

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Pentafecta
- 2) Code Citation: 11 Ill. Adm. Code 324
- 3) Section Number: 324.70 Adopted Action:
New Section
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rulemaking: October 1, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's central office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 36 Ill. Reg. 8622 – June 15, 2012.
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? Yes
- 13) Will these amendments replace any emergency amendments currently in effect? No
- 14) Are there any other proposed amendments pending in this Part? No
- 15) Summary and purpose of rulemaking: As the unique winner pool grows, it becomes increasingly more difficult to get a unique winner due to the growing interest in the large pools. Racetracks would rather payout 2 or 3 special days with \$1 million pools rather than a \$3 million payout on a single day. This proposed rulemaking is consistent with the mandatory distribution found in Part 308, Pick (N) Pools.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Mickey Ezzo

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Illinois Racing Board
100 West Randolph, Suite 7-701
Chicago, Illinois 60601

(312) 814-5017

The full text of the Adopted 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 a: GENERAL RULES

PART 324
PENTAFECTA

Section	
324.10	Pentafecta
324.20	Pool Distribution
324.30	Scratches
324.40	Dead Heats
324.50	Minimum Fields
324.60	Entries (Repealed)
<u>324.70</u>	<u>Mandatory Distribution</u>

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted by emergency rulemaking at 32 Ill. Reg. 7429, effective May 1, 2008, for a maximum of 150 days; adopted at 32 Ill. Reg. 10153, effective July 1, 2008; amended at 35 Ill. Reg. 13898, effective July 28, 2011; amended at 36 Ill. Reg. _____, effective _____.

Section 324.70 Mandatory Distribution

- a) A written request for permission to distribute a Pentafecta pool that includes a carryover on a specific race date may be submitted to the State Director of Mutuels. The request shall contain justification for the distribution, an explanation of the benefit to be derived, and the intended date for the distribution.
- b) Should the Pentafecta carryover be designated for distribution on a specified date in which there are no wagers whose combination finished in correct sequence as the first five betting interests, then the entire pool shall be distributed using the method described in Section 324.20(a).
- c) The Pentafecta carryover shall be designated for distribution on a specified date only under the following circumstances:
 - 1) Upon written approval from the State Director of Mutuels as provided for in subsection (a); or

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- 2) On the closing date of the meet, split meet or successive or intervening race meeting at the same race track.
- d) If, for any reason, the Pentafecta carryover pool distribution does not take place on the last day of the race meet, the Pentafecta carryover must be held over to the corresponding Pentafecta of a subsequent meet, and the carryover shall be deposited in an interest-bearing account approved by the State Director of Mutuels. The Pentafecta carryover plus accrued interest shall then be added to the net Pentafecta pool of the following meet on a date designated by the State Director of Mutuels.
- e) With written approval of the Board, the organization licensee may contribute to the Pentafecta carryover a sum of money up to the cap designated by the Board.

(Source: Added at 36 Ill. Reg. _____, effective _____)