
TITLE 71 INDIANA HORSE RACING COMMISSION**Emergency Rule**
LSA Document #22-70(E)

DIGEST

Amends [71 IAC 5-1-21](#) and [71 IAC 5.5-1-21](#) regarding conflict of interest. Amends [71 IAC 5.5-1-30](#) regarding review of horse transfers. Amends [71 IAC 5.5-3-3](#) regarding other responsibilities. Amends [71 IAC 6-1-2](#) regarding prohibitions on claims. Amends [71 IAC 6.5-1-1](#) regarding general provisions. Amends [71 IAC 6.5-1-2](#) regarding claiming of horses. Amends [71 IAC 7.5-1-4](#) regarding coupled entries. Amends [71 IAC 7.5-2-2](#) regarding scratches. Amends [71 IAC 7.5-5-1](#) regarding horses ineligible to start in a race. Adds [71 IAC 8-1-2.1](#) and [71 IAC 8.5-1-2.5](#) regarding restriction of thyroxine. Amends [71 IAC 8.5-1-5](#) regarding furosemide as a permitted foreign substance. Amends [71 IAC 14.5-3-1](#) regarding owner awards. Amends [71 IAC 14.5-3-2](#) regarding breeder awards. Amends [71 IAC 14.5-3-3](#) regarding stallion owner awards. Effective March 3, 2022.

[71 IAC 5-1-21](#); [71 IAC 5.5-1-21](#); [71 IAC 5.5-1-30](#); [71 IAC 5.5-3-3](#); [71 IAC 6-1-2](#); [71 IAC 6.5-1-1](#); [71 IAC 6.5-1-2](#); [71 IAC 7.5-1-4](#); [71 IAC 7.5-2-2](#); [71 IAC 7.5-5-1](#); [71 IAC 8-1-2.1](#); [71 IAC 8.5-1-2.5](#); [71 IAC 8.5-1-5](#); [71 IAC 14.5-3-1](#); [71 IAC 14.5-3-2](#); [71 IAC 14.5-3-3](#)

SECTION 1. [71 IAC 5-1-21](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 5-1-21](#) Conflict of interest**Authority:** [IC 4-31-3-9](#)**Affected:** [IC 4-31](#)

Sec. 21. (a) The commission or its designee shall refuse, deny, suspend, or revoke the license of a person whose spouse holds a license and which the commission or judges find to be a conflict of interest.

(b) A commissioner, commission employee, or racing official shall not be an owner of a horse and shall not accept breeder awards at a race meeting where they have jurisdiction.

(c) A racing official who is an owner of either the sire or dam of a horse entered to race shall not act as an official with respect to that race.

(d) A person who is licensed as an owner, **trainer**, or **assistant** trainer, or has any financial interest in a horse registered for racing at a race meeting in this jurisdiction, shall not be employed or licensed at that race meeting as any of the following:

- (1) Racing official.
- (2) Assistant starter.
- (3) Practicing veterinarian.
- (4) Veterinary helper.
- (5) Officer or managing employee.
- (6) Track maintenance supervisor or employee.
- (7) Outrider.
- (8) Race track security employee.
- (9) Horseshoer.
- (10) Photo finish operator.
- (11) Horsemen's bookkeeper.
- (12) Racing chemist.
- (13) Testing laboratory employee.
- (14) Massage therapist.**

(e) Veterinary helpers shall not be licensed in any other capacity that allows access to the stable area.

(Indiana Horse Racing Commission; [71 IAC 5-1-21](#); emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1143; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2848, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2211; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#);

SECTION 2. [71 IAC 5.5-1-21](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 5.5-1-21](#) Conflict of interest

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 21. (a) The commission or its designee shall refuse, deny, suspend, or revoke the license of a person whose spouse holds a license and which the commission or stewards find to be a conflict of interest.

(b) A commissioner, commission employee, or racing official shall not be an owner of a horse and shall not accept breeder awards at a race meeting where they have jurisdiction.

(c) A racing official who is an owner of either the sire or dam of a horse entered to race shall not act as an official with respect to that race.

(d) A person who is licensed as an owner, **trainer**, or **assistant** trainer, or has any financial interest in a horse registered for racing at a race meeting in this jurisdiction, shall not be employed or licensed at that race meeting as any of the following:

- (1) Racing official.
- (2) Assistant starter.
- (3) Practicing veterinarian.
- (4) Veterinary helper.
- (5) Officer or managing employee.
- (6) Track maintenance supervisor or employee.
- (7) Outrider.
- (8) Race track security employee.
- (9) Horseshoer.
- (10) Photo finish operator.
- (11) Horsemen's bookkeeper.
- (12) Racing chemist.
- (13) Testing laboratory employee.
- (14) Valet.
- (15) Massage therapist.**

(e) Veterinary helpers shall not be licensed in any other capacity that allows access to the stable area.

(Indiana Horse Racing Commission; [71 IAC 5.5-1-21](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2853, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2213; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); readopted filed Aug 28, 2019, 1:23 p.m.: [20190925-IR-071190319RFA](#); emergency rule filed Dec 5, 2019, 1:56 p.m.: [20191211-IR-071190646ERA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 3. [71 IAC 5.5-1-30](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 5.5-1-30](#) Review of horse transfers

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31-13](#)

Sec. 30. **(a)** The executive director or the stewards may refuse the license of an owner, require the ~~horse(s)~~ **horse or horses** at issue to be stabled on the grounds of the association, ~~and/or~~ place a horse on the stewards list if the seller is suspended, barred, has had ~~his or her~~ **their** license refused, or is otherwise unlicensable. In making such a determination, the executive director or stewards may consider any information that they deem

relevant including, but not limited to, the following:

- (1) Whether the buyer is a spouse, member of the immediate family, assistant, employee, business associate, or member of the seller's household.
- (2) Whether the seller could have contact with or access to the horse(s) **horse or horses** in question after transfer.
- (3) Whether the sale occurred within the previous sixty (60) days.

