ILLINOIS RACING BOARD

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Entries, Subscriptions, and Declarations
- 2) Code Citation: 11 Ill. Adm. Code 1413
- 3) <u>Section Numbers:</u> <u>Emergency Action:</u> 1413.114 <u>Amendment</u>
- 4) <u>Statutory Authority</u>: 230 ILCS 5/9(b)
- 5) <u>Effective Date of Emergency Amendment:</u> February 20, 2015
- 6) <u>If this emergency amendment is to expire before the end of the 150-day period, please</u> 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) <u>Date filed with the Index Department:</u>
- 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: Currently, racetracks in Illinois are required to couple entries (thoroughbred racehorses) in a race that are owned by the same person or the same management. Due to the small or short field sizes the past several years, as a result of a shortage of racehorses, Arlington Park requested a rule change that they be allowed to uncouple same owner entries in any thoroughbred race. The result would be larger field sizes, increased betting, and greater revenue to the Board. On January 27, 2015, the Board unanimously approved Arlington's request. This rulemaking will benefit all thoroughbred racetracks in Illinois. Emergency rulemaking is necessary because Hawthorne Race Course opens the 2015 thoroughbred racing season on February 20, 2015.
- 10) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking will permit racetracks that conduct thoroughbred racing to uncouple same owner entries in any thoroughbred race. The result would be larger field sizes, increased betting, and greater revenue to the Board.
- 11) Are there any proposed amendments pending on this Part: Yes
- 12) <u>Statement of Statewide Policy Objectives</u>: No local governmental units will be required to increase expenditures.

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13) <u>Information and questions regarding this emergency amendment shall be directed to:</u>

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 Amendment 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
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	<u>Uncoupled Entries</u> Coupled As Entry
<u>EMERGENCY</u>	
1413.118	Further Definition of Coupling (Repealed)
1413.120	Riders Designated
1413.130	Carding Purse and Handicap Races
1413.134	Race Fails to Fill
1413.138	Substitute and Extra Races
1413.140	Right to Declare Out
1413.150	Number of Entries
1413.160	Fee to Enter
1413.170	Refunds
1413.180	Error in Entry
1413.190	Irrevocable Declaration

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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 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 III. Reg. 12367, effective August 1, 2002; amended at 31 III. 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. 13910, effective July 28, 2011; amended at 36 Ill. Reg. 16344, effective November 1, 2012; emergency amendment at 39 Ill. Reg. _____, effective February 20, 2015, for a maximum of 150 days.

Section 1413.114 <u>Uncoupled Entries</u> Coupled as Entry EMERGENCY

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All entries, either same owner or different owner, shall be uncoupled wagering interests in any race. Second part of same owner entries will have least preference in overfilled races. The date system will take preference in determining first and second parts of entries.

Entry shall mean:

- a) A horse made eligible to run in a race; or
- 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 III. 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.

(Source: Amended by emergency rulemaking at 39 Ill. Reg. ______, effective February 20, 2015, for a maximum of 150 days)