and expire upon the death of the licensee, and thereafter are void and without effect as a pre-requisite for the entry of a horse. When the decedent was the sole owner the only mechanism by which a deceased owner's horse(s) may be entered before the property rights in those horses have been fully and completely transferred through legacy, intestate succession or authorized sale, is as follows: upon presentation to the licensing office of letters of administration or letters testamentary issued by a court of competent jurisdiction, or small estate affidavit, the person named in the letter or affidavit shall be licensed as an authorized agent of the estate of the decedent and allowed to enter the horse(s) formerly owned by the decedent, subject to any limitations imposed by the court.

SUBPART E: TRAINERS AND ASSISTANT TRAINERS

Section 502.200 Trainers and Assistant Trainers

An applicant for a license as a trainer or an assistant trainer shall:

a) Be at least 18 years of age and have been licensed as a trainer or assistant trainer by the Board or another racing jurisdiction. Any person applying for a license as a trainer or assistant trainer for the first time in Illinois shall submit to the examinations required of prospective trainers and assistant trainers, as provided in Section 502.210, unless previously licensed in one of these capacities in another racing jurisdiction where he or she was administered and passed a trainer’s examination.

b) Additionally, an applicant for a trainer's license shall:

1) have at least one horse to train that is eligible to race in Illinois;

2) be capable of meeting the financial obligations incurred in the stabling, racing, training, and care of the horse in his or her care; and,

3) provide proof of having complied with Section 502.220.

c) An applicant for an assistant trainer's license shall be employed by a licensed trainer. In order to employ an assistant trainer, a trainer must have at least six horses in his or her stable, but may have no more than one assistant trainer for every 20 horses in training. However, if a trainer has fewer than six horses and wishes to ship one or more to another race track, or if a trainer shows a hardship such as a physical impairment, the Stewards shall allow the trainer to have an assistant trainer.

Section 502.210 Prospective Trainers or Assistant Trainers

If the applicant for a trainer or assistant trainer's license has never been previously so licensed by the Board or has been so licensed by another racing jurisdiction for less than one year, the applicant shall:

a) have at least two years' experience in a licensed racing occupation;

b) submit three letters of recommendation from former employers and/or currently licensed trainers who can attest to the applicant's training ability and experience;

c) demonstrate, by actual performance his knowledge of horsemanship, including, but not limited to, saddling, bandaging, and diagnosing horse ailments.

d) pass with a grade of 75% a written examination administered by the stewards or their designee, covering such subjects as rules of racing, care and handling of horses, and proper use of racing equipment. Such examinations shall be given from time to time as requested during race meetings but no such test shall be administered during the 30 days prior to the end of a race meeting or during the last 45 days of a calendar year.

Section 502.220 Workers' Compensation

An applicant for a trainer's license shall elect to be bound by the provisions of the Workers' Compensation Act (Ill. Rev. Stat. 1991, ch. 48, pars. 138.1 through 138.28[820 ILCS 305/1-281] and shall, accordingly, comply with the provisions of Section 4 of said Act; and shall, at the time of submitting an application for a trainer's license, attach to said application a certificate of compliance or certificate of approval from the Industrial Commission of the State of Illinois that said trainer has complied with the provisions of said Workers' Compensation Act.

a) For the purposes of this Section, a person shall be deemed to be in the service of the applicant and therefore, an "employee" within the meaning of Workers' Compensation Act (Ill. Rev. Stat. 1991, ch. 48, par. 138.1(b)(2)) [820 ILCS 305/1(b)(2)] whenever the applicant has the right to control and direct such person, not only as to the result to be accomplished; provided that, it is not necessary that the applicant actually direct or control the manner in which the work is performed, if the applicant has the right to do so.

b) In determining whether an employer-employee relationship exists under subsection (a) above, the furnishing of tools and a place to work by the applicant to such person performing the work shall be considered factors characteristic of an employer.

c) If the criteria of subsection (a) above, are satisfied, an employer-employee relationship shall be deemed to exist, regardless of the description or designation by the parties themselves, and it shall be of no consequence that the person performing the work is designated as partner, co-adventurer, agent, independent contractor, or the like. Such employer-employee relationship includes, but is not limited to, persons performing the services of groom, hotwalker, and exercise person.

d) If a trainer of harness horses has no employees, and contemplates none, he shall attach an affidavit to this effect with his application upon a form to be supplied by the Board. If thereafter, said trainer does become an employer, he shall comply with this Section and supply to the Board the applicable certificate. This subsection does not apply to trainers of thoroughbred horses.

SUBPART F: JOCKEYS AND APPRENTICE JOCKEYS

Section 502.230 Jockeys and Apprentice Jockeys

An applicant for a license as a jockey or apprentice jockey shall:

a) be at least 16 years of age or have been licensed as a jockey in this or another racing jurisdiction prior to the effective date of these rules; and

b) have been licensed previously as a jockey or apprentice jockey by the Board or by another racing jurisdiction;

c) be found physically able to ride in competitive horse races by a licensed practicing physician prior to the first Illinois race meeting at which the applicant intends to ride; and

d) have ridden fewer than 40 winners within the periods specified in 11 Ill. Adm. Code 1411.140(a).

Section 502.235 Apprentice Jockeys, Criteria for Eligibility

An applicant for an apprentice jockey's license who has never been so licensed shall:

a) be at least 16 years of age or have been licensed as an apprentice jockey in this or another racing jurisdiction prior to the effective date of this Section, January 1, 1988; and

b) have been licensed for at least one year by the Board or by another racing jurisdiction as an exercise rider or shall have acquired riding experience comparable to that of an exercise person at a training center or farm;

c) demonstrate the ability to break a horse from a starting gate in company with other horses and under observation of the starter; and

d) then have ridden competitively in at least two races.

Section 502.238 Apprentice Contract or Certificate

Upon completion of the criteria specified in 502.235, an apprentice jockey may either race under contract to a licensed owner or trainer or be issued an apprentice certificate.

a) If the apprentice enters into a contract, the stewards shall ascertain that the contract complies with the following:

1) The contract employer possesses the character, knowledge, experience, and financial responsibility to develop a competent race rider.

2) The contract employer owns or has custody of at least four horses eligible to race in Illinois at the time the contract is executed.

3) The duration of the contract is at least three years but no more than five years. If the contract later is terminated, the apprentice shall be issued a certificate indicating each winner ridden; or

b) An apprentice jockey who has been issued a certificate may contract his services to a licensed owner or trainer for the remainder of the apprenticeship, with the approval of the stewards. The stewards shall grant said approval if the standards in subsections (a)(1), (2) or (3) above are met.

SUBPART G: DRIVERS

Section 502.250 Harness Driver

An applicant for a driver's license, other than prospective harness drivers (see Section 502.260), shall:

a) be at least 18 years of age; and

b) have been licensed as a driver by the Board or by another racing jurisdiction.

Section 502.260 Prospective Harness Drivers

An applicant who has never been licensed as a driver shall:

a) have at least one years training experience and demonstrate the ability to drive a horse at training speeds;

b) be knowledgeable of and conversant in the training and driving of harness horses, as shown by passing a written examination composed by the U.S. Trotting Association (the Board will state the location of the Association and the frequency of the tests) and administered once at every race meet in Illinois.

c) be found physically able to drive in competitive horse races by a practicing physician who is licensed in accordance with the Medical Practice Act (Ill. Rev. Stat. 1985, ch. 111, par. 4401 et seq.), prior to the first Illinois race meetings at which the applicant intends to drive.

Section 502.270 "Q" Licenses

An applicant who successfully completes the requirements of Section 502.260 shall be issued a "Q" or qualifying license and shall be permitted to participate in only qualifying and other non-wagering races.

Section 502.280 "P" Licenses

The holder of a "Q" license may apply for a "P" or provisional license. The stewards shall grant a "P" license if the applicant has driven in at least 12 qualifying, non-wagering races and has done so in compliance with the rules stated in 11 Ill. Adm. Code 1318.10.

Section 502.290 "A" Licenses

The holder of a "P" license shall be considered for an "A" or full license upon completion of one of the following:

a) The applicant has at least one year's experience while driving with a "P" license plus 25 pari-mutuel starts in the prior twelve month period; or

b) The applicant has less than one year's driving experience but has at least 50 pari-mutuel starts and the written endorsement of the applicant's driving ability of stewards at recognized meetings where those races occurred; or

c) The applicant has at least 25 pari-mutuel starts in the two years prior to the date of application and at least 50 starts at fair meetings for which the start is charted and recorded on the horse's eligibility papers.

SUBPART H: OTHER LICENSEES

Section 502.300 Veterinarians

An applicant for a veterinarian's license shall:

a) provide proof of a current license issued by the Illinois Department of Registration and Education to practice veterinary medicine in Illinois in accordance with the Veterinary Medicine and Surgery Practice Act of 1983 (Ill. Rev. Stat. 1985, ch. 111, par. 7001, et seq.); and

b) review the Board's medication rules (11 Ill. Adm. Code 509) with the state veterinarian.

Section 502.320 Veterinary Assistant

a) An applicant for a license as a veterinary assistant shall establish an offer of employment by a veterinarian licensed by the Board by obtaining the signature of the veterinarian on the license application, and the veterinarian will supervise the applicant.

b) A veterinary assistant shall be permitted to practice equine dentistry only under the following circumstances:

1) The services of the veterinary assistant are retained by a licensed veterinarian under an employment agreement or an independent contract;

2) The contract for service is between the veterinarian and the client;

3) Fees for services are paid by the client to the licensed veterinarian;

4) Payment to the veterinary assistant is made by the veterinarian;

5) The veterinarian's billing records indicate the nature of the work performed;

6) The work is performed under the veterinarian's general supervision; and

7) The veterinarian is in a position to give such supervision as deemed necessary.

Section 502.350 Farriers (Blacksmiths)

An applicant for a farrier's license shall have been licensed previously by the Board or another racing jurisdiction. A valid farrier's license from another racing jurisdiction where he was administered and passed a farrier's examination may be accepted as evidence of experience and qualifications. Farriers who have never been licensed by the Board or another racing jurisdiction shall be required to:

a) Pass written and practical examinations. The practical examination shall consist of shoeing a horse and working in the fire to make a bar shoe and a shoe with a sticker and a block. The written examination shall be administered by the Stewards. A passing score shall be a score of 75%.

b) The practical examination shall be administered by 2 licensed farriers, appointed by the Stewards, with at least 3 years experience each and witnessed by a Steward or the Steward's designee.

Section 502.380 Exercise Riders

An applicant for an exercise rider's license shall have been previously licensed as an exercise rider by the Board or by another racing jurisdiction. If unable to meet this requirement, the applicant shall have been previously licensed in any capacity by the Board or in another racing jurisdiction and shall demonstrate to the stewards or their designee the applicant's ability to ride a galloping racehorse.

Section 502.400 Pony Person

An applicant for a license as a pony person shall have been licensed previously by the Board or by another racing jurisdiction. If unable to meet this requirement, the applicant shall demonstrate his riding ability to the stewards or their designee.

Section 502.450 Stable Foreman

An applicant for a stable foreman's license shall have been licensed previously as a stable foreman by the Board or by another racing jurisdiction, or shall have been licensed as a groom for at least one year in any racing jurisdiction.

Section 502.500 Jockey Agents

a) An applicant for a jockey agent's license shall have been licensed previously as a jockey agent by the Board or by another racing jurisdiction, and shall not represent more than two jockeys.

b) If the applicant has never been licensed as a jockey agent, the applicant shall have at least one year's experience as an occupation licensee or an employee of the Board in Illinois or a comparable racing regulatory authority in another

racing jurisdiction, and shall pass with a grade of 75% a written examination administered by the stewards. The test shall cover such subjects as jockey engagements and horse eligibility.

Section 502.600 Authorized Agents

An applicant for an authorized agent's license shall submit with his license application a written agency appointment authorizing the applicant to act on behalf of a licensed owner or licensed trainer in racing matters not directly related to the care and training of horses. This authorization shall be on a form provided by the Board and shall define the powers, limits, and terms of the agency. The authorization shall be signed by the principal and said authorization shall be notarized. A separate, notarized agency appointment shall be required for each principal. All such agencies shall remain in effect for the duration of the licensing year unless the principal submits written and notarized notification of revocation of the agency appointment to the stewards at the meeting where the principal is racing. Authorized agents may also be licensed as specified in Section 502.120(d).

Section 502.650 Tack Shop Operators and Other Vendors

An applicant for a license as a tack shop operator or vendor shall, prior to the filing of the application file with the State Veterinarian for his or her approval, a list of the items or types of service, that the applicant intends to sell or deliver. If possession of those items or services within the race track enclosure is not prohibited by the Board's rules, the State Veterinarian shall approve the list annually.

Section 502.660 Vendor Helper

An applicant for a license as a vendor helper shall document evidence of an offer of employment by a licensed tack shop operator or vendor before being granted a license. Such offer shall be established by the signature on the license application of the licensed tack shop operator or vendor who has actually offered such employment to the applicant.

Section 502.680 Thoroughbred Grooms

An applicant for a license as a groom of thoroughbred race horses shall:

a) document evidence of an offer of employment before being granted a license. Such offer shall be established by the signature on the license application of a licensed trainer who has actually offered such employment; and

b) provide evidence of experience in the care and handling of thoroughbred race horses. Such evidence shall be established by:

1) previous licensure as a groom by the Board or by another racing jurisdiction; or

2) one year's experience as a licensed hotwalker; or

3) written evidence of employment as a groom at a thoroughbred training or breeding establishment.

Section 502.690 Harness Grooms

An applicant for a license as a groom of harness race horses shall document evidence of an offer of employment before being granted a license. Such offer shall be established by the signature on the license application of the licensed trainer who has actually offered such employment to the applicant.

Section 502.700 Hotwalker

An applicant for a license as a hotwalker shall document evidence of an offer of employment before being granted a license. Such offer shall be established by the signature on the license application of the licensed trainer who has actually offered such employment to the applicant.

Section 502.790 Totalizator Employee

An applicant for a license as a totalizator employee shall document evidence of an offer of employment by a totalizator system licensee if granted a license. Such offer shall be demonstrated by the signature on the license application of the tote room operator, representing the totalizator system licensee, who has actually offered such employment to the applicant.

Section 502.795 Business Agents

"Business agent" shall be defined as a person or business authorized to act on behalf of an organization licensee with respect to matters directly impacting racing operations, pari-mutuel wagering, or the providing of services to patrons at intertrack wagering locations. Only "key personnel" (persons that have authority to develop or administer policy or to make discretionary decisions with respect to matters directly impacting racing operations, pari-mutuel wagering, or the providing of services to patrons at intertrack wagering locations) shall be required to be licensed by the Board.

SUBPART I: CONFLICTS OF INTEREST

Section 502.800 General Provisions

When an applicant applies for a license in more than one occupation, the Board shall consider whether the holding of such multiple licensing creates the appearance of a conflict of interest (such as, but not limited to, a sudden change in ownership to immediate family members or a change in ownership without adequate consideration). If such appearance is created, the multiple license shall be denied.

Section 502.820 Dual Licensing

a) A person licensed as a jockey, veterinarian, totalizator employee, or farrier shall not be licensed in any other capacity, unless approved by the Board. The Board shall deny any application for a dual license when it determines that a conflict will exist between the privileges and duties of the two license types.

b) A person licensed as an owner shall not be licensed as a jockey agent, nor shall any person licensed as a jockey agent be licensed as an owner.

c) A person licensed as a racing official shall not be licensed in another capacity during the race meeting at which that person is serving as a racing official, except as provided in 11 Ill. Adm. Code 422.60.

Section 502.830 Limitations on License

A groom may be a hotwalker. A trainer may also perform the duties of a groom or hotwalker. An exercise rider may also be a pony person. A harness owner may also groom or hot walk the horse or horses owned by him. However, except for those license categories specifically mentioned herein, no licensee shall act in any capacity other than that for which he is licensed. Thus, for example:

a) a pony person may not exercise horses if not licensed as an exercise rider.

b) a groom may not perform the duties of a trainer if not licensed as a trainer.

Section 502.840 Husbands and Wives

Rules pertaining to licensees, and rulings against either a husband or a wife, shall apply equally to the licensee's spouse, unless the Board finds that the continued participation in racing by the affected spouse will not circumvent the intent of the rule or ruling by permitting one spouse to serve in essence as a substitute for a person ineligible to participate in a particular activity. In making such a decision, the stewards and the Board shall consider, but not be limited to, the following: the length of involvement in racing of the affected parties, the economic interdependence of the parties, and the nature of the licenses. However, the spouse of a person suspended for a riding or driving infraction of 10 or fewer days shall not be suspended.

Section 502.850 Transfer of a Horse

The transfer of a horse by a person whose license has been suspended, denied, or revoked to circumvent a rule or ruling shall constitute a violation of these rules.

SOURCE: Emergency rule adopted and codified at 6 Ill. Reg. 9711, effective July 27, 1982, for a maximum of 150 days; adopted and codified at 6 Ill. Reg. 13786, effective October 25,

1982; amended at 7 Ill. Reg. 5225, effective April 1, 1983; amended at 11 Ill. Reg. 20611, effective January 1, 1988; amended at 13 Ill. Reg. 1562, effective January 23, 1988; amended at 13 Ill. Reg. 4931, effective March 22, 1989, amended at 14 Ill. Reg. 17641 effective October 16, 1990; amended at 15 Ill. Reg. 11985, effective August 12, 1991; amended at 16 Ill. Reg. 12774, effective July 31, 1992; amended at 17 Ill. Reg. 19961, effective November 9, 1993; amended at 18 Ill. Reg. 11615, effective July 7, 1994; amended at 19 Ill. Reg. 5034, effective April 1, 1995; amended at 19 Ill. Reg. 17190, effective January 1, 1996; amended at 20 Ill. Reg. 13052, effective October 1, 1996; amended at 22 Ill. Reg. 10656 , effective June 1, 1998; amended at 28 Ill. Reg. 6009, effective August 1, 2004 amended at 29 Ill. Reg. 10248, effective August 1, 2005; amended at 32 Ill. Reg. 7391, effective May 1, 2008; amended at 33 Ill. Reg. 6696, effective May 1, 2009.

PART 506
RESPONSIBILITIES AND DUTIES OF OCCUPATION LICENSEES

Section

506.50 Responsibilities of Employee When Discharged

Section 506.50 Responsibility of Employee When Discharged

An employee of a trainer shall return his or her Board identification badge to the stewards within 24 hours of discharge or resignation. An employee who changes employers shall also notify the stewards of such change no later than the end of the next racing day at that race meeting.

SOURCE: Adopted and codified at 7 Ill. Reg. 1425, effective January 24, 1983.

PART 508
SUBSTANCE ABUSE

Section

508.10 Purpose
508.20 Definitions
508.30 Breathalyzer Test
508.35 Hearings
508.40 Penalties for Alcohol Abuse
508.50 Licensee Subject to Testing
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508.70 Confidential Test Results
508.80 Random Testing
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Section 508.10 Purpose

a) Horse racing is a publicly sponsored sport featuring legalized gambling by members of the general public, which, in turn, generates revenue for the state treasury. The business of horse racing and its participants are pervasively regulated, like liquor and firearms, because of the public interest in close regulatory supervision.

b) This Part is designed to prevent practices in horse racing that are detrimental to the public interest, to promote the best interests of horse racing, and to cooperate in the establishment of a national substance abuse rule for racing as proposed by the National Association of State Racing Commissioners.

c) The abuse of chemical substances has become an increasing problem in modern society and could involve upwards of 10% the total population. In racing, as with other sports, the problem of drugs is two-fold:

1) the impact on an individuals ability to perform his duties; and

2) the addiction which may make the individual peculiarly susceptible to bribes or other improper influences.

d) Horse races are won and lost in fractions of a second. The dulling or alteration of the senses of one driver or jockey in a race endangers the safety, if not the life, of the human and equine participants in the race.

e) The abuse of chemical substances by participants in racing may have a negative impact on the fairness of the competition, the public's perception of the integrity of the sport, and the outcome of a race.

f) Part 508 rules provide a systematic administrative framework for the prevention of alcohol and drug abuse by participants in racing. This part provides for the collection of body fluids and their testing for the presence of controlled substances. Additionally, this part will provide a framework for the testing of drivers/jockeys for the presence of alcohol. Part 508 also provides a framework to insure that individuals who are found to abuse alcohol or drugs will seek rehabilitation.

g) Part 508 is administratively motivated rather than an attempt by the Illinois Racing Board (Board) to enforce the criminal laws. Privacy rights of the participants in racing are balanced against the broad public interest in maintaining the honesty and integrity of the racing industry.

h) The General Assembly of Illinois has made a specific appropriation for the funding of the Human Substance Abuse Program. Furthermore, this program is not intended to preclude the collection of bodily fluid specimens during a pre-race meeting physical.

Section 508.20 Definitions

"Association grounds" means all areas used by a racing association to conduct a race meeting.

"Civil penalty" means a monetary penalty assessed against a licensee for a violation of Board rules or the Illinois Horse Racing Act of 1975 (Act) (Section 9(l) of the Act, Ill. Rev. Stat. 1985, ch. 8, par. 37-9(l)).

"Confirmed test" means a second analytical procedure has been used to identify the presence of a specific drug or metabolite in a urine specimen.

"Controlled substance" means any substance listed in 21 U.S.C. 812. (21 U.S.C. 812 does not include any later amendments or editions).

"Initial screening" means a sensitive screening which determines the presence of drugs and their corresponding families.

"Inquiry" means an informal hearing conducted by the stewards to determine whether the rules of the Illinois Racing Board or the Act have been violated.

"Laboratory" means an independent testing laboratory contracted by the Board.

"Positive report" means a laboratory report that a controlled substance was present in a urine sample.

"Prescription drug" means any chemical substance which is prohibited by any federal law from being dispensed without a prescription from a licensed physician.

"Stewards" means the steward or stewards representing the Board, the steward or stewards representing the organization licensee, and any other steward or stewards whose duty it shall be to supervise any licensed horse race meeting in Illinois under the jurisdiction of the Board.

Section 508.30 Breathalyzer Test

a) No Jockey, Driver, Starter, Assistant Starter, or Outrider while on association grounds shall have present within his body any amount of alcohol. Jockeys, Drivers, Starters, Assistant Starters, or Outriders shall, when directed by the stewards, submit to a breathalyzer test. If the results thereof show a reading of more than 0.00 percent of alcohol in the blood, such person shall not be permitted to ride or drive in races on that day. The Board or the stewards shall assess a civil penalty against, or revoke the license of any Jockey, Driver, Starter, Assistant Starter, or Outrider who records a blood alcohol reading of more than 0.00 percent as provided for in Section 508.40.

b) The stewards shall direct a Jockey, Driver, Starter, Assistant Starter, or Outrider at the race track to take a breathalyzer test if the stewards have either reasonable information or an individualized suspicion that the breathalyzer test of such Jockey, Driver, Starter, Assistant Starter, or Outrider may produce evidence that such individuals are intoxicated. Any Jockey, Driver, Starter, Assistant Starter, or Outrider who fails to submit to a breathalyzer test when requested to do so by the stewards shall be suspended.

Section 508.35 Hearings

A Jockey, Driver, Starter, Assistant Starter, or Outrider who records a blood alcohol reading of more than 0.00 percent or fails to submit to a breathalyzer test may request a hearing before the Board as set forth in 11 Ill. Adm. Code 204. If any individual commits a fourth violation of Section 508.30 wherein his license is revoked, he shall be entitled to a hearing as provided in 11 Ill. Adm. Code 204.

Section 508.40 Penalties for Alcohol Abuse

a) For the first violation of Section 508.30, the Board or the Stewards shall assess a civil penalty of one hundred dollars ($100.00).

b) For the second violation of Section 508.30, the Board or the Stewards shall assess a civil penalty of two hundred fifty dollars ($250.00).

c) For the third violation Section 508.30, the Board or the Stewards shall assess a civil penalty of five hundred dollars ($500.00).

d) For the fourth violation of Section 508.30, the occupation license shall be revoked. If any individual licensee commits a fourth violation of Section 508.30 wherein his license is revoked, he shall be entitled to a hearing as provided in 11 Ill. Adm. Code 204.

Section 508.50 Licensee Subject to Testing

a) No licensee shall have present in his or her body, or possess or use on the grounds of any race track any controlled substance or any prescription drug unless the substance was obtained directly, or pursuant to a valid prescription or order, from a licensed physician, while acting in the course of his or her professional practice.

b) Each licensee at a race track or other facility under the jurisdiction of the Board may be subject to a drug test at any time while within the enclosure of any race track or other facility at the direction of the Stewards or Executive Director or designee if there is individualized suspicion that a licensee is possessing or using any controlled substance or any drug in violation of any federal or State law. This provision notwithstanding, specific categories of occupation licenses are subject to random drug testing pursuant to Section 508.80. Failure to submit to or complete a drug test at the time, location, and manner directed by Board personnel shall constitute a refusal to be tested. Any licensee who fails to submit to or complete a drug test shall be immediately suspended for no more than 30 days and shall not be allowed to participate at any race track under the jurisdiction of the Board until a negative test result is achieved. A licensees' refusal to test shall subject the licensee to the penalties in Section 508.60.

c) Each specimen received from a licensee shall be divided into two separate parts. One portion designated as the referee sample, shall be available for testing upon the request of the individual who provided the specimen. The referee sample may also be tested by the laboratory with the consent of the individual who provided the specimen. The other portion of the sample shall be known as the laboratory sample and shall be tested by the laboratory. The cost of testing the referee portion shall be borne by the person requesting the additional test.

d) After the specimen has been taken from a licensee and analyzed by an accredited laboratory approved by the Board, the laboratory shall make a positive test finding. The Board shall consider both the initial test level and confirmatory test level for controlled substances or prescription drugs, pursuant to the Mandatory Guidelines for Federal Workplace Drug Testing (Substance Abuse and Mental Health Services Administration available at http://www.workplace.samhsa.gov) when determining a positive for a controlled substance that is included in the federal guidelines.

e) A confirmed positive for an illegal drug, controlled substance or prescription drug result shall be reported, in writing, to the Stewards. On receiving written notice from the laboratory that a sample has been found positive for an illegal drug, controlled substance or prescription drug, the Stewards shall notify the individual of the test results.

f) Upon receipt of a notice of positive test finding, the stewards shall conduct an inquiry at which the individual with notice of a positive test finding shall have the opportunity to be heard. Further, any individual with notice of a positive test finding may challenge his or her particular test or test result by having a portion of the sample tested at the laboratory of his or her choice. Any individual contesting the tests or test results may request a hearing before the Board as set forth in 11 Ill. Adm. Code 204.

Section 508.60 Penalties for Substance Abuse

a) For a licensees' first violation of Section 508.50(a) or (b), the Board or the Stewards shall suspend the offender or assess a civil penalty not to exceed $1,000. In determining the appropriate penalty, the Board or stewards shall consider the offender's history of rule violations, age and experience, and the potential of the offender's conduct to result in physical harm to the human and equine participants at the race meeting.

b) For a second violation of Section 508.50(a) or (b), the Board or the Stewards shall suspend the licensee pending his or her completion of a substance abuse treatment program licensed by the Illinois Department of Human Services under 77 Ill. Adm. Code 2055, a state licensed treatment program in another state, or an alternative program approved by the Stewards. If any individual is suspended for a second violation of Section 508.50(a) or (b), he or she shall be entitled to a hearing as provided in 11 Ill. Adm. Code 204.

1) It shall be the responsibility of the licensee to provide the Board with written notice (on forms provided by the Board) of his enrollment, weekly status reports, and a written notice that he or she has successfully completed the program and has been discharged.

2) After a licensee has been discharged from a treatment program, the Board shall require, as a condition of re-licensure, periodic follow-up drug testing within one year from the date of the treatment program discharge, but not to exceed 4 tests per year.

c) For a licensee's third violation of Section 508.50(a) or (b), his or her license shall be revoked. If any individual's license is revoked for a third violation of Section 508.50(a) or (b), he or she shall be entitled to a hearing as provided in 11 Ill. Adm. Code 204.

Section 508.70 Confidential Test Results

The results of any urine test shall be treated as confidential, except for their use with respect to a ruling issued pursuant to this rule, or any administrative or judicial hearing with regard to such a ruling. Access to the information contained in any Board Laboratory "positive" test report shall be limited to the members of the Illinois Racing Board, the Executive Director and/or his designee and the subject Jockey, Driver, Starter, Assistant Starter or Outrider except in the instance of a contested matter.

Section 508.80 Random Testing

a) State racing boards and commissions in several states have promulgated regulations that subject racing participants to both breathalyzer and urinalysis tests by randomly selecting participants for such tests. The validity of this type of regulation was recently upheld in Shoemaker v. Handel, 3rd Cir. 1986) 795 F.2d 1136, affirming 619 F.Supp. 1089 (D.N.J. 1985).

b) The Board finds, based on its experience and expertise in the regulation of racing, that random testing for alcohol and controlled substances will maximize the value of tests as a deterrent and will tend to reduce the adversarial nature of the test by treating all Jockeys, Drivers, Starters, Assistant Starters, and Outriders equally.

c) As a supplement to the substance abuse testing program based upon individualized suspicion (as set forth in Sections 508.30 and 508.50 above), the Board hereby authorizes the limited use by the Stewards of both breathalyzer and urinalysis tests for Jockeys, Drivers, Starters, Assistant Starters, and Outriders who are selected by random. The names of all Jockeys, Drivers, Starters, Assistant Starters, and Outriders who appear on the official program as participants for a given race program for which testing is to be conducted shall be placed in a locked container which shall be secured by the stewards. The stewards for each racing program shall draw from the container the names of not more than five individuals for alcohol and drug testing. The name drawing shall be proximate to race time and a representative of the Jockey's Guild, the Illinois Horsemen's Benevolent and Protective Association, and the Illinois Harness Horsemen's Association shall be invited to attend the drawings and witness the random selections.

d) The Jockeys, Drivers, Starter, Assistant Starters, and Outriders whose names are drawn at random must provide a urine sample to the stewards or their designee before the last race for that racing program. Any person selected at random who refuses to provide the sample or submit to a breathalyzer test shall be suspended.

e) No Jockey, Driver, Starter, Assistant Starter, or Outrider shall be required to provide a urine sample on a random selection basis more than three times at a

race meet. If the participant's name is drawn in excess of three times, the stewards shall disregard the selection, return the name to the container, and draw another name.

Section 508.90 Severability

If any portion of these rules pertaining to substance abuse or the application thereof to any person or circumstances is held invalid, such invalidity does not affect other provisions or applications of these rules which can be given effect without the invalid application or provision, and to this end the provisions of these rules pertaining to substance abuse are declared by the Board to be severable.

SOURCE: Adopted at 10 Ill. Reg. 5840, effective March 28, 1986, Part repealed, new Part adopted at 11 Ill. Reg. 11137, effective June 3, 1987; amended at 12 Ill. Reg. 1910, effective January 1, 1988; amended at 29 Ill. Reg. 14033, effective September 1, 2005; amended at 33 Ill. Reg. 4158, effective March 1, 2009.

PART 510
CLAIMING RACES

Section

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510.40 Errors which Invalidate Claim
510.50 Refund of Voided Claim
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510.240 Claiming Authorization
510.250 Claiming Price

Section 510.10 Definition

As used in Part 510, a "claimant" is a person or racing interest meeting one of the three criteria for eligibility specified in Section 510.20.

Section 510.20 Claiming Eligibility

In a claiming race any horse may be claimed for its entered price by:

a) a licensed owner or the owner's authorized agent;

b) a licensed racing interest or its authorized agent; or

c) any person who has established eligibility to claim by filing an application for license as a horse owner and has been granted a claiming authorization, pursuant to Section 510.240.

Section 510.30 Form and Deposit of Claim

a) All claims shall be made in writing on a form provided by the Board. Claims shall be signed and sealed in an envelope having no identification mark except:

1) the name of the track;

2) the number of the race from which the claim is being made;

3) the stamp of a timing device provided by the track for that purpose no later than 10 minutes prior to the thoroughbred post time and 30 minutes prior to the standardbred post time of the race in which the horse to be claimed is entered.

b) The stewards or their designated representative shall open the claim box no sooner than 10 minutes prior to the thoroughbred post time for each race and 30 minutes prior to the standardbred post time for each race. In thoroughbred racing, no information concerning the claims shall be divulged to anyone other than the racing secretary's staff and the horsemen's bookkeeper until the race has been run. In standardbred racing, the public announcement of claims filed prior to the race shall be permitted. If more than one claim is filed for the same horse, the successful claimant shall be determined by lot by the stewards or their designated representatives.

c) Once a claim is deposited in the claim box, the claimant cannot withdraw or revoke the claim.

Section 510.40 Errors which Invalidate Claim

a) A claim is invalid if:

1) the claimant named on the claim form does not meet one of the three criteria for eligibility specified in Section 510.20; or

2) the claim form is not deposited 10 minutes or more before the thoroughbred post time and 30 minutes or more before the standardbred post time, pursuant to Section 510.30(a); or

3) the claimant does not have at least the amount of the claim on deposit or credited with the horsemen's bookkeeper; or

4) the name of the horse to be claimed is erroneously spelled or is not specified in the space provided on the claim form; or

5) the claim form:

A) does not specify the designated claiming price as printed in the program;

B) is not signed;

C) does not fully indicate the name of the party making the claim; or

D) is otherwise incorrectly completed; or

6) the claim envelope does not meet the specifications of Section 510.30(a).

b) In determining amounts on deposit, consideration shall be given only to amounts on deposit in the sole name of the claimant. Amounts on deposit in accounts owned jointly or in the names of others shall not be considered in determining the adequacy of the claimant's deposit.

Section 510.50 Refund of Voided Claim

When a claim has been voided by the stewards, the horse claimed shall be returned to the original owner who, in turn, shall refund all claim monies to the unsuccessful claimant.

Section 510.60 Prohibited Action with Respect to Claim

No person or racing interest shall:

a) claim more than one horse from any one race:

b) claim their own horse or cause such horse to be claimed, directly or indirectly, for their own account;

c) refuse to deliver the claimed horse to the successful claimant; furthermore the horse in question shall be disqualified until delivery is effected;

d) make any agreement with any other person or racing interest for the protection of each other's horses in any claiming race;

e) remove any horse which has been entered in a claiming race from the race track where it has been entered to race;

f) fail or refuse to comply with any rule or any condition of the meeting for the purpose of avoiding or preventing a claim for such horse;

g) offer, or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race;

h) attempt to intimidate or prevent anyone from running a horse in any claiming race;

i) claim horses owned or trained by their trainer or the trainer's spouse, child, sibling, parent, mother-in-law or father-in-law;

j) claim horses owned or trained by their own spouse, child, sibling, parent, mother-in-law or father-in-law;

k) claim, directly or indirectly, a horse he or she is driving;

l) claim a horse without designating a licensed trainer. In the event multiple owners designate the same trainer for a single claim, a preliminary drawing between those owners shall be determined by lot under the supervision of the Stewards or their duly appointed representative. The winner of the preliminary drawing shall be the participant in the final draw. In the event that there are no other claimants, the winner of the preliminary draw shall be the sole claimant.

Section 510.70 Horses under Lien

No person or persons shall enter, or allow to be entered, any horse against which any claim is held, either by mortgage, or lien of any kind without, prior to entering, having filed the written consent of the holder of the mortgage or lien with the racing secretary and horsemen's bookkeeper.

Section 510.80 Affidavit May be Required

Whenever the stewards have reasonable doubt about the validity of a claim, they shall require a claimant to execute an affidavit stating that the claimant is claiming the horse for the claimant's own account or as an authorized agent, and not for any other person.

Section 510.90 Claimant's Responsibility

Determination of the true age and sex of a claimed horse shall be the sole responsibility of the claimant, and mistakes in that regard printed in the official program or elsewhere shall not be considered a basis for invalidating the claim.

Section 510.100 Claimed Horse's Certificate

The foal certificate or eligibility papers of a claimed horse shall remain in the custody of the racing secretary's staff until the new owner removes the horse from the track.

Section 510.110 Engagements of a Claimed Horse

The stakes engagements of a claimed horse pass automatically with the horse to the claimant.

Section 510.120 Protests of a Claim

A protest of a claim shall be submitted in writing to the stewards not later than the day after the race was run. The stewards shall investigate the protest.

Section 510.130 Title to a Claimed Horse

a) Title to a claimed horse shall be vested in the successful claimant from the time the horse becomes a starter.

b) Said claimant shall then become the owner of the horse irrespective of its physical condition during or after the race.

Section 510.140 Distribution of the Purse

On the day claimed, a claimed horse shall run in the interest of and for the account of the owner from whom the horse was claimed.

Section 510.150 Delivery of a Claimed Horse

After the race, a claimed horse shall be delivered by the original owner to the claimant upon presentation of a written authorization from the racing secretary's office.

Section 510.160 Trainer Responsibility for Post-Race Tests

A trainer, whose horse has been claimed and is designated for post-race testing, remains responsible for the claimed horse until after collection of the blood and/or urine specimens at the detention barn where delivery shall be made to the successful claimant.

Section 510.170 Excusing Claimed Horse

If a horse is excused by the stewards or is declared a non-starter, any claim for the horse is void. However, in harness racing such a horse, in its next start, must race in a claiming race for the same price or less. This rule shall apply for a period of thirty days from the date of the race in which the horse was scratched or declared a non-starter.

Section 510.180 Stable Eliminated by Fire or Other Hazard

If all horses owned by a licensed stable are destroyed by fire or other hazard, such stable shall have claiming privileges under provisions of the claiming authorization as specified under Section 510.240.

Section 510.195 Determining Eligibility Dates

To determine the date when a claimed horse is eligible to race at a different location pursuant to Section 510.200 of this Part or may be sold or transferred pursuant to Section 510.210 of this Part, the counting of days shall begin on the day after the horse is claimed and shall continue through the expiration of the time period provided (e.g., a horse may be sold or transferred on the 31st day after the claim pursuant to Section 510.210 of this Part).

Section 510.200 Claimed Horse Racing Elsewhere

a) A standardbred horse claimed out of a claiming race is not eligible to race in any state other than Illinois for a period of 60 days from the date of the claim, or until a date following which there is no standardbred race meet scheduled in Illinois for 30 days.

b) A thoroughbred horse claimed out of a claiming race is not eligible to race in any state other than Illinois for a period of 45 days from the date of the claim, or until a date following which the racing season has concluded.

c) This Section shall not apply when claimed horses are fulfilling a stakes engagement or have the express written consent, of the race track where they were claimed, to race at another location.

(AMENDED EFFECTIVE JULY 21, 2009)

Section 510.210 Sale of a Claimed Horse

a) For harness racing, no horse claimed in a claiming race shall be sold or transferred wholly or in part to anyone within 60 days after the day it was claimed, except in another claiming race.

b) For thoroughbred racing, no horse claimed in a claiming race shall be sold or transferred wholly or in part to anyone within 30 days after the day it was claimed, except in another claiming race.

Section 510.220 Illinois Rules Govern Claimed Horse

When a horse is claimed at a recognized meeting governed by other rules of racing, Illinois shall recognize title to the horse under the rules of the meeting at which the claim was made. However, while racing in Illinois, such a horse shall comply with Section 510.170 and Section 510.190.

Section 510.240 Claiming Authorization

a) The board or its appointed representatives shall issue a claiming authorization to any person who makes application therefor on forms prescribed for that purpose and who:

1) meets all requirements for the issuance of an owner's license, except that the applicant need not own a horse; and

2) has an agreement with a licensed trainer to take charge of, care for, and train any horse claimed pursuant to the claiming authorization. The holder of a claiming authorization and the trainer shall each promptly notify the stewards in writing if such agreement is terminated before a horse is successfully claimed; and

3) has at least the amount of the claim on deposit with the horsemen's bookkeeper.

b) The claiming authorization shall be valid for the calendar year in which it is issued, or until such time as the person to whom the authorization was issued becomes a horse owner either through use of the claiming authorization or through private purchase.

c) The same fee charged for an owner's license shall be payable to the Board by the applicant prior to issuance of a claiming authorization. The holder of a claiming authorization shall not, by virtue thereof, be entitled to admission to the grandstand, clubhouse, or other spectator facility at prices less than those charged the general public.

d) An application for claiming authorization may be denied or revoked for any reason that would justify denial, suspension or revocation of an owner's license. Any person whose claiming authorization is denied or revoked shall have the same rights to notice and hearing as an owner whose license is denied, suspended, or revoked.

e) A holder of a claiming authorization who has not previously been granted an owner's license will be issued an owner's license without payment of any additional fees.

Section 510.250 Claiming Price

a) For a period of 20 days after the claim of a thoroughbred horse, it shall not start in a race in which the eligibility price is less than 25% more than the price at which it was claimed. For a period of 10 days

thereafter, a thoroughbred horse is eligible to run back for the same claiming price or higher.

b) This section shall not apply to starter handicap races.

SOURCE: Adopted at 5 Ill. Reg. 1686, effective February 16, 1981; amended at 5 Ill. Reg. 8300, effective August 5, 1981; codified at 5 Ill. Reg. 10911; amended at 7 Ill. Reg. 2167, effective February 4, 1983; amended at 7 Ill. Reg. 3197, effective March 14, 1983; amended at 8 Ill. Reg. 14992, effective August 6, 1984; amended at 14 Ill. Reg. 17636, effective October 16, 1990; amended at 17 Ill. Reg. 12423, effective July 15, 1993; amended at 17 Ill. Reg. 13612, effective July 30, 1993; amended at 18 Ill. Reg. 2064, effective January 21, 1994; amended at 18 Ill. Reg. 11607, effective July 7, 1994; amended at 19 Ill. Reg. 13887, effective October 1, 1995; amended at 20 Ill. Reg. 12473, effective September 1, 1996; amended at 21 Ill. Reg. 951, effective January 7, 1997; amended at 24 Ill. Reg. 7386, effective May 1, 2000; amended at 24 Ill. Reg. 12722, effective August 1, 2000; amended at 24 Ill. Reg. 17480, effective November 8, 2000; amended at 25 Ill. Reg. 6393, effective May 1, 2001; amended at 25 Ill. Reg. 8814, effective July 1, 2001; amended at 27 Ill. Reg. 533, effective January 1, 2003; amended at 31 Ill. Reg. 15094, effective November 1, 2007; amended at 32 Ill. Reg. 10161, effective July 1, 2008; amended at 33 Ill. Reg. 11318, effective July 21, 2009.

PART 603
MEDICATION

Section

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Section 603.10 Pre-Race Saliva Tests

a) The stewards may require that any horse entered to race submit to a pre-race saliva test.

b) If the pre-race saliva test is positive for a foreign substance, other than those substances authorized for use by Section 603.60 or 603.70, the subject horse shall be scratched and the trainer shall be fined $100.

c) A trainer who receives a second positive on a pre-race saliva test shall be suspended for 30 days.

d) A trainer who receives a third positive on a pre-race saliva test shall be suspended for 180 days.

e) A trainer who has received three positive reports on pre-race saliva tests shall be suspended for one year for each additional positive thereafter.

Section 603.20 Racing Soundness Exam

Every horse entered to race shall be subjected to a racing soundness exam on race day conducted by an official veterinarian. The State veterinarian shall keep or cause to be kept a continuing health and racing soundness record of each horse examined.

Section 603.30 Foreign Substances and Pharmaceutical Aids Banned

a) Except as provided in Sections 603.60 and 603.70, no horse participating in a race, or entered to participate in a race and not scratched by the day of the race, shall carry in its body any foreign substance.

b) No horse participating in a race shall carry in its body any pharmaceutical aids. Although pharmaceutical aids do not contain any pharmacodynamic and/or chemotherapeutic agents, these foreign substances interfere with testing and may mask the presence of other foreign substances.

1) If the laboratory finds a pharmaceutical aid in a post-race test sample of any horses of a trainer, the stewards shall impose a civil penalty not to exceed $1000.

2) If the presence of the pharmaceutical aid occurred due to the negligence of the veterinarian attending the horse, the veterinarian shall be penalized in addition to, or instead of, the trainer.

c) Any person who knowingly enters a horse in a race that carries in its body during the race any foreign substance, other than those substances listed in Sections 603.60 and 603.70, shall have his/her license suspended or revoked, and may also be subjected to a civil penalty.

Section 603.40 Twenty-four Hour Ban

Except as provided in Section 603.70:

a) No substance shall be administered to a horse entered to race by hypodermic injection within 24 hours prior to the scheduled post time for the race in which the horse is entered.

b) No foreign substance shall be administered to a horse entered to race, by oral administration, nasogastric tubing, topical administration that can penetrate the skin, rectal infusion, suppository, or inhalation,
within 24 hours prior to the scheduled post time for the race in which the horse is entered.

Section 603.50 Trainer Responsibility

a) Each trainer has the duty to guard or cause to be guarded each horse trained by him/her in such a manner as to prevent any person, including his/her veterinarian, from administering to such horse any foreign substance in violation of this Part.

b) Each trainer has the duty to be familiar with the medication rules of the Board, and reasonably familiar with the foreign substances he/she administers or directs his/her employees to administer, and that are administered by his/her veterinarian.

c) Each trainer has the duty to have each horse trained by him/her in its assigned security stall in accordance with 11 Ill. Adm. Code 436.

Section 603.55 Prima Facie Evidence

A determination by the laboratory of the presence of a foreign substance in a test sample shall constitute prima facie evidence that the trainer has violated Section 603.30(c) or has failed in the duties specified in this Part.

Section 603.60 Permitted Use of Foreign Substances and Threshold Levels

a) Non-Steroidal Anti-Inflammatories (NSAID): Threshold Levels

1) Only one non-steroidal anti-inflammatory drug (NSAID) may be present in a horse's body while it is participating in a race. The presence of more than one NSAID, greater than the threshold level, is forbidden and will result in the purse being redistributed.

2) Subject to the prohibition contained in Section 603.40 (24 hour ban), the only foreign substances that now meet the criteria established in Section 603.80 are phenylbutazone (or its metabolite oxyphenylbutazone), flunixin, pyrilamine, isoxsuprine and ketoprofen.

3) The threshold level of phenylbutazone shall be less than 5.0 micrograms (mcg) per milliliter (ml) of serum or plasma. The threshold level for oxyphenylbutazone shall be less than 5.0 mcg/ml of serum or plasma.

A) Within a 365 day period, in the event a post-race sample from a horse contains an amount of phenylbutazone or oxyphenylbutazone greater than or equal to 5.0 mcg/ml but less than 10.0 mcg/ml of serum or plasma, the trainer shall be subject to the following penalties absent mitigating circumstances:

i) first offense, minimum fine of $250;

ii) second offense, minimum fine of $500;

iii) third or subsequent offense, minimum fine of $1,000 and a 15 day suspension.

B) Within a 365 day period, in the event a post-race sample from a horse contains an amount of phenylbutazone or oxyphenylbutazone greater than or equal to 10.0 mcg/ml of serum or plasma, the trainer shall be subject to the following penalties absent mitigating circumstances:

i) first offense, minimum fine of $500 and the purse shall be redistributed;

ii) second offense, minimum fine of $1,000, a 15 day suspension and the purse shall be redistributed;

iii) third or subsequent offense, minimum fine of $2,500, a 30 day suspension and the purse shall be redistributed.

4) The threshold level of flunixin shall be less than 20.0 ng/ml of serum or plasma and the threshold level of ketoprofen shall be less than 10.0 ng/ml of serum or plasma. In the event a post-race sample from a horse contains an amount of:

A) flunixin greater than or equal to 20.0 ng/ml but less than 100.0 ng/ml or ketoprofen greater than or equal to 10.0 ng/ml but less than 50.0 ng/ml, the trainer shall be subject to the following penalties, within a 365 day period, and absent mitigating circumstances:

i) first offense, minimum fine of $250;

ii) second offense, minimum fine of $500;

iii) third or subsequent offense, minimum fine of $1,000 and a 15 day suspension.