(b) Upon claim, sale, or any transfer of ownership, if the foal certificate is not otherwise on file with the racing office, the previous owner shall present the foal certificate to the racing secretary within seventy-two (72) hours of the change of ownership.

(Indiana Horse Racing Commission; [71 IAC 5.5-1-30](#); emergency rule filed Mar 20, 2007, 1:43 p.m.: [20070404-IR-071070198ERA](#), eff Mar 16, 2007 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); readopted filed Aug 28, 2019, 1:23 p.m.: [20190925-IR-071190319RFA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 4. [71 IAC 5.5-3-3](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 5.5-3-3](#) Other responsibilities

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 3. (a) A trainer is responsible for the following:

- (1) The condition and contents of stalls, tack rooms, feed rooms, sleeping rooms, and other areas which have been assigned by the association.
- (2) Maintaining the assigned stable area in a clean, neat, and sanitary condition at all times.
- (3) Ensuring that fire prevention rules are strictly observed in the assigned stable area.
- (4) Providing a list to the commission of the trainer's employees on association grounds and any other area under the jurisdiction of the commission. The list shall include each employee's:
 - (A) name;
 - (B) occupation;
 - (C) occupational license number.

The commission shall be notified by the trainer, in writing, within twenty-four (24) hours of any change.

- (5) The proper identity, custody, care, health, condition, and safety of horses in ~~his or her~~ **the trainer's** charge, including that ~~outlined~~ **outlined** in [71 IAC 8](#).
- (6) Disclosure of the true and entire ownership of each horse in ~~his or her~~ **the trainer's** care, custody, or control. Any change in ownership shall be reported immediately to, and approved by, the stewards and recorded by the racing secretary.
- (7) Training all horses owned wholly or in part by ~~him or her~~ **the trainer** which are participating at the race meeting.
- (8) Registering with the racing secretary each horse in ~~his or her~~ **the trainer's** charge within twenty-four (24) hours of the horse's arrival on association grounds.
- (9) Using the services of practicing veterinarians licensed by the commission to attend to horses that are on association grounds. No trainer shall permit a veterinarian whose license is suspended in any jurisdiction or who is excluded from the stable area of tracks under the jurisdiction of the commission to treat any horse, regardless of its location, that has or will be actively participating in racing in Indiana during a given calendar year.
- (10) Immediately reporting the alteration of the sex of a horse in ~~his or her~~ **the trainer's** care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration.
- (11) Promptly reporting to the racing secretary and the official veterinarian any horse on which a posterior digital neurectomy (heel denerving) has been performed and ensuring that such fact is designated on its certificate of registration.
- (12) Promptly reporting to the stewards and the official veterinarian the serious illness of any horse in ~~his or her~~ **the trainer's** charge.
- (13) Promptly reporting the death of any horse in ~~his or her~~ **the trainer's** care on association grounds to the stewards and the official veterinarian and compliance with ~~71 IAC 8.5~~ **71 IAC 8.5-7** governing postmortem examinations.

- (14) Maintaining a knowledge of the medication record and status of all horses in ~~his or her~~ **the trainer's** care.
- (15) Immediately reporting to the stewards and the official veterinarian if ~~he or she~~ **the trainer** knows, or has cause to believe, that a horse in ~~his or her~~ **their** custody, care, or control has received any prohibited drugs or medication.
- (16) Representing an owner in making entries and scratches and in all other matters pertaining to racing.
- (17) Horses entered as to eligibility.
- (18) Ensuring the fitness of a horse to perform creditably.
- (19) Ensuring that ~~his or her~~ **the trainer's** horses are properly shod, bandaged, and equipped.
- (20) Presenting ~~his or her~~ **the trainer's** horse in the paddock at the appointed time before the race in which the horse is entered.
- (21) Personally attending to ~~his or her~~ **the trainer's** horses in the paddock unless excused by the stewards.
- (22) Instructing the jockey to give ~~his or her~~ **their** best effort during a race and that each horse shall be ridden to win.
- (23) Attending the collection of a urine or blood sample from the horse in ~~his or her~~ **the trainer's** charge or delegating a licensed employee or the owner of the horse to do so.
- (24) Promptly notifying the owner of a horse of a positive test performed on ~~his or her~~ **their** horse indicating levels in violation of [71 IAC 8.5](#).
- (25) Notifying horse owners upon the revocation or suspension of ~~his or her~~ **the trainer's** license.
- (26) Guard and protect all horses in ~~his/her~~ **the trainer's** care.
- (27) Account for fees and services rendered on behalf of any horse in ~~his/her~~ **the trainer's** care to the appropriate owner or owners.
- (28) Determine the training regimen of all horses in his/her care.
- (29) The licensure of owners and employees prior to participating on race day.
- (30) Immediately notifying the stewards, or, in their absence, commission or track security, of any contact a practicing veterinarian or ~~his or her~~ **their** helper has with a horse within twenty-four (24) hours of its scheduled race, except for the administration of furosemide in accordance with commission rules.

(b) Upon application by the owner, the stewards may approve the transfer of such horses to the care of another licensed trainer, and upon such approved transfer such horses may be entered to race.

(c) No trainer shall assign any of ~~his/her~~ **their** duties or ~~responsibility~~ **responsibilities** to any person that is disqualified or ineligible to participate in racing or is not appropriately licensed.

(d) No trainer shall assume any of the above responsibilities for a horse not under ~~his/her~~ **their** active care, custody, and supervision.

(e) No trainer shall practice ~~his~~ **their** profession, except under ~~his~~ **their** own name.

(f) No trainer shall train for another trainer licensed in the state of Indiana.

