

ILLINOIS REGISTER
ILLINOIS RACING BOARD
NOTICE OF ADOPTED RULES

PART 1312
ENTRIES AND DECLARATIONS

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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.

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- 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.

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Section 1312.55 Limitation on Purse Increases or Reductions

- a) No purse for any race may be increased or reduced after the purse has been advertised, published or reflected in the conditions without prior approval of the Executive Director of the Board. If approved, the Racing Secretary shall promptly post the change in purse on the public bulletin board in the Racing Secretary's office for the inspection of owners, trainers and the public, and list it in the "overnight sheets".
- b) No purse for any race may be increased or reduced after the first entry is made without prior approval of the Board.

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.

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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.

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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

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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.

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- 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.

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- 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.

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- d) When a horse has raced at a chartered meeting during the current season, then gone to meetings where uncharted races may be summarized, including each start and consolidated in favor of chartered 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 (Repealed)

Section 1312.265 Uncoupled Entries

- a) Any entry, two or more horses, 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.
- b) Two or more horses owned wholly, or in part, by the same person or persons, shall be uncoupled wagering interests in any race, except entries may be coupled with permission of the stewards. 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. Same owner entries will have least preference in overfilled races.

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

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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,"

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- 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; amended at 36 Ill. Reg. 16340, effective November 1, 2012; amended by emergency rulemaking at 39 Ill. Reg. _____, effective April 1, 2015, for a maximum of 150 days.