B) flunixin greater than or equal to 100.0 ng/ml or ketoprofen greater than or equal to 50.0 ng/ml, the trainer shall be subject to the following penalties, within a 365 day period, and absent mitigating circumstances:

i) first offense, minimum fine of $500 and the purse shall be redistributed;

ii) second offense, minimum fine of $1,000, a 15 day suspension and the purse shall be redistributed;

iii) third or subsequent offense, minimum fine of $2,500, a 30 day suspension and the purse shall be redistributed.

5) If the phenylbutazone, oxyphenylbutazone, flunixin or ketoprofen overage is due to the negligence of the veterinarian attending the horse, the veterinarian shall be subject to the same penalties as are set forth in subsections (a)(3)(A) and (B) and (a)(4)(A) and (B).

6) To help horsemen determine the test levels of phenylbutazone, oxyphenylbutazone, flunixin, pyrilamine, isoxsuprine and ketoprofen, the Board laboratory will test, for the actual cost of processing the sample, all equine serum or plasma samples submitted to it that are accompanied by an affidavit indicating time, method, and route of administration.

7) Penalties for violations of this Section shall be based on the following criteria:

A) previous warnings and rulings for violations of this Section;

B) the age and experience of the violator;

C) whether the violator has ever been the subject of a medication ruling in this or any other racing jurisdiction;

D) what action, if any, was taken to avoid the violation;

E) the purse of the race.

b) The following foreign substances may be administered externally to a horse entered to a race: Leg paints and liniment that do not contain any "caine" derivatives, pharmacodynamic and/or chemotherapeutic agents, and that can be applied topically without penetrating the skin.

c) Subject to the prohibition contained in Section 603.40 (24-hour ban), the following foreign substances, commonly referred to as anti-bacterial, anti-fungal, anti-protozoal or anti-ulcer drugs, may be present in the body of a horse participating in a race.

1) Anti-Bacterials

Amikacin
Ampicillin
Ampicillin sodium
Azolsulfamide
Chloramphenicol
Doxycycline
Enrofloxacin (Baytril)
Erythromycin sulfate
Gentamicin sulfate
Kanamycin sulfate
Methenamine
Metronidazole
Neomycin sulfate
Nitrofurantoin
Oxytetracycline
Penicillin G. Benzathine
Penicillin G. Potassium
Sulfadimethozine
Sulfadimethoxine
Sulfamethoxazole
Sulfametranidazole
Sulfapyridine
Sulfathiazole
Tetracycline
Trimethoprim

2) Anti-Fungals

Amphotericin B
Griseofulvin
Neomycin Undecyclenate
Nystatin

3) Anti-Protozoals

Nitazoxanide (Navigator)
Ponazuril (Marquis)
Pyrimethamine (Daraprim)

4) Anti-Ulcers

Cimetidine (Tagamet)
Omeprazole (Prilosec or GastroGard)
Ranitidine (Zantac)

d) This listing of anti-bacterial, anti-fungal, anti-protozoal and anti-ulcer drugs is all inclusive and shall not include any other anti-bacterial, anti-fungal, anti-protozoal or anti-ulcer drug.

e) A foreign substance of accepted therapeutic value may be administered as prescribed by a veterinarian when threshold levels and guidelines for its use have been approved by the Board and this Part has been duly amended. The Board shall give due consideration to threshold levels and guidelines, when making additions to the permitted list, that have been established by the Quality Assurance Program Committee of the Association of Racing Commissioners International (ARCI, 1510 Newtown Pike, Suite 210, Lexington, KY 40511; July 2011 version 2.00; this incorporation includes no later amendments or editions).

f) Official test samples may contain the following drug substance, or its metabolites, in an amount that does not exceed the threshold level:

1) The threshold level of isoxsuprine shall be less than 1,000.0 ng/ml in urine.

2) The threshold level of pyrilamine shall be less than 50.0 ng/ml in urine.

g) The provisions of this Section shall be applied retroactively when substantively applicable, including all actions pending before the Board without regard to when the cause of action accrued; provided, however, that this subsection shall not operate to affect rights of individuals that have fully vested.

Section 603.70 Furosemide

a) The Board recognizes that Exercise Induced Pulmonary Hemorrhage (EIPH) is almost universal in performance horses. The Board also recognizes that the diuretic furosemide is helpful in the management of the EIPH syndrome, this includes horses that already had a bleeding episode as well as horses that have not yet exhibited the epistaxis. In regulating the race day use of furosemide, the Board has placed strict controls on the dose, route and time the medication is administered. Additionally, Board security personnel monitors these horses during and after the administration. Advances in drug testing techniques permit the Board laboratory to quantitate post-race serum samples for furosemide, providing a thorough regulation of the drug. All of these measures are designed to prevent the misuse of furosemide.

b) Eligibility for Furosemide Treatment

A horse is eligible to race with furosemide if at least one of the following occurs:

1) The horse is on the Illinois Furosemide List and has complied with subsection (c);

2) The horse is on the Illinois Bleeder List and has complied with subsection (d);

3) The trainer provides the State Veterinarian or his or her designee with evidence that the horse is on the Furosemide List or Bleeder List in another racing jurisdiction. Acceptable evidence shall be a furosemide or bleeder certificate approved by an official veterinarian. The certification date shall be the date shown on the furosemide or bleeder certificate;

4) The trainer provides the State Veterinarian or his or her designee with evidence that the horse has been running consistently, up to its last start, with furosemide in other racing jurisdictions as shown on the official past performance lines. Acceptable past performance lines for thoroughbreds and/or quarter horses shall be Equibase and/or Racing Form. Acceptable past performance lines for standardbreds shall be the official past performances of the United States Trotting Association (USTA) or Canadian Trotting Association (CTA) or the eligibility papers. The certification date shall be the earliest available date the horse shows running with furosemide on the official past performance lines. If the past performance lines of a horse show that the horse has been running on and off furosemide in other racing jurisdictions, the horse shall not be permitted to run with furosemide in Illinois, unless the occasions the horse ran without furosemide were due to rule restrictions imposed on the horse by those particular racing jurisdictions.

c) Furosemide List

Furosemide shall be administered to a horse that is entered to race only after the State Veterinarian has placed the horse on the Furosemide List. In order for a horse to be placed on the Furosemide

List, the following process shall be followed:

1) After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide, they shall notify the State Veterinarian or his or her designee, using the prescribed form provided by the Board, that they wish the horse to be placed on the Furosemide List.

2) The form must be received by the State Veterinarian or his or her designee no later than the time of entry to ensure public notification prior to race participation.

3) A horse placed on the Furosemide List must remain on that list until the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the State Veterinarian or his or her designee, on the proper form, no later than the time of entry.

4) After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined, in consultation with the State Veterinarian, to be detrimental to the welfare of the horse. If a horse is removed from the Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

d) Bleeder List

1) The State Veterinarian shall maintain a Bleeder List of all horses that have demonstrated:

A) External evidences of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout, as observed by an official veterinarian.

B) Internal evidences of exercise induced pulmonary hemorrhage via endoscopy reported by a licensed practicing veterinarian on a Board approved form.

2) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to race for the following time periods:

A) First incident – 14 days;

B) Second incident within a 365 day period – 30 days;

C) Third incident within a 365 day period – 180 days;

D) Fourth incident within a 365 day period – Barred from racing for its lifetime.

3) For the purposes of counting the number of days a horse is ineligible to run, the day the horse bled is the first day of the recovery period.

4) After the expiration of the barred periods in subsections (d)(2)(A), (B) and (C), a horse must perform a workout, without bleeding, to the satisfaction of the State Veterinarian. Prior to the workout, a blood sample may be collected by the State Veterinarian and sent to the Board laboratory for testing. After the workout, the State Veterinarian may witness an endoscopic examination of the horse to confirm that it has not bled.

5) All horses on the Bleeder List that are eligible to race shall be administered furosemide pursuant to subsection (f).

e) Furosemide Administration

1) All horses on the Furosemide List must be treated with furosemide in order to be permitted to participate in a race.

2) Furosemide shall be administered between 4 hours and 15 minutes and 3 hours and 45 minutes prior to the scheduled post time of the race in which a horse is entered.

3) A Board licensed veterinarian shall administer not less than 150 mg and not more than 500 mg of furosemide by single intravenous injection and shall verify the administration on Board prescribed affidavits no later than one hour prior to the post time for the race for which the horse is entered.

4) The trainer or his or her licensed employee shall witness the furosemide administration.

5) The administration of furosemide may take place in the horse's own stall or in a centralized location.

6) Failure to administer furosemide in accordance with subsection (e)(2) may result in the horse being scratched from the race by the Stewards and the trainer may be fined not less than $200 and not more than $500.

f) Removal from Bleeder List

1) Once a horse is placed on the Bleeder List, it must continue to race with furosemide unless the removal from the list is approved by the State Veterinarian. The State Veterinarian may remove a horse from the Bleeder List upon written request of the trainer if the horse's performance is negatively affected by the use of furosemide or if the horse has an adverse physiological reaction to furosemide.

2) Once removed from the Bleeder List, a thoroughbred horse shall be

ineligible to participate in a race for a minimum of 30 days. A standardbred horse shall be ineligible for a minimum of 14 days. The ineligibility period shall be counted from the day the State Veterinarian approves the removal of the horse from the Bleeder List. Prior to starting in a race, a horse must participate without furosemide in a qualifying race or perform an official workout without bleeding, to the satisfaction of the State Veterinarian. Prior to the qualifying race or workout, a blood sample may be collected by the State Veterinarian and sent to the Board laboratory for testing. After the qualifying race or workout, the State Veterinarian may witness an endoscopic examination of the horse to confirm that it has not bled.

g) Absence of Furosemide

In the event a horse listed on the furosemide list races without furosemide, the horse shall be disqualified and any purse money earned by the horse redistributed. In addition, the stewards may suspend or fine the trainer and/or veterinarian not less than $200 and not more than $1,500.

h) Excessive Use of Furosemide

1) The test level for furosemide shall not be in excess of 100 nanograms (ng) per milliliter (ml) of serum or plasma.

2) The first time the laboratory reports an amount of furosemide in excess of 100 nanograms, the trainer shall be fined $250.

3) The second time the laboratory reports an amount of furosemide in excess of 100 nanograms within 365 days after the first offense, the trainer shall be fined $500.

4) For a third or subsequent laboratory report of an amount of furosemide in excess of 100 nanograms within 365 days after

the first offense, the trainer shall be fined $1,000 and/or suspended for 15 days and the purse shall be redistributed.

5) When imposing penalties, the stewards shall consider the criteria in Section 603.160(b)(3), (4), (5) and (6) of this Part.

i) Trainer's Responsibilities for Horses on the Furosemide List

1) The trainer shall be responsible for:

A) providing the racing office at the time of entry with accurate information regarding the use of furosemide on horses he/she

enters to race;

B) providing the information required for furosemide approval of his/her horses to Board staff coordinating the administration of furosemide;

C) notifying his/her veterinarian of furosemide horses and the date and times for race day treatment;

D) having horses on the furosemide list stabled at the barn and in the stall assigned by the Racing Secretary or his/her designee;

E) posting a "Security Stall" sign on the stalls of his/her horses entered to race (see 11 Ill. Adm. Code 436);

F) ensuring horses are treated with furosemide on race day at the prescribed time, witnessing the administration of furosemide and guarding the horse until the horse is taken to the paddock (see 11 Ill. Adm. Code 436).

2) The stewards may suspend the trainer or assess a fine of no less than $200 and no more than $500 for violation of this subsection (i).

j) Veterinarian's Responsibilities

1) The practicing veterinarian shall be responsible for:

A) administering the proper furosemide medication and dose at the proper time to the proper horse.

B) providing Board staff, upon request, with any documentation related to horses that are stabled on approved facilities and medication samples and/or
paraphernalia used to administer any medication to a horse. Samples and/or paraphernalia may be sent to the Board laboratory for testing.

2) The stewards may suspend the veterinarian or assess a fine of no less than $200 and no more than $500 for violations of this subsection (j).

k) Security

1) Each horse racing with furosemide shall be detained in a stall assigned by the Racing Secretary at least 4 hours and 15 minutes before the post time of the race in which it is entered, and shall remain in the stall until taken to the paddock to be saddled or harnessed for the race, except that

the stewards may permit horses to leave the "security stall" to engage in exercise blow-outs or warm-up heats.

2) The barn area is a secure area and shall be under the supervision of the Board.

3) No unauthorized person shall approach the security area. If any unauthorized person does approach the security area, a report of the incident is to be made immediately to one of the State Veterinarians, the stewards or a Board investigator.

4) Board staff may direct a veterinarian to take a blood sample immediately prior to the administration of furosemide to be submitted to the Board's laboratory for analysis.

5) Board staff may collect from a veterinarian the syringe containing any medication about to be administered to a horse for testing at the Board laboratory.

l) This Section shall apply to all horses entering in and competing in race meetings as defined in Section 3.07 of the Act [230 ILCS 5/3.07], as well as all horses shipping in from other racing jurisdictions, domestic or foreign.

Section 603.75 Environmental Contaminants

The following drugs are recognized as substances that unavoidably become part of the food supply or environment of the horse.

a) Benzoylecgonine (a metabolite of cocaine):

1) Each time the laboratory reports benzoylecgonine less than 150.0 ng/ml, the Stewards shall conduct an inquiry. The presence of benzoylecgonine in the horse shall be considered reasonable cause to order a drug screen on the trainer, groom or any other licensed person who cares for the horse pursuant to Section 508.50.

2) Laboratory reports of benzoylecgonine, greater than or equal to 150.0 ng/ml, shall be treated as a Class 1 drug, as defined in the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances (ARCI, 1510 Newtown Pike, Suite 210, Lexington, KY 40511; July 2011 version 2.00; this incorporation includes no later amendments or editions).

b) Dimethyl Sulfoxide (DMSO):

The test level of DMSO, greater than or equal to 500 mcg/ml, in urine shall be considered a violation of Section 603.50 and the trainer shall receive a fine of not less than $500 and the purse shall be redistributed.

Section 603.80 Possession of Needles, Syringes and Injectables Prohibited

a) No person, except a veterinarian, shall have in his possession, within any race track enclosure, any hypodermic syringe, needle or any other instrument capable of being used for the injection of any chemical substance into any horse, except as provided herein.

b) Any person may possess, on the grounds of an organization licensee, any hypodermic syringe or needle for the purpose of administering to himself a chemical substance provided that a person has notified the state stewards in writing:

1) of the possession of such device,

2) of the size of such device, and

3) of the chemical substance to be administered by such device.

c) No person, except a veterinarian, shall have in his possession on the grounds of an organization licensee, any substance prepared for the purpose of being injected into any animal or human, except as provided in this subsection (c). Any person may possess, on the grounds of an organization licensee, any chemical substance for use on his/her own person, provided that, if such chemical substance is a prescription drug, such person is in possession of documentary evidence that a valid prescription for such prescription drug has been issued to such person.

Section 603.90 Drugs, Chemicals and Prescription Items

a) No veterinarian or any other person shall have in his or her possession or administer to any horse within any race track enclosure any chemical substance that:

1) has not been approved for use on equines by the Food and Drug Administration, pursuant to the Federal Food, Drug and Cosmetic Act (21 USC 301 et seq.) and implementing regulations, without prior written approval from the State Veterinarian and Executive Director or his or her designee;

2) is on any of the schedules of controlled substances prepared by the Attorney General of the United States pursuant to 21 USC 811 and 812, without prior written approval from the State Veterinarian and

Executive Director or his or her designee; or

3) the possession and/or use, on the premises of a facility under the jurisdiction of the Board, of any drug, substance or medication specified in this subsection (a)(3) for which a recognized analytical method has not been developed to detect and confirm its administration, or the use of which may endanger the health and welfare of the horse or the safety of the rider or driver.

A) Erythropoietin (EPO)

B) Darbepoietin

C) Snake venom

D) Snail venom

E) Bee Venom

b) The State Veterinarian and Executive Director or his or her designee shall not give approval under subsection (a) unless the person seeking approval can produce evidence in recognized veterinary journals or by recognized equine experts that the chemical substance has a beneficial, therapeutic use in horses.

c) No person except a veterinarian shall have in his or her possession within a race track enclosure any prescription drug, except as provided in this Section.

d) A person may possess a prescription drug for animal use if:

1) The person possesses, within the race track enclosure,

documentary evidence that a prescription has been issued for the prescription drug;

2) The prescription contains a specific dosage for the particular horse or horses to be treated by the prescription drug; and

3) The horse or horses named in the prescription are in that person's care within the race track enclosure.

Section 603.100 Detention Barn

Every organization licensee shall provide a detention barn where test samples shall be taken under the supervision of the State Veterinarian. The detention barn shall satisfy standards prescribed by the State Veterinarian and shall be approved by the Board. In

addition, every organization licensee shall furnish, during racing hours, a guard whose duty shall be to assist Board employees in the detention barn. The guard shall remain on duty until the last specimens have been taken for that racing day. All persons who wish to enter the detention barn area must be a minimum of 16 years old, be currently licensed by the Board and have a legitimate reason for being in the detention barn area.

Section 603.110 Test Samples

a) The winning horse in every race and any other horse or horses selected at the discretion of the stewards, shall have taken from it test samples.

b) Any person having the care, custody, and/or control of any horse who shall refuse to submit such horse for test samples shall have his license suspended for not less than 30 days and such horse shall be disqualified.

c) Test samples shall be taken under the supervision of the State veterinarian by persons appointed by the Board. During the taking of such test samples, the owner or trainer or his/her representative or employee shall be present at all times.

d) The test samples shall be sealed by the State veterinarian or those under his/her supervision and the evidence of such sealing shall be witnessed by the signature of the owner or trainer or his/her agent or employee.

Section 603.120 Referee Samples

a) For each horse tested, one portion of the test sample (hereinafter referred to as the "referee sample") shall be preserved by the laboratory. The referee sample shall be available for testing at the request of the owner, trainer or other person charged with a violation of these rules. The referee sample may also be tested by the Board laboratory.

b) If the owner, trainer or other person charged with a violation of this Section desires to send the referee sample to another laboratory for testing, the cost of shipment and of testing at another laboratory shall be borne by the person requesting the additional tests.

c) If the owner, trainer or other person charged with a violation of this Section desires additional testing to be performed by the Board laboratory, the cost of the testing shall be borne by the person requesting the additional tests.

d) Whenever a referee sample is opened, a portion of that test sample shall be preserved by the Board laboratory in case further testing is requested.

Section 603.130 Laboratory Findings and Reports

a) If the laboratory determines that a foreign substance, or any metabolite thereof, is a constituent in a test sample, the laboratory shall report such determination to the Executive Director of the Board, the stewards and to the state veterinarian.

b) If the laboratory analysis of a test sample is concluded after the end of a meet in which the test sample was taken, the laboratory shall make its report or finding to the Executive Director of the Board. The Executive Director shall refer such report or finding to the stewards at another race meeting or directly to the Board. In making such referral, the Executive Director shall consider the location of the trainer, the availability of stewards, and the Board's schedule for hearings.

Section 603.140 Distribution of Purses

a) The Board recognizes that occasionally post-race specimens do not reach the laboratory within 72 hours nor can all samples be thoroughly analyzed within 72 hours. However, as a convenience to horsemen, all purse money shall be distributed no later than 72 hours after a race, unless the laboratory has issued a report to the stewards pursuant to these rules.

b) The fact that purse money has been distributed prior to the issuance of a laboratory report shall not be deemed a finding that no foreign substance has been administered in violation of these rules to the horse winning such purse money.

c) Upon receipt of a positive laboratory report, the stewards or the Executive Director of the Board shall immediately direct that no purse money shall be awarded to the horse in question pending a final determination by the stewards or the Board of the accuracy of the laboratory's report. The stewards or the Executive Director of the Board shall notify the owner, trainer, and any other person having care or custody or control of the horse. If the purse money has been distributed, the stewards or the Executive Director shall order it returned pending determination of the accuracy of the laboratory's report. The stewards or the Executive Director of the Board shall proceed to conduct an inquiry or the Board shall conduct an inquiry or hearing.

d) If the report of a laboratory is not contested or if the stewards or the Board determine that the laboratory report is accurate, all purse money won by the horse in the race in question shall be forfeited and redistributed among the remaining horses according to their order of finish, except as provided in Section 603.160. No such forfeiture and redistribution shall affect the distribution of pari-mutuel pools.

e) If no positive laboratory report has been issued to the stewards or the Board within 60 days after the date of a race, the owner of a horse shall become legally entitled to the money in the purse and it shall be conclusively presumed that the conditions precedent to such entitlement have been met. Provided, however, positive laboratory reports issued more than 60 days after the date of a race may be considered by the stewards or the Board as evidence of a rule violation under Sections 603.50, 603.60, or 603.70.

f) If a positive laboratory report has been issued, whatever remains of that particular test sample shall be retained until all legal proceedings have been concluded.

Section 603.150 Post Mortems

a) Every horse which suffers a breakdown on the race track in training or in competition, and is destroyed, and every other horse which expires while stabled on the race track under the jurisdiction of the Board, shall undergo post-mortem examination at a time and place acceptable to the official veterinarian to determine the injury or sickness which resulted in euthanasia or natural death, except as provided herein:

1) In the case of breakdowns, an examination of the affected area by a licensed veterinarian in the presence of, and in consultation with, the official veterinarian shall be sufficient; however, test samples shall be required.

2) A post-mortem shall not be required if in the opinion of the State veterinarian a post-mortem is impractical or not necessary; however, test samples shall be required.

3) Post-mortems shall not be required when death is due to fire.

b) The post-mortem examination required under this Section shall be conducted by a veterinarian employed by the owner or the horse's trainer in the presence of and in consultation with an official veterinarian.

c) Test samples must be obtained from the carcass upon which the post-mortem examination is conducted and shall be sent to the Illinois Racing Board laboratory for testing for foreign substances and natural substances at abnormal levels. When practical, blood and urine samples should be procured prior to the euthanasia.

d) The owner of the deceased horse shall make payment of reasonable charges due to the veterinarian employed to conduct the post-mortem examination. The services of the State veterinarian and the laboratory testing of post-mortem samples shall be made available by the Board without charge to the owner.

e) A record of every such post-mortem shall be filed with the State veterinarian, or with the Board if the race meeting has ended, by the owner's veterinarian within 72 hours of the death and shall be submitted on a form supplied by the Board.

f) Each owner and trainer accepts the responsibility for the post-mortem examination provided herein as a requisite for maintaining the occupational license issued by the Board.

Section 603.160 Penalties

a) Any person who administers or conspires to administer any foreign substance to any horse in violation of this Part shall be subject to a fine and/or license suspension or revocation and the purse money won may be re-distributed.

b) Penalties for violations of this Part shall be based on the following criteria:

1) the nature of the foreign substance; e.g., cough medicine,

steroid, narcotic, stimulant, depressant, etc.;

2) the accessibility of the drug; e.g., can be purchased over the counter, only with a prescription, only with a license for controlled substances, cannot be purchased in this country;

3) the age and experience of the violator;

4) whether the violator has ever been the subject of a medication ruling in this or any other racing jurisdiction;

5) what action, if any, was taken by the violator to avoid the violation;

6) the purse of the race.

c) Any person who violates any provision of this Part for which no specific penalty is provided may be penalized by the stewards or the Board in accordance with the provisions for penalties contained elsewhere in this Chapter or in the Illinois Horse Racing Act of 1975. When imposing penalties, the stewards or the Board shall consider all relevant factors including, but not limited to those specified in this Part.

d) In harness racing, any trainer suspended for a violation of this Part, shall, upon notice of the violation, submit to the Stewards a current stable list on a form provided by the Board.

1) The horses on the stable list shall be placed on the Steward's List unless:

A) The owner of each horse on the stable list secures the services of a trainer approved by the Stewards; and

B) The approved trainer stables the horses on the stable list on the grounds of an organization licensee for the full term of the penalized trainer's suspension;

2) Horses on the stable list shall be permitted to leave to race in other racing jurisdictions or for medical reasons.

e) Penalties for Class 4 and 5 drug violations:

1) Class 4 as defined in the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances (ARCI, 1510 Newtown Pike, Suite 210, Lexington, KY 40511; July 2011 version 2.00; this incorporation includes no later amendments or editions). Except as provided in Sections 603.60 and 603.70 of this Part, upon finding of a Class 4 substance, the trainer shall be subject to a fine and/or license suspension or revocation and the purse money won may be re-distributed according to the criteria set forth in subsection (e)(3).

2) Class 5 as defined in the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances. Except as provided in Sections 603.75 and 603.60(c) of this Part, upon finding of a Class 5 substance, the trainer shall be subject to a fine and/or license suspension or revocation and the purse money won may be re-distributed according to the criteria set forth in subsection (e)(3).

3) In determining a disqualification and purse redistribution under this subsection (e), the Stewards shall use the following criteria:

A) A recommendation by the Board veterinarian and/or Board chemist regarding the significance of the concentration of the drug or metabolite present and the estimated withdrawal time.

B) A recommendation by industry experts, including equine pharmacologists and equine physiologists, regarding the effect of the drug on the horse in the concentration found and/or estimated withdrawal times.

C) Repeat violations of these medication and prohibited substance rules by the same trainer or with respect to the same horse.

D) Prior violations of similar rules in other racing jurisdictions by the same trainer or with respect to the same horse.

E) The criteria set forth in subsection (b).

4) The provisions of this subsection (e) shall be applied retroactively when substantively applicable, including all actions pending before the Board, without regard to when the cause of action accrued; provided, however, that this subsection (e)(4) shall not operate to affect rights of individuals that have fully vested prior to April 23, 2007.

Section 603.170 Veterinarian's Records

a) All veterinarians licensed by the Board shall maintain records which accurately reflect: all purchases of medication, name of each horse treated, date of the treatment, method of administration, and prescription of medication and name of the trainer. All veterinarians shall also retain duplicate copies of their bills or statements to trainers or owners.

b) These records shall be retained for at least three years and shall be made available for inspection upon request of the Board or its representative.

Section 603.180 Carbon Dioxide Tests

a) The Board recognizes that an excess level of total carbon dioxide (TCO_2) in the race horse is considered adverse to the best interests of racing and adverse to the best interest of the horse in that such condition alters its normal physiological state.

b) Blood samples for TCO_2 levels may be drawn pre-race and/or post-race.

c) The TCO_2 level in the blood shall be less than 37.0 millimoles per liter, plus the measurement uncertainty of the laboratory analyzing the sample.

d) In the event a blood sample from a horse contains an amount of TCO_2 that is equal to or exceeds the levels described in subsection (c), the following penalties shall apply:

1) The first time the laboratory reports an excessive TCO_2 level, the trainer shall be fined not less than $500 and not more than $1,000, the purse shall be redistributed and the trainer shall be ordered suspended for at least 15 days but not to exceed 60 days. In addition, the horse shall be subject to "early detention" for a period identical to the length of the trainer's suspension. Early detention in Illinois shall be defined as pre-race guarded quarantine, on the grounds of the Illinois organization licensee, beginning no less than 6 ½ hours prior to the scheduled post time for the horse's race.

2) The second time the laboratory reports an excessive TCO_2 level in a 365

day period in any jurisdiction, the trainer shall be ordered suspended for at least 30 days but not to exceed 180 days and fined not less than $1,000 and not more than $2,500 and the purse shall be redistributed. In addition, the horse shall be subject to early detention in Illinois for a period identical to the length of the trainer's suspension.

3) For a third or subsequent report of an excessive TCO_2 level in a 365 day period in any jurisdiction, the trainer shall be ordered suspended for at least 60 days but not to exceed 365 days and fined not less than $2,500 and not more than $5,000 or 5% of the purse (greater of the two) and the purse shall be redistributed. The horse shall be subject to early detention in Illinois for a period identical to the length of the trainer's suspension. In addition, absent mitigating circumstances, the owner shall be fined $5,000.

e) If the levels of TCO_2 are determined to equal or exceed those set forth in subsection (c), and the licensed owner or trainer of that horse contends in writing to the stewards within 24 hours after notification of the results that such levels are physiologically normal for that particular horse, the licensee may, by such writing, request that the horse be held in quarantine. In the event quarantine is requested, the organization licensee shall make guarded quarantine available, for a period of time to be determined by the stewards but in no event more than 72 hours, at the sole expense of the licensee. During any quarantine, the horse shall be re-tested periodically and, although the horse may not race during the quarantine period, it shall be exercised and trained at times prescribed by the organization licensee, consistent with the ability to monitor the horse. The horse will only be fed hay, oats and water during the quarantine period. If the stewards are satisfied, on the basis of the evident facts, the quarantine, and the testing of the horse's blood during the quarantine period, that the level of TCO_2 set forth in subsection (c) is physiologically normal for that particular horse, the stewards shall not order the penalty set forth in subsection (d).

f) The provisions of Section 603.120 (Referee Samples) shall not apply to blood samples drawn for purposes of carbon dioxide testing. Split sample analyses of TCO2 must be run in parallel with the official sample at the official laboratory in order to avoid delays in testing that result in lower TCO2 values as a result of sample degradation.

Section 603.190 Erythropoietin and Darbepoietin Antibody Testing Program

A finding by the Illinois Racing Board Equine Testing Laboratory, or other Board-approved laboratory, that a pre-race or post-race sample taken from a horse entered to start in a race has high titers of antibodies against erythropoietin or darbepoietin, utilizing the anti-recombinant human EPO antibody test, shall establish that the horse is unfit to race in any subsequent race and shall result in the following actions by the Board:

a) The Stewards shall be notified of the name of the horse for placement on the Stewards' list. The horse shall not be entered or allowed to race in any subsequent race until the horse has tested negative for the antibodies of erythropoietin or darbepoietin. An owner or trainer whose horse has tested positive for high titers of erythropoietin or darbepoietin antibodies may not request the horse be retested until 21 days following the date of the initial positive test.

b) All requests after the initial positive test for the retesting of a horse shall be in writing and directed to the Stewards, accompanied by a $50 payment for administrative and testing costs. Following receipt of a timely request for retesting, the presentation of the horse at a permitted racetrack premises in the State of Illinois approved by the Stewards, and the receipt of the $50 retesting fee, the Stewards shall direct the State Veterinarian to take a blood sample from the horse for the purpose of retesting.

c) A horse shall not be subject to disqualification from the race, or from any share of the purse in the race, nor shall the trainer of the horse be subject to a penalty based solely upon a finding by the laboratory that the antibody of erythropoietin or darbepoietin was present in the sample taken from that horse.

d) A horse that tests positive with the anti-recombinant human EPO antibody test remains subject to the requirements of this Section despite being sold or otherwise transferred.

e) The split sample testing provisions of Section 603.120 shall not be applicable to erythropoietin or darbepoietin antibody testing conducted pursuant to this Section.

Section 603.200 Out of Competition Testing

a) Any horse on the grounds of a racetrack under the jurisdiction of the Board, or stabled off-track, while under the care or control of a trainer or owner licensed by the Board, is subject to testing for blood and/or gene doping agents, with reasonable notice. This Section does not apply to therapeutic medications approved by the FDA for use in the horse.

b) Horses to be tested may be selected at random, with probable cause, or as determined by the Board for out of competition testing. The trainer is responsible to have the horse or horses available at a designated time and location (racetrack).

c) The Board Veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the Board, may, at any time, take a urine, blood or hair sample from a horse for out of competition testing.

d) Prohibited substances, practices and procedures are defined as:

1) blood doping agents including, but not limited to, erythropoietin (EPO), darbepoetin, oxyglobin, hemopure, aranesp, or any substance that abnormally enhances the oxygenation of body tissues.

2) gene doping agents or the non-therapeutic use of genes, genetic elements, and/or cells that have the capacity to enhance athletic performance or produce analgesia.

e) Cooperation with the Board Veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the Board, includes:

1) assisting in the immediate location and identification of the horse selected for out of competition testing;

2) providing a stall or safe location to collect the samples;

3) assisting the veterinarian in properly procuring the samples; and

4) obeying any instructions necessary to accomplish the requirements of this Section.

f) Referee samples will be collected pursuant to Section 603.120.

g) The Board may suspend, exclude and/or otherwise penalize any licensee or other person who does not fully cooperate with a Board employee or representative while taking action to enforce this Section.

h) Out of competition samples will be sent to the official laboratory of the Board, or other laboratory as designated by the Board.

Section 603.210 Androgenic - Anabolic Steroids (AAS)

a) No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of stanozolol, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the indicated thresholds.

b) Concentrations of these AAS shall not exceed the following threshold concentrations for total (i.e., free drug or metabolite and drug or metabolite liberated from its conjugates) drug:

1) In urine:

A) 16ß-hydroxystanozolol (metabolite of stanozolol (Winstrol)) – 1

ng/ml in urine for all horses regardless of sex.

B) Boldenone (Equipoise® is the undecylenate ester of boldenone) in male horses other than geldings; – 15 ng/ml in urine. No boldenone shall be permitted in geldings or female horses.

C) Nandrolone (Durabolin® is the phenylpropionate ester and Deca-Durabolin® is the decanoate ester) –

i) In geldings - 1 ng/ml in urine.

ii) In fillies and mares – 1 ng/ml in urine.

iii) In males horses other than geldings – 45 ng/ml of metabolite , 5α-oestrane-3β,17α-diol in urine.

D) Testosterone -

i) In geldings – 20 ng/ml in urine.

ii) In fillies and mares – 55 ng/ml in urine.

iii) Male horses other than geldings will not be tested; or

2) In plasma:

A) Stanozolol – screening limit no greater than 100 pg/ml in serum or plasma with a confirmatory threshold no greater than 25 pg/ml for all horses regardless of sex.

B) Boldenone – screening limit no greater than 100 pg/ml in serum or plasma with a confirmatory threshold no greater than 25 pg/ml for all horses regardless of sex.

C) Nandrolone – screening limit no greater than 100 pg/ml in serum or plasma with a confirmatory threshold no greater than 25 pg/ml for geldings and fillies and mares. Male horses other than geldings will not be tested.

D) Testosterone -

i) In geldings – screening limit no greater than 100 pg/ml in serum or plasma with a confirmatory threshold no greater than 25 pg/ml.

ii) In fillies and mares – screening limit no greater than 100 pg/ml in serum or plasma with a confirmatory threshold no greater than 25 pg/ml.

iii) In male horses other than geldings –confirmatory threshold no greater than 2,000 pg/ml in serum or plasma.

c) All other AAS are prohibited in racing horses.

d) Post-race urine and blood samples collected from intact males must be identified to the laboratory.

e) Any horse to which an anabolic steroid has been administered in order to assist in the recovery from illness or injury may be placed on the veterinarian's list in order to monitor the concentration of the drug or metabolite in urine. After the concentration has fallen below the designated threshold for the administered AAS, the horse is eligible to be removed from the list.

SOURCE: Adopted at 21 Ill. Reg. 3232, effective March 4, 1997; amended at 22 Ill. Reg. 2217, effective January 1, 1998; amended at 22 Ill. Reg. 3594, effective February 1, 1998; amended at 25 Ill. Reg. 15611, effective December 1, 2001; amended at 26 Ill. Reg. 12360, effective August 1, 2002; amended at 27 Ill. Reg. 5027, effective March 7, 2003; amended at 27 Ill. Reg. 7331, effective April 15, 2003; amended at 28 Ill. Reg. 1374, effective January 19, 2004; amended at 28 Ill. Reg. 4751, effective March 1, 2004; emergency amendment at 28 Ill. Reg. 7565, effective May 11, 2004, for a maximum of 150 days; emergency expired October 7, 2004; amended at 28 Ill. Reg. 11250, effective August 1, 2004; amended at 28 Ill. Reg. 15790, effective December 1, 2004; emergency amendment at 29 Ill. Reg. 2779, effective February 22, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 4116, effective February 25, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 5726, effective April 8, 2005; amended at 29 Ill. Reg. 12265, effective July 24, 2005; amended at 29 Ill. Reg. 14038, effective September 1, 2005; emergency amendment at 30 Ill. Reg. 14371, effective August 21, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18729, effective November 20, 2006; amended at 31 Ill. Reg. effective January 1, 2007; emergency amendment at 31 Ill. Reg. 6680, effective April 23, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 12982, effective September 1, 2007; amended at 32 Ill. Reg. 7397, effective May 1, 2008; amended 33 Ill. Reg. 12571, effective August 25, 2009; expedited correction at 34 Ill. Reg. 7570, effective August 25, 2009; emergency amendment at 35 Ill. Reg., effective December 17, 2010 for a maximum of 150 days; emergency amendment at 35 Ill. Reg. 2810, effective January 26, 2011, for a maximum of 150 days; amended at 35 Ill. Reg. 7400, effective April 25, 2011; amended at 35 Ill. Reg. effective May 23, 2011; amended by emergency rulemaking at 35 Ill. Reg., effective September 6, 2011.

PART 605
HORSE HEALTH

Section

605.10 State Veterinarian and Veterinarian's List
605.20 Report Deceased and Sick Horses
605.30 Observe Sanitary, Safety, Humane Rules
605.40 Valid Health Certificate
605.50 Coggins Test
605.60 Equine Herpesvirus (EHV-1)
605.70 Sterile Equipment and Disposable Needles
605.80 Bandages
605.90 Humane Treatment of Horses
605.100 Pest Control and Clean Equipment

Section 605.10 State Veterinarian and Veterinarian's List

a) The State Veterinarian shall report to the Stewards all examinations and inspections of any horse or premises under the jurisdiction of the Board.

b) The State Veterinarian shall establish procedures, relative to this Part, that will govern all practicing veterinarians at the race track.

c) The State Veterinarian shall be consulted about any alleged violations of this Part. Investigations will be made and reported promptly to the Board. The Board shall suspend or revoke the license of any person violating this Part.

d) The State Veterinarian shall maintain a veterinarian's list and any horse excused through sickness or disability shall be placed on the list. Any horse placed on the list shall not be permitted to enter or start in a race until its name is removed from the list.

e) In thoroughbred racing, horses shall remain on the veterinarian's list at least five calendar days, unless, in the opinion of the State Veterinarian its name should be removed earlier. A workout at a distance specified by the State Veterinarian may be required prior to removing a horse from the list.

f) At the close of each meeting, the State Veterinarians shall make a written report to the Board of the conditions of the meeting and any recommendations they deem advisable.

Section 605.20 Report Deceased and Sick Horses

a) The attending veterinarian and the trainer shall report immediately to the State Veterinarian:

1) Castrations, neurectomies, and all major surgical procedures.

2) Contagious and "exotic" appearing diseases.

3) Deceased horses.

4) Sick or disabled horses.

b) No deceased or sick horse may be removed from the grounds of a licensed race track operator without the prior approval of the State Veterinarian's office.

Section 605.30 Observe Sanitary, Safety, Humane Rules

A trainer shall see to it that the stables and immediate surrounding area assigned to him or her are sanitary at all times and that the humane laws of the State of Illinois are observed, and that the fire prevention rules (especially no-smoking in the stable area) are strictly observed at all times. Constant misuse of property will be considered when stall assignments are made.

Section 605.40 Valid Health Certificate

A certificate of veterinary inspection and entry permit are not required for Illinois equine. Illinois equine traveling out of the State, for 30 consecutive days or less, on an Illinois certificate of veterinary inspection are not required to obtain a permit to return home. If, however, Illinois equine are out of the State longer than 30 days (i.e., boarding, training), a certificate of veterinary inspection issued by the state where the animal has been residing and an entry permit will be required. Once an animal has been out of the State longer than 30 days, it is no longer recognized as being an Illinois native animal. All equine entering Illinois for any reason other than slaughter must be accompanied by a negative test for equine infectious anemia (EIA) conducted within a year if the animal is more than one year of age, certificate of veterinary inspection issued by an accredited veterinarian within 30 days prior to entry, and an entry permit number issued by the Illinois Department of Agriculture. The organization licensee shall be responsible for compliance with this Section.

Section 605.50 Coggins Test

Horses racing in Illinois must have a negative ELISA test (Coggins test) for equine infectious anemia (EIA) done at least once every 12 months. A current negative test certificate from a laboratory, approved by the U.S. Department of Agriculture, must be on file with the Racing Secretary. Trainers or owners shall not enter or start a horse unless the horse has a current negative Coggins test certificate on file with the Racing Secretary. Trainers or owners that do so shall be fined pursuant to the Illinois Horse Racing Act of 1975. Horses having a positive Coggins test must be removed from the race track under the direction of the State Veterinarian.

Section 605.60 Equine Herpesvirus (EHV-1)

All horses, including ponies, entering or stabling on the grounds of any pari-mutuel racetrack in Illinois shall have documented proof of EHV-1 vaccination administered within the prior 180 days. No entries shall be accepted by the Racing Secretary without documented proof of a current EHV-1 vaccination. The Racing Secretary shall maintain records to substantiate current vaccinations of all horses entering or stabling on the grounds.

Section 605.70 Sterile Equipment and Disposable Needles

a) Veterinarians practicing on a race track where a race meet is in progress or imminent shall use one time disposable needles and shall dispose of them in an approved manner. All types of instruments used on horses, including surgical, tattooing, dental and similar items, must be properly cleaned and sterilized.

b) No person, other than a licensed veterinarian may have a needle or syringe of any kind, type or description, or an injectable drug, on his or her person or in his or her custody, or in the control, custody or possession of any of his or her employees.

Section 605.80 Bandages

The paddock judge or paddock veterinarian shall inspect bandages just prior to the participation in a race of the horse on which they are used. The judge or veterinarian may order removal and replacement of bandages if they see fit to do so. Any circumstances in the use of bandages that indicate fraud shall be reported to the Stewards. In thoroughbred racing, cold water bandages, ice-boots, or bandages of a similar nature must be removed when a horse enters the paddock for a race and may not be used for racing purposes.

Section 605.90 Humane Treatment of Horses

a) No person shall subject any animal to any form of cruelty, mistreatment, neglect, abuse, abandonment, or injury on the grounds of an organization licensee.

b) No person shall deprive any animal of necessary care, sustenance, shelter or veterinary care on the grounds of an organization licensee.

Section 605.100 Pest Control and Clean Equipment

a) The race track operator shall maintain systematic, effective control against flies, mosquitoes, other insects and rats at all times during a meeting. Horses must be stabled in individual box stalls with appropriate feeding and watering facilities. Stables and immediate surrounding areas must be

disinfected and kept in a sanitary condition at all times. Satisfactory drainage must be provided and manure and other refuse must be promptly and properly removed. These regulations apply to any stabling areas that the Board has approved for the race track operator. The Board or its official representatives will make periodic inspections of a track. Failure to comply with sanitary practices or to provide any pest control will result in loss of racing dates.

b) The race track operator shall maintain paddocks, starting gates and other equipment subjected to contact by different animals so that they are disinfected, kept in a clean condition, and kept in a safe condition that does not endanger animals.

SOURCE: Adopted at 31 Ill. Reg. 16505, effective December 1, 2007.

PART 719
STARTER ALLOWANCE RACES

Section

719.20 Starter Allowance Races

Section 719.20 Starter Allowance Races

A starter allowance race is a race based upon a horse having previously started for a specified claiming price. The racing Secretary may establish other conditions, such as a qualifying date, for a starter allowance race.

SOURCE: Adopted and codified at 7 Ill. Reg. 5228, effective April 1, 1983; amended at 24 Ill. Reg. 12728, effective August 1, 2000.

PART 720
THOROUGHBRED OFF TRACK STABLING RULES

Section

720.10 Definitions
720.20 Filing for Permission to Operate
720.30 Time Limitation
720.40 Jurisdiction of the Board
720.50 Registration With Racing Secretary Required
720.60 Who May Apply
720.70 Licensing of Facility and Personnel
720.80 Board Rules and Regulations Apply
720.90 Criteria for Approval
720.100 Participation in Races

Section 720.10 Definitions

"Off-track stabling" means any farm, any Illinois race track not licensed by the Board in the current calendar year, or any other location designated and approved for the purpose of stabling horses to be raced at a race track under the jurisdiction of the Board. The grounds of organization licensees in Illinois and recognized meetings in other jurisdictions shall not be considered off-track stabling.

Section 720.20 Filing for Permission to Operate

Permission to operate an off-track stabling facility shall be obtained by first filing at the Board's central office an application in a form prescribed by the Board.

Section 720.30 Time Limitation

Approval of off-track stabling shall be applicable for one calendar year and must be renewed each year.

Section 720.40 Jurisdiction of the Board

Any area approved by the Board as off-track stabling shall be considered an extension of on-track stabling and will come under the jurisdiction of the Board and the stewards.

Section 720.50 Registration With Racing Secretary Required

Any horse stabled at Board-approved off-track stabling must be registered with the Racing Secretary before that horse's entry will be accepted.

Section 720.60 Who May Apply

Application for approval of facilities for off-track stabling shall be made by the owner or lessee of the premises. "Lessee" shall be defined, for purposes of these rules, as the person or persons who lease the entire premises and shall not apply to the leasing of stalls only. A copy of the lease shall be provided with the application filed with the Board.

Section 720.70 Licensing of Facility and Personnel

Off-track stabling facilities shall be considered vendors and shall be subject to all relevant licensing rules. All stable personnel employed at off-track stabling facilities shall be licensed.

Section 720.80 Board Rules and Regulations Apply

Off-track stabling shall be subject to Board rules and regulations except that:

a) The Illinois Race Track Rules for Fire Safety (Chapter B3 of the combined Rule Book; Ill. Adm. Code Part 403) shall not be applicable; however, an off-track stabling facility shall be reasonably equipped for fire safety.

b) The sanitation rules for employee living quarters shall not be applicable.

Section 720.90 Criteria for Approval

Facilities for off-track stabling must be suitable for developing and bringing a horse to racing fitness, and this determination shall be made by an inspector of the facilities who shall be designated by the Board or the board of Stewards. Criteria for determining suitability shall include, but not be limited to, the following:

a) An area for exercising or training;
b) An adequate water supply;
c) An adequate method of manure and rubbish removal;
d) A comfortable, well lighted and properly ventilated barn;
e) Accessibility to a veterinarian.

Section 720.100 Participation in Races

No horse shall be permitted to enter any pari-mutuel event unless stabled at a Board licensed facility.

SOURCE: Adopted at 5 Ill. Reg. 1896, February 27, 1981; effective February 17, 1981; codified at 5 Ill. Reg. 10916; amended at 15 Ill. Reg. 5755, effective April 4, 1991.

PART 1302
LICENSING

Section

1302.90 Possession of Credentials
1302.100 Unauthorized Use of Credentials
1302.110 Hearing on License Suspension
1302.200 Absence of Trainers
1302.230 Licensed Concessionaire

Section 1302.90 Possession of Credentials

All licensees shall carry on their person at all times within the stable area of a racetrack their Board photo identification badge. Every person so identified is subject to examination by the Board or its agents or employees, and by officials of the race track operator, or its designated agents or employees, at any time they may deem necessary or proper. The Board may require visible display of a license in a restricted area. A license may only be used by the person to whom it is issued.

Section 1302.100 Unauthorized Use of Credentials

No participant shall permit any unauthorized person or persons to use his badge or credentials for entering into any part of the race track. Any licensee who violates this rule is liable to suspension or a fine not to exceed $200, or both, and if he continues to violate the rule, he may be ruled off or otherwise punished, as the stewards may decide.

Section 1302.110 Hearing on License Suspension

a) If the stewards at any race meeting shall suspend a license of any horse owner, trainer, driver, groom, stable foreman, veterinarian, or other occupation licensee, the license of said person shall be suspended, pending a hearing of the Board.

b) A ruling or recommendation of the stewards shall be presumed correct and the election of a party who is subject of the same to forego an appeal provided here in during the prescribed time period, may be considered by the Board as a waiver of rights and an admission that said ruling or recommendation is correct and should be affirmed.

Section 1302.200 Absence of Trainers

When any licensed trainer is absent from a racing meet for more than six days, it shall be the duty of the owner to appoint and have properly licensed a new trainer of record.