(Indiana Horse Racing Commission; [71 IAC 5.5-3-3](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2856, eff Jul 1, 1995; emergency rule filed June 8, 1999, 9:30 a.m.: 22 IR 3121, eff May 26, 1999 [NOTE: [IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2778; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Jan 21, 2004, 2:30 p.m.: 27 IR 1914; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2214; errata filed Apr 10, 2006, 2:00 p.m.: 29 IR 2546; emergency rule filed Mar 20, 2007, 1:43 p.m.: [20070404-IR-071070198ERA](#), eff Mar 16, 2007 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Mar 19, 2009, 11:07 a.m.: [20090401-IR-071090195ERA](#), eff Mar 12, 2009 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-195(E) was filed with the Publisher March 19, 2009.]; emergency rule filed Mar 23, 2010, 1:27 p.m.: [20100331-IR-071100170ERA](#); emergency rule filed Mar 3, 2011, 11:50 a.m.: [20110309-IR-071110100ERA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); readopted filed Aug 28, 2019, 1:23 p.m.: [20190925-IR-071190319RFA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 5. [71 IAC 6-1-2](#) IS AMENDED TO READ AS FOLLOWS:

71 IAC 6-1-2 Prohibitions on claims

Authority: [IC 4-31-6-9](#)

Affected: [IC 4-31](#)

Sec. 2. (a) A person shall not:

- (1) claim, directly or indirectly, ~~his or her~~ **the person's** own horse or a horse trained or driven by ~~him or her~~ **them**; or
- (2) cause such horse to be claimed directly or indirectly for ~~his or her~~ **the person's** own account.

(b) A person shall not directly or indirectly:

- (1) offer to claim or not to claim;
- (2) enter into an agreement to claim or not to claim;
- (3) attempt to prevent another person from claiming; any horse in a claiming race;
- (4) claim a horse for an unlicensed ~~and/or~~ **or** ineligible person; or
- (5) claim a horse with funds loaned by an individual without prior approval of the judges.

~~(c) A person shall not have more than one (1) claim on any one (1) horse in any claiming race. However, owners utilizing the same trainer may claim different horses from the same race.~~ **No person shall claim more than one (1) horse in a race.**

(d) A person shall not directly or indirectly conspire to protect a horse from being claimed by arranging another person to lodge claims, a procedure known as protection claims.

(Indiana Horse Racing Commission; [71 IAC 6-1-2](#); emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1149; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2400; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 27, 2002, 10:25 a.m.: 25 IR 2536; emergency rule filed Mar 12, 2008, 1:53 p.m.: [20080326-IR-071080191ERA](#), eff Mar 11, 2008 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-191(E) was filed with the Publisher March 12, 2008.]; readopted filed Mar 20, 2008, 2:32 p.m.: [20080416-IR-071080063RFA](#); emergency rule filed Mar 19, 2009, 11:07 a.m.: [20090401-IR-071090195ERA](#), eff Mar 12, 2009 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-195(E) was filed with the Publisher March 19, 2009.]; readopted filed Nov 24, 2015, 1:30 p.m.: [20151223-IR-071150081RFA](#); readopted filed Oct 21, 2021, 8:28 a.m.: [20211117-IR-071210222RFA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 6. [71 IAC 6.5-1-1](#) IS AMENDED TO READ AS FOLLOWS:

71 IAC 6.5-1-1 General provisions

Authority: [IC 4-31-6-9](#)

Affected: [IC 4-31](#)

Sec. 1. (a) A person entering a horse in a claiming race warrants that the title to the horse is free and clear of any existing claim or lien, either as security interest mortgage, bill of sale, or lien of any kind, unless before entering the horse, the written consent of the holder of the claim or lien has been filed with the stewards and the racing secretary and its entry approved by the stewards. A transfer of ownership arising from a recognized claiming race will terminate any existing prior lease for the horse.

(b) **Every horse claimed shall race for the account of the owner at the time of entry, but** title to a claimed horse shall be vested in the successful claimant at the time the horse leaves the starting gate and is declared an official starter. If a horse suffers a fatality during the running of a race, or is euthanized on the racetrack following the race, any claim submitted on that horse will be declared void. If a claimed horse is vanned off the racetrack following the race (at the discretion of a commission approved veterinarian), that horse will be taken to the test barn. The successful claimant or trainer may request the claim be voided by the stewards within one (1) hour of the official off time of the race, except that the claim shall not be declared void if the horse is vanned off the track due to an issue that is nonrelated to lameness as determined by the commission approved veterinarian. In the event the claim is voided by the stewards, the horse will be returned to the custody of the original owner. However, the successful claimant may request on the claim blank at the time the successful claimant makes the claim that the horse be tested for the presence of equine infectious anemia via a Coggins test or other test as

approved by the official veterinarian. Should this test prove positive, it shall be cause for voiding the claim. The expense of the test and the maintenance of the horse during the period requested for the test shall be the responsibility of the successful claimant, unless the test proves positive, wherein the owner or owners of the horse at the time of entry shall be responsible.

(c) An in-foal filly or mare shall be eligible to be entered into a claiming race only if all of the following conditions are fulfilled:

- (1) Full disclosure of such fact is on file with the racing secretary and such information is posted in the racing secretary's office.
- (2) The stallion service certificate has been deposited with the racing secretary's office.
- (3) All payments due for the service in question and for any live progeny resulting from that service are paid in full.
- (4) The release of the stallion service certificate to the successful claimant at the time of claim is guaranteed.

(d) The stewards may set aside and order rescission of a claim for any horse from a claiming race run in this jurisdiction upon a showing that any party to the claim committed a prohibited action, as specified in section 4 of this rule, or that the owner of the horse at the time of entry in the claiming race failed to comply with any requirement of this article. Should the stewards order a rescission of a claim, they may make a further order for the costs of maintenance and care of the horse as they may deem appropriate.

