

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Entries, Subscriptions, and Declarations
- 2) Code Citation: 11 Ill. Adm. Code 1413
- 3)

<u>Section Numbers:</u>	<u>Emergency Actions:</u>
1413.130	Repealed
1413.131	New Section
1413.138	Repealed
1413.139	New Section
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Emergency Amendment: May 1, 2016
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which they are to expire: The emergency rulemaking will expire at the end of the 150-day period, or upon adoption of permanent rules, whichever comes first.
- 7) Date filed with the Index Department:
- 8) A copy of the emergency rules, including any material incorporated by reference, is on file in the Illinois Racing Board's central office and is available for public inspection.
- 9) Reason for Emergency: An agreement dated April 14, 2016 between Arlington Park and the Illinois Thoroughbred Horsemen's Association adds two new sections to the Illinois Administrative Code, 1413.131 and 1413.139. The agreement also repeals Sections 1413.130 and 1413.138. Arlington Park begins live racing on May 6, 2016 and if an immediate impact is too be realized by Arlington Park , emergency rulemaking is necessary.
- 10) A Complete Description of the Subjects and Issues Involved: Section 1413.131(a), expiring on June 30, 2021, states that all non-claiming races (with the exception of maiden races) and claiming races with a claiming value of \$20,000 or more, having eight or more separate interests must be carded and run. The following races must be carded and run with seven or more betting interests. Illinois maiden special weights, Illinois claiming \$20,000 and above, Illinois allowance "one other than" or "other than," and "non-winners of two other than. Illinois conceived and/or foaled stake races must be carded and run with six or more betting interests. If scratches reduce the number of interests in any race to less than six, the association may run the race as a non-betting race and card and run a substitute race for wagering purposes.

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Section 1413.139(a), expiring on June 30, 2021, states that whenever a posted race is cancelled, the Racing Secretary will first use the substitute races listed in the condition book and then use the extra races, except for Illinois bred races, where priority goes to the next listed Illinois bred race and then to an Illinois bred extra race.

Sections 1413.131 and 1413.139 also include the re-instatement of the current rules beginning July 1, 2021. Sections 1413.130 and 1413.138 will be permanently repealed.

- 11) Are there any proposed amendments pending on this Part: Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citation:</u>
1413.130	Repealed	40 Ill. Reg. 2907, February 16, 2016
1413.138	Repealed	40 Ill. Reg. 2907, February 16, 2016

- 12) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.

- 13) Information and questions regarding these emergency amendments shall be directed to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph
Suite 5-700
Chicago, Illinois 60601

(312) 814-5017
mickey.ezzo@illinois.gov

The full text of the Emergency Amendments begins on the next page:

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TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER g: RULES AND REGULATIONS OF HORSE RACING
(THOROUGHBRED)

PART 1413
ENTRIES, SUBSCRIPTIONS, AND DECLARATIONS

Section

- 1413.10 Registration with Jockey Club
- 1413.20 Registration Rules
- 1413.30 Eligibility
- 1413.40 How Entries are Made
- 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 (Repealed)
- 1413.50 Racing Secretary Receives Entries
- 1413.60 Supervision of Entries
- 1413.70 When Entries Close
- 1413.75 Limitation on Purse Increases or Reductions
- 1413.80 Closing in Absence of Conditions
- 1413.90 Entry by Telegraph
- 1413.100 List of Entries
- 1413.110 Limitations on Entries
- 1413.114 Uncoupled Entries
- 1413.118 Further Definition of Coupling (Repealed)
- 1413.120 Riders Designated
- 1413.130 Carding Purse and Handicap Races (Repealed)

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- 1413.131 Carding Purse and Handicap Races

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- 1413.134 Race Fails to Fill
- 1413.138 Substitute and Extra Races (Repealed)

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- 1413.139 Substitute and Extra Races

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- 1413.140 Right to Declare Out
- 1413.150 Number of Entries