Section 1302.230 Licensed Concessionaire

No license shall be issued to conduct a racing meeting unless, prior to the commencement of such meeting, the applicant for such license has obtained the services of a concessionaire licensed by the Board to provide adequate food and drink services for race track patrons or is providing such services itself.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10919; emergency amendment at 6 Ill. Reg. 9713, effective July 27, 1982 for a maximum of 150 days; amended at 6 Ill. Reg. 13789, effective October 25, 1982; amended at 11 Ill. Reg. 20207, effective December 1, 1987; amended at 33 Ill. Reg. 6704, effective May 1, 2009.

PART 1303
VIOLATIONS

Section

1303.10 Violators
1303.20 Penalties
1303.30 Attempt at Violations
1303.40 Who May Impose Penalties
1303.50 Payment of Fines
1303.60 Unpaid Fines
1303.70 Financial Responsibility

Section 1303.10 Violators

Any person licensed by the Illinois Racing Board or any person violating any of its Rules and Regulations shall be liable to the penalties herein provided, unless otherwise limited in the Rules and Regulations of the Board.

Section 1303.20 Penalties

Possible penalties for violation of the Rules and Regulations of the Board are as follows:

a) Denial, revocation or suspension of license,

b) Monetary fines not exceeding $5,000. for each violation,

c) Suspension from one or more activities at one or more tracks,

d) Expulsion from pari-mutuel harness racing in Illinois, or

e) Forfeiture or return of purses won.

Section 1303.30 Attempt at Violation

Any attempt to violate any of the Rules and Regulations falling short of actual accomplishment shall constitute an offense and shall be punishable as herein provided, as if consummated.

Section 1303.40 Who May Impose Penalties

Penalties for violation of any rule of the Board may be imposed by the Board, state stewards or judges presiding at each licensed harness race meeting.

Section 1303.50 Payment of Fines

Payment of a fine directly or indirectly by a person other than the person upon whom it is imposed is prohibited and will be unacceptable to the Board.

Section 1303.60 Unpaid Fines

All persons who shall have been fined under these rules shall be suspended until said fine is paid in full.

Section 1303.70 Financial Responsibility

a) A creditor who alleges an unpaid obligation or default in obligation directly relating to horse racing (e.g., hay vendors, tack shops and veterinarians) may submit to the Board a court judgment describing the same. The stewards shall notify the licensee that a judgment has been filed with the Board and he/she shall have 30 days to satisfy said judgment.

b) In the event the licensee appeals the court judgment within 30 days, the stewards shall not take any action against the licensee. If after the 30 days the judgment remains unsatisfied and no further court action has been initiated, the stewards shall have the power to suspend the licenses or deny the pending license application.

c) The creditor shall file a Release (or Satisfaction) of Judgment with the stewards when the obligation has been satisfied. Failure on the part of the creditor to file the Satisfaction of Judgment shall result in a civil penalty, not to exceed $500.00.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10921; amended at 17 Ill. Reg. 12437, effective July 15, 1993.

PART 1305
RACE TRACK OPERATORS AND THEIR DUTIES

Section

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Section 1305.10 Definition of Race Track Operator

The term "operator" means an individual, firm, racing association, partnership, corporation, trustee or legal representative, licensed to conduct harness race meets under the provisions of the Illinois Horse Racing Act of 1975.

Section 1305.20 Application

Application for licenses to conduct harness racing meets shall be made on forms furnished by the Board. Such applications shall be verified under oath. If circumstances change or events occur after the application is filed so that the application no longer presents the correct facts, the applicant shall submit an amended answer to the question of the application form so affected.

Section 1305.30 Time for Filing Applications

a) All applications for licenses to conduct race meetings for each calendar year shall be filed with the Board prior to November 1 of any year. The Board may receive applications at a subsequent date if unusual need can be proven to the Board's satisfaction.*

b) When the Board approves an application and notifies said applicant of its approval, that applicant shall within 10 days after receipt of the written notice of approval deliver to the Board the total per diem fee for the entire race meeting and file with the Board the bond required by section 20 (j) of the Illinois Harness Racing Act of 1975.

c) Failure to comply with the 10 day time limit shall cause the application for license to be considered withdrawn and of no effect.

*(Editor's Note: Section 20 of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch.8, par. 37-20) provides that subsequent to November 1975 applications shall be filed with the Board prior to September 1 of the year in which application is made.)

Section 1305.40 Conditions of License

Imposed on each race track operator is the duty of enforcing the Rules and Regulations imposed by the Board under which the licenses are granted, the Board reserving the right to amend, alter or repeal any rule, regulation or condition herein imposed or to supplement said Rules and Regulations by giving the race track operator three days' notice, except where shorter notice is herein otherwise provided.

Section 1305.50 Written Disclosure

Prior to November 1 of any year, all officers, directors, creditors, and substantial owners of any beneficial interest of every association, corporation or other business entity desiring to hold or conduct a race meeting within the State of Illinois during any calendar year shall make a written disclosure on forms prescribed by the Board for approval of their participation in racing in the State of Illinois. Said forms shall be submitted under oath as prescribed in the form. A person owning 5 per cent or more of the equity of an applicant for racing dates shall be considered a substantial owner for the purposes of this rule. A person extending credit for more than one year or extending credit in excess of $10,000 for less than one year, but more than 30

days, shall be considered a creditor for purposes of this rule, provided that, a horseman to whom moneys are owed as reflected in accounts maintained by the horsemen's bookkeeper shall not be considered a creditor.

Section 1305.55 Written Disclosure for Corporations

Where a corporation owns 25 percent or more of the equity of an applicant for dates, holders of 10 per cent or more of its capital stock shall make written disclosure under these rules and regulations on the forms prescribed; provided, however, that this rule shall not apply to any corporation, the securities of which are registered with the Securities and Exchange Commission pursuant to the Securities Act of 1933 and the rules and regulations issued thereunder. Corporations qualifying under this exemption shall file with the Board copies of all papers filed with the Securities and Exchange Commission.

Section 1305.60 Notice of Changes

Within 10 days after election, appointment, acquisition of substantial ownership, or extending of credit, the Board shall be notified of the identity of each new officer, director, substantial owner, or creditor of a race track operator. Each new officer, director, substantial owner, or creditor shall make a written disclosure to the Board on forms prescribed by the Board for approval of their participation in racing in Illinois.

Section 1305.80 Termination of License

Racing dates and the license to conduct a horse race meeting are deemed personal in nature and non-transferable, and will terminate upon a substantial change of ownership of the race track operator, unless the Board has granted prior approval. The sale of transfer of 25 per cent or more of the equity of a race track operator shall be considered a substantial change of ownership.

Section 1305.90 Wagering on Races Conducted Off of Premises

No race track operator conducting a race meeting under a license issued by the Board shall permit bets to be made on the grounds of said race track operator on any race held outside of the grounds, and no foreign book or gambling device of any kind shall be permitted on said grounds.

Section 1305.100 Reciprocal Suspensions

No race track operator shall permit any person who is under suspension by, or has been ruled off the member courses of the United States Trotting Association, or by any state racing commission, to participate in any manner in a harness racing meet licensed by the Board, or in the conduct of such meet.

Section 1305.110 Horse Ambulance

There shall be a horse ambulance at all race tracks under the jurisdiction of the Board for the safe and expedient removal of crippled animals from the track. Horse ambulances must be equipped with a screen for use when an animal must be destroyed in view of the general public, a winch to lift dead or injured animals on to the ambulance, and a removable floor or other satisfactory device for the safe loading of a recumbent horse. Said ambulance shall also be equipped with a permanently attached and locked box containing drugs solely for the use of the state veterinarians when emergency medication is required.

Section 1305.140 Emergency Medical Services

Each organization licensee shall submit its emergency medical services plan to the Board, for the Board's approval, thirty (30) days prior to the start of its meet. The plan shall include all information relative to emergency medical services to be provided to racing participants and patrons, including but not limited to the name of any resource hospitals, agreements with any ambulance services (private and municipal), and the number and certification level of all emergency medical technicians. In approving an emergency medical service plan the Board shall consider the proximity of the racetrack to its resource hospital, the size of the racetrack, and the type of racing to be conducted at the racetrack. Each plan shall also be certified by the Illinois Department of Public Health, Division of Emergency Medical Services.

Section 1305.150 Illinois Racing Board Office

Each race track operator shall provide within its grounds an office for the use of the members of the Illinois Racing Board or any of its representatives, that meets with the approval of said persons.

Section 1305.180 Judges' Stand

The judges' stand shall be so located and constructed as to afford to the officials an unobstructed view of the entire track and no obstruction shall be permitted upon the track, or the centerfield which shall obscure the officials' vision of any portion of the track during the race. Any violation of this section shall subject the track to a fine not exceeding $500 and immediate suspension of license.

Section 1305.190 Drivers' Bench

Every race track operator conducting pari-mutuel betting shall provide a bench, located conveniently to the gate through which horses enter the track at the beginning of a race, for drivers who are not competing in a particular race and who are wearing colors.

Section 1305.200 Stabling of Horses

Any horse racing at a licensed meeting must be stabled within the confines of that track; provided, however, in case of necessity such a horse may be stabled within the confines of an

adjacent Illinois race track, or in another location approved by the Board. The race track operator holding the race meeting shall provide for temporary stabling of horses, eligible to race, which are brought to the races from approved outside stable space.

Section 1305.220 Stall Numbers and Distance Poles

Race track operators shall number each stall where horses are quartered and all distance poles shall be of standard color designations, namely:

Quarter poles - red and white, Eighth poles - green and white, and Sixteenth poles - black and white

Section 1305.230 Licensed Outrider

The race track operator shall furnish a licensed outrider who is to be on duty and suitably mounted each day during racing hours. The outrider must display excellent riding ability. Among his duties shall be:

a) Leading tough horses;

b) Holding a horse during an equipment change before a race;

c) Controlling the horses until they reach the gate;

d) Catching the horses if they stray at the gate or after an accident;

e) Detouring other horses away from an accident.

Section 1305.240 Drinking Fountains and Rest Rooms

The race track operator shall furnish an adequate number of free drinking fountains, comfort stations, and wash rooms throughout its grounds and buildings for the use of the public.

Section 1305.250 Telephones

Telephone use shall be disallowed in the paddock area, except under the direct supervision of the Board or its delegates.

Section 1305.260 Broadcasting and Telecasting

Permission shall be first secured in writing from the Board before any race track operator may allow the telecast or radio broadcast of any race.

Section 1305.270 Pest Control

The race track operator shall maintain systematic, effective control against flies, mosquitoes, other insects and rats at all times during a meeting. Horses must be stabled in individual box stalls with appropriate feeding and watering facilities. Stables and immediate surrounding areas must be kept in a sanitary condition at all times. Satisfactory drainage must be provided and manure and other refuse must be promptly and properly removed. These regulations apply to any stabling areas that the Board has approved for the race track operator. The Board or its official representatives will make periodic inspections of a track. Failure to comply with sanitary practices or provide any pest control will result in loss of racing dates.

Section 1305.280 Alcohol Sales

No race track operator shall sell or permit to be sold, on the backstretch or in any other area used by it for stabling of horses, any alcoholic beverages, beer excepted.

Section 1305.290 Track Lights

a) Lights used to illuminate the track at night shall not be turned on or off while a race is in progress, or off while horses are on the track. The state steward shall declare a race off if total darkness occurs during the running of a race.

b) The stable area must be properly lighted, so that it will be entirely void of darkness in all sections; lights will be turned on at dusk and they shall remain on until one hour after the last race.

c) Parking areas must be properly lighted, so they will be entirely void of darkness in all sections; lights will be turned on at dusk and they shall remain on until one hour after the last race or until all cars have departed, whichever may first occur.

d) If for any reason the races scheduled for the night cannot be fulfilled by midnight, the stewards will postpone the remaining race or races.

Section 1305.300 Fire Prevention

Race track operators shall make adequate provision for fire prevention, protection against fire, and fire suppression within the enclosure. Before any license is granted, the race track operator must gain approval from the Board of its fire prevention facilities.

Section 1305.310 Backstretch Paging System

Each organization shall have in place a suitable backstretch paging system.

Section 1305.330 Inspection Report

At least 30 days prior to the beginning of any racing meeting, the race track operator shall submit to the Board copies of inspection reports issued by appropriate state or local governmental authorities relating to the condition of the buildings, the health and sanitation of the facilities, and the fire prevention, detection, and suppression equipment at the race track at which the racing meeting is to be conducted. Said inspections shall be made no earlier than 45 days prior to the beginning of a racing meeting.

Section 1305.350 Off-Track Betting Agencies of Other States

a) No race track operator shall, without the prior approval of the Board, enter into or implement an agreement with any legally constituted off-track betting agency of any other state providing for pari-mutuel wagering to be conducted in such state on races held at licensed meetings in Illinois.

b) Any race track operator seeking Board approval of an agreement with any legally constituted off-track betting agency of any other state shall submit a copy of the proposed agreement together with such request and shall supply such other information relative to the proposal as the Board may require.

Section 1305.370 Reporting of Horsemen's Purse Account

Each organization licensee shall weekly submit to the Board Secretary a report reflecting the current status of the "Horsemen's Purse Account." Said report shall be submitted on forms provided by the Board.

Section 1305.380 Notification of Change

a) Each organization licensee shall have the authority to change its hours of operation if the hours are different than provided in the licensee's racing dates application subject to notification to the Board. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change of hours of operation.

b) Each organization licensee shall have the authority to change prices charged for goods and services subject to notification to the Board. Goods and services shall include, but not be limited to, admission prices, parking fees and official racing programs and shall exclude food, beverages, and merchandise. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change.

c) Each organization licensee shall have the authority to change prices charged for wagering products (subject to Sections 26 and 26.2 of the Act) subject to notification to the Board. Wagering products shall include, but not be limited to, take-out or retention rates and minimum wager amounts. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change.

d) *The Board may disapprove of any business practices by organization licensees identified in* subsection (a), (b) or (c) *if the* Executive Director *finds that such practices are detrimental to the public interest* based upon industry standards (e.g. a national survey of comparable race tracks) or opposition from the public or interested parties. [230 ILCS 5/20.1]

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); amended October 9, 1973, filed October 19, 1973; amended October 25, 1973, filed December 17, 1973; amended February 15, 1974, filed February 28, 1974; amended October 25, 1974, filed November 7, 1974; added May 9, 1975, filed May 15, 1975; amended August 21, 1976, filed August 21, 1976, filed August 30, 1976; amended at 2 Ill. Reg. 27, p. 275, effective July 10, 1978; amended at 4 Ill. Reg. 21, p. 85, effective May 9, 1980; codified at 5 Ill. Reg. 10923; amended at 6 Ill. Reg. 11063, effective September 1, 1982; amended at 9 Ill. Reg. 9165, effective May 30, 1985; amended at 14 Ill. Reg. 17661, effective October 16, 1990; amended at 14 Ill. Reg. 20052, effective December 4, 1990; amended at 17 Ill. Reg. 3034, effective February 23, 1993; emergency amendment at 23 Ill. Reg. 7776, effective June 28, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13939, effective November 2, 1999; amended at 28 Ill. Reg.6596, effective April 19, 2004; amended at 28 Ill. Reg. 11260, effective August 1, 2004; amended at 29 Ill. Reg. 8413, effective June 1, 2005 amended at 34 Ill. Reg. 7741, effective May 24, 2010.

PART 1306
RACE OFFICIALS

Section

1306.10 State Steward
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Section 1306.10 State Steward

a) The state steward, appointed by the Board, shall be the representative of the Board at large at all race meetings and principal advisor to the Board on harness racing activities. He shall supervise the conduct of the race track operator's officials, of racing, of the pari-mutuel department, of the licensing office and of the detention barn. The state steward shall keep said departments and officials informed about Board policy.

b) If necessary, the state steward may act in place of an official or as an additional official should the Board determine the need. He shall at all times have access to all parts of the course, plant and grounds.

c) The state steward has authority over all owners, trainers, drivers and other persons attendant on horses.

Section 1306.20 Additional Steward

The Board may in its discretion designate one of the officials as its steward at that particular meeting, but such steward shall at all times be junior to the state steward of the Board.

Section 1306.30 Judges

In every race or performance against time there shall be a presiding judge and two associate judges, one of whom may be appointed to serve as a roving patrol judge.

Section 1306.50 Disqualification to Act as Official

A person under suspension, expulsion, or other disqualification, or who has any interest in a race or has an interest in any of the horses engaged therein, is disqualified from acting in any official capacity in that race. In the event of such disqualification, the management shall be notified by the disqualified person and shall appoint a substitute. Any person who violates this restriction shall be fined, suspended or expelled.

Section 1306.70 Participation Forbidden

No person whose duties at meetings licensed by the Board including classifying horses, supervising saliva and urine examination, officiating, and/or reviewing decisions of the judges shall directly or indirectly be the owner of or have any interest in any horse racing at pari-mutuel harness meetings, nor shall he participate financially directly or indirectly in the purchase or sale of any horse racing at such meetings. Any person violating this rule shall be suspended.

Section 1306.80 Judges' Stand Occupants

None but the judges, the clerk of the course, the racing secretary, starter and timer, official announcer, and officials and directors of the Board and the United States Trotting Association shall be allowed to enter the judges' stand during a race. Anyone violating this rule may be fined not to exceed $100.

Section 1306.90 Improper Conduct

a) An official guilty of improper conduct shall be fined not exceeding $500 and/or be suspended.

b) Any complaint against a racing official or officials shall be made to the stewards in writing, signed by the complainant. All such complaints shall be reported to the Board together with the stewards' action.

Section 1306.100 Presiding Judge

The presiding judge shall:

a) Have supervision over associate judges, patrol judges, starters, paddock judge, finish wire judge, clerk of the course, timers and charters.

b) Notify owners and drivers of penalties imposed.

c) Report in writing to the Board, with a copy to the United States Trotting Association, violations of the rules by a track, its officers or race officials, giving detailed information thereof.

d) Make such other reports as required by the Board.

e) Sign each sheet of the judges' book, verifying the correctness of the record.

f) Be responsible for the maintenance of the records of the meeting and the forwarding thereof to the Board and the United States Trotting Association.

Section 1306.110 Powers of the State Steward and Judges

The state steward and the judges shall have the following powers:

a) Inflict fines and penalties, as prescribed by these rules.

b) Determine all questions of fact relating to the race.

c) Decide any differences between parties to the race. Should any case occur that may or may not be covered by this Chapter, it shall be determined by the officials. When no penalty is provided, the state steward and judges shall have the authority to impose stated penalties as they think just, recommending to the Board more severe penalties if they think fit.

d) Declare pools and bets "off" in the case of fraud, no appeal to be allowed from their decision in that respect. All pools and bets follow the decision of the judges. Such a decision in respect to pools and bets, shall be made at the conclusion of the race upon the observations of the judges and upon such facts as an immediate investigation shall develop. A reversal or change of decision after the official placing at the conclusion of the heat or dash shall not affect the distribution of betting pools made upon such official placing. When pools and bets are declared off for fraud, the guilty parties shall be fined, suspended and/or expelled.

e) Control the horses, drivers and assistants and punish by a fine not exceeding $500. or by suspension or expulsion, any person who shall fail to obey their

orders or the rules. In no case shall there be any compromise or change on the part of the judges of punishment prescribed in the rules, but the same shall be strictly enforced.

f) Conduct an inquiry into a violation of any rule and take such action as may be appropriate and render their report to the Board. Any action, as a result of such inquiry, must be concurred in by the majority of the judges. Any person required to appear before the judges for a hearing or examination who shall fail to appear after due notice in writing shall be penalized.

g) Consider complaints of foul from the patrols, owners or drivers in the race and no others.

h) Declare a race void and order all wagers refunded in the event of unfavorable weather or other unavoidable cause.

Section 1306.120 Duties of the Judges and State Steward

It shall be the duty of these officials to:

a) Exclude from the race any horse that in their opinion is improperly equipped, dangerous, or unfit to race, or liable to cause accident or injury to another horse or driver in the race, and which shall include horses that are sick, blind, weak, and extremely lame. No horse shall race with a tube in its throat.

b) Investigate any apparent or possible interference, or other driving violation whether or not complaint has been made by a driver.

c) Investigate any act of cruelty seen by them or reported to them by any person towards a race horse during a meeting at which they officiate. If the judges find that such an act has been committed, they shall suspend or fine the offending person not to exceed $500.

Section 1306.130 Procedures of the Judges and State Stewards

It shall be the procedure of these officials to:

a) Be in the stand 15 minutes before the first race and remain in the stand 10 minutes after the last race, and at all times when the horses are upon the track.

b) Observe the preliminary warming up of horses and scoring, noting behavior of horses, lameness, equipment, conduct of drivers, changes in odds at pari-mutuel meetings, and any unusual incidents pertaining to horses or drivers participating in races.

c) Have the bell rung or give other notice at least 10 minutes before the race or heat. Any driver failing to obey this summons may be punished by a fine not exceeding $100. and his horse may be ruled out by the judges and considered drawn.

d) The presiding judge shall designate the post time for each race and the horses will be called at such time as to preclude excessive delay after the completion of two scores.

e) Be in communication with the patrol judge from the time the starter picks up the horses until the finish of the race. Any violation or near violation of the Rules and Regulations shall be reported by the patrol judge witnessing the incident and a written record made. At least one judge shall observe the drivers throughout the stretch specifically noting changing course, interference, improper use of whips, breaks, and failure to contest the race to the finish.

f) Post the objection sign or inquiry sign on the odds board in the case of a complaint or possible rule violation, and immediately notify the announcer of the objection and the horse or horses involved. As soon as the judges have made a decision, the objection sign shall be removed, the correct placing displayed until all horses and drivers of the race have returned to the judges' stand and saluted, horses and drivers unable to finish the race excepted. In all instances, the judges shall post the order of finish and the "official" sign as soon as they have made their decision.

g) Display the photo sign if the order of finish among the contending horses is less than half-length or a contending horse is on a break at the finish. After the photo has been examined and a decision made, a copy or copies shall be made, checked by the presiding judge, and posted for public inspection.

h) Sign the judges' book after each race, verifying the correctness of the record by the clerk of the course.

Section 1306.140 Patrol Judge

a) There shall be at least one roving patrol judge and it shall be his duty to ride in the starter car and observe all activity on the race track in his area at all times during the racing program. He shall immediately report to the presiding judge:

1) Any action on the track which could improperly effect the result of a race.

2) Every violation of the racing rules.

3) Every violation of the rules of decorum.

4) The lameness or unfitness of any horse.

5) Any lack of proper racing equipment.

b) The patrol judge shall furthermore:

1) Be in constant communication with the judges during the course of every race and shall immediately inform the judges of every rule violation, improper or unusual happening which occurs at their station.

2) Submit individual daily reports of observations of the racing to the presiding judge.

3) When directed by the presiding judge, attend hearings or inquiries on violations and testify thereat under oath.

Section 1306.160 Starting Judges

Starting judges shall be designated by the track, subject to the approval of the Board.

Section 1306.170 Duties of Starter

a) The starter shall be in the starting car 15 minutes before the first race. He shall have control over the horses and authority to assess fines and/or suspend drivers for any violation of the rules from the formation of the parade until the word "go" is given. He may assist in placing the horses when requested by the judges to do so. He shall notify the judges and the drivers of penalties imposed by him.

b) His services shall be paid for by the track employing him. An assistant starter may be employed when necessary.

Section 1306.180 Clerk of the Course

The clerk of the course shall:

a) At request of the judges assist in drawing positions.

b) Keep the judges' book and record therein:

1) All horses entered and their eligibility numbers.

2) Names of owners and drivers; drivers' license numbers.

3) A record of each race, giving position of horse at finish.

4) Note drawn or ruled out horses.

5) Record time in minutes, seconds and fifths of seconds.

c) Check eligibility certificate before the race and after the race; shall enter all information provided for thereon.

d) Record all protests, fines, penalties and appeals in the judges' book and see that the book is properly signed.

e) Forward copies of the judges' book to the United States Trotting Association and the Board not later than the next day.

f) Notify owners and drivers of penalties assessed by the officials.

g) Upon request, may assist judges in placing horses.

h) After the race, return the eligibility certificate to the owner of the horse or his representative when requested.

i) Failure to comply with any part of this rule and make the above listed entries legible, clear and accurate, may subject either the clerk or the track, or both, to a fine of not to exceed $50. for each violation.

Section 1306.190 Timers

a) At each race or performance against time there shall be an electric timing device and one timer. He shall sign the judges' book for each race or performance against time verifying the correctness of the record. All times shall be announced and recorded in fifths of seconds. An approved electronic timing device must be used where horses are started from a chute.

b) The timer shall be in the stand 15 minutes before the first heat or dash is to be contested. He shall start his watch when the first horse leaves the point from which the distance of the race is measured and shall stop his watch when a winner reaches the wire. The time of the leading horse at the quarter, half, three-quarters, and the finish shall be taken. If odd distances are raced, the fractions shall be noted accordingly.

Section 1306.200 Paddock Judge

Under the direction and supervision of the presiding judge, the paddock judge will have complete charge of all paddock activities. The paddock judge is responsible for:

a) Getting the fields on the track for post parades in accordance with the schedule given to him by the presiding judge.

b) Inspection of horses for changes in equipment, broken or faulty equipment, head numbers, etc.

c) Supervision of paddock gate men.

d) Proper check in and check out of horses and drivers.

e) Direction of the activities of the paddock blacksmith.

f) Immediate notification to the presiding judge of anything that could in any way change, delay or otherwise affect the racing program.

g) Permitting only properly authorized persons in the paddock and any violation of this rule may result in fine, suspension or expulsion.

h) Inspection and supervision of the maintenance of all emergency equipment kept in the paddock.

i) Notifying the judges of the reason for any horse returning to the paddock after having entered the track for the post parade and before the start of the race.

j) Notifying the judges of all trainers and grooms who leave the paddock in an emergency.

Section 1306.210 Program Director

Each track shall designate a program director. Such program director and all charters shall be subject to the approval of the Board. It shall be the responsibility of the program director to furnish the public complete and accurate past performance information as required by Rule B 15.4 (11 Ill. Adm. Code Section 415.40).

Section 1306.220 Horse Identifier

The identification of horses coming into the paddock shall be made by the horse identifier who shall report any irregularities to the paddock judge and stewards

Section 1306.240 Bribes Forbidden

No racing official or his assistant shall accept, directly or indirectly, any gratuity, reward or favor in connection with racing at the meeting.

Section 1306.250 Drinking of Intoxicating Liquor Prohibited

Drinking of intoxicating liquor, by any racing official, track employee, or licensee, while on duty, is prohibited. Any person violating this rule shall be relieved of his duties by the stewards.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10926; amended at 10 Ill. Reg. 10147, effective May 27, 1986; amended at 30 Ill. Reg.16319, effective October 1, 2006; amended at 31 Ill. Reg. 16511, effective December 1, 2007.

PART 1307
IDENTIFICATION OF HORSES

Section

1307.10 Bonafide Owner or Lessee
1307.30 Failure to Furnish Reliable Program Information
1307.40 Inaccurate Information
1307.50 Check on Identity of Horse
1307.60 False Chart Lines
1307.70 Frivolous Demands
1307.80 Lip Tattooing or Freeze Branding
1307.90 Changes in Ownership

Section 1307.10 Bonafide Owner or Lessee

a) A horse must race in the name of the bonafide owner or lessee. Nominators shall learn the facts of ownership about all horses in their care before making registration. Persons violating this rule may be fined, suspended or expelled.

b) No horse shall be permitted to start that has not been fully identified to the satisfaction of the Board or its representative and the United States Trotting Association. Attempts to interfere with the identification or examination of any horse shall be regarded as fraud or attempt at fraud and the same penalties shall apply.

Section 1307.30 Failure to Furnish Reliable Program Information

Failure to furnish reliable information may subject the track and/or program director to a fine not to exceed $500. and/or suspension until arrangements are made to provide reliable program information.

Section 1307.40 Inaccurate Information

Owner's drivers or others found guilty of providing inaccurate information on a horse's performance, or of attempting to have misleading information given on a program may be fined, suspended or expelled.

Section 1307.50 Check on Identity of Horse

Any track official, representative of the Board, representative of the United States Trotting Association, owner or driver may call for information concerning the identity and eligibility of any horse on the grounds of a track and may demand an opportunity to publicly examine such horse or his eligibility certificate with a view to establish his identity or eligibility. If the owner or party representing such a horse refuses to give information, allow an examination, or fails to give satisfactory identification, the horse and the owner or party may be debarred, suspended or expelled.

Section 1307.60 False Chart Lines

Any official, clerk, or person who enters a chart line on an eligibility certificate when the race has not been charted by a licensed charter may be fined, suspended or expelled.

Section 1307.70 Frivolous Demands

Any person demanding the identification of a horse without cause or merely with the intent to embarrass a race, shall be punished by a fine not exceeding $100. or by suspension or expulsion.

Section 1307.80 Lip Tattooing

No horse shall be permitted to start in a race unless it has been lip tattooed or freeze branded with an identifying number. The stewards may allow a horse to race once without a tattoo or freeze brand. Thereafter, the horse must be tattooed or freeze branded or the trainer must show evidence that arrangements have been made to comply with this provision. If satisfactory evidence is presented to the stewards, the horse may be permitted to race.

Section 1307.90 Changes in Ownership

Any change in ownership of a horse or horses or interest therein shall be immediately filed with the United States Trotting Association and the racing secretary.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10929; emergency amendment at 19 Ill. Reg. 8809, effective June 15, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13911, effective October 1, 1995.

PART 1308
RACING, FARM, CORPORATE OR STABLE NAME

Section

1308.10 Racing, Farm, Corporate or Stable Name
1308.20 Stable Name
1308.30 Partnership
1308.40 Corporations

Section 1308.10 Racing, Farm, Corporate or Stable Name

a) Racing, farm, corporate or stable names may be used by owners or lessees if registered with the United States Trotting Association.

b) All owners and persons listed in a registered stable, whether incorporated or not, shall be liable for entry fees and penalties against horses raced by the stable. In the event that one of the owners or persons listed in a registered stable is suspended, all the horses shall be included.

Section 1308.20 Stable Name

Any horse that is owned by more than one person, or one partnership, must be stabled in one stable and registered only under its own stable name with appropriate fees paid.

Section 1308.30 Partnerships

All partners of a general partnership shall be licensed as owners. In the case of a limited partnership all general partners and limited partners owning a 5% or more interest in the limited partnership shall be licensed as owners. This shall apply to all partnerships owning any interest in a horse. All non-licensed partners shall be eligible for licensure. Any non-licensed partner shall submit application materials sufficient for the Board to verify this status whenever the stewards have determined that it is more probable then not that such person is ineligible for licensure. Such materials shall consist of the name, social security number, fingerprints or other material required of an applicant for an owner's license. If any non-licensed partner is ineligible for licensure then all partners and the partnership shall be ineligible for licensure.

Section 1308.40 Corporations

All officers, directors and shareholders owning 5% or more of any class of a stock of a corporation shall be licensed as owners. This shall apply to all corporations owning any interest in a horse. All non-licensed shareholders shall be eligible for licensure. Any non-licensed shareholder shall submit application materials sufficient for the Board to verify this status whenever the stewards have determined it is more probable than not that such person is ineligible for licensure. Such materials shall consist of the name, social security number, fingerprints or other material required of an applicant for an owner's license. If any

non-licensed shareholder is ineligible for licensure then all officers, directors, shareholders and the corporation shall be ineligible for licensure.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10930; amended at 13 Ill. Reg. 2156, effective February 3, 1989.

PART 1309
ELIGIBILITY AND QUALIFICATION FOR RACES

Section

1309.10 Eligibility Certificate
1309.20 Registration
1309.30 Leased Horses
1309.40 Sale or Lease During Current Year
1309.50 Tampering With Eligibility Certificate
1309.60 Corrections on Eligibility Certificate
1309.70 Loss or Destruction of Certificate
1309.80 Time Bars Prohibited
1309.90 Racing Secretary Shall Prescribe Conditions
1309.100 Conflicting Conditions
1309.110 Condition Books
1309.120 Races to be Offered
1309.130 Invitational Races
1309.140 Rejection of Declarations
1309.150 Eligibles Posted
1309.160 AGID (Coggins) Test (Repealed)

Section 1309.10 Eligibility Certificate

a) No horse shall be declared in without first possessing a current United States Trotting Association or CTA (Canadian Trotting Association) eligibility certificate at the gait the horse is declared to race. Horse owners violating this rule shall be fined $10. The track shall be fined $5. for accepting a declaration without an eligibility certificate.

b) Telegraphic declarations may be sent and accepted without penalty provided the declarer furnishes adequate program information. The eligibility certificate, however, must be presented when the horse arrives at the track and before he races.

Section 1309.20 Registration

All matters relating to registration of standardbred horses shall be governed by the rules of the United States Trotting Association.

Section 1309.30 Leased Horses

Any horse under lease must race in the name of the lessee. No eligibility certificate will be issued to a horse under lease unless a copy of the lease if filed with the United States Trotting Association. Persons violating this rule may be fined, suspended or expelled.

Section 1309.40 Sale or Lease During Current Year

When a horse is sold or leased after an eligibility certificate is issued for the current year, the new owner or lessee may use that certificate if endorsed to him by the United States Trotting Association. If the certificate is not endorsed to the new owner or lessee, he must apply for a new eligibility certificate.

Section 1309.50 Tampering With Eligibility Certificate

Persons tampering with eligibility certificates may be fined, suspended or expelled and any winnings after such tampering may be ordered forfeited.

Section 1309.60 Corrections on Eligibility Certificates

Corrections on eligibility certificates may be made only by a licensed official or a representative of the United States Trotting Association. Persons making corrections shall affix their name and the date to the certificate.

Section 1309.70 Loss or Destruction of Certificate

In the event of loss or destruction of an eligibility certificate must be secured from the United States Trotting Association.

Section 1309.80 Time Bars Prohibited

No time bars or records shall be used as an element of eligibility in the setting of race conditions. The only use may be for the purposes of establishing qualifying standards.

Section 1309.90 Racing Secretary Shall Prescribe Conditions

The racing secretary shall prescribe standards to determine whether a horse is qualified to race in overnight events at a meeting.

Section 1309.100 Conflicting Conditions

If the event there are conflicting published conditions, the more favorable to the nominator shall govern.

Section 1309.110 Condition Books

Condition books will be prepared by the racing secretary. Such books shall contain at least three days racing programs and be available to horsemen at least 24 hours prior to closing declarations on any race.

Section 1309.120 Races to be Offered

In presenting a program of racing, the racing secretary shall use exclusively the following types of races: stakes and futurities, early closing and late closing events, conditioned, claiming and invitational races.

Section 1309.130 Invitational Races

a) Invitational races are limited to the fastest horses at the meeting. These may be Free For All races, Junior Free for All, or Invitationals. Horses to be used in such races shall be posted in the racing secretary's office at least 24 hours prior to the time of closing. Horses so listed shall not be eligible for conditioned overnight races unless the conditions specifically include horses on the invitational list. Purses offered for such races shall be at least 15 per cent higher than the highest purse offered for a conditioned race programmed the same racing week for horses of equivalent age and sex.

b) No two year, three year or four year old will be eligible to be placed on the invitational list to race against older horses until it has won a lifetime total of $15,000 and five races, unless requested by the owner or an authorized agent. Such request may be withdrawn at any time by the owner or agent and said horse returned to conditioned racing.

c) Where a meeting is in progress in December and continues in January of the subsequent year, races and earnings won at that meeting may be computed in determining whether a horse may be placed on the invitational list.

Section 1309.140 Rejection of Declarations

The racing secretary may reject the declaration on any horse whose eligibility was not in his possession on the date the condition book was published. The racing secretary may reject the declaration on any horse whose past performance indicated that he would be below the competitive level of other horses declared, provided the rejection does not result in a race being cancelled.

Section 1309.150 Eligibles Posted

Names of all horses at the track eligible to race in conditioned races shall be posted by gait in the declaration room, together with all the pertinent information concerning such horse that may be required to determine eligibility of such horse to conditioned races offered at the track.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); amended December 9, 1977, filed December 29, 1977; codified at 5 Ill. Reg. 10931; amended at 31 Ill. Reg. 16515, effective December 1, 2007.

PART 1311
STAKES AND FUTURITIES

Section

1311.10 Stakes and Futurities
1311.20 Announcement of Events
1311.30 Failure to Make Payments
1311.40 Refund of Nomination Fees

Section 1311.10 Stakes and Futurities

All stake and futurity sponsors shall:

a) Annually file a copy of their conditions with this Board and with the USTA.

b) Give satisfactory evidence of financial responsibility. A surety bond in the amount of the fund conditioned will be demanded if a sponsor's financial statement shows his net worth as less than five times the amount of trust funds received from stakes and futurities payments.

c) Sponsors shall mail a list of the nominations within 20 days after the closing to each nominator, the Board and the United States Trotting Association.

d) Sponsors shall mail within 20 days the complete list of all horses remaining eligible after each payment to the Board and the United States Trotting Association. Sponsors shall mail within 20 days following the last payment before the starting fee, a complete list of all horses remaining eligible to owners of all eligibles, the Board and the United States Trotting Association.

e)

1) Shall set the nominating date and the dates for all sustaining payments except the starting fee on the 15th day of the month, and there shall be no payments on yearlings except a nomination payment and such nomination payment shall be due not later than August 15th. Before taking any sustaining payments during the year the race is to be contested, the date and place of the race shall be stated.

2) Beginning with stakes and futurities closing in 1973, and thereafter, the date for closing of nominations of yearlings to stakes shall be May 15th and the date for closing of the nominations to futurities shall be July 15th.

Section 1311.20 Announcement of Events

Sponsors shall announce the week and place of any event as soon as racing dates for the year are allocated by the Board.

Section 1311.30 Failure to Make Payments

Failure to make any payment required by the conditions constitutes an automatic withdrawal from the event.

Section 1311.40 Refund of Nomination Fees

In the event that a mare nominated to a futurity fails to have a live foal, the nominator shall receive a return on his payment upon notification by December 1st of the year the foaling failed, providing such return is called for in the conditions.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10933.

PART 1312
ENTRIES AND DECLARATIONS

Section

1312.10 Entries
1312.20 Penalties
1312.30 Sale of Horse With Entrance Due
1312.40 Receipt of Entries
1312.50 Postage Meter
1312.60 Deviation From Published Conditions
1312.70 When Ineligible Horse Races
1312.80 Transfer of Ineligible Horse
1312.90 Withholding Purse When Ineligible Horse Races
1312.100 Early Closing and Late Closing Events
1312.110 Subsequent Payments
1312.120 Trust Funds
1312.130 Stable Space
1312.140 Limitation on Conditions
1312.150 Penalties
1312.160 Excess Entry Fees
1312.170 Entries and Starters Required
1312.180 Elimination Heats
1312.190 Elimination Plans
1312.200 Overnight Events
1312.210 Entry Box and Drawing of Horses
1312.220 Substitute Races
1312.230 Drivers
1312.240 Declaration and Withdrawing
1312.250 Qualifying Races
1312.260 Entry or Coupling
1312.265 Uncoupled Entries
1312.270 Husband-Wife Entries
1312.280 Also Eligibles
1312.290 Preference
1312.300 Stewards' List
1312.310 Medical Reasons for Ineligibility

Section 1312.10 Entries

a) All entries shall be made on forms prescribed by the Board, and all information required on such forms shall be supplied.

b) Entry forms shall be filled out in ink and shall be signed by the owner or his authorized agent, provided that entries may be made by telephone in which case the person receiving the entry shall reduce it to writing on a prescribed form and indicate that the entry was received by telephone.

c) Entries in overnight events shall comply with Rule 12.19 (11 Ill. Adm. Code Section 1312.190)

Section 1312.20 Penalties

The penalty for noncompliance with any of the above requirements is a fine of not less than $5 nor more than $50 for each offense. If the facts are falsely stated for the purpose of deception, the guilty party shall be fined and/or suspended or expelled.

Section 1312.30 Sale of Horse With Entrance Due

If any person shall sell a horse to be free and clear and it appears thereafter that payments were due or to become due in races of any description and for which suspension has been or is subsequently ordered, such seller shall be held for the amount due with the penalty on the same and fined an amount equal to the amount of suspension. Unless that horse has been suspended prior to a sale, a subsequent suspension for unpaid entry fees will have no effect as against a bona fide purchaser for value without notice.

Section 1312.40 Receipt of Entries

a) All entries and payments, except in overnight events, not actually received at the hour of closing shall be ineligible, except

1) entries and payments by letter bearing postmark not later than the following day (omitting Sunday); or

2) entries notified by telegraph. The telegram shall be actually received at the office of sending at or before the hour of closing, and such telegram shall state the color, sex and name of the horse, and give the name and residence of the owner and the party making entry.

b) Whenever an entry or payment in a stake, futurity, or early closing race becomes payable on a Sunday or a legal holiday that falls on Saturday, such payment is to be due on the following Monday. If made by mail, the envelope must be postmarked on or before the following Tuesday. If a payment falls on a Monday that is a legal holiday, such payment is due on Tuesday, and if made by mail must be postmarked on or before the following Wednesday.

Section 1312.50 Postage Meter

Where an entry is received by letter bearing a postage meter date without any postmark by the Post Office, such postage meter date shall be considered to be a postmark for the purposes of this rule if the letter is actually received within seven days following the closing date of the event. The metered date must conform to the postmark date as set forth above in order to be valid.

Section 1312.60 Deviation From Published Conditions

All entries and payments not governed by published conditions shall be void and any proposed deviation from such published conditions shall be punished by a fine not to exceed $50. for each offense. Any nominator who is allowed privileges not in accordance with the published conditions of the race or which are in conflict with these rules, shall be debarred from winning any portion of the purse, and the said nominator and the secretary or other persons who allowed such privileges shall be deemed to have been parties to fraud.

Section 1312.70 When Ineligible Horse Races

a) Nominators are required to guarantee the identity and eligibility of their entries and declarations. If given incorrectly, the nominator may be fined, suspended or excluded. When imposing penalties, the stewards shall consider all relevant factors, including, but not limited to

   1) Whether the error related to the identification of the horse, the authenticity of eligibility papers, or the accuracy of the declaration; and

   2) Whether the error was intentional or the result of negligence.

b) Further, any winnings shall be forfeited and redistributed to eligible entries.

c) A person obtaining a purse or money through fraud or error shall surrender or pay the same to the Board for redistribution or that person together with the parties implicated in the wrong, and the horse or horses shall be suspended until such demand is complied with and such purse or money shall be awarded to the party justly entitled to the same.

Section 1312.80 Transfer of Ineligible Horse

A horse entered in an event to which it is ineligible may be transferred to any event to which it is eligible at the same gait.

Section 1312.90 Withholding Purse When Ineligible Horse Races

Tracks shall be warranted in withholding the purse won by any horse, without a formal protest, if they shall receive information in their judgment tending to establish that the entry or declaration was fraudulent or ineligible. Purses withheld under this rule shall be forthwith sent to the Board to await the result of an investigation and order of distribution by the Board.

Section 1312.100 Early Closing and Late Closing Events

a) The sponsor shall state the place and date of the event to be raced and no change in date, program, events or conditions can be made after the nominations have been taken without the written consent of the steward and owner or trainer of all

horses eligible at the time the conditions are changed. An entry blank shall be filed with the United States Trotting Association.

b) All nominations and payments, other than starting fees, in early closing events, shall be due on the first and fifteenth of the month.

c) A complete list of nominations to any late closing or early closing event shall be published within 20 days after the date of closing and mailed to each nominator, the Board, and the United States Trotting Association.

d) If the event does not fill, each nominator, the Board, and the United States Trotting Association shall be notified within 10 days and refund of nomination fees shall accompany the notice.

Section 1312.110 Subsequent Payments

If subsequent payments are required, a complete list of those making the payment shall be made within 15 days after the payment was due and the list mailed to each nominator, the Board and the United States Trotting Association.

Section 1312.120 Trust Funds

All fees paid in added money, early closing events shall be segregated and held as trust funds until the event is contested. If the event is canceled, all fees and trust fund income shall be refunded.

Section 1312.130 Stable Space

Tracks accepting nominations to early closing and late closing races, stakes and futurities will give stable space to any horse nominated and eligible to such event the day before, the day of, and the day after such race.

Section 1312.140 Limitation on Conditions

No conditions of early closing or late closing events shall be used to eliminate horses nominated to an event or to add horses that have not been nominated to an event by reason of the performance of such horses at an earlier meeting held the same season. Early closing events and late closing events shall have not more than two also eligible conditions.

Section 1312.150 Penalties

Any official or track that fails to comply with any provisions of this rule will be fined, suspended or expelled, unless otherwise provided.

Section 1312.160 Excess Entry Fees

When entry fees exceed 85 per cent of the advertised purse value, such excess entry fees shall be added to the advertised purse. Where the race is split into divisions, each division shall have a purse value of not less than 75 per cent of the advertised purse. However, entry fees in excess of the amount prescribed above may be used toward the amount that must be added.

Section 1312.170 Entries and Starters Required

a) Tracks must specify how many entries are required for overnight events and after the condition is fulfilled, the event must be contested except when declared off as provided.

b) In early closing or late closing events, if five or more interests are declared in to start, unless otherwise specified in the conditions, the race must be contested, except when declared off as provided. Stakes and futurities must be raced if one or more horses are declared in to start except when declared off as provided.

c) In an early closing event, if less horses are declared in than are required to start, and all declarers are immediately so notified, the horse or horses declared in and ready to race shall be entitled to all of the entrance money and forfeits from each horse named.

Section 1312.180 Elimination Heats

a) In any race where the number of horses declared in to start exceeds 12 on a half-mile track or 16 on a larger track, the race, at the option of the track conducting same stated before positions are drawn, may be raced in elimination heats. No more than two tiers of horses, allowing eight feet per horse, will be allowed to start in any race.

b) Where the race is divided, each division must race for at least 75% of the advertised purse. In an added money, early closing event the race may be divided and raced in divisions and each division raced for an equal share of the total purse if the advertised conditions so provide. Extended meetings shall add an additional amount so that each division will race for 75% of the total of the advertised purse and added money. These provisions shall apply to any stake or early closer with a value of $20,000 or less.

c) In any stake race or futurity, where the conditions state that the event shall be raced one dash on a race track of less than a mile at an extended pari-mutuel meeting, and where the number of horses declared in to start exceed 12, the race, at the option of the track operator, stated before positions are drawn, may be divided by lot and raced in two elimination divisions with all money winners from both divisions competing in the final. Each division shall race one

elimination heat for 20% of the total purse. The remainder of the purse shall be distributed to the money winners in the final.

Section 1312.190 Elimination Plans

a) Whenever elimination heats are required, or specified in the published conditions such race shall be raced in the following manner unless conducted under another section of this rule. The field shall be divided by lot and the first division shall race a qualifying dash for 30% of the purse, the second division shall race a quarter dash for 30% of the purse and the horses so qualified shall race in the main event for 40% of the purse. The winner of the main event shall be the race winner.

b) In the event there are more horses declared to start than can be accommodated by the two elimination dashes, then there will be added enough elimination dashes to take care of the excess. The per cent of the purse raced for each elimination dash will be determined by dividing the number of elimination dashes into 60. The main event will race for 40% of the purse.

c) Unless the conditions provide otherwise, if there are two elimination dashes, the first four finishers in each dash qualify for the final; if three or more elimination dashes, not more than three horses will qualify for the final from each qualifying dash.

d)

1) The judges shall draw the positions in which the horses are to start in the main event, i.e., they shall draw positions to determine which of the two dash winners shall have the pole, and which the second position; which of the two horses that have been second shall start in third position; and which in fourth, etc. All elimination dashes and the concluding heat must be programmed to be raced upon the same day or night, unless special provisions for earlier elimination dashes are set forth in the conditions.