(Indiana Horse Racing Commission; [71 IAC 6.5-1-1](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2861, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3405; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); readopted filed Aug 28, 2019, 1:23 p.m.: [20190925-IR-071190319RFA](#); emergency rule filed Dec 11, 2020, 4:14 p.m.: [20201223-IR-071200625ERA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 7. [71 IAC 6.5-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 6.5-1-2](#) Claiming of horses

Authority: [IC 4-31-6-9](#)

Affected: [IC 4-31](#)

Sec. 2. (a) Any horse starting in a claiming race is subject to be claimed for its entered price by any:

- (1) licensed owner; or
- (2) holder of a valid open claiming certificate; or
- (3) licensed authorized agent acting on behalf of an eligible claimant.

~~(b) Every horse claimed shall race for the account of the original owner, but title to the horse shall be transferred to the claimant at the time the horse leaves the starting gate. The successful claimant shall become the owner of the horse, regardless of whether it is alive or dead, sound or unsound, or injured prior to, during, or after the race.~~

(Indiana Horse Racing Commission; [71 IAC 6.5-1-2](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2862, eff Jul 1, 1995; emergency rule filed June 8, 1999, 9:30 a.m.: 22 IR 3121, eff May 26, 1999 [NOTE: [IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2780; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); emergency rule filed Jun 10, 2016, 11:11 a.m.: [20160615-IR-071160257ERA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 8. [71 IAC 7.5-1-4](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 7.5-1-4](#) Coupled entries

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 4. (a) No more than two (2) horses having common ties through ownership or training, including two (2) or more horses having ties through ownership or training or spouses, may be entered in an overnight race, except in races to be divided. No owner may start two (2) or more horses in a race to the exclusion of another owner's single entry except in stakes or stakes trials. For the purpose of this rule, spouses will be considered a single owner. Preference for horses with the same trainer, but having no common ties of ownership, will be determined by the conditions of the race or preference date, or both, and may exclude a single entry.

(b) ~~A trainer may not train for another trainer licensed in the state of Indiana.~~

(Indiana Horse Racing Commission; [71 IAC 7.5-1-4](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2865, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3406; emergency rule filed May 20, 1996, 10:00 a.m.: 19 IR 2892; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2780; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Feb 21, 2003, 4:15 p.m.: 26 IR 2383; emergency rule filed Aug 21, 2003, 4:45 p.m.: 27 IR 205; emergency rule filed Mar 20, 2007, 1:43 p.m.: [20070404-IR-071070198ERA](#), eff Mar 16, 2007 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Jul 5, 2012, 2:14 p.m.: [20120718-IR-071120402ERA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); emergency rule filed Jul 3, 2014, 11:57 a.m.: [20140709-IR-071140251ERA](#); emergency rule filed Aug 29, 2017, 3:21 p.m.: [20170906-IR-071170396ERA](#); readopted filed Aug 28, 2019, 1:23 p.m.: [20190925-IR-071190319RFA](#); emergency rule filed Dec 5, 2019, 1:56 p.m.: [20191211-IR-071190646ERA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 9. [71 IAC 7.5-2-2](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 7.5-2-2](#) Scratches

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 2. (a) A scratch is the act of withdrawing an entered horse from a contest after the closing of entries.

(b) The scratch of a horse after closing shall be made by the owner, trainer, or their licensed designee with permission from the stewards.

(c) A horse may be scratched from a stakes race for any reason at any time up until forty-five (45) minutes prior to that race.

(d) No horse may be scratched from an overnight race without approval of the stewards.

(e) In overnight races, horses that are physically disabled or sick shall be permitted to be scratched first. Should horses representing more than eight (8) betting interests in the daily double or exotic wagering races, or horses representing more than eight (8) betting interests in any other overnight race, remain in after horses with physical excuses have been scratched, then owners or trainers may be permitted at scratch time to scratch horses without physical excuses down to such respective minimum numbers for such races. This privilege shall be determined by lot if an excessive number of owners or trainers wish to scratch their horses.

(f) Entry of any horse which has been scratched or excused from starting by the stewards because of a physical disability or sickness shall not be accepted until the expiration of a minimum of five (5) calendar days after such horse was scratched or excused and the horse has been removed from the veterinarian's list by the official veterinarian.

(g) The stewards will review all cases in which a horse is drawn into the body of a race at a licensed facility under the jurisdiction of the commission, while appearing in the entries in another racing jurisdiction during the entry period in Indiana. For the purpose of this rule, the entry period begins on the day the horse is entered in Indiana and ends at 11:59 p.m. on the day the horse is entered to race in Indiana. It shall be a violation of these rules for a licensee to scratch a horse in Indiana and race that horse in another jurisdiction during the entry period. Violations of this subsection, absent mitigating

circumstances, shall be subject to a fine by the stewards. This subsection shall not apply to handicap and stake races, nor to horses on the also eligible list.

(Indiana Horse Racing Commission; [71 IAC 7.5-2-2](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2867, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3407; emergency rule filed May 20, 1996, 10:00 a.m.: 19 IR 2892; errata filed Jun 20, 1996, 9:50 a.m.: 19 IR 3114; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Mar 3, 2011, 11:50 a.m.: [20110309-IR-071110100ERA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); emergency rule filed Mar 15, 2019, 2:42 p.m.: [20190320-IR-071190167ERA](#); readopted filed Aug 28, 2019, 1:23 p.m.: [20190925-IR-071190319RFA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 10. [71 IAC 7.5-5-1](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 7.5-5-1](#) Horses ineligible

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 1. (a) A horse is ineligible to start in a race when:

- (1) it is not stabled on the grounds of the association or present by the time established by the commission;
- (2) for a quarter horse, its breed registration certificate is not on file with the racing secretary or horse identifier, unless the racing secretary has submitted the certificate to the appropriate breed registry for correction, or the information contained on the registration certificate is available to the racing secretary, or his or her **the racing secretary's** designee, through the electronic registration system, however:
 - (A) the stewards, for good cause, may waive this requirement if the horse is otherwise correctly identified to the satisfaction of the stewards and identifier;
 - (B) if the electronic registration system fails for any reason, the stewards may require presentation of a horse's registration certificate prior to a horse being entered or raced in Indiana;
 - (C) the stewards may at any time require presentation of a horse's registration certificate; and
 - (D) a horse may not receive a preference date prior to entry unless the horse's registration paper is on file with the racing secretary;
- (3) it is not fully identified and tattooed on the inside of the upper lip or microchipped or identified by any other method approved by the appropriate breed registry and the commission;
- (4) if a thoroughbred, it is not duly registered and named at the registry office of the Jockey Club (New York), or, if a quarter horse, it is not duly registered with the American Quarter Horse Association;**
- ~~(4)~~ **(5)** it has been fraudulently entered or raced in any jurisdiction under a different name, with an altered registration certificate, or altered lip tattoo or microchip or other identification method approved by the appropriate breed registry and the commission;
- ~~(5)~~ **(6)** it is wholly or partially owned by a disqualified person or a horse is under the direct or indirect training or management of a disqualified person;
- ~~(6)~~ **(7)** it is wholly or partially owned by the spouse of a disqualified person or a horse is under the direct or indirect management of the spouse of a disqualified person, in such cases, it being presumed that the disqualified person and spouse constitute a single financial entity with respect to the horse, which presumption may be rebutted;
- ~~(7)~~ **(8)** the stakes or entrance money for the horse has not been paid, in accordance with the conditions of the race;
- ~~(8)~~ **(9)** its name appears on the starter's list, stewards' list, or veterinarian's list;
- ~~(9)~~ **(10)** it is a first time starter and has not been approved to start by the starter;
- ~~(10)~~ **(11)** it is owned in whole or in part by an undisclosed person or interest;
- ~~(11)~~ **(12)** it lacks sufficient official published workouts or past race performances;
- ~~(12)~~ **(13)** it has been entered in a stakes race and has subsequently been transferred with its engagements unless the racing secretary has been notified of such prior to the start;
- ~~(13)~~ **(14)** it is subject to a lien, which has not been approved by the stewards and filed with the horsemen's bookkeeper;
- ~~(14)~~ **(15)** it is subject to a lease not filed with the stewards;
- ~~(15)~~ **(16)** it is not in sound racing condition;
- ~~(16)~~ **(17)** it has had a posterior digital neurectomy (heel denerving), which has not been approved by the official veterinarian;
- ~~(17)~~ **(18)** it has been trachea tubed to artificially assist breathing;

~~(18)~~ **(19)** it has been blocked with alcohol or otherwise drugged or surgically denerved to desensitize the nerves above the ankle;
~~(19)~~ **(20)** it has impaired eyesight in both eyes;
~~(20)~~ **(21)** it is barred or suspended in any recognized jurisdiction;
~~(21)~~ **(22)** it does not meet the eligibility conditions of the race;
~~(22)~~ **(23)** its owner or lessor is in arrears for any stakes fees, except with approval of the racing secretary;
~~(23)~~ **(24)** its owners, lessors, lessees, or trainer have not completed the licensing procedures required by the commission;
~~(24)~~ **(25)** it is by an unknown sire or out of an unknown mare;
~~(25)~~ **(26)** there is no negative test certificate for equine infectious anemia issued within the preceding twelve (12) months attached to its breed registration certificate **on file with the association;**
~~(26)~~ **(27)** if a quarter horse, it has shoes (racing plates) that have toe grabs with a height greater than four (4) millimeters (fifteen thousand seven hundred forty-eight hundred-thousandths (0.15748) inches), or any other traction device on the front hooves while racing or training on all racing surfaces;
~~(27)~~ **(28)** if a thoroughbred, it has shoes (racing plates) which have toe grabs with a height greater than two (2) millimeters (seven thousand eight hundred seventy-four hundred-thousandths (0.07874) inches), bends, jar caulks, stickers, or any other traction device on the front hooves while racing or training on all racing surfaces;
~~(28)~~ **(29)** it has reached the age of twelve (12) years;
~~(29)~~ **(30)** it is a maiden that has reached the age of six (6) years or older with ~~more~~ **fewer** than six (6) starts;
~~(30)~~ **(31)** the race date is within ten (10) days of having extracorporeal shock wave or radial pulse wave therapy; or
~~(31)~~ upon claim, sale, or any transfer of ownership, if the foal certificate is not otherwise on file with the racing office, the previous owner shall present the foal certificate to the racing secretary within seventy-two (72) hours of the change of ownership so the ownership can be updated **(32) it has not made an official start in the previous two hundred forty (240) days, or it is a first-time starter that has reached the age of four (4) years, and it has not fulfilled the requirements set forth in [71 IAC 7.5-4-1\(b\)](#).**

(b) The stewards may consider extenuating circumstances in determining ineligibility of a horse with respect to subsection (a)(1) and (a)(2).

~~(c) A horse that has not made an official racing start in two (2) years or longer must have a workout in front of a regulatory track veterinarian prior to being declared eligible to race in Indiana.~~

(Indiana Horse Racing Commission; [71 IAC 7.5-5-1](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2870, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3408; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Jul 23, 2007, 9:16 a.m.: [20070808-IR-071070461ERA](#), eff Jul 18, 2007 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-461(E) was filed with the Publisher July 23, 2007.]; errata filed Aug 14, 2007, 1:28 p.m.: [20070829-IR-071070461ACA](#); emergency rule filed Mar 12, 2008, 1:53 p.m.: [20080326-IR-071080191ERA](#), eff Mar 11, 2008 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-191(E) was filed with the Publisher March 12, 2008.]; emergency rule filed Mar 19, 2009, 11:07 a.m.: [20090401-IR-071090195ERA](#), eff Mar 12, 2009 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #09-195(E) was filed with the Publisher March 19, 2009.]; emergency rule filed Mar 23, 2010, 1:27 p.m.: [20100331-IR-071100170ERA](#); emergency rule filed Mar 8, 2012, 11:43 a.m.: [20120321-IR-071120117ERA](#); emergency rule filed Jul 5, 2012, 2:14 p.m.: [20120718-IR-071120402ERA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); readopted filed Aug 28, 2019, 1:23 p.m.: [20190925-IR-071190319RFA](#); emergency rule filed Dec 5, 2019, 1:56 p.m.: [20191211-IR-071190646ERA](#); emergency rule filed Jun 1, 2020, 1:57 p.m.: [20200610-IR-071200295ERA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 11. [71 IAC 8-1-2.1](#) IS ADDED TO READ AS FOLLOWS:

[71 IAC 8-1-2.1](#) Thyroxine restricted

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31-12](#)

Sec. 2.1. (a) Thyroid supplementation is prohibited. Trainers shall not have thyroxine, any other thyroid hormone, thyroid hormone analog, or thyroid supplements on the premise of a facility under the

jurisdiction of the commission, nor shall they administer such supplements unless both of the following conditions have been met:

(1) A thyrotropin-releasing hormone (TRH) response test has been performed by a commission-licensed veterinarian and supports a diagnosis of hypothyroidism in the horse.

(2) A commission-licensed veterinarian has submitted the TRH response test result to the equine medical director, and the equine medical director approves the thyroxine prescription based on their independent determination that the test result confirms the hypothyroidism diagnosis.

A T3 or T4 test without stimulation of the thyroid is insufficient to diagnose hypothyroidism.

(b) If approved by the equine medical director, the horse shall be treated with only Federal Drug Administration approved medications for hypothyroidism prescribed by a veterinarian. Possession of any thyroid supplements that are not pursuant to a veterinary prescription is prohibited.

(c) The prescription for thyroxine or any other thyroid hormone or thyroid hormone analog administration shall not exceed ninety (90) calendar days, after which the prescription must be reauthorized by the equine medical director under either of the following circumstances:

(1) The equine medical director has determined that the horse has benefited from the previous thyroxine, thyroid hormone, or thyroid hormone analog treatment after reviewing the horse's medical records and consulting with the attending veterinarian.

(2) The hypothyroid diagnosis has been reconfirmed under the requirements described in subsection (a)(1) and (a)(2).

(d) A horse administered thyroxine or any other thyroid hormone or thyroid hormone analog, pursuant to this section, is ineligible to start in a race for thirty (30) calendar days after the last administration.

(e) If a horse is currently being administered a thyroid supplement, administration of the supplement shall be discontinued and a TRH test conducted after a thirty (30) day washout period before the horse is eligible to race.

(f) Possession of thyroxine or any other thyroid hormone or thyroid hormone analog on the premise of a facility under the jurisdiction of the commission is prohibited without a prescription obtained in compliance with this section.

(g) In the absence of the equine medical director, or, if there is no appointed equine medical director, the commission or executive director may designate an alternate regulatory veterinary official for this section.

(Indiana Horse Racing Commission; [71 IAC 8-1-2.1](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 12. [71 IAC 8.5-1-2.5](#) IS ADDED TO READ AS FOLLOWS:

[71 IAC 8.5-1-2.5](#) Thyroxine restricted

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31-12](#)

Sec. 2.5. (a) Thyroid supplementation is prohibited. Trainers shall not have thyroxine, any other thyroid hormone, thyroid hormone analog, or thyroid supplements on the premise of a facility under the jurisdiction of the commission, nor shall they administer such supplements unless both of the following conditions have been met:

(1) A thyrotropin-releasing hormone (TRH) response test has been performed by a commission-licensed veterinarian and supports a diagnosis of hypothyroidism in the horse.

(2) A commission-licensed veterinarian has submitted the TRH response test result to the equine medical director, and the equine medical director approves the thyroxine prescription based on their independent determination that the test result confirms the hypothyroidism diagnosis.

A T3 or T4 test without stimulation of the thyroid is insufficient to diagnose hypothyroidism.

(b) If approved by the equine medical director, the horse shall be treated with only Federal Drug Administration approved medications for hypothyroidism prescribed by a veterinarian. Possession of any thyroid supplements that are not pursuant to a veterinary prescription is prohibited.

(c) The prescription for thyroxine or any other thyroid hormone or thyroid hormone analog administration shall not exceed ninety (90) calendar days, after which the prescription must be reauthorized by the equine medical director under either of the following circumstances:

- (1) The equine medical director has determined that the horse has benefited from the previous thyroxine, thyroid hormone, or thyroid hormone analog treatment after reviewing the horse's medical records and consulting with the attending veterinarian.
- (2) The hypothyroid diagnosis has been reconfirmed under the requirements described in subsection (a)(1) and (a)(2).

(d) A horse administered thyroxine or any other thyroid hormone or thyroid hormone analog, pursuant to this section, is ineligible to start in a race for thirty (30) calendar days after the last administration.

(e) If a horse is currently being administered a thyroid supplement, administration of the supplement shall be discontinued and a TRH test conducted after a thirty (30) day washout period before the horse is eligible to race.

(f) Possession of thyroxine or any other thyroid hormone or thyroid hormone analog on the premise of a facility under the jurisdiction of the commission is prohibited without a prescription obtained in compliance with this section.

(g) In the absence of the equine medical director, or, if there is no appointed equine medical director, the commission or executive director may designate an alternate regulatory veterinary official for this section.

