

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Definitions
- 2) Code Citation: 11 Ill. Adm. Code 210
- 3) Section Number: 210.10 Adopted Action:
Amendment
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rule: April 1, 2019
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's central office and is available for public inspection.
- 9) Notice of Proposal Published in the *Illinois Register*: 42 Ill. Reg. 23656; December 21, 2018
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences between Proposal and Final Version: No changes were made
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? No changes were requested by JCAR
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Pursuant to Executive Order 2016-13, Part 210 was identified for modifications during the Board's extensive review of its regulations. The proposed rule eliminates definitions that are defined in the Illinois Horse Racing Act, outdated, unnecessary, or duplicative. A number of housekeeping changes were also made in Part 210, which was originally adopted in 1994.
- 16) Information and questions regarding this adopted rule shall be directed to:

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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 Adopted Amendment begins on the next page:

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Section 210.10 Definitions

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

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

"Allowance Race" - A race, other than a claiming race, for which certain weights and other 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.

"Authorized Agent" - A person appointed by an owner or trainer in accordance with Board rules. The appointment to be made in a document signed by the owner or trainer, approved by the Stewards, executed annually and filed with the 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 or her 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 a licensed 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.

"Breeder" – (Standardbred) 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.

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"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.

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

"Condition Sheet" - A listing written by a standardbred racing association with the conditions a horse must meet in order to enter a particular race.

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

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

"Coupled Entry" - Two or more horses in a race that are treated as a single betting interest for pari-mutuel wagering purposes. (Synonymous with "Entry")

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

"Declaration" – (Standardbred) 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.

"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.

"Exclusion" - The act of barring from all or part of the facilities of a licensee under the jurisdiction of the Board. Unless specified in the ruling, an exclusion is unconditional and encompasses all facilities.

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

"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.

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

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

"Handicap" – (Standardbred) 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.

"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 (born) 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.

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

"Laboratory" - The Board's Laboratory or an independent testing laboratory contracted by the Board.

"Maiden" – (Standardbred) 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.

"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.

"Net Pool" - The amount of gross wagers less refundable wagers, purses, pari-mutuel taxes, surcharges, and statutory commissions.

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

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"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. (Synonymous with "Foul Claim" or "Claim of Foul")

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

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

"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 race for which entries close at a time set by the racing secretary. (Synonymous with: Overnight Race or Overnight)

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

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

"Payout" - The amount of money payable on winning wagers. (Synonymous with "Payoff")

"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 race.

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"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 the 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 payout prices.

"Program" - The published listing of all races and horses 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 horse in a race.

"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.

"Race" - A contest between horses at a licensed meeting for purse, stakes, prize or reward. (Synonymous with "Contest")

"Restricted Area" - An area on the facilities where admission can be obtained only upon presentation of valid Board credentials. Restricted areas shall include, but are not limited to, the stable areas, detention barn, jockey or driver room, paddock, race course, Stewards' stand, and pari-mutuel department.

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

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

"Scoring" - Preliminary warm-ups by horses.

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

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

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

"Stable Name" - The assumed name registered with the Board under which a person or stable races horses.

"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 organization licensee.

"Starter" - Any horse that starts in a race.

"State Veterinarian" - A veterinarian employed by the Board.

"Totalizator System" - A computerized system that is used to record wagers, transmit wagering data, and calculate payouts.

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

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

"Veterinarian" - A veterinary practitioner licensed by the Illinois Department of Financial and Professional Regulation and the Board.

"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.

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

(Source: Amended at 43 Ill. Reg. _____, effective _____)