2) In the event there are three separate heat or dash winners and they alone come back in order to determine the race winner according to the conditions, they will post positions according to the order of their finish in the previous heat or dash.

e) In any race where the number of horses declared in to start exceeds 12 on a half-mile track or 16 on a mile track, unless other numbers are specified in the conditions, the race, at the option of the track conducting the same, stated before positions are drawn, may be divided by lot and raced in two divisions with all heat winners from both divisions competing in a final heat to determine the race winner. Each division shall race two heats for 20% of the purse each heat. The remaining 20% of the purse shall go to the winner of the final heat.

f) Whenever elimination heats are required or specified in the published conditions of a stake or futurity, such race may be raced on three heat plan, irrespective of any provisions in the conditions to the contrary, unless such published conditions provide otherwise. That is, the field shall be divided by lot and the first division shall race for 30% of the purse, the second division shall race for 30%, and the horses qualifying in the first and second divisions shall race the third heat for 30% of the purse. If, after the third heat, no horse has won two heats, a fourth heat shall be raced by only the heat winners. The race winner shall receive the remaining 10% of the purse. The number of horses qualifying to return after each elimination heat will be the same as set out in this rule.

Section 1312.200 Overnight Events

Not more than 10 horses shall be allowed to start. No horse shall be entered in more than one event on the same program except where the conditions of the race provide that it shall be contested in two or more heats or dashes.

Section 1312.210 Entry Box and Drawing of Horses

a) The entry box shall be opened by the state steward, or his designated representative, at the advertised time. The state steward will be responsible to see that at least one horseman or an official representative of the horsemen is present. Upon request of the racing secretary, 30 minutes prior to the opening of the box, the state steward, or his designated representative, may inform the racing secretary as to the number of horses declared in.

b) No owner or agent for a horse with a declaration in the entry box shall be denied the privilege of being present. Under the supervision of the state steward, all entries shall be listed, the eligibility checked, preference ascertained, starters selected, and post positions drawn. If it is necessary to reopen any race, public announcement shall be made at least twice and the box reopened at a definite time.

c) Such drawings shall be final unless the state steward determines that a horse properly declared was omitted from the race through an error on the part of the track or its agent or employee in which event the race may be redrawn. This provision for a redrawing shall not apply unless the error is discovered prior to the publication of the official program.

Section 1312.220 Substitute Races

Substitute races may be provided for each day's program and shall be so designated. A substitute race shall be used only if regularly scheduled races fail to fill. Entries in all races shall be posted.

Section 1312.230 Drivers

a) Declarations shall state who will drive the horse and give the driver's colors. Drivers must be named at the time prescribed by the presiding judge at a meeting.

b) After being named, no driver shall be changed except by permission of the judges. When a nominator starts two or more horses, the judges shall approve or disapprove the second and third drivers.

Section 1312.240 Declaration and Withdrawing

After declaration to start has been made, no horse shall be drawn except by permission of the judges. A fine not to exceed $500., or suspension, may be imposed for drawing a horse without permission, the penalty to apply to both the horse and the party who violates the regulation.

Section 1312.250 Qualifying Races

At all extended pari-mutuel meetings, declarations for overnight events shall be governed by the following:

a) A horse that has not raced previously at the gait chosen must go a qualifying race under the supervision of a presiding judge or associate judge and acquire at least one charted line by a licensed charter. To provide complete and accurate chart information on time and beaten lengths, a standard photo-finish shall be in use.

b) A horse that does not show a charted line for the previous season, or a charted line within its last six starts, must go a qualifying race as set forth in Subparagraph a. Uncharted races contested in heats or more than one dash and consolidated according to Subparagraph d will be considered one start.

c) A horse that has not started at a charted meeting by August 1st of a season must go a qualifying race as set forth above in Subparagraph a.

d) When a horse has raced at a charted meeting during the current season, then gone to meetings where uncharted races may be summarized, including each start and consolidated in favor of charted lines, the requirements of Subparagraph b do not apply.

e) A horse's finish in a qualifying race for which no purse is offered shall not be used in determination of eligibility for other races.

Section 1312.260 Entry or Coupling

When starters in a race include two or more horses owned or trained by the same stable or by the same management, or same person, they shall be coupled as an "entry", and a wager on one horse in the "entry" shall be a wager on all horses in the "entry". However, the uncoupling of entries with common owners shall be permitted in stakes races with purses of $200,000 or more. If a race is split in two or more divisions, horses in an "entry" shall be seeded in separate divisions, but the divisions in which they compete and their post positions shall be drawn by lot.

Sections 1312.265 Uncoupled Entries

Any entry of separate ownership may be uncoupled with permission of the stewards. Such permission shall not be granted with respect to quinellas and exactas unless fields of six betting interests (five if there is a late scratch) are created.

Section 1312.270 Husband-Wife Entries

In case of husband and wife, no entry shall be received from husband or wife while either is disqualified. Husband and wife, unless legally separated shall be considered a single entity. Any ruling which applies to one shall apply equally to the other. This rule shall not apply in the case of a spouse suspended for a driving infraction or in such other cases, in the discretion of the stewards.

Section 1312.280 Also Eligibles

Not more than two horses may be drawn as also eligibles for a race and their positions shall be drawn along with the starters in the race. In the event one or more horses are excused by the judges, the also eligible horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races, the also eligible horse shall take the place of the horse that it replaces in the event the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with a similar handicap. No horse may be added to a race as an also eligible unless the horse was drawn as such at the time declarations closed. No horse may be barred from a race to which it is otherwise eligible by reason of its preference due to the fact that it has been drawn as an also eligible. A horse moved into the race from the also eligible list cannot be drawn except by permission of the judges, but the owner or trainer of such a horse shall be notified that the horse is to race and it shall be posted at the racing secretary's office. All horses on the also eligible list not moved into the race by the time specified by the presiding judge shall be released.

Section 1312.290 Preference

a) Preference shall be given in all overnight events according to a horse's last previous purse race during the current year. The preference date on a horse that has drawn to race and then scratched is the date of the race from which he was scratched. When a horse is racing for the first time in the current year, the date

of the first declaration shall be considered its last race and preference applied accordingly.

b) Provided, however, that where an overnight race has been re-opened because it did not fill, all eligible horses declared into the race prior to the re-opening shall receive preference, irrespective of the actual preference dates.

Section 1312.300 Stewards' List

a) A horse that has been placed on the stewards' list at an extended meeting for the reason that it is a dangerous or unmanageable horse, shall not be thereafter accepted as an entry unless removed from said stewards' list by the presiding judge and state steward.

b) Owners and trainers shall be notified in writing of such action and the reason for such action.

c) The clerk of the course shall make a note on the eligibility certificate of each such horse showing the date the horse was placed on the stewards' list, the reason therefor and the date of removal if the horse has been removed.

Section 1312.310 Medical Reasons for Ineligibility

A trainer or owner shall not enter or start or cause to be entered or started, a horse which:

a) is not in serviceable, sound racing condition,

b) is a known bleeder,

c) has been trachea tubed,

d) has been nerved or had cryosurgery performed on a nerve, except that horses that have had a neurectomy or cryosurgery performed on the posterior digital nerve below, and not at, the fetlock of one or more feet may be permitted to race,

e) has been "nerve blocked,"

f) is not properly plated,

g) is blind or whose vision is seriously impaired in both eyes. A horse blind in one eye may start only if the other eye has normal vision,

h) does not comply with the rules regarding AGID (Coggins) tests (11 Ill. Adm. Code Section 1309.160).

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); amended July 12, 1974, filed July 22, 1974; amended February 13, 1976, filed March 1, 1976; amended September 19, 1975, filed October 2, 1975; amended at 4 Ill. Reg. 9, p. 251, effective February 20, 1980; amended at 4 Ill. Reg. 21, p. 85, effective May 9, 1980; amended at 5 Ill. Reg. 1498, effective February 2, 1981; codified at 5 Ill. Reg. 10934; amended at 15 Ill. Reg. 2727, effective February 5, 1991; amended at 24 Ill. Reg. 7390, effective May 1, 2000; amended at 25 Ill. Reg. 6390, effective May 1, 2001; amended at 27 Ill. Reg. 5030, effective March 7, 2003; amended at 31 Ill. Reg. 8526, effective June 1, 2007.

PART 1313
GENERAL LICENSEE RULES

Section

1313.10 Worker's Compensation (Repealed)
1313.20 Health Regulations (Repealed)
1313.30 Observe Sanitary, Safety, Humane Rules (Repealed)
1313.40 Halters
1313.48 Safety Helmets
1313.50 Equipment Change and Records
1313.60 Sulky Performance Standards
1313.70 Horses in Paddock
1313.80 Body Alcohol Testing
1313.90 Deceased and Sick Horses (Repealed)
1313.100 Firearms
1313.110 Private Practice Prohibited
1313.120 Veterinarian Reports (Repealed)
1313.130 Clean Equipment (Repealed)

Section 1313.40 Halters

All horses shall be haltered while in the stall.

Section 1313.48 Safety Helmets

a) No occupational licensee shall jog, warm-up, or drive a horse on a racetrack facility during a licensed meet unless the licensee is wearing a protective safety helmet, with a chin strap in place, that has been approved by the Illinois Racing Board (Board). The Board, in its approval, shall give consideration to such criteria as the following:

1) Performance characteristics--The helmet shall consist of a durable smooth shell lined with energy absorbing material that can withstand shock to the head during impact. The helmet shall have a suspension system that maintains the position of the helmet on the licensee's head with nape strap which fits behind the head to secure the helmet to the head; mandibular pads/straps which encircle the ears and to which the chin strap attachments are anchored; and chin cup/strap which is shaped to fit over the chin.

2) Finished surface of assembled helmet--The assembled helmet shall be of a smooth and rounded external surface without any reinforcing ridges or other external projections protruding from the helmet.

3) Ventilation--The helmet may have ventilation holes but the holes shall not be greater than 13 millimeters in diameter.

4) Materials--The helmet shall be made of materials that can withstand exposure to typical
weather conditions, and the effects of contact with hair and sweat. The helmet shall not be of the type that can cause skin irritation or disease when the helmet comes into contact with the skin.

5) Vision--The helmet shall provide the peripheral visual clearance of 110 degrees.

6) Hearing Ability--The helmet shall not restrict the hearing ability of the individuals wearing the helmet with sound absorbing material.

7) Any other factor that will affect the performance characteristics of the helmet shall be considered by the Board.

b) The emphasis of the Board, in its approval, shall be upon performance characteristics, rather than construction and materials, except for determining whether vision and hearing are impaired.

c) The Board may give consideration to any performance tests of helmets conducted by consumer groups or other safety helmet testing associations but the results of such tests shall not be determinative or conclusive upon the Board.

d) In any accident, the safety helmet shall be impounded by the stewards for use in their inquiry of the accident.

e) The Board does not conduct actual testing of helmets. The Board, therefore, disclaims any liability for the use of any helmet that fails to protect an individual from personal injury.

Section 1313.50 Equipment Change and Records

The race track operator shall require owners and agents of all horses, before starting in a race conducted by the Illinois Racing Board to register, with the paddock judge of the race track operator, the regular racing equipment to be worn by the horse to be raced. Copies of the same shall be forwarded to the presiding judge and the Board. Any changes or alterations in this equipment must be approved by the judges.

Section 1313.60 Sulky Performance Standards

a) All styles, types and models of racing sulkies shall pass all performance and testing standards as established in this Part before approval for use is granted. Testing shall include Static Load Testing, Dynamic Load Testing and Track Testing.

b) The sulky shall not create either by design or manufacture any interference or hazard to any driver or horse in a race.

1) All components of the sulky shall be attached to one another in such a way that they remain attached during normal use and testing.

2) No bent shaft style sulky shall be approved.

c) Each sulky shall be equipped with two shafts that are attached independent of one another to the horse. Inside to inside measurements shall be within a range of 42" to 50" at the front of the arch. All shafts shall be equipped with quick-hitch fixtures or attachable by conventional tie-downs. All quick-hitches shall have safety straps.

d) The style of arch must be no narrower than 47" or wider than 56" in distance measuring from the inside of each side of the arch at the axle nuts.

1) The front of the arch to the center line of the harness where a horse is hitched shall be no greater than 76" as measured along the shaft.

2) The distance from the front of the arch to the back of the seat shall be no greater than 19".

3) The distance from the ground to the bottom of the arch shall be between 28" and 35" measured with the wheels attached.

4) The arch shall be parallel to the ground and located a minimum of 1" higher than the tire at all points.

e) Inside measurements between the inside fork assemblies shall be 6" greater than the inside measurements between the shafts as measured at the front of the arch (e.g., shafts 40"/inside forks 46", shafts 46"/inside forks 52"). Fork measurements shall be taken from the inside of each side of the arch at the axle nut. There shall be a fork assembly on both sides of each wheel.

f) Each sulky shall be equipped with two stirrups. Each stirrup shall not be more than 8" wide. The stirrups shall be attached to the inside of each shaft no closer than 30" from stirrup to stirrup.

g) The measurement from the ground to the heel of the stirrup and ground seat plate shall have a spread of no more than 6" as measured with the bike hitched at 54".

1) The seat plate shall be no lower than 1" below the arch.

2) The seat shall be securely attached to the seat bracket in a fixed position.

3) The back of the seat shall be no higher than 4". No high back seats shall be approved.

4) All seats shall have adequate padding to provide comfort for the driver.

h) Each sulky shall contain two wheels. The wheels shall be 26" to 28" with tire attached. All wheels shall be covered by wheel disc covers constructed in such a manner so that they are light weight and durable. Wheel discs shall be either unicolor or colorless.

i) The mud fenders shall be easily attached to the sulky in such a manner as to make them totally secure to the sulky.

j) The sulky must be attached to either side of the horse by an approved method with each shaft hooked separately on each side. The forward ends of the sulky shaft shall not project beyond the shoulder of the horse. The shafts shall not be higher than the withers of the horse.

Section 1313.70 Horses in Paddock

a) All horses must be in the paddock, in their assigned stalls, between 4 hours and 6 hours before scheduled post time of the race in which the horse is entered, as determined by the Board. Horses racing in stakes races with a purse of $20,000 or greater, and elimination races for stakes races with a purse of $40,000 or greater, shall be in their assigned stalls in the paddock at 12:00 noon the day of the race. Failure to have a horse in the assigned stall at the designated deadline shall result in the horse being scratched, and the trainer of record shall be subject to a fine not less than $200 and not more than $500. The fine may be waived if the Stewards determine that a verifiable emergency (for example, inclement weather, medical emergency or trainer vehicle breakdown or accident) prevented the trainer from getting the horse to the racetrack at the designated deadline. The trainer shall submit appropriate written documentation of the emergency as determined by the Stewards (for example, emergency room report, towing or repair bill or police report). Except for warm-up scores, no horse shall leave the paddock until called to post.

b) Persons entitled to admission to the paddock are:

1) Owners of horses competing on the date of the race.

2) Trainers of horses competing on the date of the race.

3) Drivers of horses competing on the date of the race.

4) Grooms and caretakers of horses competing on the date of the race.

5) Officials whose duties require their presence in the paddock or receiving barn.

c) No more than 2 members of a registered stable, other than the driver, shall be entitled to admission to the paddock on any racing day.

Section 1313.80 Body Alcohol Testing

Body alcohol testing of sulky drivers shall be conducted in accordance with the Illinois Racing Board Rules and Regulations.

Section 1313.100 Firearms

No person, except track security personnel and law enforcement officials while engaged in the performance of their official duties, shall possess or discharge any fire arm within any race track enclosure.

Section 1313.110 Private Practice Prohibited

No veterinarians designated as officials at any race meeting shall practice their profession upon the grounds at such race meeting without special permission from the Board, except however, such veterinarian may act in case of an emergency and only for so long as such emergency may exist.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); passed July 11, 1972; amended April 13, 1973; amended June 11, 1973; amended October 25, 1973, filed December 17, 1973 codified at 5 Ill. Reg. 10937; amended at 11 Ill. Reg. 14816, effective August 24, 1987; amended at 11 Ill. Reg. 20205, effective December 31, 1987; amended at 18 Ill. Reg. 15442, effective September 30, 1994; emergency amendment at 28 Ill. Reg. 5713, effective March 22, 2004, for a maximum of 150 days, emergency expire August 20, 2004; amended at 28 Ill. Reg. 12119, effective August 22, 2004; amended at 29 Ill. Reg. 19688, effective December 1, 2005; amended at 31 Ill. Reg. 16519, effective December 1, 2007; amended at 33 Ill. Reg. 11890, effective August 1, 2009.

PART 1314
GENERAL RACING AND TRACK RULES

Section

1314.20 Extra Races
1314.30 Postponement of Races
1314.40 Postponement Procedure
1314.50 Post Time
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1314.70 License Display
1314.80 Bonafide Contests
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1314.210 Penalty for Violation of Rules
1314.220 Stall Availability
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Section 1314.20 Extra Races

No additional races on a racing date will be permitted without the written approval of the Executive Director, and subject to conditions by the Board.

Section 1314.30 Postponement of Races

No racing shall be conducted by any race track operator over any track which is dangerous to drivers or horses competing thereon. If at any time inclement weather or other conditions appear to make the track unsafe, representatives of management and the horsemen shall meet to determine whether or not racing shall be conducted. If a difference of opinion exists, the decision of the state steward shall be final.

Section 1314.40 Postponement Procedure

a) Early closing races, stakes and futurities shall be postponed to a definite hour the next fair day and good track.

b) Any late closing race, early closing race, stake or futurity (except as provided in subparagraph c below) that cannot be raced during the scheduled meeting shall

be declared off and the entrance money and forfeits shall be divided equally among the nominators who have horses declared in and eligible to start.

c) Unless otherwise provided in the conditions, in order to transfer stakes and futurities to another meeting, unanimous consent must be obtained from the track and from all those having eligibles in the event.

d) Overnight events may be postponed and carried over not to exceed two racing days.

e) At the option of management, any postponed races may be contested in single mile dashes. When races are postponed under this rule, management shall have the privilege of selecting the order in which the events will be raced in any combined program.

f) Any stake or futurity that has been started and remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary except where the Board allows the track to extend the meeting to complete the race.

Section 1314.50 Post Time

Post time for the first race of the program may be fixed by the race track operator. If post time must be delayed, the operator must receive approval of the delay from the Stewards.

Section 1314.60 Head Numbers

Each competing horse shall be equipped with numbers of style, type and design approved by the state steward. Numbers shall be arranged so that coupled horses may be distinguished as such, and that horses coupled in the field may be distinguished as such.

Section 1314.70 License Display

During the course of its race meetings, each licensed race track operator shall display the license issued by the Board for the current year.

Section 1314.80 Bonafide Contests

All races shall be bonafide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the order of finish. No hippodroming or other arrangement for equal distribution of the purse money among the contestants is permitted. Violation of this rule will subject the track officials in charge and the owners and drivers to fine, suspension and/or expulsion.

Section 1314.90 Payment Default

Any track that defaults in the payment of a premium that has been raced for, shall, after a hearing before the Board, stand suspended, together with its officers. No deduction, voluntary or involuntary, may be made from any purse or stake or futurity other than for payments to be made to the owners, nominators, or breeders of money winning horses and organization or promotion expenses stipulated for stakes and futurities.

Section 1314.110 Liability for Promoters

If at a meeting of a licensed track, a race is contested which has been promoted by another party or parties, and the promoters thereof default in the payment of the amount raced for, the same liability shall attach to the licensed track as if the race had been offered by such licensed track.

Section 1314.120 Bad Checks

If track pays any purse by check, which upon presentation is dishonored, the matter shall immediately be referred to the Board for disposition.

Section 1314.130 Advertised Purse

When any track advertises minimum purses and conducts any race for less than said advertised minimum, unless previously sanctioned by the Illinois Racing Board, such track shall be fined the difference between the advertised minimum and the lesser purse for which such race was conducted and the proceeds of such fine may be distributed among the money winning horses in proportion to their respective winnings.

Section 1314.140 Advertising and Awards

Except as herein stated, no track shall advertise to pay or pay any awards other than to owners, nominators, or breeders of money winning horses. Awards may be made to drivers of horses breaking or equaling track or world records, or to leading drivers at meetings.

Section 1314.150 Allocation of Stalls

a) No race track operator shall allocate stalls except pursuant to a written stall application and agreement, the form of which shall have been approved by the Board. The racing secretary shall be responsible for stall allocation unless some other official is substituted by the race track operator to perform that function and the Board notified of the substitution.

b) Notification

1) The racing secretary shall give each applicant written notice specifying whether an application, with respect to each stall requested, has been

accepted, denied, or placed in a pending status. The notice shall be given not later than five days prior to the start of the meeting or ten days after receipt of the stall application, whichever occurs last.

2) Within ten days after initial notification is required by this Section, final action shall be taken and written notice given with respect to any stall application originally placed, in whole or in part, in a pending status.

c) The racing secretary's view of the best interest of racing and of the meeting in question shall govern his action on stall applications, and he shall be allowed broad discretion in performing this function. Nevertheless:

1) No action on a stall application shall be based upon -

A) the race, color, creed, religion, national origin or sex of the applicant, or

B) an arbitrary or capricious decision, or a decision not related to any reasonable view of the best interests of racing or of the meeting in question.

2) No stall allocation shall be conditioned upon the payment, transfer or delivery to the racing secretary, or to any other person designated by him, of any money, property or other thing of value or upon the applicant's promise to make such payment, transfer or delivery.

d) Any owner, trainer or other person believing himself to be aggrieved by a violation of this Section may file a written complaint with the Board which shall conduct a hearing with respect to the alleged violation. If the Board determines that such a violation has occurred, it may impose a fine upon the race track operator not to exceed $500 for each violation, may order that stalls be allocated to the complainant and may take other action as it deems appropriate. In order to facilitate the conduct of inquiries into alleged violations of this Section, the racing secretary shall cause all stall applications, stall agreements, correspondence and other related material to be retained until the close of the meeting or for a longer period as the Board may direct.

e) In passing upon stall applications that are of substantially equal merit, the racing secretary shall give preference to applications submitted with respect to horses owned by Illinois residents.

f) Acceptance of an application for stall space for any horse shall be conditioned upon proof of a negative Coggins test for equine infectious anemia.

Section 1314.160 Paddock and Receiving Barn

a) Every extended pari-mutuel track shall provide a paddock and a receiving barn.

b) The paddock and receiving barn must be completely enclosed with a man-tight fence and all openings through said fence shall be policed so as to exclude unauthorized personnel therefrom.

c) During racing hours, each track shall provide suitable extra equipment as may be necessary for the conduct of racing without unnecessary delay.

d) During racing hours, each track shall provide the services of a blacksmith within the paddock.

e) Each track shall see that the provisions of this rule are rigidly enforced and the Board may impose a fine not to exceed $500. for each violation of this rule.

Section 1314.170 Photofinish and Starting Gate

a) At all tracks a photo finish and starting gate must be used. Whenever the judges use a photo to determine the order of finish, it shall be posted for public inspection during that same racing program. Photo finish equipment shall be approved by the Stewards.

b) The State Steward and Association Steward shall review all photo finishes and confirm or correct the decision of the placing judges before a race is declared official.

Section 1314.180 Driver Insurance

Each track shall prepare and prominently display in the racing secretary's office, a statement giving the name of the company with which it carries driver insurance.

Section 1314.190 Interference with Officials

Although track operators have the obligation of general supervision of their meetings, interference with the proper performance of duties of any official is hereby prohibited.

Section 1314.200 Film Recordings

a) All race track operators shall take and make at their own expense a complete recording of all races run. The number and location of recording stations, the type of equipment used, and the quality of the image must be satisfactory to the state steward. The state steward shall certify to the Board, three days prior to the opening of any meeting, in writing, that he approved the recording system,

and believes it to be adequate. No system shall be so certified unless it can deliver the recording of the race within two minutes of the finish of that race.

b) These recordings shall be under the control of the state steward and shall not be shown to other persons without his permission. The race track operator shall hold all recordings from one year from the final date of the race meeting at which they are made. Race track operators shall hold for five years, all recordings in which there are infractions or claims of foul and such other recordings as the state steward shall designate.

c) In order to educate and protect the drivers, race track operators shall provide facilities where recordings may be shown to the drivers.

Section 1314.210 Penalty for Violation of Rules

Any race track operator who violates any provision of the Rules and Regulations of Harness Racing or of the Illinois Horse Racing Act of 1975 may be fined no more than $5000. for each such violation and/or may have said operator's license to conduct a harness racing meeting suspended or revoked.

Section 1314.220 Stall Availability

a) That applicant for racing dates which is allotted the first meeting for the harness racing season in any year within Cook County, as a condition to its receiving its license to conduct a racing meeting, shall make available to horsemen and their horses the backstretch and racing surface facilities at the race track at which such first meeting is to be conducted no less than three weeks prior to the commencement of such first meeting.

b) That applicant for racing dates which is allotted the first meeting for the harness racing season in any year at a race track more than 150 miles from Cook County, as a condition to its receiving its license to conduct a racing meeting, shall make available to horsemen and their horses the backstretch and racing surface facilities at the race track at which such first meeting is to be conducted no less than six weeks prior to the commencement of such first meeting.

Section 1314.230 Limitation on Purse Reductions

a) No purse for any race may be reduced after said purse has been advertised, published, or reflected in the conditions unless notice of said reduction is promptly given to the state steward, promptly posted on the public bulletin board in the racing secretary's office for the inspection of owners, trainers, and the public, and listed in the "overnight sheets".

b) No purse for any race may be reduced after the first entry is made for any such race.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); amended at August 8, 1973; added March 15, 1974, filed March 22, 1974; amended April 11, 1974, filed and effective April 30, 1974; amended July 12, 1974, filed July 22, 1974; amended October 25, 1974, filed November 7, 1974; amended August 21, 1976, filed August 30, 1976; codified at 5 Ill. Reg. 10939; amended at 16 Ill. Reg. 8229, effective May 19, 1992; amended at 30 Ill. Reg. 10467, effective June 1, 2006.

PART 1316
STARTING

Section

1316.10 Starting Gate
1316.20 Use of Loudspeaker
1316.30 Two Tiers
1316.40 Horses Must Go the Course
1316.50 Unmanageable Horses
1316.60 Starting Gate Shields
1316.70 Riding With the Starter

Section 1316.10 Starting Gate

a) Horses shall be started from a starting gate. The starter shall have control of the horses from the formation of the parade until he gives the word "go."

b) After one or two preliminary warming up scores, the starter shall notify the drivers to come to the starting gate. During or before the parade, the drivers must be informed as to the number of scores permitted. Horses may be held on the backstretch not to exceed two minutes awaiting post time, except during an emergency.

c) The horses shall be brought to the starting gate as near one-quarter of a mile before the start as the track will permit.

d) Allowing sufficient time so that the speed of the gate can be increased gradually, the following minimum speeds will be maintained:

1) For the first one-eighth mile, not less than 11 miles per hour.

2) For the next one-sixteenth of a mile, not less than 18 miles per hour.

3) From that point to the starting point, the speed will be gradually increased to maximum speed.

e) On mile tracks, horses will be brought to the starting gate at the head of the stretch and the relative speeds mentioned in sub-section d above will be maintained.

f) The starting point will be a point marked on the inside rail a distance of not less than 200 feet from the first turn. The starter shall give the word "go" at the starting point.

g) When a speed has been reached in the course of a start there shall be no decrease except in the case of a recall.

h) In case of a recall, a light plainly visible to the drivers shall be flashed and a recall sounded, but the starting gate shall proceed out of the path of the horses.

i) There shall be no recall after the word "go" has been given, and, any horse, regardless of his position, or an accident, shall be deemed a starter from the time he entered into the starter's control, unless dismissed by the starter or declared a non-starter by the stewards.

j) The starter shall endeavor to get all horses away in position and on gait but no recall shall be had for a breaking horse.

k) The starter has the authority to sound a recall if:

1) A horse scores ahead of the gate.

2) There is interference.

3) A horse has broken equipment.

4) A horse falls before the word "go" is given.

l) Any horse causing two recalls will be dismissed by the starter.

m) If the starter has not dismissed a horse or ordered a recall and the stewards observe any of the factors enumerated in Section 1316.10(k), the stewards shall declare the horse a non-starter if the horse is unable to finish the race.

n) All wagers on any horse dismissed by the starter or declared a non-starter by the stewards shall be refunded except when a consolation payoff is applicable.

o) A civil penalty not to exceed $100. or suspension from driving not to exceed 15 days, or both, shall be applied to any driver for:

1) Delaying the start.

2) Failure to obey the starter's instructions.

3) Rushing ahead of the inside or outside wing of the gate or rushing the gate.

4) Coming to the starting gate out of position.

5) Crossing over before reaching the starting point.

6) Interference with another driver during the start.

7) Failure to come into position and/or failure to stay in position.

p) The stewards shall discuss the matter with the driver before any penalty is imposed.

Section 1316.20 Use of Loudspeaker

Use of a mechanical loudspeaker for any purpose other than to give instructions to drivers is prohibited. The volume shall be no higher than necessary to carry the voice of the starter to the drivers.

Section 1316.30 Two Tiers

In the event there are two tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier. Whenever a horse is drawn from any tier, horses on the outside move in to fill up the vacancy.

Section 1316.40 Horses Must Go the Course

The horses shall be deemed to have started when the word "go" is given by the starter and all horses must go the course except in case of an accident in which it is the opinion of the judges that it is impossible to go the course. Drivers must be mounted at the finish of the race or the horse must be placed as not finishing.

Section 1316.50 Unmanageable Horses

If in the opinion of the judges or the starter a horse is unmanageable or liable to cause accidents or injury to any other horse or to any driver, it may be sent to the barn, but the entry and declaration fees on the horse shall then be refunded. In no event shall such a horse be placed on the outside. When a horse is sent to the barn, the starter will notify the judges who will in turn notify the public.

Section 1316.60 Starting Gate Shields

The arms of all starting gates shall be provided with a screen or a shield in front of the position for each horse, and such arms shall be perpendicular to the rail.

Section 1316.70 Riding With the Starter

No persons shall be allowed to ride in the starting gate except the starter and his driver or assistant, and a patrol judge, unless permission has been granted by the state steward.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); amended March 14, 1975, filed and effective March 27, 1975; codified at 5 Ill. Reg. 10942; amended at 8 Ill. Reg. 11458, effective June 21, 1984.

PART 1317
DRIVERS, TRAINERS, AND AGENTS

Section

1317.10 Proper License
1317.20 Approval of License
1317.30 Driver's Bench (Repealed)
1317.40 Disorderly Conduct
1317.50 Caretakers
1317.60 Colors
1317.70 Restricted Areas for Drivers in Colors
1317.80 Driver Substitutions
1317.85 Conflict of Interest
1317.90 Driving Violations
1317.100 Color Registration
1317.110 Repeated Violations
1317.120 Accidents
1317.130 Physical Examination
1317.140 Objections
1317.150 Drivers Meeting
1317.160 Traffic Procedure

Section 1317.10 Proper License

No driver is eligible to participate in races without a driver's license issued by the United States Trotting Association. Drivers lacking said license must petition the Board for an Illinois driver's license.

Section 1317.20 Approval of License

Drivers must present their licenses to the clerk of the course before driving.

Section 1317.30 Driver's Bench (Repealed)

Section 1317.40 Disorderly Conduct

The following shall constitute disorderly conduct and be reason for a civil penalty, suspension, or revocation of a driver's license:

a) Failure to obey the stewards' or judges' orders;

b) Failure to drive when programmed unless excused by the stewards.

c) Appearing in the paddock in an unfit condition to drive;

d) Fighting;

e) Assaults;

f) Offensive and profane language;

g) Smoking on the track in silks during actual racing hours or in the barns and stables;

h) Warming up a horse prior to racing without silks; or

i) Disturbing the peace.

Section 1317.50 Caretakers

No attendant of a horse shall appear upon the track one hour preceding post time of the first event of the day or night without proper uniform. No attendant of a horse shall smoke upon the track.

Section 1317.60 Colors

Drivers must wear distinguishing colors and shall not be allowed to start in a race or other public performance unless in the opinion of the judges they are properly dressed. In any race or appearance on the race track during the racing program, raingear worn by a driver shall be in his own or his owner's colors.

Section 1317.70 Restricted Areas for Drivers in Colors

No driver wearing colors shall appear at a betting window, grandstand or clubhouse, or at a bar or in a restaurant or any other such place unless permitted by the stewards.

Section 1317.80 Driver Substitutions

No driver can, without good and sufficient reasons, decline to be substituted by judges. Any driver who refuses to be so substituted may be fined or suspended, or both, by order of the judges.

Section 1317.85 Conflict of Interest

a) No driver shall drive a horse in a race in which there shall start another horse that he in any way represents or handles, unless coupled as an entry.

b) No driver shall drive a horse in a race in which there shall start another horse in which he has a financial or business interest, or an interest that is injurious to racing as determined by the stewards, unless coupled as an entry.

Section 1317.90 Driving Violations

Where the penalty is for a driving violation and does not exceed in time a period of five days, the driver may complete the engagements of all horses declared in before the penalty becomes effective. Such driver may drive in stake, futurity, early closing and feature races during a suspension of five days or less, but the suspension will be extended one day for each date he drives in such a race.

Section 1317.100 Color Registration

Drivers holding a full license or registered stables shall register their racing colors with the United States Trotting Association.

Section 1317.110 Repeated Violations

Repeated rule violations shall be considered grounds for refusal to grant or grounds for revocation of any driver's license.

Section 1317.120 Accidents

In the event any person is involved in an accident on the track, the Board may order such person to submit to a physical examination and such examination must be completed within 30 days from such request or the license may be suspended until compliance therewith.

Section 1317.130 Physical Examination

a) An applicant for a driver's license may be required to take a physical examination before his application will be considered.

b) The Illinois Racing Board reserves the right to require any driver to take a physical examination at any time.

Section 1317.140 Objections

The stewards must decide every objection pertaining to a race.

Section 1317.150 Drivers Meeting

Before the first race at any pari-mutuel meet is contested, officials and drivers shall meet at a time and place designated by the presiding judge and discuss the Rules and Regulations. Every driver shall be notified of the time and place of said meeting in writing with notification delivered at the stable of such driver at least one day in advance of such meeting. Drivers who come in after the meeting has started shall introduce themselves to the state steward or presiding judge and discuss the Rules and Regulations before driving in their first race.

Section 1317.160 Traffic Procedure

Horses meeting on the track shall pass to the left.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); amended December 22, 1977, filed December 30, 1977; codified at 5 Ill. Reg. 10943; amended at 10 Ill. Reg. 10144, effective May 27, 1986; amended at 11 Ill. Reg. 14813, effective August 24, 1987; amended at 14 Ill. Reg. 17639, effective October 16, 1990; amended at 28 Ill. Reg. 15800, effective December 1, 2004.

PART 1318
RACING RULES

Section

1318.10 Racing Conduct
1318.20 Complaints
1318.30 Disqualification of Entries
1318.40 Penalties
1318.50 Unsatisfactory Driving
1318.60 Driver Substitution
1318.70 Failure to Finish
1318.80 Improper Conduct
1318.90 Use of the Whip
1318.100 Goading Devices (Repealed)
1318.110 Accidents
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1318.130 Breaking
1318.140 Breaking on Purpose
1318.150 Call Out Breaks
1318.160 Right of Course
1318.170 Penalties
1318.180 Harness Tracks Without a Continuous Hub Rail
1318.190 Open Stretch Racing

Section 1318.10 Racing Conduct

Although a leading horse is entitled to any part of the track except after selecting his position in the home stretch, neither the driver of the first horse or any other driver in the race shall do any of the following things, which shall be considered violations of driving rules:

a) Change either to the right or left during any part of the race when another horse is so near him, that in altering his position he compels the horse behind him to shorten his stride, or causes the driver of such other horse to pull him out of his stride;

b) Jostle, strike, hook wheels, or interfere with another horse or driver;

c) Cross sharply in front of a horse or cross over in front of a field of horses in a reckless manner, endangering other drivers;

d) Swerve in and out or pull up quickly;

e) Crowd a horse or driver by "putting a wheel under him";

f) "Carry a horse out" or "sit down in front of him," take up abruptly in front of other horses so as to cause confusion or interference among the trailing horses, or do any other act which constitutes helping;

g) Let a horse pass inside needlessly;

h) Lay off a normal pace and leave a hole when it is well within the horse's capacity to keep the hole closed;

i) Commit any act which shall impede the progress of another horse or cause him to "break";

j) Change course after selecting a position in the home stretch and swerve in or out, or bear in or out, in such a manner as to interfere with another horse or cause him to change course or take back;

k) Drive in a careless or reckless manner;

l) Whip under the arch of the sulky; or

m) Failure to set and maintain a proper pace while driving.

Section 1318.20 Complaints

a) All complaints by drivers of any foul driving or other misconduct during a heat or dash must be made at the termination thereof, unless the driver is prevented from doing so by an accident or injury. At the conclusion of each heat or dash, every driver shall return in the sulky to the judges' stand to be dismissed by the judges or barrier judge. Any driver desiring to enter a claim of foul or other complaint of violation of the rules must before dismounting indicate to the barrier judge his desire to enter such claim or complaint and forthwith upon dismounting shall proceed to the telephone or judges' stand where and when such claim, objection or complaint shall have been entered and considered.

b) After being dismissed by the judges or barrier judge, all drivers must return to the paddock and remain there until the race is made official.

Section 1318.30 Disqualification of Entries

a) If two or more horses are coupled in the betting as an entry and one or more of them is guilty of interference or is disqualified for violation of any portion of this Part (11 Ill. Adm. Code 1318), the other horse coupled as an entry shall also be disqualified if the stewards determine that it improved its finishing position as a direct result of the violation.

b) In determining the extent of disqualification, the stewards shall disqualify and place the offending horse or horses behind such horses as may have suffered by reason of the violation of the rules.

Section 1318.40 Penalties

In the case of interference, collision, or violation of any part of this rule, the offending horse may be placed behind all the unoffending horses in that heat or dash, and in the event such collision or interference prevents any horse from finishing the heat or dash, the offending horse may be disqualified from receiving any winnings; and the driver may be fined not to exceed the amount of the purse or stake contended for, or may be suspended or expelled.

Section 1318.50 Unsatisfactory Driving

a) Every heat in a race must be contested by every horse in the race and every horse must be driven to the finish. If the judges believe that a horse is being driven, or has been driven with the design to prevent his winning a heat or dash which he was evidently able to win, or is being raced in an inconsistent manner, or to perpetrate or to aid a fraud, they shall consider it a violation and the driver, and anyone in concert with him, to so affect the outcome of the race or races, may be fined, suspended or expelled. The judges may substitute a competent and reliable driver at any time. The substituted driver shall be paid at the discretion of the judges and the fee retained from the purse money due the horse, if any.

b) In the event a drive is unsatisfactory due to lack of effort or carelessness, and the judges believe that there is no fraud, gross carelessness, or a deliberate inconsistent drive, they may impose a penalty under this sub-section not to exceed 10 days suspension or a $100. fine.

Section 1318.60 Driver Substitution

If in the opinion of the judges, a driver is for any reason unfit or incompetent to drive or refuses to comply with the directions of the judges, or is reckless in his conduct and endangers the safety of horses or other drivers in the race, he may be removed and another driver substituted at any time after the positions have been assigned in a race, and the offending driver shall be fined, suspended or expelled. The substitute driver shall be properly compensated.

Section 1318.70 Failure to Finish

If for any cause other than being interfered with, or broken equipment, a horse fails to finish after starting in a heat, that horse shall be ruled out.

Section 1318.80 Improper Conduct

Loud shouting or other improper conduct is forbidden in a race. After the word "go" is given, both feet must be kept in the stirrups until after the finish of the race. Drivers must have both feet in the stirrups when horses are parading to the post and during qualifying races.

Section 1318.90 Use of the Whip

a) Drivers will be allowed whips not to exceed 4 feet in total length plus a snapper not longer than 6 inches. All whips are subject to inspection and measurement by the Board. Alteration of whips, in any manner, shall be considered a violation of this Section.

b) Whipping below the shafts, including but not limited to the stifle area, is prohibited.

c) The following actions shall include, but not limited to, excessive and/or abusive:

1) Whipping a horse during a post parade, scoring down, or after the finish of a race, except when necessary to control the horse;

2) Use of the butt end of the whip;

3) Striking any part of the horse under the tail and/or between the legs;

4) Whipping a horse that is no longer in contention and showing no response to the whip;

5) Causing visible injury; and

6) Use of any object or stimulating device and/or application.

d) Penalties

1) Penalties for violation of any of the provisions of this Section are as follows:

A) 1st offense - $100 fine;

B) 2nd offense within a 365 day period after the 1st offense - $300 fine;

C) 3rd offense within a 365 day period after the 1st offense - $500 fine and a 3 day suspension;

D) 4th offense within a 365 day period after the 1st offense - $1,000 fine and a 5 day suspension.

2) Subsequent offenses shall be referred to the Board for determination of penalties.

(AMENDED EFFECTIVE JANUARY 27, 2010)

Section 1318.110 Accidents

In the case of accidents, only so much time shall be allowed as the judges may deem necessary and proper.

Section 1318.120 Use of Hopples

Any person found guilty of removing or altering a horse's hopples for the purpose of fraud shall be suspended, or expelled. Any horse habitually wearing hopples shall not be permitted to start in a race without them except by the permission of the judges. Any horse habitually racing free-legged shall not be permitted to wear hopples in a race except with the permission of the judges. No horse shall be permitted to wear a headpole protruding more than 10 inches beyond its nose.

Section 1318.130 Breaking

a) When a horse or horses break from their gait in trotting or pacing, their driver shall at once, where clearance exists, take such horse to the inside or outside and pull it to its gait.

b) The following shall be considered violations of this rule:

1) Failure to properly attempt to pull the horse to its gait.

2) Failure to take to the inside or outside where clearance exists.

3) Failure to lose ground by the break.

4) An extended break (i.e., any break in gait that lasts 1/16 mile or more).

c) If there has been no failure on the part of the driver in complying with sub-sections b(1), b(2), b(3) and b(4), the horse shall not be set back unless a contending horse on its gait is lapped on the hind quarter of the breaking horse at the finish.

d) The judges may set any horse back one or more places if in their judgment any of the above violations have been committed and the driver may be punished.

e) If a horse goes offstride during any part of the race, and, in the opinion of the stewards, interferes with any horse or horses, that interference shall constitute a violation. The offending horse shall be placed behind all horses interfered with unless the driver of the horse or horses interfered with failed to exercise reasonable care to avoid the incident.

Section 1318.140 Breaking on Purpose

If, in the opinion of the judges, a driver allows his horse to break for the purpose of fraudulently losing a heat or dash, he shall be liable to the penalties elsewhere provided for fraud and fouls.

Section 1318.150 Call Out Breaks

To assist in determining the matters contained in sections 7.02 and 7.03, (11 Ill. Adm. Code Sections 1307.20 and 1307.30) it shall be the duty of one of the judges to call out every break made, and the clerk shall at once note the break and character of it in writing.

Section 1318.160 Right of Course

Horses called for a race shall have the exclusive right of the course and all other horses shall vacate the track at once, unless permitted to remain by the judges.

Section 1318.170 Penalties

Any violation of any sections of the above rule, unless otherwise provided, may be punished by a fine and/or suspension or by expulsion.

Section 1318.180 Harness Tracks Without a Continuous Hub Rail

a) In the event a horse or part of the horse's sulky leaves the course, and if, in the opinion of the stewards, that action gives the horse an unfair advantage over the other horses in the race, the horse may be disqualified or placed back one or more positions. In any such disqualification or placing, the horse gaining an unfair advantage shall be disqualified or place behind the horse or horses effected.

b) In the event a horse or part of the horse's sulky leaves the course for any reason, it shall be the driver's responsibility to take all reasonable steps to safely re-enter the race course as soon as possible.

Section 1318.190 Open Stretch Racing

a) With approval of the Board, a track may extend the width of its homestretch up to 10 feet inward in relation to the width of the rest of the racetrack. The criteria for Board approval shall include, but not be limited to, the size of the race track, the length of the homestretch, the necessity for conversion from harness to thoroughbred racing surfaces and rails, and the type of existing rail.

b) In the event the home stretch is expanded pursuant to subsection (a), the following shall apply:

1) No horse shall pass on the extended inside lane entering the stretch the first time on a 1/2 mile track.

2) The lead horse in the homestretch shall maintain as straight a course as possible while allowing trailing horses full access to the extended inside lane.

3) Horses using the open stretch must first have complete clearance of the pylons. Any horse or sulky running over the pylons and/or going to the inside of the pylons to clear may be disqualified by the Steward.

4) No horse may be driven into the open stretch for the purpose of blocking or impeding a trailing horse. It shall be presumed that a horse that blocks or impedes a trailing horse in the open stretch without advancing on a leading horse is being driven for the purpose of blocking or impeding a trailing horse. Violation of this provision may result in a disqualification, and the driver may be fined.

SOURCE: Published in Rules and Regulations of Harness Racing (original date not cited in publication); adopted December 22, 1977, filed December 30, 1977; codified at 5 Ill. Reg. 10945; amended at 5 Ill. Reg. 13719, effective December 2, 1981; emergency amendment at 15 Ill. Reg. 15610, effective October 10, 1991, for a maximum of 150 days, emergency expired March 8, 1992; amended at 16 Ill. Reg. 7489, effective April 27, 1992; amended at 17 Ill. Reg. 19303, effective October 25, 1993; amended at 22 Ill. Reg. 7049, effective May 1, 1998; amended at 28 Ill. Reg. 14658, effective November 1, 2004; amended at 29 Ill. Reg. 14043, effective September 1, 2005; amended at 30 Ill. Reg. 9188, effective May 1, 2006; amended at 34 Ill. Reg. 2324, effective January 27, 2010; amended at 35 Ill. Reg. effective May 23, 2011.

PART 1319
PLACING AND MONEY DISTRIBUTION

Section

1319.10 Placing
1319.20 Money Distribution

Section 1319.10 Placing

Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse's position in each separate race or heat of a race.

Section 1319.20 Money Distribution

a) Unless otherwise specified in the conditions, the money distribution in dashes shall be 50 per cent, 25 per cent, 12 per cent, 8 per cent and 5 per cent. In early closing events, late closing events or added money events, if there are less than five starters, the remaining premium shall go to the race winner unless the conditions call for a different distribution. In overnight events if there are less than five starters, the premium for the positions for which there are no starters may be retained by the track.

b) If horses have started for any premium or premiums but were unable to finish due to an accident or otherwise, all unoffending horses who did not finish will share equally in such premium or premiums.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10947.

PART 1320
FORBIDDEN CONDUCT

Section

1320.10	Improper Conduct
1320.20	Assault and/or Battery
1320.30	Conspiracy Not to Race
1320.40	Demand Special Rewards
1320.50	Betting On Starters
1320.60	Fraudulent Proposals
1320.70	Acts Injurious to Racing
1320.80	Conspiracy to Violate Rules
1320.90	Sworn Oaths
1320.100	Association with Undesirables
1320.110	Bookmaking
1320.130	Betting By Board Employees
1320.150	Humane Treatment of Horses (Repealed)

Section 1320.10 Improper Conduct

No owner, trainer, driver, attendant of a horse, or any other person shall use improper language to an official, or be guilty of any improper conduct toward such officers or judges or persons serving under their orders, such improper language or conduct having reference to the administration of the course, or of any race thereon.

Section 1320.20 Assault and/or Battery

No licensee on organization grounds shall commit an assault or battery.

Section 1320.30 Conspiracy Not to Race

If any owner, trainer, or driver, of a horse shall threaten or join with others in threatening not to race, or not to declare in, because of the entry of a certain horse or horses, or a particular stable, thereby compelling or trying to compel the racing secretary to reject certain eligible entries, it shall be immediately reported to the state steward and the offending parties may be suspended pending a hearing.

Section 1320.40 Demand Special Rewards

No owner, agent or driver who has entered a horse shall thereafter demand of the track a bonus of money or other special award or consideration as a condition for starting the horse.

Section 1320.50 Betting On Starters

No owner, trainer, driver, agent, employee or attendant shall bet or cause any other person to bet on his behalf on any other horse in any race in which a horse owned, trained, or driven or in which he in any way represents or handles is a starter.