(Indiana Horse Racing Commission; [71 IAC 8.5-1-2.5](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 13. [71 IAC 8.5-1-5](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 8.5-1-5](#) Furosemide as a permitted foreign substance

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31-12](#)

Sec. 5. (a) Furosemide may be administered intravenously to a horse which ~~that~~ is entered to compete in a race ~~Except under the instructions of the official veterinarian or the racing veterinarian for the purpose of removing a horse from the veterinarian's list or to facilitate the collection of a post race urine sample, furosemide shall be permitted only after the official veterinarian has placed the horse on the furosemide list. In order for a horse to be placed on the furosemide list, the following process must be followed:~~ **under the following conditions:**

- (1) After The horse's licensed trainer, and practicing ~~or a licensed~~ veterinarian, determine **determines** that it would be in the horse's best interests to race with furosemide. ~~they shall notify the official veterinarian or his/her designee, using the prescribed form, that they wish the horse to be put on the furosemide list.~~
- (2) The form must be received by the official veterinarian or his/her designee by the proper time deadlines ~~so as~~ **Notice that a horse eligible to race on furosemide will race, with or without furosemide, shall be made at the time of entry** to ensure public notification, **including publication in the official racing program.**
- (3) ~~If a horse~~ **horse's licensed trainer, or a licensed veterinarian, determines that it is no longer in the horse's best interests to race with furosemide, the horse shall not be eligible to receive furosemide unless the licensed trainer, or a licensed veterinarian, later determines that it would be in the horse's best interests to resume furosemide treatments for racing, and the licensed trainer or licensed veterinarian complies with the requirements of this section.** ~~placed on the official furosemide list must remain on that list unless the licensed trainer and practicing veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his/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 sixty (60) calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official furosemide list a second time in a three hundred sixty five (365) day period, the horse may not be placed back on the list for a period of ninety (90) calendar days.~~

~~(5) (4) Furosemide shall only be administered on association grounds.~~

~~(6) (5) Upon the request of the regulatory agency commission or its designee, the veterinarian administering the authorized bleeder medication furosemide shall surrender the syringe used to administer such medication, which may then be submitted for testing.~~

~~(7) Time of treatment. Horses qualified for medication and so indicated on the official bleeder list~~ **(6) A horse eligible to receive furosemide must be treated at least four (4) hours, and not more than four (4) hours and twenty-five (25) minutes, prior to the scheduled post time of its race.**

~~(8) Medication administration. Bleeder medication~~ **(7) Furosemide shall be administered by a veterinarian licensed by the commission at an intravenous dose level not to exceed five hundred (500) milligrams and not less than one hundred fifty (150) milligrams. Administration of furosemide shall take place in the test barn or a specific location otherwise designated by the commission. An association employee shall be present and observe the drawing of furosemide into a syringe. The administering veterinarian shall provide a factory sealed bottle of furosemide from which the draws shall be made. The association shall establish track rules for furosemide administrations that are consistent with these regulations.**

~~(9) Out-of-state horses. A bleeder horse shipped into the state from another jurisdiction may be automatically eligible to receive furosemide provided that the jurisdiction from which it was shipped qualified it as a bleeder using criteria satisfactory to this state. The Daily Racing Form, Equibase, the breed registry foal certificate, or bleeder certificate may be utilized in determining a horse's eligibility to receive furosemide.~~

~~(10) (8) The test level of furosemide under this rule shall not be in excess of one hundred (100) nanograms per milliliter of serum or plasma and shall not be below a urine specific gravity of one and ten one-thousandths (1.010). If an insufficient volume of urine is obtained, a positive test shall be based upon quantitative testing performed on blood serum or plasma only. Split sample testing shall be quantitative and be performed on blood serum or plasma only.~~

(b) It shall constitute a violation of these rules if notice is made pursuant to this section that a horse will race with furosemide, and a post-race sample of urine, serum, or plasma obtained from that horse does not contain furosemide at a level detectable by the official commission laboratory.

(Indiana Horse Racing Commission; [71 IAC 8.5-1-5](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2880, eff Jul 1, 1995; emergency rule filed Aug 9, 1995, 10:30 a.m.: 18 IR 3413; emergency rule filed May 20, 1996, 10:00 a.m.: 19 IR 2893; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2420; errata filed Oct 15, 1998, 12:39 p.m.: 22 IR 759; emergency rule filed Jun 8, 1999, 9:30 a.m.: 22 IR 3123, eff May 26, 1999 [NOTE: [IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 10, 2006, 11:00 a.m.: 29 IR 2223; errata filed Apr 10, 2006, 2:00 p.m.: 29 IR 2546; emergency rule filed Jul 28, 2006, 11:17 a.m.: [20060809-IR-071060278ERA](#), eff Aug 1, 2006; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Mar 3, 2011, 11:50 a.m.: [20110309-IR-071110100ERA](#); emergency rule filed Jan 25, 2012, 12:20 p.m.: [20120201-IR-071120056ERA](#); emergency rule filed Apr 5, 2013, 3:50 p.m.: [20130410-IR-071130135ERA](#); readopted filed Aug 28, 2019, 1:23 p.m.: [20190925-IR-071190319RFA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 14. [71 IAC 14.5-3-1](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 14.5-3-1](#) Owner award

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 1. (a) An owner award is the award paid to the owner of a registered Indiana bred quarter horse that places first, second, or third in any race, except trials and claiming races when entered for a claiming price of less than five thousand dollars (\$5,000) or any speed index race, at a licensed pari-mutuel racetrack in Indiana.

(b) In the event of multiple owners, the award will be paid to the individual listed first on the Equibase result chart. It is the responsibility of the individual who receives the owner award to distribute these monies to the remaining owners.

(c) For Indiana bred races, the amount of the award is twelve and one-half percent (12.5%) of the gross purse, and distribution is:

- (1) fifty percent (50%) awarded to the winner, not to exceed five thousand dollars (\$5,000);
- (2) thirty percent (30%) awarded to second place, not to exceed three thousand dollars (\$3,000); and
- (3) twenty percent (20%) awarded to third place, not to exceed two thousand dollars (\$2,000).

(d) For open overnight races and open stakes, the amount of the award is twelve and one-half percent (12.5%) of the gross purse, and distribution is:

- (1) fifty percent (50%) awarded to the winner, not to exceed five thousand dollars (\$5,000);
- (2) thirty percent (30%) awarded to second place, not to exceed three thousand dollars (\$3,000); and
- (3) twenty percent (20%) awarded to third place, not to exceed two thousand dollars (\$2,000).

(e) Awards will be paid by the commission.

