

TITLE 71 INDIANA HORSE RACING COMMISSION

Proposed Rule
LSA Document #12-278

DIGEST

Amends [71 IAC 12-2-18](#) regarding allocation of interstate simulcasting revenue to purses. Amends [71 IAC 12-2-19](#) regarding allocation of breakage and outs. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[71 IAC 12-2-18](#); [71 IAC 12-2-19](#)

SECTION 1. [71 IAC 12-2-18](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 12-2-18](#) Allocation of interstate simulcasting revenue to purses

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

Affected: [IC 4-31-9-2](#)

Sec. 18. (a) Revenue for purses generated from the simulcasting of out-of-state signals into the state shall be divided and applied **statewide as follows:**

- (1) Forty-nine percent (49%) to standardbred purses.
- (2) Forty-nine percent (49%) to thoroughbred purses. and
- (3) Two percent (2%) to quarter horse purses. ~~statewide.~~

This division shall apply irrespective of the number of tracks, the breed of the incoming signal, and the number of live race dates conducted for either breed. If more than one (1) track races a specific breed, purses for that breed shall be divided to the purse accounts of the tracks in question proportionally based upon the number of live race dates for that breed. The utilization of all monies transferred between tracks pursuant to this rule shall be in accordance with guidelines approved by the commission.

~~(b) Until and including December 31, 2012, interstate simulcasting revenue generated for purses from simulcasting of out of state signals into the state by an association that races more than one (1) breed of horse shall be allocated to the purse accounts at that association as follows:~~

- ~~(1) Forty-nine percent (49%) to standardbreds.~~
- ~~(2) Forty-nine percent (49%) to thoroughbreds.~~
- ~~(3) Two percent (2%) to quarter horses.~~

~~(c) Effective January 1, 2013, (b) Interstate simulcasting revenue generated from purses from simulcasting of out-of-state signals into the state by an association that races more than one (1) breed of horse shall be allocated to the purse accounts at the association as follows:~~

- ~~(1) Forty-six percent (46%) to standardbreds.~~
- ~~(2) Forty-six percent (46%) to thoroughbreds.~~
- ~~(3) Eight percent (8%) to quarter horses.~~

(Indiana Horse Racing Commission; [71 IAC 12-2-18](#); emergency rule filed Mar 9, 1994, 2:50 p.m.: 17 IR 1630; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2423; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Nov 29, 2001, 1:20 p.m.: 25 IR 1190; emergency rule filed Feb 21, 2003, 4:15 p.m.: 26 IR 2388; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed May 16, 2012, 2:15 p.m.: [20120523-IR-071120267ERA](#))

SECTION 2. [71 IAC 12-2-19](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 12-2-19](#) Allocation of breakage and outs

Authority: [IC 4-31-3-9](#); [IC 4-31-9-10](#)

Affected: [IC 4-31-11-10](#); [IC 4-31-11-11](#)

Sec. 19. (a) ~~Until and including December 31, 2012, all breakage and outs shall be distributed, irrespective of the number of tracks, between the standardbred breed development fund, thoroughbred breed development fund, and quarter horse breed development fund as established by the commission under [IC 4-31-11-10](#) as follows:~~

- ~~(1) Forty-eight percent (48%) to standardbred breed development.~~
- ~~(2) Forty-eight percent (48%) to thoroughbred breed development; and~~
- ~~(3) Four percent (4%) to quarter horse breed development.~~

(b) ~~Beginning January 1, 2013, All breakage and outs shall be distributed, irrespective of the number of tracks, between the standardbred breed development fund, thoroughbred breed development fund, and quarter horse breed development fund as established by the commission under [IC 4-31-11-10](#) as follows:~~

- ~~(1) Forty-six percent (46%) to standardbred breed development.~~
- ~~(2) Forty-six percent (46%) to thoroughbred breed development. and~~
- ~~(3) Eight percent (8%) to quarter horse breed development.~~

(Indiana Horse Racing Commission; [71 IAC 12-2-19](#); emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2424; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Nov 29, 2001, 1:20 p.m.: 25 IR 1190; emergency rule filed Aug 22, 2002, 12:41 p.m.: 26 IR 59, eff Jan 2, 2003; errata, 26 IR 382; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed May 16, 2012, 2:15 p.m.: [20120523-IR-071120267ERA](#))

[Notice of Public Hearing](#)

Posted: 02/20/2013 by Legislative Services Agency
An [html](#) version of this document.