Section 1320.60 Fraudulent Proposals

If any person under the jurisdiction or control of the Board is approached with any offer or promise of a bribe, or with a request or a suggestion for a bribe, or for any improper, corrupt or fraudulent act or practice in relation to a race or racing, or that any race shall be conducted otherwise than fairly in accordance with the Rules and Regulations of the Board, it shall be the duty of such person to report immediately such matters to the judges and the Board. Persons violating this section will be suspended for a period of not less than 30 days to a lifetime suspension.

Section 1320.70 Acts Injurious to Racing

Any misconduct on the part of a race track operator or participant, fraudulent in its nature or injurious to the character of the turf, although not specified in these rules, is forbidden. Any person or persons who individually or in concert with one another, shall fraudulently and corruptly, by any means, affect the outcome of any race or affect a false registration or commit any other act injurious to the sport, shall be guilty of a violation.

Section 1320.80 Conspiracy to Violate Rules

If two or more persons shall combine and confederate together in any manner, regardless of where the said persons may be located, for the purpose of violating any of these rules and shall commit some act in furtherance of the said purpose and plan, it shall constitute a conspiracy and a violation.

Section 1320.90 Sworn Oaths

In any case where an oath is administered by judges, or a representative of this Board under the Rules and Regulations, or a Notary Public, or any other person legally authorized to administer oaths, if the party knowingly swears falsely or withholds information pertinent to the investigation, he shall be fined, suspended, or both, or expelled.

Section 1320.100 Association with Undesirables

No owner, driver, trainer, groom, attendant or any other person having charge of or access to any horse shall at any time associate with, consort with or in any manner communicate with any known bookmaker, tout or persons of similar pursuits either on or off the track. If the reputation of a gambler, bookmaker, tout or person of similar pursuit is notorious, the owner, driver, trainer, groom, attendant or other persons having charge of, or access to any horse shall

be presumed to have knowledge of the fact. Persons violating this section will be suspended for a period of not less than 30 days to a lifetime suspension.

Section 1320.110 Bookmaking

Anyone guilty of making a handbook on the grounds of any race track operator shall be ejected from the grounds, and denied further admission thereto, and any owner, driver, or other person interested in any horse or horses at said meeting, who shall be guilty of betting with or through any such handbook, shall be ejected from the grounds or denied admission by order of the stewards.

Section 1320.130 Betting By Board Employees

Any person appointed or approved by the Board is prohibited from betting or having anyone bet for him. Employees violating this rule shall be removed from their positions.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10948; amended at 9 Ill. Reg. 11653, effective July 15, 1985; amended at 18 Ill. Reg. 17751, effective November 28, 1994; amended, effective April 15, 1996; amended at 31 Ill. Reg. 16524, effective December 1, 2007.

PART 1322
FINES, SUSPENSION, AND EXPULSION

Section

1322.10 Suspension Until Paid
1322.20 Fines and Penalties Recorded
1322.30 Definition of Suspension
1322.40 No Right to Compete
1322.50 Fraudulent Transfer
1322.60 Track Enforcement of Penalties
1322.70 Use of Track Grounds
1322.80 Exclusion
1322.90 Track Officers
1322.100 Dishonored Check

Section 1322.10 Suspension Until Paid

All persons who shall have been fined under these Rules and Regulations shall be suspended until said fine shall have been paid in full.

Section 1322.20 Fines and Penalties Recorded

All fines and other penalties imposed by the judges or starter on any person or horse on the grounds of a track shall be recorded in the judges' book. Written or printed notice thereof shall be delivered to the person penalized; notice shall be posted immediately at the office of the track, and notice shall be forwarded immediately to the office of the United States Trotting Association. All penalties imposed on a driver shall be recorded by track officials on the reverse side of the driver's United States Trotting Association or Illinois license.

Section 1322.30 Definition of Suspension

Whenever the penalty of suspension is prescribed in these rules, it shall be construed to mean an unconditional exclusion and disqualification from the time of receipt of written notice of suspension from privileges and uses of the course and grounds of a track during the progress of a race meeting, unless otherwise specifically limited when such suspension is imposed, such as a suspension from driving. A suspension or expulsion of either a husband or wife shall apply in each instance to both the husband and wife. The suspension becomes effective when notice is given unless otherwise specified.

Section 1322.40 No Right to Compete

No horse shall have the right to compete while owned or controlled wholly or in part by a suspended, expelled, disqualified or excluded person. An entry made by or for a person or of a horse suspended, expelled or disqualified, shall be held liable for the entrance fee thus contracted without the right to compete unless the penalty is removed. A suspended,

disqualified or excluded person who shall drive, or a suspended or disqualified horse which shall perform in a race shall be fined not less than $50., nor more than $100., for each offense.

Section 1322.50 Fraudulent Transfer

The fraudulent transfer of a horse by any person or persons under suspension in order to circumvent said suspension, shall constitute a violation.

Section 1322.60 Track Enforcement of Penalties

Any track wilfully allowing a suspended, disqualified or excluded person to drive in a race, or a suspended or disqualified horse to start in a race or a performance against time, after notice, shall be, together with its officers, subject to fine not exceeding $100. for each offense, or suspension of license.

Section 1322.70 Use of Track Grounds

Any track wilfully allowing the use of its grounds by an expelled or unconditionally suspended person or horse shall be, together with its officers, subject to a fine not exceeding $500. for each offense or suspension of license.

Section 1322.80 Exclusion

Whenever a person is excluded from a pari-mutuel track by the track, the Board and the United States Trotting Association shall be notified.

Section 1322.90 Track Officers

An expelled, suspended, disqualified or excluded person cannot act as an officer of a track. A track shall not, after notice from the Board, employ or retain in its employ an expelled, suspended, disqualified or excluded person. Any track found violating this rule shall be fined not to exceed $500.

Section 1322.100 Dishonored Check

Any person who pays an entry, a fine or other claim to the Board by a draft, check, order or other paper, which upon presentation is protested, payment refused or otherwise dishonored, shall be subject to a fine not exceeding the amount of said draft, check, or order. Said persons and horses shall be suspended until the dishonored amount and fine are paid.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10950.

PART 1323
PROTESTS AND APPEALS

Section

1323.10	Protests
1323.20	Testify Under Oath
1323.30	Race Under Protest
1323.40	Frivolous Claim
1323.60	Change in Penalties
1323.70	Distribution of Pools
1323.90	Purse Held
1323.100	Suspension of Judge

Section 1323.10 Protests

Protests may be made only by an owner, manager, trainer or driver of one of the contending horses, at any time before the winnings are paid over, and shall be reduced to writing and sworn to, and shall contain at least one specific charge which, if true, would prevent the horse from winning or competing in the race.

Section 1323.20 Testify Under Oath

The judges shall in every case of protest demand that the driver and the owner or owners, if present, shall immediately testify under oath. In case of their refusal to do so, the horse shall not be allowed to start or continue in the race, but shall be ruled out, with a forfeit of entrance money.

Section 1323.30 Race Under Protest

Unless the stewards find satisfactory evidence to warrant excluding the horse, they shall allow it to start or continue in the race under protest and the purse, if any is won by that horse, shall be held by order of the Stewards to allow the parties interested an opportunity to sustain the allegations of the protest.

Section 1323.40 Frivolous Claim

Any person found guilty of protesting a horse falsely and without cause or merely with intent to embarrass a race, shall be punished by a fine not to exceed $100 or by suspension or expulsion.

Section 1323.60 Change in Penalties

The Board may vacate, modify or increase any penalty imposed by the judges. In the event an appellant fails to appear at the hearing on his appeal without good cause, he may be fined not to exceed $100. or a suspension not to exceed 30 days to be effective at the first meeting at which he has horses entered for racing.

Section 1323.70 Distribution of Pools

Nothing herein contained shall affect the distribution of the pari-mutuel pools when such distribution is made upon the official placing at the conclusion of the heat or race.

Section 1323.90 Purse Held

In case of an appeal or protest, the purse money affected will be ordered held pending the decision of the appeal or protest.

Section 1323.100 Suspension of Judge

Any judge may be suspended for refusal to accept a protest or appeal or for refusing to act as witness for a person seeking to swear to a protest or appeal.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); amended at 5 Ill. Reg. 1498, effective February 2, 1981; codified at 5 Ill. Reg. 10952.

PART 1324
TIME AND RECORDS

Section

1324.10	Time
1324.20	Error in Time
1324.30	Leading Horse Timed
1324.40	Dead Heat
1324.50	Misrepresentation of Time
1324.60	Time Performance
1324.70	Judges at Timing
1324.80	Time Schedule
1324.90	Race Against Record
1324.100	Accompaniment Permitted
1324.110	Number of Time Trials

Section 1324.10 Time

In every race or performance against time, the time shall be accurately taken by one timer and an approved electric timing device and placed in the record as minutes, seconds and fifths of seconds. Upon the decision of each race the time shall be publicly announced or posted. No unofficial timing shall be announced or admitted to the record and when the timers fail to act, no time shall be announced or recorded for that race.

Section 1324.20 Error in Time

In any case of alleged error in the record, announcement, or publication of the time made by a horse, the time so questioned shall not be changed to favor said horse or owner except upon the sworn statement of the judges and timers who officiated in the race.

Section 1324.30 Leading Horse Timed

The leading horse shall be timed and his time only announced. No horse shall obtain a win race record by reason of the disqualification of another horse unless a horse is declared a winner by reason of the disqualification of a breaking horse on which he was lapped.

Section 1324.40 Dead Heat

In case of a dead heat, the time shall constitute a record for the horses making the dead heat and both shall be considered winners.

Section 1324.50 Misrepresentation of Time

Any person who shall be guilty of fraudulent misrepresentation of time or the alteration of the record thereof in any public race or performance against time shall be fined, suspended or expelled, and the time declared not a record.

Section 1324.60 Time Performance

A record can be made only in a public race or performance against time, the horse to trot or pace the distance published according to rule. The word must be given by a licensed starter or presiding judge. The time must be taken by an approved electric timing device and one timer. The record of the race shall be signed by the judges, timer and starter. A saliva and urine test shall be taken of all winning horses that start in a performance against time.

Section 1324.70 Judges at Timing

There shall be three judges in the stand during such performance, who shall not act as official timers.

Section 1324.80 Time Schedule

No performance against time shall be earlier than 10 a.m.

Section 1324.90 Race Against Record

In performances against time, the horse must start to equal or beat a specified time, and a losing performance shall not constitute a record.

Section 1324.100 Accompaniment Permitted

When a horse performs against time, it will be allowed accompaniment by any other horse in the performance, but not to precede or be harnessed with or in any way attached to him. If an auto, jeep, truck, or other vehicle is used, the occupant or occupants of the accompanying vehicle shall not blow the horn, shout, strike the vehicle, or make any other noise aimed at scaring the horse to a greater effort.

Section 1324.110 Number of Time Trials

In performances against time, the horse must start to equal or beat a specified time, and a losing performance shall not constitute a record. Three trials and the fastest winning time made by him shall be his record.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10953.

PART 1325
SECURITY AND ADMISSIONS

Section

1325.10 Stable Enclosures Fenced
1325.20 Report of Arrival and Departure of Horses
1325.30 Stable Area Security
1325.40 Policing of Premises
1325.50 Admission to Parts of Premises
1325.60 Identification Cards and Badges
1325.70 Admission Statements
1325.80 Admissions Tax
1325.90 Admissions Records
1325.100 Board Approval of Tickets and Credentials
1325.110 Credential and Ticket Specimens
1325.120 Tax Exempt Credentials
1325.130 Tax Exempt Credentials Report (Repealed)
1325.140 Track Responsible for Credentials
1325.150 Board Access to Records
1325.160 Turnstiles and Electronic Scanning Devices
1325.170 Admission to Track
1325.180 Revocation of Credentials
1325.190 Inspections and Searches (Repealed)
1325.200 Investigative Authority

Section 1325.10 Stable Enclosures Fenced

All stable enclosures must be properly fenced and all race track operators shall control entries and departures to said area. A watchman shall grant entry only to those persons properly identified. A record shall be kept of all visitors lacking proper credentials. They shall be admitted only after approval is given by the state steward or racing secretary.

Section 1325.20 Report of Arrival and Departure of Horses

a) All horses arriving or leaving a race meeting must be registered with a gateman. Upon entering, a horse's health certificate must be turned in at the gate.

b) The departure slip must be signed by the racing secretary before horses can be moved off the grounds. This slip must be collected by the gateman.

Section 1325.30 Stable Area Security

a) Each race track operator shall furnish gatemen and night watchmen for all stable enclosures. The operator shall furnish to the state steward a complete tabulation showing name, duty, place stationed, and portions of enclosures supervised by such gatemen and night watchmen. In the event horses are

stabled outside the race track, that are eligible to race at a meeting of the race track operator, the same precautions apply.

b) The race track operator shall also employ a sufficient number of guards to patrol the stable areas and make investigations.

c) A guard shall be hired to stand watch at the State Detention Barn and to transport samples to the State Testing Laboratories.

Section 1325.40 Policing of Premises

The race track operator shall provide a sufficient number of guards and also watchmen to maintain order on all parts of the racing enclosure. No tipsters shall be allowed on any part of the licensed premises. No groom or stable attendant shall loiter in the betting ring or any place else with the evident intention of making tips for remunerations or for free. Anyone so found shall be brought to the stewards and his identification shall be taken up. Said offender will then be excluded from the premises. A written report shall be made by the stewards to said offender's employer; any employer continuing to harbor or employ any such person so reported will be suspended, at the discretion of the stewards.

Section 1325.50 Admission to Parts of Premises

a) Only the following listed persons shall be entitled to enter the stable area of a race track operator: members, officers and employees of the Board who must show their identification cards; management and employees performing duties therein; racing officials; police officers; owners, trainers, grooms and others performing official duties in the stable area and who possess a valid license from the Board.

b) Except that the race track operator may authorize the entry of other persons, subject to the following minimum conditions:

1) that such authorized persons be required to sign a daily guest log, and record the time of entry and the time of departure;

2) that such authorized persons be required to indicate the name of the person whom they are visiting.

c) The race track operator shall adopt such rules and procedures as deemed necessary to protect the security of the stable area and to prevent the entry of unauthorized persons to that portion of the premises.

d) Any person violating this rule shall be evicted from the licensed premises by the race track operator and thereafter denied admission as a patron or otherwise to any portion of the licensed premises.

Section 1325.60 Identification Cards and Badges

a) The state license office shall issue identification buttons or cards to those persons entitled to enter the stable area. The button shall be worn openly at all times while performing duties in the area. The identification card shall be displayed upon request of security guards and watchmen.

b) An identification card or button may be taken up by direction of the state steward upon reasonable cause.

Section 1325.70 Admission Statements

Each race track operator must prepare daily an itemized, certified admission statement showing:

a) A summary, separating clubhouse and grandstand, showing number of fully paid admissions, complimentary admissions, service charge tickets and tax free admission for officials, corporation officers, press, horsemen, employees, racing officials and/or other persons entering on tax exempt admissions; also, the total amount from fully paid tickets, from complimentary or service charge tickets, and all other amounts received on account of admissions or taxes and the totals therefrom of the amount due the federal government and the amount due the state on account of the 40 cents admission ticket tax.

b) Such summary shall also include a report of the daily turnstile reconciliations with the actual count using number and location of turnstiles, with notations listing discrepancies, if any.

(Editor's Note: Section 25 of the Illinois Horse Racing Act of 1975 now provides for a 15 cents admission tax instead of 40 cents)

Section 1325.80 Admissions Tax

a) The race track operator shall pay to the Board at such time or times as the Board shall prescribe, the sum of 15 cents for each person entering the grounds or enclosure of the race track operator upon a ticket of admission. If tickets are issued for more than one day, then the sum of 15 cents shall be paid for each person using the ticket each day that the ticket is used. No charge shall be made on tickets issued to and in the name of directors, officers, partners, agents or employees of the race track operator, or to owners, trainers and drivers and their employees, or to any person or persons entering the grounds for the transaction of business in connection with the race meeting. No charge shall be made on tax exempt tickets of admission issued by the Board.

b) Pursuant to subsection (a), the State Director of Mutuels shall direct and supervise the conduct of the admissions department during each race meeting. The State Director shall be empowered to direct the race track operator to adopt, subject to the approval of the Board, procedures, methods and systems as may be deemed necessary to ensure strict compliance with the rules and regulations of the Board.

c) Intertrack wagering location licensees shall pay to the Board, within 48 hours, any admission taxes due to local municipalities and counties.

d) The Board shall remit monthly any admission taxes due to local municipalities and counties.

Section 1325.90 Admissions Records

a) The race track operator shall keep accurate books and records showing total attendance, admissions, both paid and complimentary, the number of taxable and tax free admissions and the gross receipts from admissions for each racing day of a meeting. These books and records shall be open to the Board and its duly authorized representatives for examinations and checks to ascertain the amount of taxes due and whether or not such taxes have been paid.

b) All such reports shall be delivered to the Board before 2 p.m. on the following day, when day programs are run, and before 6 p.m. on the following day, when night programs are run. The weekly reports previously mentioned shall be a complete consolidation of all daily reports.

Section 1325.100 Board Approval of Tickets and Credentials

a) The secretary of the Board must approve all race track operators' proposed tickets and credentials before an order can be placed with a printer or supplier.

b) All tax exempt tickets or credentials of admission for a race meeting shall be designed to include a serial or control number and code letter or number designating classification. These credentials and/or tickets are to be designed so that they cannot be used for admission more than once on any one racing day and applicable only to the current racing day.

c) All tax exempt tickets and credentials shall carry in bold type: "Not transferable and will be revoked if transferred."

d) The following shall be printed on all taxable admission tickets and credentials including complimentary, service charge and/or reduced rates of admission: "state tax 40 cents."

(Editor's Note: Section 25 of the Illinois Horse Racing Act of 1975 now provides a 15 cents admission tax instead of 40 cents)

Section 1325.110 Credential and Ticket Specimens

a) The operator shall require each printer or other supplier to file with the Board certified copies of all manifests, showing serial number and the various types of admission tickets and credentials, including tax exempt and taxable, furnished to the track immediately after they are ordered.

b) Each operator must file a certified gate card, showing in complete detail specimen tickets and credentials, with the secretary of the Board at least 10 days before the opening of a race meeting. Said tickets and credentials must be approved by the Board secretary before they can be sold or distributed by the operator.

Section 1325.120 Tax Exempt Credentials

a) The racing secretary shall issue tax exempt credentials of admissions only to those persons showing a current license or receipt therefore, and such others as may be authorized by the secretary of the Board.

b) Designated employees and officials of the race track operator may issue tax exempt credentials for employee admission, subject to requirements, restrictions and limitations as set forth in each respective classification as follows:

1) Regular employee's tax exempt admission credentials shall be issued only to persons directly on the operator's payroll, and actively employed during the race meeting.

2) Concessionaire tax exempt admission credentials shall be issued only to persons actually on concessionaire payroll and working during the race meeting. Concession tax exempt employee credentials shall be issued only with the use of a large round identification button, provided by the concessionaire, showing the employee's concession number and name. Said button shall to be attached to a garment and prominently worn.

c) Designated employees and officials of the operator and in behalf of the operator, must file requisitions with the secretary of the Board in order to obtain authorization for the issuance of tax exempt tickets or credentials of admission to members of the working press, service employees, officials, and to persons having official business at the track during a race meeting. Said requisition prescribed by the secretary of the Board shall be submitted in duplicate under the signature of the head of the department along with duplicate listing of passes requested, and shall be subject to approval by the secretary of the Board.

d) The following requirements, restrictions and limitations shall be observed in the issuance of tax exempt admission credentials in the classification as hereinafter set forth.

1) Service employee's tax exempt admission credentials shall be issued only to persons actually engaged in providing service at a race meeting for a contractor, service company, public utility or others employed during a race meeting. Request for credentials must be made on purveyor's official stationery under duly authorized signature setting forth name of each such employee, duties and justification for each pass requested.

2) Business tax exempt admission credentials may only be issued to persons having official business at the track during racing hours and not classified as service employees. Requests for such credentials must be made on company or agency official stationery under the signature of ranking official, setting forth the name of each person for whom a pass is requested, along with duties and justifications.

3) Press tax exempt credentials may only be issued to members of the working press when requested on the publication's official stationery under the signature of the editor or manager. All requests shall be subject to limitations based on circulation.

5) Official tax exempt credentials may only be issued to corporate officials and directors of the track, racing officials and to such others which are supported with proper justifications.

Section 1325.140 Track Responsible for Credentials

a) The operator and his duly appointed issuing agents and/or employees issuing tax exempt credentials in behalf of the Board shall be held accountable for all tax exempt tickets and credentials received, issued, voided and on hand until the final audit has been completed by representatives of the Board.

b) All unissued and voided tax exempt tickets and credentials shall be retained until they are released by the Secretary of the Board. Upon release, they are to be destroyed by burning.

Section 1325.150 Board Access to Records

a) Representatives of the Board shall have access to all payrolls and other supporting evidence to verify the eligibility of all holders of tax exempt tickets and/or credentials.

b) The operator shall be subject to the payment of 40 cents state tax on all disallowed tax exempt tickets or credentials, issued, requisitioned or

unaccounted for by the operator. Additional assessment for unaccounted and disallowed tax exempt tickets or credentials will be computed on the basis of 40 cents for each such ticket multiplied by the number of racing days granted to the operator or on a daily usage basis if certified to by a Certified Public Accountant.

(Editor's Note: The Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch.8, par. 37-25) now provides for a 15 cents admissions tax instead of 40 cents)

Section 1325.160 Turnstiles and Electronic Scanning Devices

All gates for the admission of patrons shall have turnstiles equipped with meters or electronic scanning devices, and the turnstiles or electronic scanning devices must be numbered consecutively or have other means of individual identification. The race track operator shall test the equipment at the opening of each racing day. The test is to be made under the supervision and direction of the Board or such agents as the Board may appoint. A daily reconciliation is to show a beginning reading and final reading of each device, the total admitted, and also a classified breakdown of all types of admittance. The operator must employ methods, subject to the approval of the Board, to record serial numbers and code letters or numbers each day a tax exempt ticket or credential is used for admittance, in order to substantiate all tax exempt admissions.

Section 1325.170 Admission to Track

a) No person shall be admitted to any race track after the admission gates have been manned and until the sixth race is run, except by tax exempt ticket or credentials or the payment of 40 cents state tax.

b) The operator must employ methods and procedures in coordination with the start of manning admission gates each day to conduct a thorough check of admission enclosure areas allowing only those persons to remain who produce tax exempt credentials of admission. All others shall be escorted to the gate and readmitted only through turnstiles on admissions subject to 40 cents state tax.

(Editor's Note: The Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch.8, par. 37-25) now provides for a 15 cents admissions tax instead of 40 cents)

Section 1325.180 Revocation of Credentials

a) It shall be the duty of each operator to revoke and take up all tax exempt tickets and/or credentials immediately of all employees who have been terminated or leave employment and all others whose admission credentials have been revoked by the track operator, and/or the Board. All such tickets and/or credentials shall be submitted to the Board's admissions revenue representative.

b) Two copies of each revocation order, prescribed by the Board, duly signed by the head of the department authorizing revocation, shall be submitted to the Board's

admission revenue representative. Said order to state the reasons for the revocation.

Section 1325.200 Investigative Authority

The chief Investigator of the Illinois Racing Board and Special Agents of the Illinois Bureau of Investigation, or other designees of the Department of Law Enforcement assigned to assist the Chief Investigator, shall have the authority to conduct investigations concerning all matters within the jurisdiction of the Illinois Racing Board.

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); amended October 25, 1973, filed November 26, 1973; amended March 14, 1975, filed and effective March 27, 1975; amended May 9, 1975, filed May 15, 1975; amended at 4 Ill. Reg. 41, p. 164, effective September 26, 1980; codified at 5 Ill. Reg. 10955; amended at 14 Ill. Reg. 17665, effective October 16, 1990; amended at 15 Ill. Reg. 5748, effective April 4, 1991; amended at 31 Ill. Reg. 15009, effective November 1, 2007; amended at 32 Ill. Reg. 16498, effective October 1, 2008; amended at 35 Ill. Reg. effective May 23, 2011.

PART 1402
STEWARDS

Section

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Section 1402.10 Definition

Whenever the word "steward" or "stewards" is used, it means steward or stewards of the meeting or their duly appointed deputies.

Section 1402.20 Number of

a) There shall be three stewards to supervise each race meeting, two of whom shall be appointed by the Illinois Racing Board and shall be designated as state stewards.

b) No more than three persons, including the state stewards, shall be appointed or serve as stewards at any one time during a meeting.

c) The Racing Board shall designate one of the two state stewards as the Chief Steward.

Section 1402.30 State Steward

a) The Chief Steward is the presiding steward at all race tracks at which he serves under the jurisdiction of the Illinois Racing Board. All other stewards shall report to the state steward all action taken by them.

b) One of the state stewards shall lock all pari-mutuel ticket issuing machines and sound the off bell when the horses leave the starting gate. The horses shall be at the starting gate at post time, which shall not be changed after the horses leave the paddock. The starter shall immediately load the horses in the starting gate and start the horses as soon as possible thereafter in order to avoid excessive delay. The state stewards may delay compliance with this rule in unusual circumstances.

Section 1402.40 Assistants to Stewards

If or when one or more persons are appointed to assist the three stewards at a meeting, such persons so appointed shall be designated as "assistants to the stewards" and they shall perform such duties as the stewards may prescribe.

Section 1402.50 Powers of Stewards

The stewards shall have control over all the other officials of the meeting and of all horse owners, trainers, jockeys, grooms and all other persons.

Section 1402.60 Settle Racing Questions

All questions pertaining directly to racing arising during the period of a meeting shall be determined by the stewards.

Section 1402.70 Penalties Imposed by Stewards

The stewards shall have the power to suspend an occupation license or to impose a civil penalty not to exceed $5,000 or both, for a violation of the rules. If, in the opinion of the Stewards, a license should be revoked, they shall so recommend to the Boards.

Section 1402.80 Supervise Declarations and Entries

The stewards shall have supervision over all entries and declarations.

Section 1402.90 Accept Decision of Stewards

Participants in racing in any capacity on licensed Illinois tracks agree in so doing to accept the decision of the stewards on any questions relating to a race or to racing.

Section 1402.100 Control Of and Access To Grounds

The stewards shall have control over and free access to all stands, weighing rooms, enclosures, and other places in use for the purpose of racing.

Section 1402.110 Exclusion

The stewards shall exclude from all places under their control, persons who are warned or ruled off. They may also exclude any person declared guilty of any corrupt or fraudulent turf practices by turf authorities of any country, or stewards of any recognized meeting, and the names of all persons penalized shall be promptly reported to the Board.

Section 1402.120 Persons Under Suspension

No one under suspension by the Board or stewards shall be allowed on the grounds of any operator unless authorized to be there by the Board or the stewards.

Section 1402.130 Steward's Deputy

Each steward may appoint a deputy to act for him at any time. If only one steward is present, he shall, if necessary, appoint one or more persons to act with him. If none of the stewards is present, the racing secretary shall designate at least two persons to act during the absence of the stewards, reporting such absence to the Board.

Section 1402.140 May Fill Vacancies

a) When vacancies occur among the officials, other than the stewards, and the operator has not notified the stewards prior to the time fixed for the first race of the day that it has been filled, the stewards shall fill such vacancy immediately.

b) Should the vacancy occur after the racing for the day has started, the stewards shall fill the vacancy at once, the appointment standing for the day only, unless the operator shall fail to fill the vacancy on the following day, and notify the stewards of their action one hour before the time fixed for the first race.

Section 1402.150 Starting Time

During each racing day, the stewards shall assemble at the official building on the grounds of the operator where the race meeting is being held not later than three hours prior to post time for the first race to exercise the authority and perform the duties imposed on them by the Rules and Regulations.

Section 1402.160 Seek Proof of Qualification

The stewards have power to call for proof that a horse is neither disqualified in any respect nor nominated by, nor the property, wholly or in part, of a disqualified person, and in default of such proof being given to their satisfaction, they may declare the horse disqualified.

Section 1402.165 Stewards List

The stewards shall maintain a list of such disqualified horses and other horses that, in the opinion of the stewards, are not competitive at that meeting or are dangerous to themselves, riders, or other horses. Horses on said list may not enter until permission to do so is given by the stewards. A workout of a specified distance may be required by the stewards in order to remove a horse from said list. No horse may be placed on said list unless prior thereto the stewards state, in writing, the reasons for placement of the horse thereon.

Section 1402.170 Examination of Horse

The stewards shall have power at any time to order an examination, by such person or persons as they think fit, of any horse entered for a race, or which has run in a race.

Section 1402.180 Minute Book

Action by the stewards in performing their duties shall be reported to the Board. Where one steward disagrees with the majority, that fact shall be noted in the report and the dissenting steward shall have the right to file with the Board a written report setting forth the reason or reasons for the disagreement. The stewards shall keep a minute book, recording therein all complaints made to them and the disposition thereof and all investigations by the stewards and their findings thereon and all rulings made by the stewards.

Section 1402.190 Reports

The stewards shall, as soon as possible and not later than seven days after the end of each meeting, make a report in writing, to the Board of all infractions of the Rules and Regulations, and or rulings of the stewards upon matters coming before them during the meeting. All rulings and orders of the stewards may in the discretion of the Board be reviewed by it and such rulings or orders reversed or modified in any way the Board may deem proper.

Section 1402.200 Paddock Judge

One of the stewards or one of their appointed representatives shall be in the paddock 20 minutes before each race and until the horses go to the post.

Section 1402.210 Disqualification

It shall be left to the discretion of the stewards to rule on the disqualification of a horse or horses in a race, and the placing of such horse or horses as a result of the disqualification.

Section 1402.220 Substitute Riders, Trainers

In their discretion, the stewards shall have the right to put upon a horse a rider selected by them and to place the horse in charge of a trainer they may select. Any owner or trainer who refuses to permit a rider or trainer to be changed as herein provided, shall be suspended pending further action by the Board.

Section 1402.230 Consult Veterinarian

The stewards shall consult with official veterinarians in each case where there is a question of a horse's condition.

Section 1402.245 Stewards' Notice

The stewards may take notice of any questionable conduct with or without complaint thereof.

Section 1402.250 Final Report

At the close of each meeting, each steward shall make a written report to the Executive Director of the Illinois Racing Board of the condition of the meeting and any recommendation he deems advisable.

Section 1402.260 Cases and Penalties

Should any case occur which may or may not be covered by these Rules and Regulations, it shall be determined by the stewards of the meeting in conformity with justice and the usage of the turf; and when no penalty is provided, the stewards of the meeting are here given authority to impose such penalties pursuant to Section 1402.70 hereof as they think just, recommending to the Board the imposition of more severe penalties if, in their judgment, the penalty should be more drastic.

Section 1402.270 Stewards Supersede Other Officials

The laws of Illinois, and the Rules and Regulations of the Illinois Racing Board, supersede the conditions of a race or the regulations of a race meeting when there is a conflict, and in matters pertaining to racing, the orders of the stewards supersede the orders of the officials of the operators.

Section 1402.280 Authority to Declare a Race Void

The stewards shall have the authority to declare a race void and to order all wagers made thereon refunded if they determine that any occurrence before or during the running of such race calls for such action by them.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended June 12, 1973; filed March 22, 1974; amended June 19, 1976, filed June 25, 1976; codified at 5 Ill. Reg. 10959; amended at 5 Ill. Reg. 13722, effective December 2, 1981; amended at 17 Ill. Reg. 19309, effective October 25, 1993.

PART 1403
OFFICIALS OF MEETING

Section

1403.10 Designation of Officials
1403.20 Wagering Prohibited
1403.30 Patrol Judges
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1403.60 State Veterinarians Report Examinations (Repealed)
1403.63 Veterinarians' List (Repealed)
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1403.70 Paddock Judge
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1403.77 Ice Bandages (Repealed)
1403.80 Jockey Room Custodian

Section 1403.10 Designation of Officials

In addition to the stewards, officials of a race meeting shall include the following: three placing judges, patrol judges (at least three at tracks of one mile or over), clerk of the scales, jockey room custodian, racing secretary, timer, paddock judge, and veterinarians (two of whom shall be appointed by the Board and designated as the state veterinarians).

Section 1403.20 Wagering Prohibited

No official may wager money or any other thing of value on the result of a race.

Section 1403.30 Patrol Judges

Each operator shall appoint, subject to the approval of the Board, at least three patrol judges whose stations shall be designated by the stewards. The operator shall provide telephone communications between each station of the patrol judges and the stewards.

Section 1403.40 Leaving Employment

Any official who desires to leave his employment while a race meeting is in progress must first obtain permission from the Board to leave such employment.

Section 1403.70 Paddock Judge

The paddock judge shall be in charge of the paddock and inspect all race horses and their equipment prior to each race, and shall observe and report forthwith to any steward any violation observed in such inspection.

Section 1403.80 Jockey Room Custodian

The jockey room custodian shall have charge of the jockeys' quarters. Moreover, he shall take custody of the clothing and personal effects of the jockeys and provide for their safekeeping. He shall uphold the rules of the Board and be particularly vigilant concerning rule 149 (11 Ill. Adm. Code Section 1411.190)

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended November 17, 1977, filed December 29, 1977; codified at 5 Ill. Reg. 10962; amended, effective October 1, 1996; amended at 28 Ill. Reg. 6029, effective August 1, 2004; amended at 31 Ill. Reg. 16528, effective December 1, 2007.

PART 1404
RACING SECRETARY

Section

1404.10 Racing Secretary
1404.20 Maintain Records
1404.30 Duties of Racing Secretary
1404.40 Receive Money

Section 1404.10 Racing Secretary

a) A person appointed by the race track operator shall be the racing secretary, following approval by the Board. He also shall be clerk of the course and, unless it is otherwise specified, he shall act as handicapper.

b) He shall keep a complete record of all races and shall prepare the program for each racing day.

c) He shall receive all stakes, entrance money, jockey's fees, purchase money in claiming races and other moneys that can properly come into his possession.

d) The racing secretary shall record all necessary information each day of winning horses on an official record and file same with The Jockey Club Registration Certificate of each horse.

e) The racing secretary's office shall keep up-to-date performance files on all horses registered to race with the race track operator. Such past performance file shall be furnished intact and up-to-date to the Racing Secretary of the succeeding race meeting of each season in Northern Illinois or Southern Illinois as the case may be.

Section 1404.20 Maintain Records

The racing secretary shall maintain all ownership records in accordance with the Rules and Regulations and directions of the Illinois Racing Board.

Section 1404.30 Duties of Racing Secretary

He shall discharge all duties, expressed or implied, required by the Rules and Regulations, and he shall report to the state steward all violations of the Rules and Regulations.

Section 1404.40 Receive Money

He shall keep complete records of all moneys received by him and within five days after the close of the meeting render a true copy thereof to the operator.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended May 9, 1975, filed May 15, 1975; codified at 5 Ill. Reg. 10964.

PART 1405
CLERK OF THE SCALES

Section

1405.10	Clerk of the Scales
1405.20	Weighing In and Out
1405.30	Overweight Limit
1405.40	Declare Overweight
1405.50	Permission to Dismount
1405.60	Weighing In Regulations
1405.70	Excess Weight After Race
1405.80	Weighing of Equipment
1405.90	Saddle Cloth Numbers
1405.110	Change of Jockey
1405.120	Extra or Special Weight
1405.130	Statement of Weight Carried

Section 1405.10 Clerk of the Scales

The clerk of the scales or assistant shall weigh out and weigh in the riders of all horses participating in a race.

Section 1405.20 Weighing In and Out

All riders must be weighed out (the horse in each instance being specified) not less than 30 minutes before the time fixed for the race, and the number of the horse shall be exhibited officially as soon as possible, and riders of horses finishing in the money must be weighed in at the judges' stand at the conclusion of a race.

Section 1405.30 Overweight Limit

No horse shall carry more than five pounds overweight, except in races confined exclusively to amateurs or to riders who are officers in the United States Army or Navy or of the Illinois National Guard.

Section 1405.40 Declare Overweight

If the overweight is more than two pounds in excess of the weight the horse is to carry (the owner or trainer consenting) the jockey shall declare the amount of overweight to the clerk of the scales at least 45 minutes before the time appointed for the race, and the clerk shall have the overweight announced over the public address system and posted immediately on the notice board. Failure on the part of any jockey to comply with this rule shall be reported to the stewards.

Section 1405.50 Permission to Dismount

Every jockey must, immediately, after pulling up, ride his horse to the place of weighing, dismount only after obtaining permission from the official in charge and present himself to be weighed in by the clerk of the scales; provided that if a jockey be prevented from riding to the place of weighing by reason of accident or illness by which he or his horse is disabled, he may walk or be carried to the scales.

Section 1405.60 Weighing In Regulations

If a jockey does not present himself to be weighed in; or if he is more than two pounds short of his weight or if he is guilty of any fraudulent practice with respect to weight or weighing; or if, unless he or his horse is ill or disabled, he dismounts before reaching the scales or dismounts without permission; or if he touch, except accidentally, before weighing in, any person or thing other than his own equipment, the clerk of the scales shall so report to the stewards and the horse may be disqualified and the jockey himself may be fined or suspended.

Section 1405.70 Excess Weight After Race

If a horse carries more than two pounds over his proper or declared weight, the fact shall be reported by the clerk of the scales to the stewards, and the jockey shall be fined or suspended unless the stewards are satisfied that such excess weight has been caused by rain or mud, and the case shall be reported to the Board for such action as it may deem proper to take.

Section 1405.80 Weighing of Equipment

Included in the jockey's weight shall be saddle and its attachments. No whip, number cloth, blinkers, bridle, martingale, hood or breastplate shall be weighed.

Section 1405.90 Saddle Cloth Numbers

Jockeys must carry numbers on the saddle cloth corresponding to the numbers of the horses as exhibited after weighing out.

Section 1405.110 Change of Jockey

Any subsequent change of jockey must be noted by the clerk of the scales and sanctioned by the stewards who, if no satisfactory reason is given for the change, may fine or suspend any person they may think culpable in the matter.

Section 1405.120 Extra or Special Weight

Any extra or special weight declared for any horse, or any alteration of colors or change in equipment or declaration to win shall be exhibited by the clerk of the scales upon the notice board, and announced over the public address system.

Section 1405.130 Statement of Weight Carried

At the close of each day's racing, the clerk of the scales shall prepare for the racing secretary a statement of the weight carried in every race and the names of jockeys, specifying overweight, if any.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10966; amended at 18 Ill. Reg. 11610, effective July 7, 1994.

PART 1406
JUDGES

Section

1406.10 Procedures of Judges
1406.20 Determine Finish
1406.30 Photo Finishes
1406.40 Official Time

Section 1406.10 Procedures of Judges

The judges must occupy the judges' stand at the time the horses pass the winning post, and place the horses. They must announce their decisions promptly, and such decisions shall be final, unless objection to the winner, or any horse placed within the purse is made and sustained, but this rule shall not prevent the judges from correcting any mistake, such correction being subject to confirmation by the stewards.

Section 1406.20 Determine Finish

a) The judges shall determine the order of finish of as many horses as they may think proper. When the judges differ, the majority shall govern.

b) The placing of horses shall be determined as exclusively indicated by their noses.

Section 1406.30 Photo Finishes

a) Where photographs by cameras approved by the Board are taken of finishes, placing judges shall, before making decision, order and inspect photographs of all finishes where the winning margin is less than half a length, and in other cases, where the horses are widely spaced across the track. Copies of such photographs shall be posted in convenient places for the inspection of the public.

b) The stewards shall review all such decisions of the placing judges and confirm or correct such decisions before a race is declared official.

Section 1406.40 Official Time

The official time of each race shall be determined by the official timer.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended April 11, 1974, filed and effective April 30, 1974; codified at 5 Ill. Reg. 10967.

PART 1407
LICENSES AND APPLICATIONS; ASSOCIATION LICENSES

Section

1407.10 Application for Association License
1407.13 Application Deadline
1407.16 Formal Acceptance
1407.18 Application Withdrawal
1407.20 Enforce Rules and Regulations
1407.24 Notice of Changes
1407.40 Minimum Purse Required for License
1407.50 Amount of Purse
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1407.54 Licensed Concessionaire
1407.56 Lottery Events at Race Tracks (Repealed)
1407.58 Off-Track Betting Agencies of Other States
1407.59 Reporting of Horsemen's Purse Account

Section 1407.10 Application for Association License

On printed application forms or blanks prepared by the Board, each operator applying for license and racing dates shall include all information, data and estimates as may be required by such forms. Eight executed copies of application for license and dates, together with eight certified sets of exhibits shall be filed with the Illinois Racing Board.

Section 1407.13 Application Deadline

All applications for licenses to conduct race meetings for each calendar year shall be filed with the Board prior to November 1 of any year. The Board may receive applications at a subsequent date if unusual need can be proven to the Board's satisfaction.

(Editor's Note: Section 20 of the Illinois Horse Racing Act of 1975 now requires applications for horse race meetings to be filed prior to September 1, instead of November 1.)

Section 1407.16 Formal Acceptance

When the Board approves an application and notifies said applicant of its approval, that applicant shall within 10 days after the mailing of the Board's notice of approval, file an acceptance with the Board, pay the additional amount equal to 10 per cent of the full amount of license fees as provided in Section 37-20(j) of the Illinois Horse Racing Act of 1975, and at least 20 days prior to the first day of each racing meeting, file with the Board the bonds as required by Section 37-20(j) of the Illinois Horse Racing Act of 1975.

Section 1407.18 Application Withdrawal

Failure to comply with the 10 day time limit shall cause the application for license to be considered withdrawn and of no effect.

Section 1407.20 Enforce Rules and Regulations

Imposed on each operator is the duty of enforcing the Rules and Regulations of the Board, said Rules and Regulations being a condition under which the licenses are granted, the Board reserving the right to amend or strike down any rule, regulation or condition herein imposed, or to supplement said Rules and Regulations by giving the operator three days' notice, except where shorter notice is herein otherwise provided.

Section 1407.24 Notice of Changes

Racing dates and the license to conduct a horse race meeting are deemed personal in nature and non-transferable, and will terminate upon a substantial change of ownership of the operator, unless the Board has granted prior approval. The sale or transfer of 25 per cent or more of the equity of an operator shall be considered a substantial change of ownership.

Section 1407.40 Minimum Purse Required for License

No license to conduct a race meeting shall be issued to any applicant who shall award in purses less than an average per day as provided by law during the proposed race meeting.

Section 1407.50 Amount of Purse

The operator shall inform the Board of the amount of purses or prizes to be given for its races and the Board shall first approve such schedule thereof, provided however, that the Board shall not compel any operator to give as purses, stakes and rewards, an amount exceeding the aggregate for any one racing day, the sum as provided by statute.

Section 1407.53 Inspection Report

At least 30 days prior to the beginning of any racing meeting, the race track operator shall submit to the Board copies of inspection reports issued by appropriate state or local governmental authorities relating to the condition of the buildings, the health and sanitation of the facilities, and the fire prevention, detection, and suppression equipment at the race track at which the racing meeting is to be conducted. Said inspections shall be made no earlier than 45 days prior to the beginning of a racing meeting.

Section 1407.54 Licensed Concessionaire

No license shall be issued to conduct a racing meeting unless, prior to the commencement of such meeting, the applicant for such license has obtained the services of a concessionaire

licensed by the Board to provide adequate food and drink services for race track patrons or is providing such services itself.

Section 1407.58 Off-Track Betting Agencies of Other States

a) No race track operator shall, without the prior approval of the Board, enter into or implement an agreement with any legally constituted off-track betting agency of any other state providing for pari-mutuel wagering to be conducted in such state on races held at licensed meetings in Illinois.

b) Any race track operator seeking Board approval of an agreement with any legally constituted off-track betting agency of any other state shall submit a copy of the proposed agreement together with such request and shall supply such other information relative to the proposal as the Board may require.

Section 1407.59 Reporting of Horsemen's Purse Account

Each organization licensee shall weekly submit to the Board Secretary a report reflecting the current status of the "Horsemen's Purse Account." Said report shall be submitted on forms provided by the Board.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended October 9, 1973, filed October 19, 1973; amended October 25, 1973, filed December 17, 1973; amended January 11, 1974, filed January 21, 1974; amended October 25, 1974, filed November 7, 1974; amended May 9, 1975, filed May 15, 1975; amended August 21, 1976, filed August 30, 1976; codified at 5 Ill. Reg. 10968; amended at 6 Ill. Reg. 11063, effective September 1, 1982; amended at 28 Ill. Reg. 6601, effective April 19, 2004; amended at 34 Ill. Reg. effective May 24, 2010.

PART 1408
LICENSING OF PARTICIPANTS

Section

1408.54 Responsibility of Employer on Discharge of Employee
1408.60 Possession of Credentials
1408.90 Revocation of License
1408.100 Unauthorized Use of Credentials
1408.150 Rules of Employment and Payment of Fines
1408.190 Probationary Permit

Section 1408.54 Responsibility of Employer on Discharge of Employee

When an owner or trainer discharges a groom or other attendant, or when a groom or other attendant voluntarily leaves the employ of an owner or trainer, the said owner or trainer shall immediately notify the state steward of such discharge or resignation of such employee. The failure to so notify the state steward shall subject the owner or trainer to a fine or suspension, or both.

Section 1408.60 Possession of Credentials

All licensees shall carry on their person at all times within the stable area of a racetrack their Board photo identification badge. Every person so identified is subject to examination by the Board or its agents or employees, and by officials of the race track operator, or its designated agents or employees, at any time they may deem necessary or proper. The Board may require visible display of a license in a restricted area. A license may only be used by the person to whom it is issued.

Section 1408.90 Revocation of License

The Illinois Racing Board shall have the power to rule off or suspend any licensee or revoke the license of any licensee for any of the reasons as set forth in the Rules and Regulations, including the provisions of Section 1303.70 (11 Ill. Adm. Code 1303.70 "Financial Responsibility".

Section 1408.100 Unauthorized Use of Credentials

No licensee shall permit any unauthorized person or persons to use his badge or credentials for entering into any part of the race track. Any licensee who violates this rule is liable to suspension or a fine of not exceeding $200. or both and if he continues to violate the rule, he may be ruled off or otherwise less severely punished, as the Board may decide.

Section 1408.150 Rules of Employment and Payment of Fines

Any person who shall employ anyone in contravention of these rules may be fined or suspended; and any person who pays a fine imposed upon another shall be punished.

Section 1408.190 Probationary Permit

Probationary permits may be issued by the Board to jockeys, apprentices and exercise boys who have been disciplined. During the period of the aforementioned probationary permit, it may be revoked by the Board upon the recommendation of the Board of Stewards. After one year, said probationer, shall be eligible for a regular license in his proper classification.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10970; amended at 7 Ill. Reg. 1427, effective January 24, 1983; amended at 11 Ill. Reg. 20209, effective December 1, 1987; amended at 15 Ill. Reg. 5745, effective April 4, 1991; amended at 33 Ill. Reg. 6708, effective May 1, 2009.

PART 1409
OWNERSHIP, PARTNERSHIP, AND STABLE NAME

Section

1409.5	Racing Colors
1409.10	Application for Colors (Repealed)
1409.20	Deviations
1409.30	Register Name of Real Owner
1409.40	Owner-Trainer Registrations
1409.50	Change in Ownership
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1409.70	List of Changes
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1409.90	Registration of Stable Names
1409.100	Trainers' Use of Stable Names
1409.110	Affidavit of Ownership
1409.120	Partnerships
1409.130	Corporations
1409.135	File Reports With Board
1409.138	Board May Waive Requirements
1409.140	Change in Officers
1409.150	Entries, Declarations and Winnings
1409.160	Signature by Racing Secretary
1409.170	Consent of Partners
1409.180	Name All Owners
1409.185	Corporation With Stable Name

Section 1409.5 Racing Colors

Owners or trainers shall provide racing colors, which may be subject to the approval of the Board, except at racetracks where colors are furnished by the organization licensee. Racing colors shall be registered with the Racing Secretary. The Stewards may authorize a temporary substitution of racing colors when necessary. The racing colors to be worn by each jockey in a race shall be described in the program, and any change shall be announced to the public prior to the commencement of the race.