(Indiana Horse Racing Commission; [71 IAC 14.5-3-1](#); emergency rule filed Nov 15, 2000, 11:40 a.m.: 24 IR 1037; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Apr 24, 2006, 11:11 a.m.: 29 IR 3034; emergency rule filed Jan 24, 2008, 10:58 a.m.: [20080206-IR-071080056ERA](#), eff Jan 23, 2008 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; emergency rule filed Apr 4, 2013, 1:05 p.m.: [20130410-IR-071130134ERA](#); emergency rule filed Feb 3, 2017, 2:24 p.m.: [20170208-IR-071170051ERA](#); emergency rule filed Jun 1, 2020, 1:57 p.m.: [20200610-IR-071200295ERA](#); emergency rule filed Mar 2, 2021, 3:10 p.m.: [20210310-IR-071210076ERA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 15. [71 IAC 14.5-3-2](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 14.5-3-2](#) Breeder award

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 2. (a) A breeder award is the award paid to the breeder of a registered Indiana bred quarter horse that places first, second, or third in any race, except trials and claiming races when entered for a claiming price of less than five thousand dollars (\$5,000) or any speed index race, at a licensed pari-mutuel racetrack located in Indiana.

(b) In the event of multiple breeders, the award will be paid to the individual designated as the recipient on the foal application. It is the responsibility of the designated recipient to distribute these monies to the remaining breeders.

(c) For Indiana bred races, the amount of the award is twelve and one-half percent (12.5%) of the gross purse, and distribution is:

- (1) fifty percent (50%) awarded to the winner, not to exceed five thousand dollars (\$5,000);
- (2) thirty percent (30%) awarded to second place, not to exceed three thousand dollars (\$3,000); and
- (3) twenty percent (20%) awarded to third place, not to exceed two thousand dollars (\$2,000).

(d) For open overnight races and open stakes, the amount of the award is twelve and one-half percent (12.5%) of the gross purse, and distribution is:

- (1) fifty percent (50%) awarded to the winner, not to exceed five thousand dollars (\$5,000);
- (2) thirty percent (30%) awarded to second place, not to exceed three thousand dollars (\$3,000); and
- (3) twenty percent (20%) awarded to third place, not to exceed two thousand dollars (\$2,000).

(e) Awards will be paid by the commission.

(f) For breeder awards earned January 1, 2013, and thereafter, the recipient is the owner of the dam at the time of the dam's registration with the breed development program.

(Indiana Horse Racing Commission; [71 IAC 14.5-3-2](#); emergency rule filed Nov 15, 2000, 11:40 a.m.: 24 IR 1037; errata filed Feb 9, 2001, 3:38 p.m.: 24 IR 2091; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 27, 2002, 10:27 a.m.: 25 IR 2539; emergency rule filed Jan 24, 2008, 10:58 a.m.: [20080206-IR-071080056ERA](#), eff Jan 23, 2008 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; errata filed Feb 18, 2008, 2:03 p.m.: [20080305-IR-071080056ACA](#); emergency rule filed Apr 4, 2013, 1:05 p.m.: [20130410-IR-071130134ERA](#); emergency rule filed Feb 3, 2017, 2:24 p.m.: [20170208-IR-071170051ERA](#); emergency rule filed Jun 1, 2020, 1:57 p.m.: [20200610-IR-071200295ERA](#); emergency rule filed Mar 2, 2021, 3:10 p.m.: [20210310-IR-071210076ERA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

SECTION 16. [71 IAC 14.5-3-3](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 14.5-3-3](#) Stallion owner award

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 3. (a) A stallion owner award is the award paid to the owner or lessee of a registered Indiana stallion whose registered progeny places first, second, or third in any race, except trials and claiming races when entered for a claiming price of less than five thousand dollars (\$5,000) or any speed index race, at a licensed pari-mutuel racetrack located in Indiana.

(b) In the event of multiple stallion owners, the award will be paid to the individual designated as the recipient on the stallion application. It is the responsibility of the designated recipient to distribute these monies to the remaining stallion owners.

(c) For Indiana bred races, the amount of the award is twelve and one-half percent (12.5%) of the gross purse, and distribution is:

- (1) fifty percent (50%) awarded to the winner, not to exceed five thousand dollars (\$5,000);
- (2) thirty percent (30%) awarded to second place, not to exceed three thousand dollars (\$3,000); and
- (3) twenty percent (20%) awarded to third place, not to exceed two thousand dollars (\$2,000).

(d) For open overnight races and open stakes, the amount of the award is twelve and one-half percent (12.5%) of the gross purse, and distribution is:

- (1) fifty percent (50%) awarded to the winner, not to exceed five thousand dollars (\$5,000);
- (2) thirty percent (30%) awarded to second place, not to exceed three thousand dollars (\$3,000); and
- (3) twenty percent (20%) awarded to third place, not to exceed two thousand dollars (\$2,000).

(e) Awards will be paid by the commission.

(f) The award will be paid to the owner or lessee of the registered stallion at time of conception.

(g) No stallion standing outside Indiana and shipping semen into the state will be eligible to participate in any stallion breed development awards.

(Indiana Horse Racing Commission; [71 IAC 14.5-3-3](#); emergency rule filed Nov 15, 2000, 11:40 a.m.: 24 IR 1037; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 27, 2002, 10:27 a.m.: 25 IR 2539; emergency rule filed Jan 24, 2008, 10:58 a.m.: [20080206-IR-071080056ERA](#), eff Jan 23, 2008 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; emergency rule filed Apr 4, 2013, 1:05 p.m.: [20130410-IR-071130134ERA](#); emergency rule filed Feb 3, 2017, 2:24 p.m.: [20170208-IR-071170051ERA](#); emergency rule filed Jun 1, 2020, 1:57 p.m.: [20200610-IR-071200295ERA](#); emergency rule filed Mar 2, 2021, 3:10 p.m.: [20210310-IR-071210076ERA](#); emergency rule filed Mar 3, 2022, 3:55 p.m.: [20220316-IR-071220070ERA](#))

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