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1413.160	Fee to Enter
1413.170	Refunds
1413.180	Error in Entry
1413.190	Irrevocable Declaration
1413.200	Notice of Declaration
1413.210	Entry of Unfit Horse
1413.220	Refusal for Inconsistency
1413.230	Horse Ineligible
1413.240	Who May Enter
1413.250	Medical Reasons for Ineligibility
1413.260	Sweepstakes Entries
1413.265	Receipt for Nomination
1413.270	Previous Engagements
1413.280	Transfer of Engagements
1413.290	Transfer of Sweepstakes Engagements
1413.300	Jockey Club Certificates
1413.305	Transfer of Jockey Club Certificate
1413.310	Number of Races in a Day

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

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 at 4 Ill. Reg. 9, p. 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; emergency amendment at 35 Ill. Reg. 6605, effective April 4, 2011, for a maximum of 150 days; amended at 35 Ill. Reg. 13910, effective July 28, 2011; amended at 36 Ill. Reg. 16344, effective November 1, 2012; emergency amendment at 39 Ill. Reg. 3435, effective February 20, 2015, for a maximum

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of 150 days; emergency amendment at 39 Ill. Reg. 10465, effective July 2, 2015 through September 30, 2015; amended at 39 Ill. Reg. 10636, effective July 17, 2015; emergency amendments at 40 Ill. Reg. _____, effective May 1, 2016, for a maximum of 150 days.

Section 1413.130 Carding Purse and Handicap Races (Repealed)
EMERGENCY

~~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.~~

(Source: Repealed by emergency rulemaking at 40 Ill. Reg. _____, effective May 1, 2016, for a maximum of 150 days)

Section 1413.131 Carding Purse and Handicap Races
EMERGENCY

- a) On or before June 30, 2021, except as otherwise provided in subsection (a)(1), all non-claiming races (with the exception of maiden races) and claiming races with a claiming value of \$20,000 or more, having eight or more separate interests must be carded and run.
- 1) Exceptions
- A) The following races must be carded and run with seven or more betting interests:
- i) Illinois maiden special weights;
- ii) Illinois claiming races \$20,000 and above;
- iii) Illinois allowance “one other than” or “other than” and “non-winners of two other than.”
- B) Illinois conceived and/or foaled stake races must be carded and run with six or more betting interests. If scratches reduce the number of interests in any race to less than six, the association may run the

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race as a non-wagering exhibition and card and run a substitute race for wagering purposes.

- b) Beginning July 1, 2021, the track shall card races pursuant to this subsection. All non-claiming races (including maiden special weights, but with the exception of other 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 non-wagering exhibition and card and run a substitute race for wagering purposes.

(Source: Added by emergency rulemaking at 40 Ill. Reg. _____, effective May 1, 2016, for a maximum of 150 days)

Section 1413.138 Substitute and Extra Races (Repealed)
EMERGENCY

- a) ~~Whenever a posted race is cancelled, 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 cancelled 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.~~
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- b) ~~Nothing contained herein shall be deemed an exception to or modification of Rule B-9.6 (11 Ill. Adm. Code 409.60).~~

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(Source: Repealed by emergency rulemaking at 40 Ill. Reg. _____, effective May 1, 2016, for a maximum of 150 days)

Section 1413.139 Substitute and Extra Races
EMERGENCY

- a) On or before June 30, 2021, whenever a posted race is cancelled, the Racing Secretary will first use the substitute races as listed in the Condition Book and then use the extra races, except for Illinois bred races, for which priority goes to the next listed Illinois bred race and then to an Illinois bred extra race.
- b) Beginning July 1, 2021, the track shall card races pursuant to this subsection. Whenever a posted race is cancelled, 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;
 - 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;
 - 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 cancelled races;
 - 4) when a posted race is split;
 - 5) when a substitute or extra race is to be used in the program as a race upon which trifecta wagering is offered.

(Source: Added by emergency rulemaking at 40 Ill. Reg. _____, effective May 1, 2016, for a maximum of 150 days)