Section 1409.20 Deviations

Any deviation from the recorded colors of the owner or lessee must be approved by the stewards, and posted by the clerk of the scales on the notice board.

Section 1409.30 Register Name of Real Owner and Lessee

All horses shall be registered in the name of the real owner or owners and lessee or lessees with the racing secretary of the race track operator at which it is intended to race such horses.

Before making registration, trainers shall learn the facts of ownership or leasehold interest of all horses registered by said trainer.

Section 1409.40 Owner-Trainer Registrations

If the registration is made by the trainer, the owner, trainer and lessee shall be bound by such registration.

Section 1409.50 Change in Ownership

Any change in ownership of a horse or horses or leasehold or interest therein shall be immediately made in Registration Book and additional affidavit filed if necessary.

Section 1409.60 False Registration

In the event of any false registration or false affidavit, the guilty parties shall be fined, suspended or ruled off, and the horse or horses involved suspended or ruled off.

Section 1409.70 List of Changes

The Registration Clerk shall furnish the stewards and the Board each day, a complete list of any changes in ownership, leasehold interest, or trainer of any horse or horses.

Section 1409.80 Stable Names

a) A person wishing to race under a stable name may do so by registering and by paying the fee of $50, the said registration being effective only during the calendar year.

b) A person cannot register more than one stable name at the same time, nor can he use his real name so long as he has a registered one.

c) A stable name may be changed at any time by registering a new stable name and paying the fee of $50.

d) A person cannot register as his stable name one which has already been registered by any other person or one which is the real name of any owner or lessee of race horses.

e) Any person who has registered under a stable name may at any time abandon it after he has given written notice and the fact of the abandonment has been duly advertised.

f) The stable name must be carried on the official program with the name of at least one owner or lessee. If stable name consists of more than one owner or lessee, the program will list the name of the owner or lessee along with the phrase "et al."

Section 1409.90 Registration of Stable Names

All registration of stable names by The Jockey Club (New York), the National Steeplechase and Hunt Association, and the incorporated Canadian Racing Associations, shall be respected in Illinois, provided however, that the Board may at any time demand any one engaged in racing on the Illinois tracks to disclose his or her real name, the Illinois Racing Board being an agency for the registration of stable names.

Section 1409.100 Trainers' Use of Stable Names

No trainer of race horses may register under a stable name as trainer, but may be owner or part owner of horses registered under such stable name.

Section 1409.110 Affidavit of Ownership

Where an application is filed for a stable name or farm name, or nom de course which must have been properly registered, such application shall be accompanied by proper affidavit of ownership or leasehold interest as provided for under Sections 120, 180, and 185 of this Part.

Section 1409.120 Partnerships

All partnerships must be registered and the name and address of every person having any interest in a horse, the relative proportions of such interests and the terms of any sale with contingencies, lease or other arrangement must be signed by all the parties or by their authorized agents and be lodged with the racing secretary, a copy of which shall be transmitted after the race meeting to the office of the Illinois Racing Board. All the partners and each of them shall be jointly and severally liable for all stakes and forfeits. All partners of a general partnership shall be licensed as owners. In the case of a limited partnership, all general partners and limited partners owning a 5% or more interest in the limited partnership shall be licensed as owners. These licensure requirements shall apply to all partnerships owning any interest in a horse. All non-licensed partners shall be eligible for licensure. Any non-licensed partner shall submit application materials sufficient for the Board to verify his status whenever the stewards have determined that it is more probable than not that such person is ineligible for licensure. Such materials shall consist of the name, social security number, fingerprints and other material required of an applicant for an owner's license. If any non-licensed partner is ineligible for licensure then each of the partners and the partnership shall be ineligible for licensure.

Section 1409.130 Corporations

All corporations having an interest in a horse shall at the time of filing application for an owner's license statement file a in duplicate setting forth the names and addresses of all officers, directors, and stockholders of said corporation, together with the amount of the respective holdings of each stockholder and a statement as to whether or not said stock is paid in full, and including the designation of an authorized agent or agents of said corporation. The said statement shall be signed by the president of the corporation, attested to by its secretary, and the corporate seal attached. A copy of said statement shall be transmitted promptly to the office of the Illinois Racing Board by the state stewards. All officers, directors and shareholders owning 5% or more of any class of stock of a corporation shall be licensed as owners. These licensure requirements shall apply to all corporations owning any interest in a horse. All non-licensed shareholders shall be eligible for licensure. Any non-licensed shareholder shall submit application materials sufficient for the Board to verify his status whenever the stewards have determined that it is more probable than not that such person is ineligible for licensure. Such materials shall consist of the name, social security number, fingerprints or other materials required for an applicant for an owner's license. If any non-licensed shareholder is ineligible for licensure then each of the shareholders and the corporation shall be ineligible for licensure.

Section 1409.135 File Reports With Board

Any corporation and all stockholders or members thereof which leases horses for racing purposes in the State of Illinois and shall file with the Board with the Board upon request a report or reports containing such information as the Board may specify upon refusal or failure to file such report or reports the Board may refuse a license to any lessee or lessees of such corporation and or may revoke any such license which it may have granted.

Section 1409.138 Board May Waive Requirements

Any of the above requirements maybe waived by the Board.

Section 1409.140 Change in Officers

Any transfer of stock of such corporation or change in the officers or directors thereof shall be reported in writing to the state stewards at the track where the corporation is racing horses within 48 hours of such change. The state stewards shall immediately transmit such information to the Illinois Racing Board.

Section 1409.150 Entries, Declarations and Winnings

All statements of sales and contingencies or arrangements, by partnerships, corporations, lessors or lessees shall declare to whom winnings are payable, in whose name the horse shall run and with whom rests the power of entry or declaration of forfeit. A copy of this information shall be transmitted to the Illinois Racing Board.

Section 1409.160 Signature by Racing Secretary

In cases of emergency, the authority to sign a declaration of partnership may be given to the racing secretary by a telegram promptly confirmed in writing.

Section 1409.170 Consent of Partners

The part owner of any horse cannot assign his share, or any part of it, without the written consent of the other partners. Said consent is to be filed with the racing secretary.

Section 1409.180 Name All Owners

If a stable name or nom de course is used, even though printed in the program with the personal name of the owner or owners, lessors or lessees or if a horse is actually owned or leased in whole or in part by any person other than the registered owner, or any lien or contingent interest in said horse is held by any other person or if the registered owner or owners, of any horse has or have borrowed money for the purchase or lease of said horse in whole or in part, or for the upkeep or maintenance thereof, an affidavit shall be filed at the time of such registration in duplicate. One copy shall be retained by the racing secretary of the track operator, and one shall be filed with the Board, on a printed form to be furnished by the Board. A registration so made at one track need not be repeated at succeeding tracks in the same racing season unless required by change in ownership. The racing secretary of the track operator shall, at the termination of its meeting, immediately forward all affidavits on file with him to the racing secretary of the succeeding meeting in the area or state.

Section 1409.185 Corporation With Stable Name

Nothing herein contained shall excuse a corporation which owns or leases a horse running under a stable name or nom de course from complying with the provisions Sections 1409.120 and 1409.130.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10973; amended at 13 Ill. Reg. 1841, effective January 27, 1989; amended at 17 Ill. Reg. 12429, effective July 16, 1993; amended at 35 Ill. Reg. 15088, effective September 1, 2011.

PART 1410
TRAINERS AND OWNERS

Section

1410.10	Absence of Trainers
1410.20	Report Disabled Horses (Repealed)
1410.25	Deceased or Sick Horses (Repealed)
1410.40	State Veterinarians' List (Repealed)
1410.50	Obey Sanitary, Humane and Safety Laws (Repealed)
1410.55	Halters
1410.60	Report Deaths of Horses (Repealed)
1410.65	Fillies and Mares Bred
1410.70	Trainer Responsibility
1410.80	Employment of Veterinarians
1410.90	Harboring Unauthorized Persons
1410.95	Harboring of Drug Addicts
1410.100	Workout After Finish
1410.110	Addition to Owner-Trainer Rules
1410.115	Ownership of Horses

Section 1410.10 Absence of Trainers

In the absence of a trainer (more than six consecutive days from the stable), due to sickness or any other cause, he shall, with the approval of the stewards, appoint an alternate trainer licensed by the Board, to fulfill his duties. In this event, joint responsibility will rest with both parties, and the names of both parties shall appear in the racing program.

Section 1410.55 Halters

All horses shall be haltered while in the stall, provided however, that halters may be removed during the hours of 7 a.m. and 11 a.m. and 3 p.m. to 4:00 p.m.

Section 1410.65 Fillies and Mares Bred

Fillies and mares that have been bred shall be reported to the racing secretary as having been bred, prior to being entered in a race. The secretary shall post on the bulletin Board the names of all fillies or mares that have been bred and to what stallion or stallions.

Section 1410.70 Trainer Responsibility

A trainer shall at all times be responsible for the condition of his horse, and for the protection of his horse against fraudulent practices, including administration of prohibited drugs by any persons.

Section 1410.80 Employment of Veterinarians

No owner or trainer shall employ any veterinarian who has not been duly licensed by the State of Illinois and the Illinois Racing Board as a veterinarian.

Section 1410.90 Harboring Unauthorized Persons

Any trainer, owner, or stable foreman or others who harbor anyone not provided with credentials shall be immediately reported to the stewards of the meeting so they may make investigation thereof, take appropriate action and report the facts to the Illinois Racing Board.

Section 1410.95 Harboring of Drug Addicts

No owner or trainer shall employ or harbor any known or suspected drug addict.

Section 1410.100 Workout After Finish

Except with permission of the stewards, no owner or trainer shall instruct a jockey of any horse in a race to work said horse out a longer distance after passing the finish line.

Section 1410.110 Addition to Owner-Trainer Rules

Regulations herein set forth pertaining to trainers and owners are in addition to those rules otherwise applying to them in relation to licenses, entries, employment, and other phases of their racing activities.

Section 1410.115 Ownership of Horses

No licensed or authorized trainer shall have any ownership interest in a horse of which he is not the trainer at any race track at which said trainer is in charge of a stable.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended October 17, 1975, filed October 21, 1975; codified at 10975; amended at 6 Ill. Reg. 10014, effective August 3, 1982; amended at 13 Ill. Reg. 1846, effective January 25, 1989; amended 31 Ill. Reg. 16532, effective December 1, 2007.

PART 1411
JOCKEYS, APPRENTICES, JOCKEY AGENTS, AND VALETS

Section

1411.5	Colors Worn by Riders
1411.20	Paying Fines
1411.30	Jockey Ownership of Horse
1411.40	Under Suspension
1411.50	Betting By Jockey
1411.60	Record of Jockey Betting
1411.65	Interrogation by Stewards
1411.70	Racing Against Employer's Starter
1411.75	Owner or Trainer As Spouse
1411.78	Racing Against Agent's Horse
1411.80	Priority of Retainers
1411.90	Conflicting Claims on Jockeys
1411.100	Riding Crops and Other Equipment
1411.110	Illegal Whipping (Repealed)
1411.120	Leaving Operating Track
1411.130	Jockey Rules Apply to Apprentices
1411.140	Apprentice Rule
1411.150	Change of Agent
1411.160	Rough or Careless Riding
1411.170	Yearly Examination
1411.180	Examination Because of Illness
1411.190	Jockey's Valet
1411.200	Record of Jockey Engagements by Agent
1411.210	Falsifying Engagement Records
1411.220	Agent Barred from Paddock and Track
1411.230	Engagements Made Through Agent
1411.240	Safety Equipment
1411.250	Designated Races

Section 1411.5 Colors Worn by Riders

A jockey must wear the colors of the owner or owners of the horse he is riding (except by special permission of the stewards, which permission shall be posted on the bulletin Board, together with notice of the colors the jockey shall wear), and the number of the horse is as exhibited after weighing out. When the horse is being warmed up, the same number must be exhibited upon the arm of its rider.

Section 1411.20 Paying Fines

All fines imposed on jockeys must be paid by the jockeys themselves.

Section 1411.30 Jockey Ownership of Horse

No jockey shall be the owner of any race horse.

Section 1411.40 Under Suspension

When a jockey is under suspension for any cause except fraud, he may be permitted to fulfill engagements for the following racing day only, except that when the 48 hour entry policy is in effect, a jockey may be permitted to fulfill engagements for the following two racing days only.

Section 1411.50 Betting By Jockey

No jockey shall bet on any race except through the owner of and on the horse which he rides, and any jockey who shall be proved to the satisfaction of the stewards to have any interest in any race horse, or to have been engaged in any betting transaction, except as permitted by this rule, or to have received presents from persons other than the owner, shall have his license revoked.

Section 1411.60 Record of Jockey Betting

All owners so betting for a jockey on any horse shall keep a record thereof, so that at no time will said owners be in a position of failing to remember any such transaction.

Section 1411.65 Interrogation by Stewards

All owners, trainers, jockeys, employees, agents or other persons in any way connected with said operator may be, at any time, interrogated by the stewards in reference to the making or placing of any bets anywhere on any race run at said course.

Section 1411.70 Racing Against Employer's Starter

A jockey shall not ride in any race against a starter of his contract employer unless his mount and his contract employer's starter are both in the hands of the same trainer.

Section 1411.75 Owner or Trainer As Spouse

Jockeys married to owners or trainers may not ride against the spouse's horse, whether or not the spouse holds any ownership interest in said horse.

Section 1411.78 Racing Against Agent's Horse

A jockey shall not ride in any race against a horse owned and/or trained by his agent.

Section 1411.80 Priority of Retainers

Employers retaining the same jockey have precedence according to priority of the retainers as specified in the contracts.

Section 1411.90 Conflicting Claims on Jockeys

Conflicting claims for services of a jockey shall be decided by the stewards.

Section 1411.100 Riding Crops and Other Equipment

a) Riding Crops

All riding crops are subject to inspection and approval by the Stewards and the Clerk of Scales.

1) Riding Crops shall have a shaft and a flap and will be allowed in flat racing, including training, only as follows:

A) Maximum weight of eight ounces;

B) Maximum length, including flap, of 30 inches;

C) Minimum diameter of the shaft of one-half inch; and

D) Smooth shaft contact area, with no protrusions or raised surface, covered by shock absorbing material that gives a compression factor of at least one-millimeter throughout its circumference.

2) The flap is the only allowable attachment to the shaft and must meet the following specifications:

A) Length beyond the end of the shaft - maximum of one inch;

B) Width – a minimum of 0.8 inch and a maximum of 1.6 inches;

C) No reinforcements or additions beyond the end of the shaft;

D) No binding within seven inches of the end of the shaft; and

E) Shock absorbing characteristics similar to those required by subsection (a)(1)(D).

3) Although the use of the riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

4) In all races in which a jockey will ride without a riding crop, an announcement of that fact shall be made over the public address system.

5) Riding crops shall not be used on two year old horses before April 1 of each year.

6) The riding crop shall only be used for safety, correction and encouragement.

7) All riders shall comply with the following when using a riding crop:

A) Showing the horse the riding crop and giving it time to respond before striking the horse;

B) After using the riding crop, giving the horse a chance to respond before using it again; and

C) Using the riding crop in rhythm with the horse's stride.

8) Prohibited use of the riding crop includes, but is not limited to, striking a horse:

A) On the head, flanks or any other part of its body other than the shoulders or hindquarters, except when necessary to control a horse;

B) During the post parade or after the finish of the race, except when necessary to control the horse;

C) Excessively or brutally causing welts or breaks in the skin;

D) When the horse is clearly out of the race or has obtained its maximum placing;

E) Persistently, even though the horse is showing no response under the riding crop; or

F) Striking another rider or horse.

9) After the race, horses will be subject to inspection by a racing official or veterinarian looking for cuts, welts or bruises of the skin. Any adverse findings shall be reported to the Stewards.

b) Other Equipment

1) No bridle shall exceed two pounds.

2) A horse's tongue may be tied down with clean bandages, gauze or a tongue strap.

3) No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the Starter.

4) No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the riding crop approved by the Stewards, shall be possessed by anyone, or applied by anyone, to the horse at any time on the grounds of the association during the meeting, whether in a race or otherwise.

c) The giving of instructions by any licensee that, if obeyed, would lead to a violation of this Section may result in disciplinary action being taken against the licensee who gave the instructions, as well as the person who took, or failed to take action.

Section 1411.120 Leaving Operating Track

Any jockey leaving an operating race track to ride in another jurisdiction must first obtain permission from the Board of Stewards.

Section 1411.130 Jockey Rules Apply to Apprentices

All apprentice applicants shall be bound by all of the rules for jockeys, except insofar as said rules may be in conflict with the specific regulations for apprentices.

Section 1411.140 Apprentice Rule

a) An applicant for an apprentice jockey license:

1) shall:

A) be at least 16 years old, or if under age, with the written consent of his/her parents or guardian;

B) not have been previously licensed as a jockey;

C) be found physically able to ride in competitive horse races by a licensed physician designated by the stewards; and

D) have served with a racing stable in some licensed capacity for at least one year; or

2) shall have an apprentice certificate issued by another racing jurisdiction or a valid contract, found acceptable by the Board under the standards established in this subsection (a)(2). with a trainer or owner to serve as an apprentice jockey for at least three and no more than five years.

A) All owners or trainers with an apprentice jockey under contract shall be subject to investigation as to character, ability, facilities, and financial responsibility; and shall, at the time of entering into the contract, be the legal owner or trainer of at least three horses eligible to race.

B) Contracts for apprentice jockeys shall require the apprentice to be at least 16 years old or, if under age, to have the written consent of his/her parents or legal guardian, and shall provide for fair remuneration, adequate medical attention and suitable board and lodging for the apprentice.

C) All apprentice contracts described in this Part shall be filed with the Board within 30 days after execution thereof or upon filing application for license, whichever occurs first.

D) Any amendments to the contract must be in writing, signed by each of the parties, with copies delivered to each of the parties and to the Board.

E) Any owner or trainer who fails to file such contract with and obtain approval of the Board may be subject to disciplinary action by the Board.

F) The Board, in its discretion, may issue an apprentice certificate indicating each winner ridden, in the event an apprentice contract is terminated.

G) The stewards, in their discretion, may permit an apprentice jockey who has been issued a certificate to contract with a licensed owner or trainer for the remainder of a terminated contract.

b) An apprentice jockey may claim the following weight allowances in all overnight races except stakes and handicaps:

1) Ten pound allowance beginning with the first mount and continuing until the apprentice has ridden five winners.

2) A seven pound allowance until the apprentice has ridden an additional 35 winners.

3) If an apprentice has ridden a total of 40 winners prior to the end of a period of one year from the date of riding his/her fifth winner, he/she shall have an allowance of five pounds until one year from the date of the fifth winning mount.

4) If, after one year from the date of the fifth winning mount, the apprentice jockey has not ridden 40 winners, the applicable weight allowances shall continue for one more year from the date of the fifth winning mount, or until the 40th winner, whichever comes first. In no event shall a weight allowance be claimed for more

than two years from the date of the fifth winning mount, unless an extension has been granted pursuant to subsection (e) of this Section.

5) A contracted apprentice may claim an allowance of three pounds for an additional one year when riding horses owned or trained by the original contract employer.

c) The stewards may extend the weight allowance of an apprentice jockey when, in their discretion, an apprentice jockey is unable to continue riding due to:

1) Physical disablement or illness,

2) Military service,

3) Attendance in an institution of secondary or higher education,

4) Restriction on racing, or

5) Other valid reasons.

d) An apprentice jockey may qualify for an extension if he/she has been unable to ride for a period of not less than seven consecutive days during the period in which the apprentice was entitled to an apprentice weight allowance. Under exceptional circumstances, total days lost collectively will be given consideration.

e) The stewards may grant an extension to an eligible apprentice only after the apprentice has produced, on the approved form, documentation verifying time lost was a result of a qualifying event as defined in subsection (c) of this Section.

f) An apprentice may petition one of the racing jurisdictions in which he/she is licensed and riding for an extension of time for claiming apprentice weight allowances, and the apprentice shall be bound by the decision of the jurisdiction so petitioned.

Section 1411.150 Change of Agent

A jockey or apprentice must continue with his jockey agent until notifying the stewards of change of agent.

Section 1411.160 Rough or Careless Riding

At the discretion of the stewards, a jockey guilty of rough or careless riding, as described at 11 Ill. Adm. Code 1416.5, shall be subject to a suspension of not less than 3 days and/or a fine. The criteria for determining fines and/or suspensions shall include, but not be limited to, what action was taken by the violator to avoid the violation, whether the violator has been found guilty of a rough or careless riding violation in this or any other racing jurisdiction.

Section 1411.170 Yearly Examination

All jockeys must pass a physical examination once a year, before the commencement of a meeting, by a doctor designated by the Board. The stewards may or may not allow any jockey to ride until he successfully passes such examination.

Section 1411.180 Examination Because of Illness

Injured jockeys, or jockeys canceling engagements because of illness must undergo a physical examination before resuming race riding.

Section 1411.190 Jockey's Valet

Any jockey's valet who shall make a bet for himself or place for another a bet upon a race shall be suspended and his case referred to the Board for appropriate action.

Section 1411.200 Record of Jockey Engagements by Agent

Each jockey agent shall keep, on a form provided by the operator, a record by races of all engagements made by him of the riders he is representing. This record must be kept up to date and held ready at all times for inspection by the stewards. If any jockey agent gives up the making of engagements for any rider, he shall immediately notify the stewards, and he shall also turn over to the stewards a list of any unfulfilled engagements he may have made for that rider. A jockey agent may not drop a rider without notifying the Board of Stewards in writing. All rival claims for the services of a rider will be adjudged by the stewards.

Section 1411.210 Falsifying Engagement Records

Any agent who falsified his record may be, in the discretion of the stewards, suspended, and they may refer his case to the Board for further action and the Board may revoke the license of any agent who falsifies his record. Jockey agents will be called upon to explain rival claims for any mount or for any rider and inability to satisfy the stewards that the rival claim arose through an honest and bona fide error shall be considered a falsification of records.

Section 1411.220 Agent Barred from Paddock and Track

Except by special permission of the stewards, jockey agents shall not be permitted within the saddling enclosure during the period of racing hours; nor shall said agents be allowed on the race track proper or in the unsaddling enclosure or winners' circle at the conclusion of any race run.

Section 1411.230 Engagements Made Through Agent

Within the period in which an agent represents a jockey or apprentice, such jockey or apprentice shall make riding engagements or commitments only through said agent, and engagements shall be fulfilled as made, unless excused by the stewards.

Section 1411.240 Safety Equipment

a) All jockeys and stable employees when exercising horses shall wear a safety helmet approved by the stewards. The criteria for approving helmets shall be based on the construction, durability, sturdiness and safety of the helmet. This rule shall be enforced by all trainers. No change shall be made in any helmet without the approval of the stewards.

b) No jockey or apprentice jockey shall be permitted to ride in any race unless he or she wears a safety vest with a shock absorption protection rating of at least five (5), as certified by the British Equestrian Trade Association. A safety vest shall weigh no more than two pounds and shall not be included in a jockey's or apprentice jockey's weight when weighing out to race.

Section 1411.250 Designated Races

a) If a jockey is suspended ten days or less for a riding infraction not involving rough and/or extreme careless riding, said jockey may be permitted at the discretion of the stewards to fulfill engagements in designated stakes races so long as he or she is named on the said horse at the time of entry. The suspension will be extended one day for each date the jockey rides in such a race.

b) For the purpose of this rule, the stewards shall determine and post a list of designated races at the beginning of each meeting. If the stewards do not post such a listing, all stakes races shall be designated.

c) No jockey subject to a suspension is entitled to the privilege extended in subsection (a) above unless, at the time of the suspension, he notifies the stewards of his engagement in a stakes race, designated by the stewards in subsection (b) above.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10977; amended at 7 Ill. Reg. 1423, effective January 24, 1983; amendment at 17 Ill. Reg. 12426, effective July 15, 1993; amended at 17 Ill. Reg. 21852, effective December 3, 1993; amended at 18 Ill. Reg. 2092, effective January 21, 1994; amended at 19 Ill. Reg. 12687, effective September 1, 1995; amended at 21 Ill. Reg. 3226, effective March 4, 1997; amended at 22 Il.. Reg. 5076, effective March 1, 1998; amended at 34 Ill. Reg. 2816, effective February 12, 2010.

PART 1412
WEIGHTS, PENALTIES, AND ALLOWANCES; SCALE OF WEIGHTS FOR AGE

Section

1412.10 Weight Allowances
1412.20 Extra Allowances
1412.30 When Readjustments Allowed
1412.40 Readjustments, When Claimed
1412.50 Penalties and Allowances Not Cumulative
1412.60 Handicaps

Section 1412.10 Weight Allowances

a) Length of races

ONE HALF MILE

Age	Jan. Feb.	Mar. Apr.	May	June	July	Aug.	Sept.	Oct.	Nov. Dec.
2	---	---	---	---	---	105	108	111	114
3	117	119	121	123	125	126	127	128	129
4	130	130	130	130	130	130	130	130	130
5&up	130	130	130	130	130	130	130	130	130

SIX FURLONGS

2	---	---	---	---	---	102	105	108	111
3	114	117	119	121	123	125	126	127	128
4	129	130	130	130	130	130	130	130	130
5&up	130	130	130	130	130	130	130	130	130

ONE MILE

2	---	---	---	---	---	---	96	99	102
3	107	111	113	115	117	119	121	122	123
4	127	128	127	126	126	126	126	126	126
5&up	126	126	126	126	126	126	126	126	126

ONE MILE AND ONE-QUARTER

2	---	---	---	---	---	---	---	---	---
3	101	107	111	113	116	118	120	121	122
4	125	127	127	126	126	126	126	126	126
5&up	127	127	127	126	126	126	126	126	126

ONE MILE AND A HALF

2	---	---	---	---	---	---	---	---	---
3	98	104	108	111	114	117	119	121	122
4	124	126	126	126	126	126	126	126	126
5&up	126	126	126	126	126	126	126	126	126

TWO MILES

3	96	102	106	109	112	114	117	119	120
4	124	126	126	126	126	125	125	124	124
5&up	126	126	126	126	126	125	125	124	124

b) In races of intermediate lengths, the weights for the shorter distance carried.

c) In races exclusively for three year olds, or four year olds, the weight is 126 pounds and in races exclusively for two year olds, it is 122 pounds.

d) In all races except handicaps and races where the conditions expressly state to the contrary, fillies two years old are allowed three pounds, and mares three years old and upward are allowed five pounds before the first of September and three pounds afterwards.

e) In all overnight races for two year olds or three year olds or for four year olds and upward, the minimum weight shall be 112 pounds subject to sex and apprentice allowances. This rule shall not apply to handicaps nor to races for three year olds and upward.

Section 1412.20 Extra Allowances

No horse shall carry extra weight, nor be barred from any race for having run second or in any lower place in a race; nor shall extra weight be incurred in respect to private sweepstakes and match races.

Section 1412.30 When Readjustments Allowed

A horse shall not receive allowance of weight or be relieved from extra weight for having been beaten in one or more races; provided that this rule shall not prohibit maiden allowances or allowance to horses that have not won within a specified time or that have not won races of a specified value.

Section 1412.40 Readjustments, When Claimed

Allowances must be claimed at the time of entry and these allowances shall not be abandoned except by the consent of the stewards, who may, before scratch time, make readjustments to the proper weights and allowances in conformity with the conditions of the race. Sex allowances

shall not be waived. The stewards may, in their discretion, impose penalties upon persons who negligently claim improper allowances.

Section 1412.50 Penalties and Allowances Not Cumulative

Penalties and allowances are not cumulative unless by the conditions of the race.

Section 1412.60 Handicaps

The handicapper shall append to the weights for every handicap, the day and hour from which winners will be liable to a penalty, and no alteration shall be made after publication except in case of omission through error of the name or weight of a horse duly entered, in which case, by permission of the stewards the omission may be rectified by the handicapper.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10980.

PART 1413
ENTRIES, SUBSCRIPTIONS, AND DECLARATIONS

Section

1413.10 Registration with Jockey Club
1413.20 Registration Rules
1413.30 Eligibility
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1413.42 Number of Entries
1413.44 48 or 72 Hour Entries
1413.46 Also Eligibles Under 48 or 72 Hour Rule
1413.48 Uncoupled Entries
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1413.310 Number of Races in a Day

Section 1413.10 Registration with Jockey Club

No horse shall be entered or permitted to start unless duly registered and named through The Registry Office of The Jockey Club (New York).

Section 1413.20 Registration Rules

The rules of The Jockey Club (New York) with respect to the registration of horses shall apply in Illinois.

Section 1413.30 Eligibility

A horse must be eligible to run at time of entry.

Section 1413.40 How Entries are Made

All entries shall be made on forms prescribed by the Board, and all information required on such forms shall be supplied.

Section 1413.42 Number of Entries

a) A trainer may enter no more than two horses of the same or of separate ownership. When entering two horses of the same ownership, the owner or trainer must express a preference as to which horse will be entered if the number of entries received exceeds the number of horses permitted to start in the race. Two horses of the same ownership may not start to the exclusion of a single entry except when required by the conditions of the race. However, when a trainer enters two horses of separate ownership, for the purpose of eligibility to start, such horses shall be treated as if they were also entered by separate trainers.

b) This Section shall not apply to stakes and handicap races.

Section 1413.44 48 or 72 Hour Entries

Any horse entered on the overnight entry list shall not be entered in any other race with a 48- or 72-hour entry box without permission of the stewards and shall not be entitled to preference in either of those races.

Section 1413.46 Also Eligibles Under 48 or 72 Hour Rule

Any horse entered on an overnight entry list as an also eligible may be entered in another race with a 48- or 72-hour entry box, and receive preference, provided a scratch is entered at the same time the entry into either entry box is made.

Section 1413.48 Uncoupled Entries

All entries of separate ownership shall be uncoupled.

Section 1413.50 Racing Secretary Receives Entries

For all races, except sweepstakes, for which the closing time occurs immediately preceding or during the period of the race meeting, the racing secretary is the person authorized to receive entries and declarations. For races closing at other times, entries and declarations may be made to the racing secretary or general manager or other authorized executive of the race track operator.

Section 1413.60 Supervision of Entries

All entries and declarations for races closing immediately prior to or during the period of the race meeting are under the supervision of the stewards; and all other entries and declarations are under the supervision of the Board.

Section 1413.70 When Entries Close

Entries for all races shall not be closed earlier than the advertised time.

Section 1413.75 Limitation on Purse Reductions

a) No purse for any race may be reduced after said purse has been advertised, published or reflected in the conditions unless notice of said reduction is promptly given to the state steward, promptly posted on the public bulletin board in the racing secretary's office for the inspection of owners, trainers, and the public, and listed in the "overnight sheets."

b) No purse for any race may be reduced after the first entry is made for any such race.

Section 1413.80 Closing in Absence of Conditions

In the absence of conditions of notice to the contrary, all entries to overnight races except handicaps are to be considered as closed not later than 2 p.m. of the day preceding the one on which the race is to be run.

Section 1413.90 Entry by Telegraph

Entries by telegraph are binding if promptly confirmed in writing, but in overnight races said confirmation can have force only in case the name of the horse so entered has been printed on the official program. Failure to confirm in writing a bonafide entry by telegraph may subject the offender to the penalty of being suspended, or fined, in the discretion of the stewards.

Section 1413.100 List of Entries

The racing secretary shall, each day at the advertised closing time for filing entries, prepare a typewritten list to be designated "overnight entries" and immediately post the same on the public bulletin board in the racing secretary's office for the inspection of owners, trainers and the public. Said list of "overnight entries" shall become official 30 minutes after such posting. No change thereafter shall be made therein because of any omissions or inaccuracies except that weights may be corrected upward at any time when improper allowances have been claimed, and in cases where, in the opinion of the stewards, Section 1412.40 (11 Ill. Adm. Code 1412.40) may apply.

Section 1413.110 Limitations on Entries

All entries and declarations made in overnight races are under the supervision of the stewards, and they may, without notice, refuse the entries of any persons, or the transfer of any entries, and they may also in their discretion, limit entries by providing that no horse shall be entered for two races in any one day unless one is a sweepstakes. However, the owner, or trainer or authorized agent who enters the same horse in more than one race on the same day, must declare said horse out of all races, except one, by scratch time of the day said horse is so entered. In any overnight race where a person has entered more than one horse and there are horses on the also eligible list, the owner, trainer, or authorized agent must declare one horse out of said race by the regular scratch time or both horses must start in said race unless excused by the stewards for just reason.

Section 1413.114 Coupled as Entry

Entry shall mean:

a) A horse made eligible to run in a race; or

b) When starters in a race include two or more horses owned by the same person, or by the same management, they shall be coupled as an "entry", except as provided in 11 Ill. Adm. Code Section 1413.114(c). A wager on one horse in the "entry" shall be a wager on all horses in the "entry". If a race is split in two or more divisions, horses in an "entry" shall be seeded in separate divisions, but the divisions in which they compete and their post positions shall be drawn by lot.

c) The uncoupling of entries, with common owners, shall be permitted in stakes races with purses of $100,000 or more with permission of the owner or trainer.

Section 1413.120 Riders Designated

At the time of making entry, the owner, trainer or authorized agent shall designate a jockey only if the jockey named is definitely engaged. If the jockey is not definitely engaged, then an entry shall be made without designating the jockey at the time of entry. Change of jockey

designated may be made only by authorization of the stewards. Any violation of this rule will subject violators to fine or suspension.

Section 1413.130 Carding Purse and Handicap Races

All non-claiming races (with the exception of maiden races) and claiming races with a claiming value of $20,000 or more, having six or more separate interests must be carded and run. However, if scratches reduce the number of interests in such a race to less than six, the association may run the race as a betless exhibition and card and run a substitute race for wagering purposes.

Section 1413.134 Race Fails to Fill

If a race fails to fill and is declared off, the names of all the horses that were entered therein shall be made known to the state steward not later than 1 p.m. of the same day.

Section 1413.138 Substitute and Extra Races

a) Whenever a posted race is canceled, the Racing Secretary shall first use the substitute races in the order listed in the Condition Book and then use the extra races in the order listed, except:

1) when a feature or handicap race fails to fill the extra race that can be used as a feature race shall take precedence over the other substitute and extra races, or

2) when an Illinois conceived and foaled or an Illinois foaled race fails to fill, the substitute Illinois conceived and foaled or Illinois foaled race shall be scheduled if possible, or

3) when a posted Illinois conceived and foaled or an Illinois foaled race fills, the substitute or extra Illinois race need not be considered in making up other canceled races, or

4) when a posted race is split, or

5) when a substitute or extra race is to be used in the program as a race upon which trifecta wagering is offered.

b) Nothing contained herein shall be deemed an exception to or modification of Rule B 9.6 (11 Ill. Adm. Code 409.60).

Section 1413.140 Right to Declare Out

a) In purse races and overnight handicaps with eight or more interests, owners shall have the right to declare out to that number before the time stipulated

by the regulations of the operator on the day of the race. When more than one owner expresses the desire to declare out, the right to declare out shall be determined by lot. Declarations below eight interests may only be made by permission of the Stewards when a note from a licensed veterinarian establishes a medical reason to excuse the horse from the race or when there is a request from the Racing Secretary to fill a different race. The also eligibles shall have the preference to scratch over regularly carded horses.

b) In purse races and overnight handicaps moved off the turf with more than eight interests, owners shall have the right to declare out to that number before the time stipulated by the regulations of the operator on the day of the race. When more than one owner expresses the desire to declare out, the right to declare out shall be determined by lot. Declarations below eight interests may only be made by permission of the Stewards.

c) Horses may be scratched out of stake races not later than 45 minutes before post time of the race.

Section 1413.150 Number of Entries

A list of names not to exceed six may be drawn from the overflow entries and listed as eligible to start if originally carded horses are withdrawn. If an also eligible list is prepared, and any regularly carded horses have been excused from a race, a new drawing shall be taken from horses on the also eligible list and order of eligibility and post position shall be determined by the sequence in which they are drawn. If the conditions of a stakes race specify otherwise, those conditions shall govern and this rule shall not apply.

Section 1413.160 Fee to Enter

The entrance to a purse race shall be free, unless otherwise stipulated in its conditions. If the conditions require an entrance fee, it must accompany the entry, except for fee handicaps, when it must be paid at the time of acceptance of the weight allotted.

Section 1413.170 Refunds

Entrance money is not refunded on the death of a horse, or his failure to start.

Section 1413.180 Error in Entry

A person making a wrong entry or nomination is liable for stakes and forfeits under that nomination.

Section 1413.190 Irrevocable Declaration

Declaring a horse out of a race is irrevocable.

Section 1413.200 Notice of Declaration

Until the owner or his authorized agent has given notice to the proper authority either in writing or by telegram, promptly confirmed in writing, no horse shall be considered as struck out of any of his engagements.

Section 1413.210 Entry of Unfit Horse

The owner or trainer of any horse, before making the entry of such horse in any overnight race, must have said horse in condition to race, and if for any reason, said horse is not in such condition, it must be reported to the stewards and secretary.

Section 1413.220 Refusal for Inconsistency

The stewards shall have the authority to order the refusal of entry of any horse or all of the entries of any owner because of inconsistent running of any horse or horses, and the stewards are empowered to make any investigation, formal or informal, to come to a determination and decision in respect thereto. Any such ruling shall be immediately reported, in writing, to the Board by said stewards.

Section 1413.230 Horse Ineligible

a) No horse is qualified to run in any race unless he is duly entered for that race.

b) No disqualified horse shall be entered for a race.

c) No disqualified person shall enter a horse in a race.

d) In case of husband and wife, no entry shall be received from husband or wife while either is disqualified. Husband and wife, unless legally separated, shall be considered a single entity. Any ruling which applies to one shall apply equally to the other. This rule shall not apply in the case of a spouse suspended for a riding infraction or in such other cases, in the discretion of the stewards.

e) The burden of proof of qualifications rests upon the individual in whose name the horse is entered.

f) No horse on the starter's schooling list shall be entered for a race.

g) No horse on the state veterinarian's list (see Rule #51A) (11 Ill. Adm. Code Section 1403.63) or the steward's list (see Rule #34B) (11 Ill. Adm. Code 1402.165) shall be entered for a race.

h) No horse shall be started unless he has had a race or an officially clocked workout within the previous 30 days.

i) A first time starter shall not have less than three officially observed and clocked workouts.

j) A horse is ineligible if it is not qualified to participate in a specified race under the rules and conditions of that race.

Section 1413.240 Who May Enter

No person not having an interest in a horse, equal at least to the interest or property of any other one person is entitled to enter in a race as the owner.

Section 1413.250 Medical Reasons for Ineligibility

A trainer or owner shall not enter or start, or cause to be entered or started, a horse that:

a) is not in serviceable, sound racing condition;

b) has an active tracheostomy;

c) has been nerved or had cryosurgery performed on a nerve; except that horses that have had a neurectomy or cryosurgery performed on the posterior digital nerve below, and not at, the fetlock of one or more feet may be permitted to race;

d) is blind or whose vision is seriously impaired in both eyes. A horse blind in one eye may start only if the other eye has normal vision;

e) does not comply with the rules regarding Coggins tests (see 11 Ill. Adm. Code 1309, 1313, 1424 and 1431).

Section 1413.260 Sweepstakes Entries

Any entry of a horse in a sweepstakes is a subscription to the sweepstakes and the subscriber is liable for stake or forfeit, but should he transfer the entry, he is liable only in case of default of the transferee. Similarly, the vendor of a horse with engagements is liable for stake or forfeit if the engagements are not kept.

Section 1413.265 Receipt for Nomination

It shall be the responsibility of the nominator to any stake or handicap race to confirm telephone nominations or entries with written or faxed copies of the same. No appeal or dispute regarding lost nominations or errors shall be entertained by the stewards without such documented proof.

Section 1413.270 Previous Engagements

If a horse is sold by private sale, or at public auction, the written acknowledgment of both parties is necessary to prove the fact that he was sold with his engagements, but when a horse is sold or claimed out of a claiming race, the horse's engagements are included unless the advertised conditions of the race state specifically to the contrary. A sale, under any circumstances, to a person ruled off, or to a disqualified person, shall have the effect of a declaration of forfeit as if made by the vendor on the date of sale.

Section 1413.280 Transfer of Engagements

Subscriptions and all entries or rights of entry are valid when a horse is sold with his engagements duly transferred; in duly registered partnerships when subscriptions, entries and rights of entries survive in the remaining partners; and when entries under the decedent's subscription have been made previous to the decedent's death by the transfer of the right of entry. No entry, subscriptions, or right of entry under it shall become void on the death of the nominator or subscriber, the engagement or engagements made for the horse following him unless the conditions of the race or races for which he was entered stated otherwise.

Section 1413.290 Transfer of Sweepstakes Engagements

Subscribers to sweepstakes may, before the time fixed for naming, transfer the subscription, but a person making an entry under another subscription when forfeit must be declared by a particular time, shall be considered as having taken the engagement upon himself, and it shall be transferred to his name. Also before the time fixed for closing an entry of a horse in any race may be corrected or another horse may be substituted but a subscription cannot be withdrawn.

Section 1413.300 Jockey Club Certificates

No horse shall be allowed to start unless his Jockey Club Registration Certificate is filed in the office of the racing secretary, with the exception that the stewards may, at their discretion, waive this requirement, if horses are shipped in for sweepstakes, or have been lip tattooed, and otherwise are properly identified.

Section 1413.305 Transfer of Jockey Club Certificate

Commencing with foals of 1960, each racing secretary shall require that all transfers of title be properly recorded in the spaces provided on the reverse side of The Jockey Club Registration Certificate. Any transfers not so recorded will not be recognized and the thoroughbred will be ineligible to start, except that the stewards of the meeting may excuse any horse from this requirement for cause, permitting it to start and providing an opportunity for the owner to meet this requirement.

Section 1413.310 Number of Races in a Day

No horse may be entered for two races in any one day unless one is a sweepstake and in such cases, it must be declared out of one of the races by regular scratch time.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); passed July 11, 1972; amended April 11, 1974, filed and effective April 30, 1974; passed June 11, 1974 amended July 12, 1974, filed July 22, 1974; amended August 13, 1974, filed August 19, 1974; amended August 15, 1975, filed August 20, 1975; amended September 19, 1975, filed October 2, 1975; amended June 19, 1976; amended July 16, 1976, filed July 23, 1976; amended August 21, 1976, filed August 30, 1976; amended April 26, 1977, filed May 6, 1977; amended 4 Ill. Reg. 9, 0.251, effective February 20, 1980; amended at 5 Ill. Reg. 8911, effective August 25, 1981; codified at 5 Ill. Reg. 10981; amended at 15 Ill. Reg. 2730, effective February 5, 1991; amended at 17 Ill. Reg. 1628, effective January 26, 1993; amended at 17 Ill. Reg. 21848, effective December 3, 1993; amended at 18 Ill. Reg. 11612, effective July 7, 1994; amended at 18 Ill. Reg. 17749, effective November 28, 1994; amended at 24 Ill. Reg. 7394, effective May 1, 2000; amended at 24 Ill. Reg. 12725, effective August 1, 2000; amended at 25 Ill. Reg. 178, effective January 1, 2001; amended at 25 Ill. Reg. 15608, effective December 1, 2001; amended at 26 Ill. Reg. 12367, effective August 1, 2002; amended at 31 Ill. Reg. 8530, effective June 1, 2007; amended at 32 Ill. Reg. 10165, effective July 1, 2008; amended by emergency rulemaking at 35 Ill. Reg. 6605, effective April 4, 2011, for a maximum of 150 days; amended at 35 Ill. Reg., effective July 22, 2011.

PART 1415
STARTING

Section

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Section 1415.10 Identification of Horses

No horse shall be permitted to start that has not been fully identified. The responsibility in the matter of establishing the identity of a horse, of his complete and actual ownership, shall be as binding on the persons so identifying or undertaking to establish identification as it is on the person having the horse requiring identification. And the same penalty shall apply to them in case of fraud or attempt at fraud. The paddock judge in such instances shall keep a written record of such identification and by whom made.

Section 1415.15 Lip Tattoo or Microchip

No horse will be permitted to start at a pari-mutuel race meeting unless it has been tattooed on the upper lip with an identification number or implanted with an electronic horse identification microchip that accurately identifies the horse and is compliant with the international standards

(International Organization for Standardization, ISO Central Secretariat, 1, ch. De la Voie-Creuse, CP 56, CH-1211 Geneva 20 Switzerland, ISO Standard 11784:1996, no later additions or amendments). However, the requirement of a lip tattoo shall not apply to horses entered in stakes races when the horses are fully identified pursuant to Section 1415.10 and when the horses have raced at pari-mutuel race meetings outside of North America.

Section 1415.20 Authority of Starter

Horses are in the hands of the starter from the moment they leave the paddock until the start is made.

Section 1415.30 Jockeys to Dismount

In the case of delay at the post, the starter may permit the jockeys to dismount and the horses be cared for during the delay; otherwise, no jockeys shall dismount.

Section 1415.40 All Horses Parade

All horses shall parade, and under penalty of disqualification, carry their weight from the paddock to the starting post, such parade to pass the stewards' stand. A rider thrown on the way to the post must remount at the point at which he was thrown.

Section 1415.50 Horses Led to Post

The paddock judge may permit a horse to be led to the post with weight up, keeping a reasonable distance from the other horses in the race, and any horse so led must pass the stewards' stand.

Section 1415.60 Starter's Orders

The starter shall give all orders necessary to obtain a fair start.

Section 1415.70 Starter's Assistants

The starter may appoint his assistants who must be licensed by the Board. The starter, or his chief assistant, shall keep records of horses handled, by which assistant, and equipment used if other than the ordinary lead strap.

Section 1415.80 Causes of Delay

a) Causes of delay, if any occur, shall be reported to the stewards by the starter.

c) Post parades shall be for a period of 10 minutes unless a different period is approved by the state steward. Persons causing a delay in the post parade may be fined or suspended.

d)

Section 1415.90 Report Presence on Grounds

A horse shall not be qualified to start in any race unless not less than 30 minutes before the time set for the race:

a) Its presence on the grounds of the operator is reported to the paddock judge;

b) It is announced to the clerk of the scales as a starter; and

c) The name of its jockey is given to the latter official.

Section 1415.100 Jockey Fees Paid

No horse shall be allowed to start for any race and no jockey shall be weighed out for any horse until there has been paid or guaranteed the jockey fee or any stake or entrance money due, by the owner in respect to that race, which information shall be supplied by the racing secretary.

Section 1415.110 Licensed Trainer

No horse shall be qualified to start in any race unless in the hands of a licensed trainer.

Section 1415.120 Veterinarians' List

No horse on the veterinarians' list shall be qualified to enter or start.

Section 1415.130 Scratches and Refunds

a) The Board of Stewards may excuse any horse and order it scratched from a race at any time before the race is actually started.

b) The operator shall also refund to the owner of such horse the starting fee, if any is required under the conditions of the race.

Section 1415.140 Number of Starters

The number of starters in overnight races shall be limited by the width of the track at the starting post, the maximum number to be determined by the stewards. The number of starters in such overnight races, except handicaps, shall be reduced to the proper number by lot, or by division (also by lot) of the race, at the option of the operator. The division of overnight handicaps shall be made by the racing secretary in his entire discretion.

Section 1415.150 Horse Must Run the Course

Every horse whose starting is obligatory is expected to run the course, unless excused by the stewards, and in case of failure to do so, the stewards may fine or suspend any person responsible therefor.

Section 1415.160 Starting Gate

Except in cases of emergency, a padded starting gate, approved by the Board, shall be used in starting all races.

Section 1415.170 Post Positions

All horses will enter the starting gate in the order of their announced post positions unless otherwise ordered by the starter with the approval of the stewards. Vicious and unruly horses may be placed on the outside of the line.

Section 1415.180 Horse, When a Starter

Where a starting gate is used, no horse entered in any race is classed as a starter unless the starting gate opens in front of him simultaneously with the opening of the gates in front of the other horses at the start of the race. Refusal of a horse to break with his field shall not deem him a non-starter.

Section 1415.190 Failure of Starting Gate

If for any reason the doors in front of any stall in a mechanically or electrically operated gate should fail to open, thereby preventing a horse from starting when the starter dispatches the field, these rules shall apply.

a) If the conditions for a race include a starting fee, such fee shall be repaid to the owner of the horse prevented from starting in the race through failure of the gates to open.

b) Where the film patrol is not used, the starter shall make the sole decision on the question of what horse or horses are prevented from starting in a race through failure of the gates to open.

c) No recall or recall flag shall be used because of the failure of the gates to open.

d) If in any race less than two horses leave the stalls, the operator shall not be obliged to make payment of purse money to the one horse which finishes, but shall endeavor to re-card the race at the earliest time possible.

Sections 1415.200 Start Without Gate

When a race is started without a gate, there shall be no start until, and no recall after, the assistant starter has dropped his flag in answer to that of the starter.

Section 1415.210 Horse, When a Starter Without a Gate

Where no starting gate is used, a horse entered is a starter when the official starter starts the race.

Section 1415.220 Schooling

Horses shall be schooled to face the barrier under the supervision of the starter or his assistant, who shall designate the horses that are to constitute the schooling list.

Section 1415.260 Inspection of Plating

A representative of the operator shall inspect the plating of each horse as it enters the paddock before the race, record the type of shoes worn on a board provided for that purpose in the paddock and keep a written record for the stewards. Any deficiency in shoeing shall be reported immediately by said inspector to the paddock steward. A trainer or owner shall not enter or start, or cause to be entered or started, a horse that, if plated, is not plated properly, as determined by the paddock blacksmith. If a horse is intended to start without shoes, it must be declared at the time of entry.

Section 1415.270 Change in Course

By permission of the Board, races may be run over a race course other than the one over which they have been announced to be run.

Section 1415.280 Equipment Changes

a) Permission for a horse to wear blinkers, or to discontinue the use of them, must be approved by the starter before being granted by the stewards. Any request for such a change must be stated at the time of entry.

b) Permission for a horse to wear blinkers, or to discontinue the use of them, following a winning race may be granted at the discretion of the stewards.

Section 1415.290 Prohibited Equipment

Shoes (racing plates) that have toe grabs with a height greater than 2 millimeters (0.15748 inches) and bends, jar calks, stickers and any other traction devices shall be prohibited on the front shoes of thoroughbred horses while racing or training on all racing surfaces.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended at 5 Ill. Reg. 8911, effective August 25, 1981; codified at 5 Ill. Reg. 10985; amended at 6 Ill. Reg. 10013, effective August 3, 1982; amended at 7 Ill. Reg. 2170, effective February 4, 1983; amended at 14 Ill. Reg. 20056, effective December 4, 1990; amended at 18 Ill. Reg. 11620, effective July 7, 1994; amended at 27 Ill. Reg. 538, effective January 1, 2003; amended at 33 Ill. Reg. 4165 effective March 1, 2009; amended at 36 Ill. Reg., effective October 1, 2011.

PART 1416
RULES OF THE RACE

Section

1416.5 Disqualification in Race
1416.10 Foul Riding
1416.20 Leaving Course
1416.30 Division of Purse in Dead Heat
1416.40 Dead Heat for First Place
1416.50 Official Records of Horse
1416.60 Walkover
1416.70 Value of Race
1416.80 Surplus
1416.90 Winnings
1416.100 Winnings in One Race
1416.110 Winner a Walkover
1416.120 Race Not Run or Void
1416.130 No Horse in Race
1416.140 Horse Ridden Out

Section 1416.5 Disqualification in Race

a) When clear, a horse may be taken to any part of the course, provided that crossing or weaving in front of any horse may constitute interference or intimidation for which the offending jockey may be disciplined.

b) A horse crossing in front of another horse so as actually to impede the latter may be disqualified, unless the impeded horse was partly in fault or the crossing was wholly caused by the fault of some other horse or jockey.

c) If a horse or jockey jostles another horse, the aggressor may be disqualified, unless the impeded horse or his jockey was partly in fault or the jostling was wholly caused by the fault of some other horse or jockey.

d) If a jockey willfully strikes another horse or jockey, or rides willfully or carelessly so as to injure another horse which is in no way in fault or so as to cause other horses to do so, his horse is disqualified.

e) When a horse is disqualified under this rule every horse in the same race entered by the same trainer, whether belonging to the same owner or not may also be disqualified at the discretion of the stewards.

f) Complaints under this rule can only be received from the owner, trainer or jockey of the horse alleged to be aggrieved, and must be made to the clerk of the scales or to the stewards before that jockey has passed the scales. When applicable, the complaint shall be made to the stewards through the outriders

(fast officials). But nothing in this rule shall prevent the stewards taking cognizance of foul riding.

g) Any jockey against whom a foul is claimed shall be given the opportunity to speak with the stewards before any decision is made by them.

h) A jockey whose horse has been disqualified or an owner, trainer or jockey who complains frivolously that his horse was crossed or jostled, may be fined or suspended.

Section 1416.10 Foul Riding

If the stewards at any time are satisfied that the riding of any race was intentionally foul or that any jockey was instructed or induced to so ride, all persons guilty of complicity shall be suspended and the case shall be reported to the Board for such additional action as they may consider necessary.

Section 1416.20 Leaving Course

If a horse leaves the course, he must turn back and run the course from the point at which he left it.

Section 1416.30 Division of Purse in Dead Heat

In races where a dead heat occurs for first, second, third or fourth places, there shall be no runoff for the purse money, and prizes shall be equally divided among those engaged in dead heats.

Section 1416.40 Dead Heat for First Place

Each horse which runs a dead heat for first place in a race shall be deemed a winner of that race, and shall be liable, as such winner, to any disability or penalty attaching to same, but only in the amount of winnings actually received.

Section 1416.50 Official Records of Horse

If a horse winning a race equals or betters a track record and is disqualified, the record will be recognized as a track record unless the horse was disqualified for being stimulated. This track record shall be noted with an asterisk which will reveal that the horse was disqualified at the time it established the record.

Section 1416.60 Walkover

a) If only one horse shall have weighed out, that horse shall be ridden past the judge's stand and go to the post, and shall then be deemed the winner.

b) In sweepstakes, even if all the horses but one have declared forfeit, that horse must walkover except by the written consent of all the persons who pay forfeit.

c) In case of a walkover, one-half of the money offered to the winner is given.

d) When a walkover is the result of arrangements by owners or horses engaged, no portion of the added money nor any other prize need be given.

Section 1416.70 Value of Race

a) The value of a race to the winner shall be estimated by deducting the amount of the winner's stake (if any) and by deducting the money payable to other horses or to any person out of the stakes or out of the added value. Entrance money to purses and entrance money going to the operator shall also be deducted.

b) The value of prizes not in money will not be estimated in the value of the race.

c) In estimating the value of a series of races in which an extra sum of money is won by winning two or more races, the extra sum shall be estimated in the last race by which it was finally won.

d) Foreign winnings shall be estimated on the basis of the current rate of exchange.

Section 1416.80 Surplus

In all races, should there by any surplus from entries, or subscriptions over the advertised value, it shall be paid to the winner, unless stated by the conditions to go to other horses in the race.

Section 1416.90 Winnings

Winnings during the year shall include the winnings from the first of January preceding to the time appointed for the start, and shall apply to winnings to any country and winnings shall include dividing, walking over, or receiving forfeit.

Section 1416.100 Winnings in One Race

Winning of a fixed sum is understood to be winning it in one race, unless specified to the contrary.

Section 1416.110 Winner a Walkover

Any money or prize which by the conditions is to go to the horse placed second, or in any lower place in the race, shall, if the winner has walked over, or no horse has been so placed, be dealt with as follows:

a) If part of the stake, it shall go to the winner; or

b) If a separate donation from the operator, or any other source, it shall not be given at all; or

c) If entrance money for the race, it shall go to the operator.

Section 1416.120 Race Not Run or Void

If a race never is run or is void, stakes and entrance money shall be returned.

Section 1416.130 No Horse in Race

A race may be declared void if no qualified horse covers the course according to rule.

Section 1416.140 Horse Ridden Out

Every horse in every race must be ridden so as to finish as near as possible to first, and show the best and fastest race it is capable of at that time and shall not be eased up or coasted, even if it has no apparent chance to win first, second, third or fourth prize, so that the record of that race may, as truly as possible, show its real ability.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10988; amended at 17 Ill. Reg. 19306, effective November 5, 1993; amended at 19 Ill. Reg. 2471, effective February 15, 1995.

PART 1417
OBJECTIONS

Section

1417.10 Objections
1417.13 Hearing on Suspension of License
1417.16 Denial of License
1417.20 Objection to Horse in a Race
1417.30 Who May Make Objections
1417.40 Proof of Qualifications
1417.50 Objection to Clerk of Scales Decision
1417.60 Time Limit on Objections
1417.70 Frivolous Complaints
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1417.90 Pending Decisions
1417.100 Race in Dispute
1417.110 Fraud and Deception
1417.120 Withdrawing Objections
1417.130 Cost of Determination
1417.140 Complaints Against Officials

Section 1417.10 Objections

The stewards must decide every objection pertaining to a race.

Section 1417.13 Hearing on Suspension of License

a) If the stewards at any race meeting shall suspend a license of any horse owner, trainer, jockey groom, stable foreman, exercise boy, veterinarian, or other occupation licensee, the license of said person shall be suspended pending a hearing of the Board.

b) A ruling or recommendation of the stewards shall be presumed correct and the election of a party who is the subject of the same to forego an appeal during the prescribed time period, may be considered by the Board as a waiver of the rights here provided and an admission that said ruling or recommendation is correct and should be affirmed.

Section 1417.16 Denial of License

The stewards shall have the authority to recommend the denial of a license after application of any horse owner, jockey, groom, stable foreman, exercise boy, veterinarian, or other occupation licensee to the Board.

Section 1417.20 Objection to Horse in a Race

a) Objections to a horse engaged in a race must be made by the owner, trainer, or jockey, of some other horse engaged in the same race, or by the officials of the race meeting to one of the stewards.

b) All objections, except claims of interference during a race, must be made to the stewards in writing and signed by the objector, and must be filed not later than one hour before post time. The stewards, however, may scratch an ineligible horse at any time.

Section 1417.30 Who May Make Objections

Complaints of what occurs in a race in so far as they apply to horse or jockey must be made by the owner, trainer or jockey of the horse alleged to be aggrieved, and must be made to the clerk of the scales or the stewards before or immediately after the jockey has been weighed in.

Section 1417.40 Proof of Qualification

Proof of the qualifications of any horse against which a protest has been lodged, as provided in these rules, may be demanded by the stewards, and in default of such proof being given, they may declare the horse disqualified.

Section 1417.50 Objection to Clerk of Scales Decision

Objections to any decision of the clerk of the scales must be made within 15 minutes of the start of the race, if, in the opinion of the stewards, the circumstances did not permit longer notice.

Section 1417.60 Time Limit on Objections

Objections to a horse, based on what occurred in a race, must be made before the numbers of the horses placed in the race have been officially confirmed.

Section 1417.70 Frivolous Complaints

Owners and trainers who make frivolous complaints may be fined.

Section 1417.80 Erroneous Awards

If by reason of an objection to a horse, a race or place is erroneously awarded to another horse, the owner so wronged is entitled to the money of which he is deprived, and in case of default, the stewards shall disqualify the owner who retains the money.

Section 1417.90 Pending Decisions

Pending a decision based on an objection, any purse which the horse against which the objection is lodged may have won or may win in the race, or any money held by the racing secretary as the price of a horse claimed or bought in a selling race (if involved in the determination of the case), shall be withheld until the objection is determined.

Section 1417.100 Race in Dispute

When a race is in dispute, both the horse which finished first and any horse for which the race is claimed shall be liable to all penalties attaching to the winner of that race until the matter is decided.

Section 1417.110 Fraud and Deception

In all cases of fraud or wilful deception, the time limitations shall not apply, provided the stewards are satisfied that the allegations are bonafide and are susceptible to verification. The stewards may, on their own initiative, call for proof that a horse neither is disqualified in any respect, nor nominated by, nor the property, wholly or in part, of a disqualified person. In default of such proof, they may declare the horse disqualified.

Section 1417.120 Withdrawing Objections

Permission of the stewards is necessary before an objection can be withdrawn.

Section 1417.130 Cost of Determination

a) Persons lodging an objection must pay all the costs and expenses incurred in determining the objection, in such proportions as the stewards shall decide, unless relieved from such expense by the Board.

b) Before considering an objection, the stewards may require a cash deposit of $50., which may be forfeited if the objection is held to be frivolous or vexatious.

Section 1417.140 Complaints Against Officials

Complaints against an official or officials shall be made to the stewards in writing signed by the complainants. All such complaints shall be reported to the Board, together with the action taken on them by the stewards.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended December 22, 1977, filed December 30, 1977; codified at 5 Ill. Reg. 10990.

PART 1420
EMPLOYMENT

Section

1420.10 Minimum Age
1420.20 Violation of Age Limit
1420.30 Unlicensed Employees

Section 1420.10 Minimum Age

Except for summer employment, properly certified by school authorities, and in such other cases in the discretion of the Stewards, no person who has not attained the age of sixteen years shall be employed within the confines of any race track operator by said operator or by any owner, trainer, or other licensee, licensed by the Board.

Section 1420.20 Violation of Age Limit

Any owner, trainer or race track operator employing a person in violation of the foregoing rule is liable to a fine of not exceeding $200., and if such employment is continued after notice to desist has been served on him by the Board, the offender may be ruled off or otherwise less severely punished, as the Board may decide.

Section 1420.30 Unlicensed Employees

Any owner, trainer, or other licensee, licensed by the Board, who shall employ an exercise boy, groom, or other stable employee, who is not licensed by the Board, shall be subject to suspension by the stewards, and the case be referred to the Board.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10993.

PART 1422
CORRUPT PRACTICES

Section

1422.10 Disbarment of Officials
1422.20 Bribes to Officials
1422.30 Betting by Assistant Starters and Other Employees
1422.40 Fraudulent Practices
1422.50 Intentional Foul
1422.60 Disqualified Horse
1422.70 Jockey Interest in Horse
1422.80 Foreign Book
1422.90 Handbooks
1422.100 Touting
1422.110 Offering a Bribe
1422.113 Accepting a Bribe
1422.117 Failure to Report Offer of Bribe
1422.120 Goading Devices
1422.125 Firearms

Section 1422.10 Disbarment of Officials

No one interested in the result of a race either because of ownership of any horse entered or because of bets or other material interest such as might accrue in a futurity or produce stake, shall act as judge, starter or official therein; for any violation of this rule, the guilty person or persons may be suspended or ruled off.

Section 1422.20 Bribes to Officials

Every person committing the following offenses shall be ruled off:

a) If any person gives or offers, or promises to directly or indirectly bribe in any form any person having official duties in relation to any race or race horse, or to any trainer, jockey or agent, or to any other person having charge of, or access to, any race horse; or

b) If any person having official duties in relation to a race, or if any trainer, jockey, agent or other person having charge of, or access to, any race horse, accept, or offer any bribe in any form; or

c) Wilfully enter, or cause to be entered, or to start for any race a horse which he knows or believes to be disqualified; or

d) If any person be guilty of, or shall conspire with any other person for the commission of, or shall connive with any person being guilty of, any corrupt or fraudulent practice in relation to racing in this or any other country.

Section 1422.30 Betting by Assistant Starters and Other Employees

No assistant starter or track employee having duties in relation to a race may wager money or other valuable thing on the result of a race.

Section 1422.40 Fraudulent Practices

Every person committing the following offenses shall be ruled off:

a) If any person fraudulently offers or receives any amount of money for declaring an entry out of a purse or stake; or

b) If any person is a part owner or trainer of a horse in which a jockey has any interest; or

c) If any person makes a bet with or on behalf of a jockey, unless it be a bet by the owner on a horse that the jockey is riding; or

d) If any person offers or gives to any jockey any money, reward, or present in connection with the riding of any race by said jockey, unless said person is the employer of or the owner or trainer of the horse the jockey is riding; or

e) If any jockey accepts a mutuel ticket or makes a bet on any horse other than the one he rides; or

f) If any person be guilty of any other corrupt or fraudulent practice on the turf, in this or any other country.

Section 1422.50 Intentional Foul

If the stewards at any time are satisfied that the riding of any race was intentionally foul, or that any jockey was instructed or induced so to ride, all persons guilty of complicity shall be suspended and the case shall be reported to the Board for such action as it may deem necessary.

Section 1422.60 Disqualified Horse

Any horse that has been the subject of fraudulent practice may be disqualified, the stewards of the meeting disqualifying the horse for no longer period than the duration of the meeting and reporting the circumstances to the Board for such action as it may deem proper.

Section 1422.70 Jockey Interest in Horse

Any person knowingly acting in the capacity of part owner or trainer of any horse in which a jockey possesses any interest or making any bet with or on behalf of any such jockey, shall be suspended and his case reported to the Board for such further action as it may deem necessary.

Section 1422.80 Foreign Book

No operator giving a race meeting under license issued by the Illinois Racing Board shall permit bets to be made on the grounds of said operator on any race run outside of the grounds, and no foreign book or gambling device of any kind shall be permitted on said grounds.

Section 1422.90 Handbooks

Anyone guilty of making a handbook on the grounds of any operator licensed by the Board, shall be ejected from the grounds, and denied further admission thereto. Any person interested in any horse at said meeting who shall be guilty of betting with or through any such handbook, shall be ejected from the grounds or denied admission by order of the stewards.

Section 1422.100 Touting

If any trainer, jockey, stable employee or other person solicits bets from the public by correspondence or other methods, to be made on a horse in any stable, such person or persons so offending shall be ruled off the course or denied admission by the stewards.

Section 1422.110 Offering a Bribe

Any person who, with intent to influence any person participating in, officiating or connected with any professional or amateur athletic contest, sporting event or exhibition, gives, offers or promises any money, bribe or other thing of value or advantage to induce such participant, official or other person not to use his best efforts in connection with such contest, event or exhibition shall be fined from $1,000 to $5,000 or imprisoned in the penitentiary from one to five years, or both.

(Editor's Note: This is a quote from Ill. Rev. Stat. 1979 ch.38, par. 29-1 prior to its amendment by P.A. 77-2638. Current text makes this offense a class 4 felony).

Section 1422.113 Accepting a Bribe

Any person participating in, officiating or connected with any professional or amateur athletic contest, sporting event or exhibition who accepts or agrees to accept any money, bribe or other thing of value or advantage with the intent, understanding or agreement that he will not use his best efforts in connection with such contest, event or exhibition shall be fined from $1,000 to $5,000 or imprisoned in the penitentiary from one to five years or both.

(Editor's Note: this us a quote from Ill. Rev. Stat. 1979 ch.38, par. 29-1 prior to its amendment by P.A. 77-2638. Current text makes this offense a class 4 felony).

Section 1422.117 Failure to Report Offer of Bribe

Any person participating, officiating or connected with any professional or amateur athletic contest, sporting event or exhibition who fails to report forthwith to his employer, the promoter

of such contest, event or exhibition, a peace officer, or the local State's Attorney any offer or promise made to him in violation of section 29-1 shall be fined not to exceed $500 or imprisoned in a penal institution other than the penitentiary not to exceed one year or both.

(Editor's Note: This is a quote from Ill. Rev. Stat. 1979 ch.38, p14. 29-1 prior to its amendment by P.A. 77-2638. Current text makes this offense a class 4 felony).

Section 1422.120 Goading Devices

No appliances, electrical, mechanical or chemical, other than the ordinary whip shall be used for the purpose of stimulating a horse or affecting his speed in a race. Spurs may be employed during workouts or training periods. Every person so offending may be ruled off or otherwise penalized.

Section 1422.125 Firearms

No person, except track security personnel and law enforcement officials while engaged in the performance of their official duties, shall possess or discharge any firearm within any race track enclosure.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10994; amended at 18 Ill. Reg. 17730, effective November 28, 1994.

PART 1424
REGULATIONS FOR MEETINGS

Section

1424.10	Illinois Racing Board Right of Entry
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1424.360	Notification of Change

Section 1424.10 Illinois Racing Board Right of Entry

All members of the Illinois Racing Board and its representatives shall have the right of entry at any and all points and places on the grounds and at the buildings of the operator.

Section 1424.20 Office for Racing Board

Each operator shall provide within its grounds a suitable office for the use of the members of the Illinois Racing Board or any of its representatives.

Section 1424.40 Inspections and Searches (Repealed)

Section 1424.45 Investigative Authority

The Chief Investigator of the Illinois Racing Board and Special Agents of the Illinois Bureau of Investigation, or other designees of the Department of Law Enforcement assigned to assist the Chief Investigator, shall have the authority to conduct investigations concerning all matters within the jurisdiction of the Illinois Racing Board.

Section 1424.50 Allocation of Stalls

a) No race track operator shall allocate stalls except pursuant to a written stall application and agreement, the form of which shall have been approved by the Board. The racing secretary shall be responsible for stall allocation unless some other official is substituted by the race track operator to perform such function and the Board notified thereof.

b) The racing secretary shall give each applicant written notice specifying whether his application, with respect to each stall requested, has been accepted, denied or placed in a pending status. Such notice shall be given not later than five days prior to the start of the meeting or ten days after receipt of the stall application, whichever shall be last to occur.

c) Within ten days after initial notification is required by this rule, final action shall be taken and written notice thereof given with respect to any stall application originally placed, in whole or in part, in a pending status.

d) The racing secretary's view of the best interests of racing and of the meeting in question shall govern his actions on stall applications, and he shall be allowed broad discretion in performing this function. Nevertheless:

1) No action on a stall application shall be based upon --

A) the race, color, creed, religion, national origin or sex of the applicant, or

B) an arbitrary or capricious decision, or a decision not related to any reasonable view of the best interests of racing or of the meeting in question.

2) No stall allocation shall be conditioned upon the payment, transfer or delivery to the racing secretary, or to any other person designated by him, of any money, property or other thing of value or upon the applicant's promise to make such payment, transfer or delivery.

e) Any owner, trainer or other person believing himself to be aggrieved by a violation of this rule may file a written complaint with the Board which shall conduct a hearing with respect to the alleged violation. If the Board determines that such a violation has occurred, it may impose a fine upon the race track operator not to exceed $500 for each violation, may order that stalls be allocated to the complainant and may take such other action as it deems appropriate. In order to facilitate the conduct of inquiries into alleged violations of this rule, the racing secretary shall cause all stall applications, stall agreements, correspondence and other related material to be retained until the close of the meeting or for such longer period as the Board may direct.

f) In passing upon stall applications that are of substantially equal merit, the racing secretary shall give preference to applications submitted with respect to horses owned by Illinois residents.

g) Acceptance of an application for stall space for any horse shall be conditioned upon proof of a negative AGID (Coggins) test for equine infectious anemia.

Section 1424.60 Distance Poles

All distance poles shall be of standard color and designations, namely:

Quarter poles---red and white, Eighth pole---green and white, and Sixteenth poles---black and white

Section 1424.70 Arrivals, Departure and Stabling

a) All horses arriving at or leaving a race meeting must be registered at the gate with a gateman or platform attendant, complete information regarding such arrival or departure to be set forth on a printed form.

b) Any horse racing at a licensed meeting must be stabled within the confines of that track; provided, however, in case of necessity, such horse may be stabled within the confines of an adjacent Illinois race track or in another location approved by the Board. The operator holding the meeting shall provide a receiving barn and temporary stabling for horses eligible to race, which are brought to the races from approved outside stable space.

c) Race track operators shall number each stall where horses are quartered.

Section 1424.80 Departure Slips

A departure slip must be signed in duplicate by a steward or his duly authorized representative, one being held by the gateman and one by the stewards' office before horses can be moved off grounds.

Section 1424.90 Horse Ambulance

There shall be a horse ambulance at all race tracks under the jurisdiction of the Board for the safe and expedient removal of crippled animals from the track. Horse ambulances must be equipped with a screen for use when an animal must be destroyed in view of the general public, a winch to lift dead or injured animals on to the ambulance, and a removable floor or other satisfactory device for the safe loading of a recumbent horse. Said ambulance shall also be equipped with a permanently attached and locked box containing drugs solely for the use of the state veterinarians when emergency medication is required.

Section 1424.110 Extra Races

No additional races on a racing date will be permitted without the written approval of the Secretary of the Board, and subject to conditions by the Board.

Section 1424.120 Clockers

a) The operator shall employ an experienced clocker or clockers, approved by the stewards, who shall in the line of his or their duties, keep an actual record of all workouts, trials, gallops and speed tests, or any "morning races" on the track of said operator or on any track used as a training place for horses eligible to be entered at said race meeting, and said clocker shall, without delay, present his records to the handicapper or racing secretary and a copy thereof shall be delivered into the possession of the stewards; the racing secretary shall have a true copy of said records immediately available to all newspapers and recognized publications for the purpose of disseminating said information.

b) All trainers desiring to work out a horse must identify the horse by name to such clocker or clockers or his representative and give the distance of the work out. No horse and rider shall enter the track who has not provided the stated information. Horsemen improperly identifying horses coming onto the track shall be subject to fine and/or suspension by the stewards.

Section 1424.125 Outriders

The operators shall furnish a licensed outrider who is to be on duty and suitably mounted each day during the hours when main tracks are open for exercising horses.

Section 1424.140 Safety Rails

All thoroughbred organizations shall install interior rails designed to endure the safety of jockeys and horses and which are suitable to the Board. Any gooseneck rail shall have an adequate covering. Suitable rails and adequate covering include, but are not limited to, rails and coverings that will maintain the weight of a thoroughbred race horse and jockey, that will not splinter or crack and that do not become brittle, hard or decayed over time when exposed to various weather conditions.

Section 1424.150 Backstretch Paging System

Each organization shall have in place a suitable backstretch paging system. A suitable backstretch paging system includes, but is not limited to, a system which has adequate equipment to reach all areas of the backside.

Section 1424.160 Camera

a) All operators shall take and make at their own expense a complete recording of all races run. The number and location of recording stations, the type of equipment used and the quality of the image must be satisfactory to the state steward. The state steward shall certify to the Board three days prior to the opening of any meeting, in writing, that he approved of the recording system, and believes it to be adequate. No system shall be so certified unless it can deliver the recording of the race within two minutes of the finish of that race.

b) These recordings shall be under the control of the state steward and shall not be shown to other persons without his permission.

c) Operators shall hold all recordings from one year from the final date of the race meeting at which they were made. Operators shall hold for five years all recordings in which there is an infraction or claim of foul and such other recordings as the state steward shall designate.

d) In order to educate and protect the jockeys, operators shall provide facilities where recordings may be shown to the jockeys. Under the supervision of the stewards, recordings of the previous day's racing shall be shown each racing day to all jockeys riding in the previous day's program.

Section 1424.170 Emergency Medical Services

Each organization licensee shall submit its emergency medical services plan to the Board, for the Board's approval, thirty (30) days prior to the start of its meet. The plan shall include all information relative to emergency medical services to be provided to racing participants and patrons, including but not limited to the name of any resource hospitals, agreements with any ambulance services (private and municipal), and the number and certification level of all emergency medical technicians. In approving an emergency medical service plan the Board

shall consider the proximity of the racetrack to its resource hospital, the size of the racetrack, and the type of racing to be conducted at the racetrack. Each plan shall also be certified by the Illinois Department of Public Health, Division of Emergency Medical Services.

Section 1424.180 Policing of Premises

The race track operator shall provide a sufficient number of guards and also watchmen to maintain order on all parts of the racing enclosure. No tipsters shall be allowed on any part of the licensed premises. No groom or stable attendant shall loiter in the betting ring or any place else with the evident intention of making tips for remunerations or for free. Anyone so found shall be brought to the stewards and his identification shall be taken up. Said offender will then be excluded from the premises. A written report shall be made by the stewards to said offender's employer; any employer continuing to harbor or employ any such person so reported, will be suspended, at the discretion of the stewards.

Section 1424.190 Stable Area Security

Each track operator shall furnish gatemen and night watchmen for all stable enclosures. The operator shall furnish to the state steward a complete tabulation showing name, duty, place stationed and portions of enclosures supervised by such gatemen and night watchmen. In the event horses are stabled outside the race track, that are eligible to race at a meeting of the race track operator, the same precautions and reports shall apply.

Section 1424.200 Stable Area Security

The race track operator shall also employ a sufficient number of guards to patrol the stable areas and make investigations.

Section 1424.210 Security Reports

Every person in charge of security at each race track shall submit a report each day of all incidents involving arrests and ejections, and all information relating to any criminal conduct, suspected or real, or any violation of the Rules and Regulations of the Illinois Racing Board. Such report shall be submitted to the Illinois Racing Board, the State Steward, and the Chief Investigator of the Illinois Racing Board. At the discretion of the person in charge of security, matters of a confidential nature may be designated confidential and reported separately to the Chief Investigator for investigative purposes.

Section 1424.220 Night Patrol

A nightly report shall also be given by the officer in charge of the night force stating in detail any disturbances, drunkenness, or disorderly conduct in and about the backstretch and stable area, giving in detail the names, badge numbers and license numbers of any person committing any offense whatsoever.

Section 1424.230 Telephones

Telephone use shall be disallowed in the paddock areas, except under direct supervision of the Board or its delegates.

Section 1424.250 Races for Illinois Horses

a) Organization licensees shall provide at least two races each day limited to Illinois conceived and foaled horses or Illinois foaled horses or both by scheduling at least two such races each day in their condition books. At least one of such races shall be a regularly scheduled race and not a substitute or extra race.

b) Organization licensees shall make every effort to conduct at least one Illinois conceived and foaled or Illinois foaled race each day. If however such race fails to fill, the organization licensee shall make up this deficiency within four racing days. Provided further that in the event that an organization licensee has conducted more than one Illinois conceived and foaled or Illinois foaled race per day during the preceding six racing days, said licensee will not be required to make up for a day in which it was unable to fill an Illinois conceived and foaled or Illinois foaled race. Whenever a race for Illinois conceived and foaled horses or Illinois foaled horses or both is eliminated for any one day, the Racing Secretary shall make a written report to the Board.

c) Each proper Illinois foaled or Illinois conceived and foaled race which the licensee fails to hold or make up shall be a separate and distinct violation of this rule and of Section 30(c) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1981, Ch.8, par. 37-30(c))

d) The purse value for an Illinois foaled or Illinois conceived and foaled race shall be no less than the purse value provided for races for open competition horses of the same class running under similar conditions.

e) Within seven days after the commencement of any racing meeting, the racing secretary shall prepare and maintain for inspection by the Board a record of all Illinois foaled and Illinois conceived and foaled horses occupying stalls at the track at which the licensee is conducting its meeting. The list shall include information as to the age, sex, quality, and racing classification (e.g., Maiden, etc.) of each horse and the sire and dam of each horse.

f) In addition to the other requirements of this rule, each licensee shall use its best efforts to schedule lead up races and races for the better class horses, provided that each licensee shall schedule no less than the following races each week for Illinois foaled or Illinois conceived and foaled horses:

1) After June 1st of each year, one race for 2 year old Maidens (Allowance Race).

2) One race for 3 year old and up Maidens (Allowance Race).

3) One race for 3 year old and up Maidens and winners of one race (Winners preferred) (Allowance Race).

4) After July 1st of each year, one race for 2 year old Maidens and winners of one race (Winners preferred) (Allowance Race).

Section 1424.260 Breeder Awards

Section 37(j-10) of the Illinois Horse Racing Act is incorporated in these rules, which section reads in part as follows:

"Provided further, that, to encourage the breeding of horses in the State of Illinois, a sum equal to 10 per cent of the winning purse of every race won by an "Illinois bred" horse shall be paid by the operator conducting the horse racing meeting to the breeder of the animal. The amount so paid to any breeder shall be taken from the operator's share of the money wagered and shall in no event reduce the amount of privilege taxes payable under this act. The amount so paid by the operator shall be paid at the end of each racing meet. An "Illinois bred" horse within the meaning of this section is deemed to be a foal dropped in the State of Illinois. The "breeder" as used herein, means the owner of the mare at time foal is dropped. The Illinois Racing Board shall provide for the registration of all "Illinois bred" horses. No horse shall be allowed to compete in an "Illinois bred race" unless the horse is so registered."

(Editor's Note: Quoted language has been repealed. See Section 30(j) of Illinois Racing Act of 1975 (Ill. Rev. Stat. 1979, Ch.8, par. 37-30(j))

Section 1424.270 Admission to Parts of Premises

a) Only the following listed persons shall be entitled to enter the stable area of a race track operator: members, officers and employees of the Board who must show their identification cards; management and employees performing duties therein; racing officials; police officers; owners, trainers, grooms and other performing duties in the stable area and who possess a valid license from the Board.

b) Except that the race track operator may authorize the entry of other persons, subject to the following minimum conditions:

1) that such authorized persons be required to sign a daily guest log, and record the time of entry and the time of departure;

2) that such authorized persons be required to indicate the name of the person whom they are visiting.

c) The race track operator shall adopt such rules and procedures as deemed necessary to protect the security of the stable area and to prevent the entry of unauthorized persons to that portion of the premises.

d) Any person violating this rule shall be evicted from the licensed premises by the race track operator and thereafter denied admission as a patron or otherwise to any portion of the licensed premises.

Section 1424.280 Stable Areas Fenced

All such stable enclosures must be properly fenced and admission granted only on proper license or credentials actually shown to the gateman.

Section 1424.290 Merchandise Selling

The operator shall supervise the practice and methods of so-called merchandise peddlers who may have entry to the track enclosure to solicit among the employees engaged at the track; and such supervision shall be extended to any other tracks where horses are lodged who may be eligible to race at said meeting; provided however, that the operator shall not by virtue of this rule or otherwise restrict the open purchasing or attempt to control or monopolize said business or proper selling of merchandise to owners, trainers or stable employees.

Section 1424.300 Tip Sheets

Unless authorized by the operator and by the Board, no printed material dealing with odds, horses or the races, shall be sold, peddled or given away within any part of the race track of said operator, its entrances, approaches or places within its control. The operator shall not grant permission to any tip sheet, pamphlet or other publication making false or unwarranted representations. Nothing herein contained shall be construed as applicable to any newspaper, periodical, weekly, or monthly magazine of general circulation.

Section 1424.310 Alcoholic Beverages

a) No operator shall sell or permit to be sold on its backstretch, or in any other area used by it for the stabling of horses, any alcoholic beverages, beer excepted.

b) No operator shall permit into or in its stabling area or in any other area used by it, any person under the influence of alcohol.

Section 1424.320 Jockey Quarters

Each operator shall pay particular care to the cleanliness, sanitation and the appearance of the jockeys' quarters to the end that they may be safe, sanitary and habitable at all times.

Section 1424.330 Water Supply and Washrooms

The operator shall furnish an adequate number of free drinking water fountains, comfort stations and washrooms throughout its grounds and buildings for the use of the public.

Section 1424.340 Drug Vendors

Every distributor or vendor of drugs or medication within the confines of a race track must register in writing with the Board.

Section 1424.350 Seven Day Rule

The race track operators, officials, horsemen, owners, trainers, jockeys, agents, grooms, platers, valets and all licensees, who have accepted with reasonable advance notice thereof the conditions under which a race meeting is planned to be conducted, shall, before they terminate or discontinue their employment, engagements or activities under such conditions, notify the Board and the respective interested persons, or operators at least seven days before such termination or discontinuance. The Board shall, upon notice to the parties in interest, conduct a hearing or hearings with respect to the matters involved. If the Board shall find that the cause of the termination or discontinuance of employment, engagements or activities is unreasonable, unlawful or contrary to the Rules and Regulations of the Board, or detrimental to the public interest or against the best interest of horse racing, or that the proper notice herein provided has not been given, it shall so advise all parties in interest and shall take such action against any offending parties as the Board in its discretion deems suitable. If the Board finds that the causes are reasonable, lawful and not contrary to the Rules and Regulations of the board, and are not detrimental to the public interest or to the best interests of racing, and that proper notice has been served, the Board shall so advise all parties in interest and shall use its best efforts to settle and disputes between said parties.

Section 1424.353 Penalty for Violation of Rules

Any race track operator who violates any provision of the Rules and Regulations of Horse Racing or of the Illinois Horse Racing Act may be fined no more than $5000.00 for each such violation and/or may have said operator's license to conduct a horse racing meeting suspended or revoked.

Section 1424.355 Stall Availability Prior to Meet

Those applicants for racing dates which are allotted the first meetings for the thoroughbred racing season in any year, as a condition to their receiving their licenses to conduct racing meetings, shall make available to those horsemen who are to participate in such first meetings, and their horses, the backstretch and racing facilities at the race track at which such first meeting is to be conducted no less than three weeks prior to the commencement of such first meeting in the case of race tracks located within Cook County and no less than six weeks prior to the commencement of such first meeting in the case of race tracks located outside Cook County.

Section 1424.360 Notification of Change

a) Each organization licensee shall have the authority to change its hours of operation if the hours are different than provided in the licensee's racing dates application subject to notification to the Board. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change of hours of operation.

b) Each organization licensee shall have the authority to change prices charged for goods and services subject to notification to the Board. Goods and services shall include, but not be limited to, admission prices, parking fees and official racing programs and shall exclude food, beverages, and merchandise. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change.

c) Each organization licensee shall have the authority to change prices charged for wagering products (subject to Sections 26 and 26.2 of the Act) subject to notification to the Board. Wagering products shall include, but not be limited to, take-out or retention rates and minimum wager amounts. The notification shall be made in writing and submitted to the Board's central office at least 30 days prior to the anticipated change.

d) *The Board may disapprove of any business practices by organization licensees identified in* subsection (a), (b) or (c) *if the* Executive Director *finds that such practices are detrimental to the public interest* based upon industry standards (e.g. a national survey of comparable race tracks) or opposition from the public or interested parties. [230 ILCS 5/20.1]

SOURCE: Published in Rules and Regulations of Horse Racing (original date not cited in publication); added October 25, 1973, filed November 26, 1973; added August 8, 1973; amended February 15, 1974, filed February 28, 1974; amended April 11, 1974, filed April 30, 1974; amended July 12, 1974, filed July 22, 1974; amended October 25, 1974, filed November 7, 1974; amended March 14, 1975, filed and effective March 27, 1975; amended May 9, 1975, filed May 15, 1975; amended June 19, 1976, filed June 25, 1976; amended December 9, 1977, filed December 29, 1977; amended at 4 Ill. Reg. 41, p. 164, effective September 26, 1980; codified at 5 Ill. Reg. 10996; amended at 8 Ill. Reg. 12460, effective June 27, 1984; amended at 9 Ill. Reg. 9166, effective May 30, 1985; amended at 14 Ill. Reg. 20545, effective December 7, 1990; amended at 16 Ill. Reg. 7493, effective April 24, 1992; amended at 16 Ill. Reg. 11193, effective June 25, 1992; amended at 17 Ill. Reg. 3038, effective February 23, 1993; emergency amendment at 23 Ill. Reg. 7779, effective June 28, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13943, effective November 2, 1999; amended at 27 Ill. Reg. 7226, effective April 19, 2004; amended at 31 Ill. Reg. 16536, effective December 1, 2007; amended at 32 Ill. Reg. 16502, effective October 1, 2008.

PART 1425
DISCRETIONARY RULES

Section

1425.10 Matters Not Covered in the Rules
1425.20 Racing Rules Supersede Other Conditions
1425.30 Board May Contract with Others
1425.40 Rule in Accordance with Illinois Racing Act
1425.50 Validity of Rules and Regulations

Section 1425.10 Matters Not Covered in the Rules

If any case occurs which is not, or which is alleged not to be provided for in these rules, the matter shall be determined by the stewards or by the Illinois Racing Board, as the case may be, in such manner as they think to be just and conformable to the usages and best interests of the turf. The Board may punish independently any misconduct of any person connected with racing, or with the conduct of a race meeting.

Section 1425.20 Racing Rules Supersede Other Conditions

These Rules and Regulations or any other rule made by the Illinois Racing Board, supersede the conditions of a race or the regulations of a meeting when they conflict.

Section 1425.30 Board May Contract with Others

The Board may contract with racing authorities, race track operators or other bodies for the rendition of such advisory or other services as may be desired.

Section 1425.40 Rule in Accordance with Illinois Racing Act

These Rules and Regulations of racing are adopted in conformity to the provision of the Illinois Horse Racing Act in which the duties and powers of the Illinois Racing Board are described, defined and authorized, and the tax and revenue provisions are prescribed.

Section 1425.50 Validity of Rules and Regulations

The invalidity of any rule or part of any rule, as heretofore prescribed, shall not effect the validity of any of the remaining rules of the Illinois Racing Board

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended January 10, 1975, filed January 16, 1975; codified at 5 Ill. Reg. 11000; Section 1425.47 recodified to 11 Ill. Adm. Code 207.40 at 9 Ill. Reg. 11652.

PART 1426
NIGHT RACING

Section

1426.10 Rules Apply to Both Day and Night
1426.20 Steward's Hours
1426.30 Lights On While Horses On Track
1426.40 Lights in Stable Area
1426.50 Parking Area Lighted
1426.60 Schedule of Races
1426.70 Report of Admissions
1426.80 Night Races

Section 1426.10 Rules Apply to Both Day and Night

All rules, regulations and conditions of the Illinois Racing Board shall govern both night and day racing.

Section 1426.20 Stewards' Hours

During each racing night the stewards shall assemble at the office building on the grounds of the operator, not later than three hours before post time of the first race, to exercise the authority and perform the duties imposed on them by the Rules and Regulations.

Section 1426.30 Lights On While Horses On Track

Lights used to illuminate the track shall be turned on immediately at the request of the State Steward. Lights shall not be turned on or off while a race is in progress or turned off while the horses are on the track.

Section 1426.40 Lights in Stable Area

The stable area must be properly lighted, so that it will be entirely void of darkness in all sections. Lights will be turned on at dusk and they shall remain on until one hour after the last race.

Section 1426.50 Parking Area Lighted

Parking area must be properly lighted, so they will be entirely void of darkness in all sections. Lights will be turned on at dusk and they shall remain on until one hour after the last race or until all cars have departed, which ever may first occur.

Section 1426.60 Schedule of Races

If for any reason the races scheduled for the night cannot be fulfilled by midnight, the stewards will cancel the remaining race or races and schedule them for another time.

Section 1426.70 Report of Admissions

All reports and records of admissions shall be in the hands of the Board not later than 8 p.m., the following day.

Section 1426.80 Night Races

To the times set forth in all rules dealing with day racing, six hours shall be added at such meetings where night racing is conducted.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended February 13, 1976, filed March 1, 1976; codified at 5 Ill. Reg. 11001.

PART 1428
ADMISSIONS AND CREDENTIALS

Section

1428.10 Admissions Tax
1428.20 Admission Records
1428.30 Weekly Remittance of Tax
1428.40 Admission Statements
1428.50 Delivery of Reports
1428.60 Board Approval of Tickets and Credentials
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1428.120 Tax Exempt Credentials
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1428.210 Admission to Track
1428.220 Revocation of Credentials
1428.230 Admissions for Licensees
1428.240 Intertrack Wagering Location Licensee Admission Fees

Section 1428.10 Admissions Tax

a) The race track operator shall pay to the Board at such time or times as the Board shall prescribe, the sum of 15 cents for each person entering the grounds or enclosure of the race track operator upon a ticket of admission. If tickets are issued for more than one day, then the sum of 15 cents shall be paid for each person using the ticket each day that the ticket is used. No charge shall be made on tickets issued to and in the name of directors, officers, partners, agents or employees of the race track operator, or to owners, trainers and drivers and their employees, or to any person or persons entering the grounds for the transaction of business in connection with the race meeting. No charge shall be made on tax exempt tickets of admission issued by the Board.

b) Pursuant to subsection (a), the State Director of Mutuels shall direct and supervise the conduct of the admissions department during each race meeting. The State Director shall be empowered to direct the race track operator to adopt, subject to the approval of the Board, procedures, methods and systems as may be deemed necessary to ensure strict compliance with the rules and regulations of the Board.

c) Intertrack wagering location licensees shall pay to the Board, within 48 hours, any admission taxes due to local municipalities and counties.

d) The Board shall remit monthly any admission taxes due to local municipalities and counties.

Section 1428.20 Admission Records

The race track operator shall keep accurate books and records showing total attendance, admissions, both paid and complimentary, the number of taxable and tax free admissions and the gross receipts from admissions for each racing day of a meeting. These books and records shall be open to the Board and its duly authorized representatives for examinations and checks to ascertain the amount of taxes due and whether or not such taxes have been paid.

Section 1428.30 Weekly Remittance of Tax

The tax due hereunder shall be paid to the Board weekly and remittance made to the Board on Thursday following the close of each week. The operator shall enclose with his remittance to the Board a sworn itemized statement signed by his treasurer or comptroller, showing the total attendance, the number of admissions, both paid and complimentary, the number of taxable and tax free admissions for each day of the preceding week.

Section 1428.40 Admission Statements

Each race track operator must prepare daily an itemized, certified admission statement showing:

a) A summary, separating clubhouse and grandstand, showing the number of fully paid admissions, complimentary admissions, service charge tickets and tax free admission for officials, corporation officers, press, horsemen, employees, racing officials and/or other persons entering on tax exempt admissions; also, the total amount from fully paid tickets, from complimentary or service charge tickets, and all other amounts received on account of admissions or taxes and the totals therefrom of the amount due the federal government and the amount due the state on account of the 40 cents admission ticket tax.

b) Such summary shall also include a report of the daily turnstile reconciliations with the actual count using number and location of turnstiles, with notations listing discrepancies, if any.

Section 1428.50 Delivery of Reports

All such reports shall be delivered to the Board before 2 p.m. on the following day, when day programs are run, and before 6 p.m. on the following day, when night programs are run. The weekly reports previously mentioned shall be a complete consolidation of all daily reports.

Section 1428.60 Board Approval of Tickets and Credentials

The Secretary of the Board must approve all race track operators' proposed tickets and credentials before an order can be placed with a printer or supplier.

Section 1428.70 Control Numbers

All tax exempt tickets or credentials of admission for a race meeting shall be designed to include a serial or control number and code letter or number designating classification. These credentials and/or tickets are to be designed so that they cannot be used for admission more than once on any one racing day and applicable only to the current racing day.

Section 1428.80 Revocation of Tickets, Credentials

All tax exempt tickets and credentials shall carry in bold type: "Not transferable and will be revoked if transferred."

Section 1428.90 Notice of State Tax

The following shall be printed on all taxable admission tickets and credentials including complimentary, service charge and/or reduced rates of admission: "state tax 40 cents."

(Editor's Note: Section 25 of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch.8, par. 37-25) now provides for an admission tax of 15 cents instead of 40 cents)

Section 1428.100 Credentials and Ticket Specimens

The operator shall require each printer or other supplier to file with the Board certified copies of all manifests, showing serial number and the various types of admission tickets and credentials, including tax exempt and taxable, furnished to the track immediately after they are ordered.

Section 1428.110 Gate Cards

Each operator must file a certified gate card, showing in complete detail specimen tickets and credentials, with the Secretary of the Board at least 10 days before the opening of a race meeting. Said tickets and credentials must be approved by the Board Secretary before they can be sold or distributed by the operator.

Section 1428.120 Tax Exempt Credentials

The racing secretary shall issue tax exempt credentials of admissions only to those persons showing a current license or receipt therefore, and such others as may be authorized by the Secretary of the Board.

Section 1428.140 Concessionaires, Employees Credentials

Designated employees and officials of the race track operator may issue tax exempt credentials for employee admission, subject to requirements, restrictions and limitations as set forth in each respective classification as follows:

a) Regular employees' tax exempt admission credentials shall be issued only to persons directly on the operator's payroll, and actively employed during the race meeting.

b) Concessionaire tax exempt admission credentials shall be issued only to persons actually on concessionaire payroll and working during the race meeting. Concession tax exempt employee credentials shall be issued only with the use of a large round identification button, provided by the concessionaire, showing the employee's concession number and name. Said button shall be attached to garment and prominently worn.

Section 1428.150 Requisitions for Passes

a) Designated employees and officials of the operator and in behalf of the operator, must file requisitions with the secretary of the Board in order to obtain authorization for the issuance of tax exempt tickets or credentials of admission to members of the working press, service employees, officials, and to persons having official business at the track during a race meeting. Said requisition prescribed by the secretary of the Board shall be submitted in duplicate under the signature of the head of the department along with duplicate listing of passes requested, and shall be subject to approval by the secretary of the Board.

b) The following requirements, restrictions and limitations shall be observed in the issuance of tax exempt admission credentials in the classification as hereinafter set forth.

1) Service employees' tax exempt admission credentials shall be issued only to persons actually engaged in providing service at a race meeting for a contractor, service company, public utility or others employed during a race meeting. Request for credentials must be made on purveyor's official stationery under duly authorized signature setting forth the name of each such employee, duties and justification for each pass requested.

2) Business tax exempt admission credentials may only be issued to persons having official business at the track during racing hours and not classified as service employees. Requests for such credentials must be made on company or agency official stationery under the signature of ranking official, setting forth the name of each person for whom a pass is requested, along with duties and justification.

3) Press tax exempt credentials may only be issued to members of the working press when requested on the publications' official stationery under the signature of the editor or manager. All requests shall be subject to limitations based on circulation.

4) Official tax exempt credentials may only be issued to corporate officials and directors of the track, racing officials and to such others which are supported with proper justifications.

Section 1428.170 Summary of Tickets and Credentials

A summary shall be prepared by the operator and/or employees of the Board indicating by classification the amount of tax exempt tickets or credentials printed, issued, voided and on hand in each instance. Said summaries are to be submitted to the Board on the closing day of each racing meet.

Section 1428.180 Track Responsible for Credentials

a) The operator and his duly appointed issuing agents and/or employees issuing tax exempt credentials in behalf of the Board shall be held accountable for all tax exempt tickets and credentials received, issued, voided and on hand until the final audit has been completed by representatives of the Board.

b) All unissued and voided tax exempt tickets and credentials shall be retained until they are released by the Secretary of the Board. Upon release, they are to be destroyed by burning.

Section 1428.190 Board Access to Records

a) Representatives of the Board shall have access to all payrolls and other supporting evidence to verify the eligibility of all holders of tax exempt tickets and/or credentials.

b) The operator shall be subject to the payment of 40 cents state tax on all disallowed tax exempt tickets or credentials, issued, requisitioned or unaccounted for by the operator. Additional assessment for unaccounted and disallowed tax exempt tickets or credentials will be computed on the basis of 40 cents for each such ticket multiplied by the number of racing days granted to the operator or on a daily usage basis if certified to by a Certified Public Accountant.

(Editor's Note: Section 25 of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch.8 par. 37-25) now provides for an admission tax of 15 cents instead of 40 cents)

Section 1428.200 Turnstiles and Electronic Scanning Devices

All gates for the admission of patrons shall have turnstiles equipped with meters or electronic scanning devices, and the turnstiles or electronic scanning devices must be numbered consecutively or have other means of individual identification. The race track operator shall test the equipment at the opening of each racing day. The test is to be made under the supervision and direction of the Board or such agents as the Board may appoint. A daily reconciliation is to show a beginning reading and final reading of each device, the total admitted, and also a classified breakdown of all types of admittance. The operator must employ methods, subject to the approval of the Board, to record serial numbers and code letters or numbers each day a tax exempt ticket or credential is used for admittance, in order to substantiate all tax exempt admissions.

Section 1428.210 Admission to Track

a) No person shall be admitted to any race track after the admission gates have been manned and until the seventh race is run, except by tax exempt ticket or credentials or the payment of 40 cents state tax.

b) The operator must employ methods and procedures in coordination with the start of manning admission gates each day to conduct a thorough check of admission enclosure areas allowing only those persons to remain who produce tax exempt credentials of admission. All others shall be escorted to the gate and readmitted only through turnstiles on admissions subject to 40 cents state tax.

(Editor's Note: Section 24 of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch.8 par. 37-25) now provides for an admission tax of 15 cents instead of 40 cents)

Section 1428.220 Revocation of Credentials

a) It shall be the duty of each operator to revoke and take up all tax exempt tickets and/or credentials immediately of all employees who have been terminated or leave employment and all others whose admission credentials have been revoked by the track operator, and/or the Board. All such tickets and/or credentials shall be submitted to the Board's admission revenue representative.

b) Two copies of each revocation order, prescribed by the Board, duly signed by the head of the department authorizing revocation, shall be submitted to the Board's admission revenue representative. Said order shall state reasons for revocation.

Section 1428.230 Admissions for Licensees

All persons licensed by the Board who are engaged in the activities at a race meeting for which they are licensed shall be entitled to a tax exempt admission credential under the classification of license issued. If any person is licensed in more than one classification, only one admission credential shall be issued regardless of multiple licensing.

Section 1428.240 Intertrack Wagering Location Licensee Admission Fees

a) Each intertrack wagering location licensee that is subject to an admission fee pursuant to Section 27 of the Illinois Horse Racing Act of 1975 [230 ILCS 5/27] shall remit such fee to the Board within 48 hours after receipt.

b) Each intertrack wagering location licensee may install turnstiles to determine the total number of patrons admitted to its facility each day. Said turnstiles shall conform to the provisions of Section 1428.200. In the absence of per capita collection upon patron admission, each intertrack wagering location licensee shall calculate its daily patron attendance by dividing its daily handle by the intertrack per capita wager as published in the most recent Illinois Racing Board Annual Report.

SOURCE: Published in Rules and Regulations of Horse Racing (original date not cited in publication); amended March 14, 1975, filed and effective March 27, 1975; codified at 5 Ill. Reg. 11002; amended at 14 Ill. Reg. 17633, effective October 16, 1990; amended at 14 Ill. Reg. 20042, effective December 4, 1990; emergency amendment at 17 Ill. Reg. 3683, effective March 4, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 14049, effective August 16, 1993; amended at 19 Ill. Reg. 17187, effective January 1, 1996; amended at 31 Ill. Reg. 15103, effective November 1, 2007; amended at 35 Ill. Reg. effective May 23, 2011.

PART 1429
EVERY EMPLOYEE IDENTIFIED

Section

1429.10 Every Employee Identified

Section 1429.10 Every Employee Identified

Every employee of the Mutuel Department as well as every other employee of the operator, or the place of his employment, shall be so designated by number or name, that easy identification may be made by the public.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 11005.

PART 1437
DISCLOSURE RULES

Section

1437.10 Written Disclosure
1437.30 Written Disclosure for Corporations
1437.40 Notice of Changes
1437.50 Disclosure for Associates of Applicant
1437.60 Written Disclosure to Participate in Racing
1437.70 Political Contributions (Repealed)

Section 1437.10 Written Disclosure

Prior to November 1 of any year, all officers, directors, creditors and substantial owners of any beneficial interest of every association, corporation or other business entity desiring to hold or conduct a race meeting within the State of Illinois during any calendar year shall make a written disclosure on forms prescribed by the Board for approval of their participation in racing in the State of Illinois. Such forms shall be submitted under oath as prescribed in the form. A person owning 5 per cent or more of the equity of an applicant for racing dates shall be considered a substantial owner for the purposes of this rule. A person extending credit for more than one year or extending credit in excess of $10,000 for less than one year, but more than 30 days, shall be considered a creditor for purposes of this rule, provided that, a horseman to whom moneys are owed as reflected in accounts maintained by the horsemen's bookkeeper shall not be considered a creditor.

(Editor's Note: Section 20 of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, ch.8, par. 37-20) now requires applications for horse race meetings to be filed prior to September 1, instead of November 1)

Section 1437.30 Written Disclosure for Corporations

Where a corporation owns 25 per cent or more of the equity of an applicant for dates, holders of 10 per cent or more of its capital stock shall make written disclosure under these Rules and Regulations on the forms prescribed; provided, however, that this rule shall not apply to any corporation, the securities of which are registered with the Securities and Exchange Commission pursuant to the Securities Act of 1933 and the rules and regulations issued thereunder. Corporations qualifying under this exemption shall file with the Board copies of all papers filed with the Securities and Exchange Commission.

Section 1437.40 Notice of Changes

Within 10 days after election, appointment or acquisition of substantial ownership, or extending of credit, the Board shall be notified of the identity of each new officer, director, or substantial owner, or creditor of a race track operator. Each new officer, director, substantial owner, or creditor shall make a written disclosure to the Board on forms prescribed by the Board for approval of their participation in racing in Illinois.

Section 1437.50 Disclosure for Associates of Applicant

a) The Board may determine that any person or entity associated or affiliated with any applicant for or race track operator shall make written disclosure for approval or supervision of their participation in racing in the State of Illinois.

b) It shall be agreed expressly in each application for racing dates, and shall be a condition of granting any application, that the applicant and all persons associated with the applicant shall furnish all information requested or subpoenaed by the Board.

Section 1437.60 Written Disclosure to Participate in Racing

a) A person making or requested to make written disclosure for approval or supervision of his participation in racing in Illinois under these rules shall expressly agree in writing on the prescribed form to disclose all information which the Board may at any time request.

b) All such persons shall be expected to adhere to the standards of conduct applicable to persons working at tracks in Illinois.

c) The fact that a person making or requested to make written disclosure is an officer, director, employee, partner, or owner of an illegal gaming or gambling operation, institution or business is inconsistent with the granting of racing dates to the applicant with which he is associated or affiliated.

d) The fact that a person making or requested to make written disclosure is an officer, director or substantial owner of a gaming operation where such is permitted by the jurisdiction in which it is located, may be considered inconsistent with the granting of racing dates to the applicant with which he is associated or affiliated.

e) For the purpose of this rule the term gaming operation shall not be deemed to refer to or include any meeting whereat horse racing, harness racing, or quarter horse racing is permitted for any stake, purse or reward or where pari-mutuel or certificate method of wagering is conducted.

f) Should a person making or requested to make a written disclosure for approval or supervision of his participation in racing in Illinois be under investigation pending approval or suspension by any racing commission, pari-mutuel wagering commission, or gaming Board in any other state or country, the Board shall reach no conclusion on the granting of racing dates with which he is associated or affiliated until such time as the investigation is concluded, approval is granted, or the suspension terminated on grounds not inconsistent with the standards of conduct applicable to persons working at a track in Illinois.

Section 1437.70 Political Contributions (Repealed)

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 11008; amended at 29 Ill. Reg. 8416, effective June 1, 2005.

PART 1440
QUARTERHORSE RACING

Section

1440.10 Rules and Regulations
1440.20 Designation of Officials
1440.30 Whipping
1440.40 Schooling
1440.50 Apprentices, Special Allowances and Weights
1440.60 Registration Certificate
1440.70 Photo-Finish Camera
1440.80 Starting Gate

Section 1440.10 Rules and Regulations

The rules and regulations governing thoroughbred racing shall also govern quarter horse racing, except for the following additional rules.

Section 1440.20 Designation of Officials

In quarter horse racing, patrol judges and placing judges shall not be mandatory. At the Illinois Racing Board's discretion, the stewards may, in addition to their regular duties, serve in these positions.

Section 1440.30 Whipping

No whip shall be carried on any two-year old until he has had two workouts under the supervision of the stewards. Thereafter, the decision as to when a horse is running true enough to permit the use of a whip shall be at the discretion of the stewards. No whip shall be carried on any horse in a race when making a first start unless its use has been approved by the stewards.

Section 1440.40 Schooling

Prior to their first start, all two-year olds must be approved by the starter for their conduct in and breaking out of the gate.

Section 1440.50 Apprentices, Special Allowances and Weights

An apprentice jockey may ride in a race in which quarter horses are eligible to start, but may not claim apprentice allowance in such races and the riding of the winner of such a race shall not be considered in computing the expiration of his right to claim apprentice allowances in races restricted to thoroughbreds. No sex allowance or scales of weight-for-age shall be used in quarter horse racing.

Section 1440.60 Registration Certificate

No horse shall be permitted to start in a race until the Registration Certificate has been filed with the Racing Secretary and the horse shall be fully identified by a representative of the Board; likewise, no leased horse shall be permitted to start in a race until the Registration Certificate and a copy of the Lease Authorization have been filed with the Racing Secretary and Board Stewards and the horse shall be identified by a representative of the Board.

Section 1440.70 Photo-Finish Camera

All tracks conducting quarter horse meets must be equipped with a photo finish timing camera which has electronic circuits and a quartz crystal timing base and must be capable of operating either AC or DC without loss of accuracy. Every camera must be calibrated and accurate to a minimum of 1/100th of a second.

Section 1440.80 Starting Gate

All races must be started from a closed starting gate, set exactly on the starting line. All start distances must be permanently marked near both the inside and outside rails. The starting gate must be equipped with timing switches which shall be activated from the time which the starting gate is opened.

SOURCE: Emergency adoption at 17 Ill. Reg. 14181, effective August 18, 1993, for a maximum of 150 days; adopted at 18 Ill. Reg. 2098, effective January 21, 1994.

PART 1441
THOROUGHBRED BREEDERS′ CUP

Section

1441.10 Rules and Regulations
1441.20 Illinois as the Host State
1441.30 Entries
1441.40 Pick (n) Pools
1441.50 Turnstiles
1441.60 Distribution of Purses

Section 1441.10 Rules and Regulations

The rules and regulations governing thoroughbred racing shall also govern Breeders′ Cup thoroughbred races conducted at a Breeders′ Cup event hosted by an Illinois racetrack, except for the additional rules specified in this Part.

Section 1441.20 Illinois as the Host State

In the event that an organization licensee commingles Illinois pools with the pools of an out-of-state track, and if for any reason it becomes impossible to successfully merge such pools, the Board′s parimutuel auditor, in consultation with the organization licensee′s mutuel manager, shall authorize the manual merger of the pools. The decision of the Board′s parimutuel auditor shall be final.

Section 1441.30 Entries

The uncoupling of entries, with common owners and trainers, shall be permitted. All parimutuel rules regarding the coupling or uncoupling of entries noted in Parts 306, 311 and 1413 shall not apply.

Section 1441.40 Pick (n) Pools

A separate Pick (n) shall be permitted with a mandatory distribution pursuant to 11 Ill. Adm. Code 308.70(a), (b) and (d). Any Pick (n) pool with a carryover that exists during the meet of the host of the Breeders' Cup will not consider Breeders' Cup day as a day of racing for that pool, but rather carryover to the next racing day following the Breeders′ Cup day.

Section 1441.50 Turnstiles

In lieu of turnstiles, the organization licensee may use a count of pre-printed tickets in the auxiliary seating areas.

Section 1441.60 Distribution of Purses

No purse money shall be distributed until all drug testing has been completed by the Board laboratory.

SOURCE: Adopted at 26 Ill. Reg. 8152, effective June 1, 2002; amended at 26 Ill. Reg. 14691, effective October 1, 2002.

PART 1625
AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section

1625.10 Purposes
1625.20 Definitions
1625.30 Procedure
1625.40 Designated Coordinator Level
1625.50 Final Level
1625.60 Accessibility
1625.70 Case-by-Case Resolution

Section 1625.10 Purposes

a) This grievance procedure is established pursuant to the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.) (ADA) and specifically Section 35.107 of the Title II regulations, 28 CFR Part 35, requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator.

b) In general, the ADA requires that each program, service and activity offered by the Illinois Racing Board (Board), when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.

c) It is the intention of the Board to foster open communication with all individuals requesting readily accessible programs, services and activities. The Board encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

Section 1625.20 Definitions

"Act" or "ADA" means the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.).

"Board" means the Illinois Racing Board.

"Complainant" is an individual with a disability who files a Grievance Form provided by the Board under this procedure.

"Designated Coordinator" is the person appointed by the Executive Director who is responsible for the coordination of efforts of the Board to comply with and carry out its responsibilities under Title II of the ADA, including investigation of grievances filed by complainants. The Designated Coordinator may be contacted at 100 W. Randolph St., Suite 7-701, Chicago, Illinois 60601. (See 28 CFR

35.107).

“Executive Director” means the Executive Director of the Illinois Racing Board.

“Disability” means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of that individual; a record of such impairment; or being regarded as having an impairment.

"Grievance" is any complaint under the ADA that is reduced to writing by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Board and who believes he or she has been excluded from participation in or denied the benefits of any program, service or activity of the Board, or has been subject to discrimination by the Board.

“Grievance Form” is prescribed for the purpose of filing a grievance under this Part and includes information such as name, address, phone number, nature of the grievance, with specificity, including date of incident, time, place and witnesses, if applicable.

“Qualified individual with a disability” means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Illinois Racing Board.

Section 1625.30 Procedure

a) Grievances must be submitted in accordance with the steps and time limits set forth in Sections 1625.40 and 1625.50. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement, in writing, by the complainant and the reviewer, at the Designated Coordinator and Final Levels described in Section 1625.50.

b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits, shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the grievance procedure.

c) The Board shall, upon being informed of an individual's desire to file a formal grievance, instruct the individual how to receive a copy of this procedure and the Grievance Form.

Section 1625.40 Designated Coordinator Level

a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the Grievance Form prescribed for that purpose. The Grievance Form must be completed in full in order to receive proper consideration by the Designated Coordinator.

b) Upon request, assistance shall be provided by the Board to complete the Grievance Form.

c) The Designated Coordinator, or his/her representative, shall investigate the grievance if the grievance is found to be valid and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and Executive Director within 15 business days after receipt of the Grievance Form.

Section 1625.50 Final Level

a) If the grievance has not been resolved at the Designated Coordinator Level to the satisfaction of the complainant, the complainant may submit a copy of the Grievance Form and Designated Coordinator's response to the Executive Director for final review. The complainant shall submit these documents to the Executive Director, together with a short written statement explaining the reasons for dissatisfaction with the Designated Coordinator's written response, within 15 business days after receipt by the complainant of the Designated Coordinator's response.

b) Within 15 business days the Executive Director shall appoint a 3-member panel to review the grievance at the Final Level. One member so appointed shall be designated chairman. The panel shall schedule a review of the grievance, which shall commence no later than 15 business days after the last member of the panel is appointed.

c) The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his/her behalf. The panel shall review the Designated Coordinator's written response and may conduct interviews and seek advice as it deems appropriate.

d) Upon reaching a concurrence, but not later than 15 business days after the review described in subsection (b), the panel shall make recommendations in writing to the Executive Director as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may make a recommendation to the Executive Director in writing and shall also sign the recommendation.

e) Within 15 business days after receipt of recommendations from the panel, the Executive Director shall approve, disapprove or modify the panel recommendations, shall render a decision on those recommendations in writing; shall state the basis for his or her decision; and shall cause a copy of the decision to be served on the parties. The Executive Director's decision shall be final. If the Executive Director disapproves or modifies the panel's recommendations, the Executive Director shall include written reasons for such disapproval or modification.

f) The Grievance Form, the Designated Coordinator's response, the statement of reasons for dissatisfaction, the recommendations of the panel, and the decision of the Executive Director shall be maintained in accordance with the State Records Act [5 ILCS 160], or as otherwise required by law.

Section 1625.60 Accessibility

The Board shall ensure that all stages of the grievance procedure are readily accessible to and usable by individuals with disabilities.

Section 1625.70 Case-by-Case Resolution

Each grievance involves a unique set of factors that includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Board. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

SOURCE: Adopted at 28 Ill. Reg. 8822, effective November 1, 2004.

PART 2250
RULEMAKING

Section

2250.10 Initiation of Rulemaking Proceedings
2250.20 Public Participation in Rulemaking
2250.30 Requests to Initiate Rulemaking
2250.40 Emergency Rulemaking

Section 2250.10 Initiation of Rulemaking Proceedings

The Board shall initiate rulemaking proceedings pursuant to Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Section 2250.20 Public Participation in Rulemaking

a) Interested parties may submit comments, data, views or arguments within 45 days after publication of a proposed rulemaking in the Illinois Register.

b) Comments on a proposed rulemaking should be addressed to Administrative Rules Coordinator and must be received at the Board's principal office within 45 days after publication of the rulemaking in the Illinois Register.

c) The time for filing comments may be extended by a member of the Board or by the Chairman.

d) The Chairman of the Board may order the submission of views and comments orally at a special or regularly scheduled meeting of the Board, or he/she may refer the matter to:

   1) a standing committee which shall conduct a public hearing at which interested parties may submit evidence or express their views on the proposed rulemaking;

   2) a committee appointed by the Chairman;

   3) a single Board member designated by the Chairman.

e) The Board shall consider all data, views, arguments, and comments submitted by interested parties.

Section 2250.30 Requests to Initiate Rulemaking

a) Any person may request the Board to adopt, amend or repeal a rule pursuant to Section 5-145 of the Illinois Administrative Procedure Act [5 ILCS 100/5-145].

b) Any person requesting the initiation of rulemaking shall be required to submit the following information in writing within 10 days after the original request:

1) The name and address of the person submitting the request.

2) A statement of the rule proposed for adoption.

3) Specific reference to any rules the requestor seeks to have amended or repealed.

4) Specific reference to any existing rules that are inconsistent with the proposed rulemaking.

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5) The statutory authority for the proposal.

6) A brief statement of facts and arguments in support of the proposed rulemaking.

7) Identification of any person adversely affected by the proposed rulemaking.

Section 2250.40 Emergency Rulemaking

If the Board finds that an emergency reasonably constituting a threat to the public interest, safety or welfare requires adoption of a rulemaking upon fewer than 45 days notice, it may adopt an emergency rule without prior notice or hearing, pursuant to Section 5-45 of the Ill. Administrative Procedure Act [5 ILCS 100/5-45].

SOURCE: Subpart A adopted at 4 Ill. Reg. 19, p. 240 effective April 29, 1980; codified at 5 Ill. Reg. 10873; Subpart B adopted at 2 Ill. Reg. 36, p. 272, effective September 9, 1978; codified at 5 Ill. Reg. 10875; Subpart A recodified from 11 Ill. Adm. Code 202 and Subpart B recodified from 11 Ill. Adm. Code 203 at 8 Ill. Reg. 16342; old Part repealed and new Part adopted at 24 Ill. Reg. 12732, effective August 1, 2000.

PART 2251
ACCESS TO PUBLIC RECORDS OF THE ILLINOIS RACING BOARD

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SUBPART B: CLASSIFICATION OF RECORDS

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2251.201 Records That Will Be Disclosed
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2251.301 Submittal of Requests for Records
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2251.401 Timeline for Board Response
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Section
2251.501 Inspection of Records
2251.502 Copying of Records; Fees
2251.503 Reduction and Waiver of Fees

2251.APPENDIX A Fee Schedule for Duplication and Certification of Records

SUBPART A: INTRODUCTION

Section 2251.101 Summary and Purpose

a) All records required by law to be filed with the Illinois Racing Board are open for public inspection and may be examined during regular business hours at the Board's central office. An employee of the Board may be present throughout the inspection.

b) The Freedom of Information Officer shall make available to the public at no charge the following materials:

1) A brief description of the organizational structure and budget of the Board;

2) A brief description of the means for requesting information and records;

3) A list of types and categories of records maintained by the Board;

4) An individual Part of the Board's rules; and

5) A current Annual Report of the Board.

c) All requests for information shall be in writing and directed to the Board's FOIA Officer via mail, facsimile or electronic communications in accordance with the procedures defined in Sections 2251.301 and 2251.302;

d) Reasonable attempts will be made to prevent the disclosure of information constituting an "unwarranted invasion of personal privacy", as defined in Section 2251.102, including occupation license applications, unless information requests are made by racing officials in this or other jurisdictions.

e) Should the Board determine the requested information is exempt from disclosure, under Section 7 or 7.5 of FOIA, the FOIA Officer shall notify the requesting party in accordance with the procedures contained within Section 2251.404. If the Board asserts that the records are exempt under Section 2251.202(a)(1)(C) or (F), it will, within the time periods provided for responding to a request, provide written notice to the requester and the Public Access Counselor of its intent to deny the request in whole or in part in accordance with the procedures contained within Section 2251.404.

Section 2251.102 Definitions

Terms not defined in this Section shall have the same meaning as in the Freedom of

Information Act. The following definitions are applicable for purposes of this Part:

"Act" means the Illinois Horse Racing Act of 1975 [230 ILCS 5].

"Board" means the Illinois Racing Board as established by the Act.

"Commercial purpose" means the use of any part of a record or records, or information derived from records, in any form for sale, resale or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is:

to access and disseminate information concerning news and current or passing events;

for articles of opinion or features of interest to the public; or

for the purpose of academic, scientific, or public research or education. (Section 2(c-10) of FOIA)

"Copying" means the reproduction of any record by means of any photographic, electronic, mechanical, or other process, device or means now known or hereafter developed and available to the Board. (Section 2(d) of FOIA)

"Director" means the Director of the Board.

"FOIA" means the Freedom of Information Act [5 ILCS 140].

"Freedom of Information Officer" or "FOI Officer" means an individual or individuals responsible for receiving and responding to requests for public records.

"News media" means a newspaper or other periodical issued at regular intervals, news service in paper or electronic form, radio station, television station, television network, community antenna television service, or person or corporation engaged in making news reels or other motion picture news for public showing. (Section 2(f) of FOIA)

"Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group. (Section 2(b) of FOIA)

"Private information" means unique identifiers, including a person's Social Security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal

email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person. (Section 2(c-5) of FOIA)

"Public Access Counselor" means an individual appointed to that office by the Attorney General under Section 7 of the Attorney General Act [15 ILCS 205].

"Public body" means all legislative, executive, administrative, or advisory bodies of the State, State universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, any subsidiary bodies of any of the foregoing, including but not limited to committees and subcommittees thereof, and a School Finance Authority created under Article 1E of the School Code [105 ILCS 5]. (Section 2(a) of FOIA)

"Records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of or under the control of the Board. (Section 2(c) of FOIA)

"Requester" is any person who has submitted to the Board a written request, electronically or on paper, for records.

"Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. (Section 7(1)(c) of FOIA)

SUBPART B: CLASSIFICATION OF RECORDS

Section 2251.201 Records That Will Be Disclosed

Upon request meeting the requirements of this Part, the Board will disclose to the requester all records requested except that it will not disclose certain records as provided in Section 2251.202 or 2251.203. Records covered under this Section shall include, but are not be limited to:

a) *Records of funds. All records relating to the obligation, receipt and use of public funds of the Board are records subject to inspection and copying by the public.* (Section 2.5 of FOIA)

b) *Payrolls. Certified payroll records submitted to the Board under Section*

5(a)(2) of the Prevailing Wage Act [820 ILCS 130] *are records subject to inspection and copying in accordance with the provisions of FOIA; except that contractors' and employees' addresses, telephone numbers, and Social Security numbers will be redacted by the Board prior to disclosure.* (Section 2.10 of FOIA);

c) *Criminal history records. The following documents maintained by the Board pertaining to criminal history record information are records subject to inspection and copying by the public pursuant to FOIA:*

1) *Court records that are public;*

2) *Records that are otherwise available under State or local law; and*

3) *Records in which the requesting party is the individual identified, except as provided under* Section 2251.202(a)(5)(F) of this Part. (Section 2.15(b) of FOIA)

d) *Settlement agreements. All settlement agreements entered into by or on behalf of the Board are records subject to inspection and copying by the public, provided that information exempt from disclosure under* Section 2251.202 or 2251.203 of this Part *may be redacted.* (Section 2.20 of FOIA)

Section 2251.202 Records That Will Be Withheld from Disclosure

When a request is made to inspect or copy a record that contains information that is otherwise *exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the Board will make the remaining information available for inspection and copying.* (Section 7(1) of FOIA)

a) *Subject to this requirement and Section 7 of FOIA, the following shall be exempt from inspection and copying:*

1) *Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law;* (Section 7(1)(a) of FOIA)

2) Private information, unless disclosure is required by another provision of FOIA, a State of federal law or a court order; (Section 7(1)(b) of FOIA)

3) *Files, documents and other data or databases maintained by one or more law enforcement agencies and specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual subjects;* (Section 7(1)(b-5) of FOIA)

4) *Personal information contained within records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy;* (Section 7(1)(c) of FOIA)

5) *Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:*

   A) *Interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;*

   B) *Interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;*

   C) *Create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;*

   D) *Unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that* the Board will provide traffic accident reports, *the identities of witnesses to traffic accidents, and rescue reports, except when disclosure would interfere with an active criminal investigation;*

   E) *Disclose unique or specialized investigative techniques other than those generally used and known, or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the Board;*

   F) *Endanger the life or physical safety of law enforcement personnel or any other person; or*

   G) *Obstruct an ongoing criminal investigation by the Board;*

(Section 7(1)(d) of FOIA)

6) *Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the Executive Director of the Board. The exemption provided in this* subsection (a)(6)*extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents;* (Section 7(1)(f) of FOIA)

7) *Trade secrets and commercial or financial information obtained from a person or business when the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested. All trade secrets and commercial or financial information obtained by the Board, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this* subsection (a)(7) *does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this* subsection (a)(7) *does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm. Nothing in this* subsection (a)(7)*shall be construed to prevent a person or business from consenting to disclosure;* (Section 7(1)(g) of FOIA)

8) *Proposals and bids for any contract, grant or agreement, including information that if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the Board, until an award or final selection is made. Information prepared by or for the Board in preparation of a bid solicitation shall be exempt until an award or final selection is made;* (Section 7(1)(h) of FOIA)

9) *Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by the Board when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this* subsection (a)(9) *does not extend to requests made by news media as defined* in Section 2251.102 *when the requested information is not*

otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare or legal rights of the general public; (Section 7(1)(i) of FOIA)

10) *Architects' plans and engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated or occupied buildings, but only to the extent that disclosure would compromise security;* (Section 7(1)(k) of FOIA)

11) *Minutes of meetings of the Board closed to the public as provided in the Open Meetings Act* [5 ILCS 120] *until the Board makes the minutes available to the public under Section 2.06 of the Open Meetings Act;* (Section 7(1)(l) of FOIA)

12) *Communications between the Board and an attorney or auditor representing the Board that would not be subject to discovery in litigation, and materials prepared or compiled by or for the Board in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the Board, and materials prepared or compiled with respect to internal audits of the Board;* (Section 7(1)(m) of FOIA)

13) *Records relating to the Board's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed;* (Section 7(1)(n) of FOIA)

14) *Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section;* (Section 7(1)(o) of FOIA)

15) *Records relating to collective negotiating matters between the Board and its employees or representatives, except that any final contract or agreement shall be subject to inspection and copying;* (Section 7(1)(p) of FOIA)

16) *Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment;* (Section 7(1)(q) of FOIA)

17) *The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act* [735 ILCS 30], *records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt only until a sale is consummated;* (Section 7(1)(r) of FOIA)

18) *Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications;* (Section 7(1)(s) of FOIA)

19) *Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act* [5 ILCS 175]; (Section 7(1)(u) of FOIA)

20) *Vulnerability assessments, security measures and response policies or plans that are designed to identify, prevent or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this* subsection (a)(20) *may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations;* (Section 7(1)(v) of FOIA)

21) *Information contained in or related to proposals, bids or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act* [20 ILCS 3855] *and Section 16-111.5 of the Public Utilities Act* [20 ILCS 5] *that is determined to be confidential and*

proprietary by the Illinois Power Agency or by the Illinois Commerce Commission; (Section 7(1)(y) of FOIA)

22) *Information the disclosure of which is exempted under the Viatical Settlements Act* [215 ILCS 158]. (Section 7(1)(aa) of FOIA)

b) *A record that is not in the possession of the Board but is in the possession of a party with whom the Board has contracted to perform a governmental function on behalf of the Board, and that directly relates to the governmental function and is not otherwise exempt under FOIA, shall be considered a record of the Board for purposes of* Subpart C. (Section 7(1)(b) of FOIA)

Section 2251.203 Statutory Exemptions

To the extent provided for by the following statutes, the following shall be exempt from inspection and copying:

a) Information the disclosure of which is exempted under the State Officials and Employees Ethic Act [5 ILCS 430] and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

b) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code [625 ILCS 5].

c) Information prohibited from being disclosed by the Personnel Records Review Act [820 ILCS 40].

SUBPART C: PROCEDURES FOR REQUESTING RECORDS FROM THE BOARD

Section 2251.301 Submittal of Requests for Records

a) Any request for records should be submitted in writing to the Board's FOI Officer. The FOI Officer is located in the Central Office of the Illinois Racing Board at the James R. Thompson Center in Chicago.

b) Contact information for the FOI Officer can be found online at www.state.il.us/agency/irb/racing/inside/FOIA%20Contact.htm.

c) FOIA requests may be submitted via mail, e-mail, fax or hand delivery. Requests should be mailed or hand delivered to:

Illinois Racing Board
100 W. Randolph St.

Suite 7-701
Chicago IL 60601
Attn: FOI Officer

d) E-mailed requests should be sent to IRB.info@illinois.gov, contain the request in the body of the e-mail, and indicate in the subject line of the e-mail that it contains a FOIA request. Faxed FOIA requests should be faxed to 312-814-5062, Attn: FOI Officer.

Section 2251.302 Information To Be Provided in Requests for Records

A request for records should include:

a) The complete name, mailing address and telephone number of the requester;

b) As specific a description as possible of the records sought. Requests that the Board considers unduly burdensome or categorical may be denied (see Section 3(g) of FOIA and Section 2251.402 of this Part);

c) A statement as to the requested medium and format for the Board to use in providing the records sought: for example, paper, specific types of digital or magnetic media, or videotape;

d) A statement as to the requested manner for the Board to use in providing the records sought: for example, inspection at Board headquarters or providing paper or electronic copies;

e) A statement as to whether the requester needs certified copies of all or any portion of the records, including reference to the specific documents that require certification; and

f) A statement as to whether the request is for a commercial purpose.

Section 2251.303 Requests for Records for Commercial Purposes

a) It is a violation of FOIA for a person to knowingly obtain a record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the Board.

b) *The Board will respond to a request for records to be used for a commercial purpose within 21 working days after receipt. The response shall:*

1) *Provide to the requester an estimate of the time required by the Board to provide the records requested and an estimate of the fees to be charged, which the Board may require the person to pay in full before copying the requested documents;*

2) *Deny the request pursuant to one or more of the exemptions set out in* Section 2251.202 or 2251.203*;*

3) *Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*

4) *Provide the records requested.* (Section 3.1(a) of FOIA)

c) *Unless the records are exempt from disclosure, the Board will comply with a request within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes.* (Section 3.1(b) of FOIA)

SUBPART D: BOARD RESPONSE TO REQUESTS FOR RECORDS

Section 2251.401 Timeline for Board Response

a) Except as stated in subsection (b) or (c)*, the Board will respond to any written request for records within 5 business days after its receipt of the request. Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after its receipt shall be considered a denial of the request. If the Board fails to respond to a request within the requisite periods in this* subsection (a)*, but thereafter provides the requester with copies of the requested records, it will not impose a fee for the copies. If the Board fails to respond to a request received, it will not treat the request as unduly burdensome as provided under* Section 2251.402. (Section 3(d) of FOIA) A written request from the Board to provide additional information shall be considered.

b) *The time limits prescribed in* subsection (a) *may be extended by the Board for not more than 5 business days from the original due date for any of the following reasons:*

1) *The requested records are stored in whole or in part at locations other than the office having charge of the requested records;*

2) *The request requires the collection of a substantial number of specified records;*

3) *The request is couched in categorical terms and requires an extensive search for the records responsive to it;*

4) *The requested records have not been located in the course of routine search and additional efforts are being made to locate them;*

5) *The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7* or 7.5 *of FOIA or should be revealed only with appropriate deletions;*

6) *The request for records cannot be complied with by the Board within the time limits prescribed by* subsection (a) *without unduly burdening or interfering with the operations of the Board; or*

7) *There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.* (Section 3(e) of FOIA)

c) *The person making a request and the Board may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the Board agree to extend the period for compliance, a failure by the Board to comply with any previous deadlines shall not be treated as a denial of the request for the records.* (Section 3(e) of FOIA)

d) *When additional time is required for any of the reasons set forth in* subsection (b)*, the Board will within 5 business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. Failure to respond within the time permitted for extension shall be considered a denial of the request. If the Board fails to respond to a request within the time permitted for extension but thereafter provides the requester with copies of the requested records, it may not impose a fee for those copies. If the Board requests an extension and subsequently fails to respond to the request, it will not treat the request as unduly burdensome under* Section 2251.402. (Section 3(f) of FOIA)

Section 2251.402 Requests for Records that the Board Considers Unduly Burdensome

a) *The Board will fulfill requests calling for all records falling within a category unless compliance with the request would unduly burden the Board, there is no way to narrow the request, and the burden on the Board outweighs the public interest in the information. Before invoking this exemption, the Board will extend to the requester an opportunity to confer with it in an attempt to reduce the request to manageable proportions.* (Section 3(g) of FOIA) The amended request must be in writing.

b) *If the Board determines that a request is unduly burdensome, it will do so in writing, specifying the reasons why it would be unduly burdensome and the*

extent to which compliance will so burden the operations of the Board. The response shall be treated as a denial of the request for information. (Section 3(g) of FOIA)

c) *Repeated requests for records that are unchanged or identical to records previously provided or properly denied under this* Section *from the same person shall be deemed unduly burdensome.* (Section 3(g) of FOIA)

Section 2251.403 Requests for Records that Require Electronic Retrieval

a) A request for records that requires electronic retrieval will be treated the same as any other request for records, with the same timeline and extensions as allowed for other records.

b) The Board will retrieve and provide electronic records only in a format and medium that is available to the Board.

Section 2251.404 Denials of Requests for Records

a) The Board will deny requests for records when:

1) Compliance with the request would unduly burden the Board, as determined pursuant to Section 2251.402, and the requester has not reduced the request to manageable proportions; or

2) The records are exempt from disclosure pursuant to Section 7 or 7.5 of FOIA or Section 2251.202 or 2251.203 of this Part.

b) *The denial of a request for records will be in writing.*

1) *The notification shall include* a description of the records denied; *the reason for the denial, including a detailed factual basis for the application of any exemption claimed; and the names and titles or positions of each person responsible for the denial;* (Section 9(a) of FOIA)

2) *Each notice of denial shall also inform such person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor. The notice of denial will inform the requester of the right to review under* Section 2251.406; and (Section 9(a) of FOIA)

3) *When a request for records is denied on the grounds that the records are exempt under Section 7* or 7.5 *of FOIA, the notice of denial shall specify the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to the*

supporting legal authority. (Section 9(b) of FOIA)

c) A requester may treat the Board's failure to respond to a request for records within 5 business days after receipt of the written request as a denial for purposes of the right to review by the Public Access Counselor.

d) If the Board has given written notice pursuant to Section 2251.401(d), failure to respond to a written request within the time permitted for extension may be treated as a denial for purposes of the right to review by the Public Access Counselor.

e) *Any person making a request for records shall be deemed to have exhausted his or her administrative remedies with respect to that request if the Board fails to act within the time periods provided in* Section 2251.401. (Section 9(c) of FOIA)

Section 2251.405 Requests for Review of Denials – Public Access Counselor

a) As indicated in Section 9.5 of FOIA, *a person whose request to inspect or copy a record is denied by the Board may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the date of the final denial.* (Section 9.5(a) of FOIA)

b) *If the Board asserts that the records are exempt under* Section 2251.202(a)(4) or (a)(6)*, it will, within the time periods provided for responding to a request, provide written notice to the requester and the Public Access Counselor of its intent to deny the request in whole or in part. The notice will include:*

1) *A copy of the request for access to records;*

2) *The proposed response from the Board; and*

3) *A detailed summary of the Board's basis for asserting the exemption.* (Section 9.5(b) of FOIA)

c) *Upon receipt of a notice of intent to deny from the Board, the Public Access Counselor shall determine whether further inquiry is warranted.* The Public Access Counselor shall process the notification of intent to deny as detailed in Section 9.5(b) of FOIA. *Times for response or compliance by the Board under* Section 2251.401 *will be tolled until the Public Access Counselor concludes his or her inquiry.* (Section 9.5(b) of FOIA)

d) *Within 7 working days after the Board receives a request for review from the Public Access Counselor, the Board will provide copies of records requested and will otherwise fully cooperate with the Public Access Counselor.* (Section 9.5(c) of FOIA)

e) *Within 7 working days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the Board may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief or memorandum. The Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy.* (Section 9.5(d) of FOIA)

f) *The requester may, but is not required to, respond in writing to the answer within 7 working days and shall provide a copy of the response to the Board.* (Section 9.5(d) of FOIA)

g) *In addition to the request for review, and the answer and response thereto, if any, a requester or the Board may furnish affidavits or records concerning any matter germane to the review.* (Section 9.5(e) of FOIA)

h) *A binding opinion from the Attorney General shall be binding upon both the requester and the Board, subject to administrative review under* Section 2251.407. (Section 9.5(f) of FOIA)

i) *If the Attorney General decides to exercise his or her discretion to resolve a request for review by mediation or by a means other than issuance of a binding opinion, the decision not to issue a binding opinion shall not be reviewable.* (Section 9.5(f) of FOIA)

j) *Upon receipt of a binding opinion concluding that a violation of FOIA has occurred, the Board will either take necessary action immediately to comply with the directive of the opinion or will initiate administrative review under* Section 2251.407. *If the opinion concludes that no violation of FOIA has occurred, the requester may initiate administrative review under* Section 2251.407. (Section 9.5(f) of FOIA)

k) *If the Board discloses records in accordance with an opinion of the Attorney General, the Board is immune from all liabilities by reason thereof and shall not be liable for penalties under FOIA.* (Section 9.5(f) of FOIA)

l) *If the requester files suit under* Section 2251.406 *with respect to the same denial that is the subject of a pending request for review, the requester shall notify the Public Access Counselor, and the Public Access Counselor shall so notify the Board.* (Section 9.5(g) of FOIA)

m) *The Attorney General may also issue advisory opinions to the Board regarding compliance with FOIA. A review may be initiated upon receipt of a written request from the Executive Director of the Board or the Board's Chief Legal Counsel, which shall contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request*

additional information from the Board in order to assist in the review. If the Board relies in good faith on an advisory opinion of the Attorney General in responding to a request, the Board is not liable for penalties under FOIA, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor. (Section 9.5(h) of FOIA)

Section 2251.406 Circuit Court Review

A requester also has the right to file suit for injunctive or declaratory relief in the Circuit Court for Sangamon County or for the county in which the requester resides, in accordance with the procedures set forth in Section 11 of FOIA.

Section 2251.407 Administrative Review

A binding opinion issued by the Attorney General shall be considered a final decision of an administrative agency, for purposes of administrative review under the Administrative Review Law [735 ILCS 5/Art. III]. An action for administrative review of a binding opinion of the Attorney General shall be commenced in Cook County or Sangamon County. An advisory opinion issued to the Board shall not be considered a final decision of the Attorney General for purposes of this Section. (Section 11.5 of FOIA)

SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section 2251.501 Inspection of Records

a) The Board may make available records for personal inspection at the Board's central office located at the James R. Thompson Center, 100 W. Randolph St., Ste. 7-701, Chicago IL 60601. No original record shall be removed from State-controlled premises except under constant supervision of the Board. The Board may provide records in duplicate forms including, but not limited to, paper copies, data processing printouts, videotape, microfilm, audio tape, reel to reel microfilm, photographs and computer disks.

b) *When a person requests a copy of a record maintained in an electronic format, the Board shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the records in the specified electronic format, then the Board will furnish it in the format in which it is maintained by the Board, or in paper format at the option of the requester.* (Section 6(a) of FOIA)

c) A requester may inspect records by appointment only, scheduled subject to space availability. The Board will schedule inspection appointments to take place during normal business hours, which are 8:30 a.m. to 5:00 p.m. Monday through Friday, exclusive of State holidays. If the requester must cancel the viewing appointment, the requester shall so inform the Board as soon as possible before the appointment.

d) In order to maintain routine Board operations, the requester may be asked to leave the inspection area for a specified period of time.

e) The requester will have access only to the designated inspection area.

f) Requesters shall not be permitted to take briefcases, folders or similar materials into the room where the inspection takes place. A Board employee may be present during the inspection.

g) The requester shall segregate and identify the documents to be copied during the course of the inspection.

Section 2251.502 Fees for Records

a) In accordance with Section 2251.503 and unless a fee is otherwise fixed by statute, the Board will provide copies of records and certifications of records in accordance with the fee schedule set forth in Appendix A.

b) *In calculating its actual cost for reproducing records or for the use of the equipment of the Board to reproduce records, the Board will not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* (Section 6(b) of FOIA)

c) In order to expedite the copying of records that the Board cannot copy, due to the volume of the request or the operational needs of the Board, in the timelines established in Section 2251.401, the requester may provide, at the requester's expense, the copy machine, all necessary materials, and the labor to copy the records at the Board headquarters in the James R. Thompson Center. No original record shall be removed from State-controlled premises except under constant supervision of the Board.

d) Copies of records will be provided to the requester only upon payment of any fees due. *The Board may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium, but the Board will not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* (Section 6(a) of FOIA) Payment must be by check or money order sent to the Board, payable to "Treasurer, State of Illinois".

e) If a contractor is used to inspect or copy records, the following procedures shall apply:

1) The requester, rather than the Board, must contract with the contractor;

2) The requester is responsible for all fees charged by the contractor;

3) The requester must notify the Board of the contractor to be used prior to the scheduled on-site inspection or copying;

4) Only Board personnel may provide records to the contractor;

5) The Board must have verification that the requester has paid the Board, if payment is due, for the copying of the records before providing the records to the contractor; and

6) The requester must provide to the Board the contractor's written agreement to hold the records secure and to copy the records only for the purpose stated by the requester.

Section 2251.503 Reduction and Waiver of Fees

a) *Fees may be reduced or waived by the Board if the requester states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. In making this determination, the Board will consider the following:*

1) *Whether the principal purpose of the request is to disseminate information regarding the health, safety, welfare or legal rights of the general public; and*

2) *Whether the principal purpose of the request is personal or commercial benefit. For purposes of this subsection* (a)*, "commercial benefit" shall not apply to requests made by news media when the principal purpose of the request is to access and disseminate information regarding the health, safety, welfare or legal rights of the general public.* (Section 6(c) of FOIA)

b) The Board will provide records without charge to federal, State and municipal agencies, Constitutional officers and members of the General Assembly, and not-for-profit organizations providing evidence of good standing with the Secretary of State's Office.

c) *Except to the extent that the General Assembly expressly provides, statutory fees applicable to copies of records when furnished in a paper format will not be*

applicable to those records when furnished to a requester in an electronic format. (Section 6(a) of FOIA)

Section 2251.APPENDIX A Fee Schedule for Duplication and Certification of Records

TYPE OF DUPLICATION	FEE (PER COPY)
Paper copy from original, up to and including 50 copies of black and white, letter or legal sized copies	No charge
Paper copy from original, in excess of 50 copies of black and white, letter or legal sized copies	$.15/page
Paper copy from microfilm original	$.15/page
VHS video copy of tape	Actual cost of the reproduction
Audio tape copy of tape	Actual cost of the reproduction
CD ROM disk	Actual cost of the reproduction
Photograph from negative	Actual cost of the reproduction
Blueprints/oversized prints	Actual cost of the reproduction
Paper copies in color or in a size other than letter or legal	Actual cost of the reproduction
Certification fee	$1.00/record

SOURCE: Adopted at 9 Ill. Reg. 7168, effective May 2, 1985; old Part repealed and new Part adopted at 24 Ill. Reg. 12717, effective August 1, 2000; old Part repealed and new Part adopted at 34 Ill. Reg. 6189, effective April 16, 2010; amended at 34 Ill. Reg., 10168, effective July 1, 2010.