

ILLINOIS REGISTER  
ILLINOIS RACING BOARD  
NOTICE OF ADOPTED RULES

**PART 308  
PICK (N) POOLS**

**Section**

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**Section 308.10 Pick (n)**

The Pick (n) requires selection of the first-place finisher in each of a designated number of contests. The organization licensee shall designate the number of contests for the Pick (n) and the method for pool calculation prior to the start of its meet. The organization licensee shall submit, in writing, its intent to offer the Pick (n) wager to the State Director of Mutuels no later than 30 days prior to the start of its meet.

**Section 308.20 Pool Calculations**

The organization licensee may select one of the following methods for conducting its Pick (n) pool. As used in this Part, "Major pool" is defined as 75% of the daily net pool; and "Minor pool" is defined as 25% of the daily net pool. Any deviation from the major/minor pool percentage division must be approved by the State Director of Mutuels.

- a) Method 1, Pick (n) with Carryover: The net Pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. If there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests, and the remainder shall be added to the carryover.
  
- b) Method 2, Pick (n) with Minor Pool and Carryover: The major share of the net Pick (n) pool and the carryover, if any, shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (n) contests, the minor share of the net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests, and the major share shall be added to the carryover.

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- c) Method 3, Pick (n) with No Minor Pool and No Carryover: The net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.
  
- d) Method 4, Pick (n) with Minor Pool and No Carryover: The major share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If the greatest number of first-place finishers selected is one (1), the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.
  
- e) Method 5, Pick (n) with Minor Pool and No Carryover: The major share of net Pick (n) pool shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in all Pick (n) contests, the entire net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests. If there are no winning wagers, the pool is refunded.
  
- f) Method 6, Pick (n) with Minor Pool and Carryover: The net Pick (n) pool and carryover, if any, shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in all Pick (n) contests, two-thirds of the net pool (major pool) or one-half of the total gross pool, whichever is greater, shall be distributed as a single price pool to those who present a valid pari-mutuel wager for that Pick (n) pool and the remaining one-third of the net pool shall be added to the carryover. The minimum pay-off provisions contained in 11 Ill. Adm. Code 405.130 shall not apply when distributing the major pool in this pool calculation.

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- g) Method 7, Pick (n) with “Unique Winning Ticket” Provision: The net Pick (n) pool and carryover, if any, shall be distributed to the holder of a unique winning ticket that selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there is no unique winning ticket selecting the first-place finisher in each of the Pick (n) contests, or if there are no wagers selecting the first-place finisher of all Pick (n) contests, the minor share of the net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests, and the major share shall be added to the carryover. Unique winning ticket, as used in this subsection, shall be defined as having occurred when there is one and only one winning ticket that correctly selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish, to be verified by the unique serial number assigned by the tote company that issued the winning ticket. In the event that there is more than one winning ticket that correctly selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish, the unique winning ticket shall be deemed to not have occurred.

**Section 308.30      Dead Heats**

If there is a dead heat for first in any of the Pick (n) contests involving:

- a) contestants representing the same betting interest, the Pick (n) pool shall be distributed as if no dead heat occurred.
- b) contestants representing two or more betting interests, the Pick (n) pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.

**Section 308.40      Scratches**

Should a betting interest in any of the Pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the closing of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalizator shall produce reports showing each of the wagering combinations with substituted betting interests that became winners as a result of the substitution, in addition to the normal winning combination.

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**Section 308.50      Cancellation of Races**

- a) The Pick (n) pool shall be canceled and all Pick (n) wagers for the individual performance shall be refunded if:
  - 1) at least two contests included as part of a Pick 3 are canceled or declared "no contest".
  - 2) at least three contests included as part of a Pick 4 or Pick 5 are canceled or declared "no contest"
  - 3) at least four contests included as part of a Pick 6 or Pick 7 are canceled or declared "no contest".
  - 4) at least five contests included as part of a Pick 8 or Pick 9 are canceled or declared "no contest".
  - 5) at least six contests included as part of a Pick 10 or Pick 11 are canceled or declared "no contest".
  
- b) If at least one contest included as part of a Pick (n) is canceled or declared "no contest", but not more than the number specified in subsection (a), the net pool shall be distributed as a single price pool to those whose selection finishes first in the greatest number of Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the Pick (n) carryover but not the carryover from previous performances.

**Section 308.60      Carryover Cap**

The Pick (n) carryover may be capped at a designated level approved by the State Director of Mutuels so that if, at the close of any performance, the amount in the Pick (n) carryover equals or exceeds the designated cap, the Pick (n) carryover will be frozen until it is won or distributed under Section 308.70. After the Pick (n) carryover is frozen, 100 percent of the net pool, part of which ordinarily would be added to the Pick (n) carryover, shall be distributed to those whose selection finished first in the greatest number of Pick (n) contests for that performance.

**Section 308.70      Mandatory Distribution**

- a) A written request for permission to distribute the Pick (n) carryover on a specific performance may be substituted to the State Director of Mutuels. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.
  
- b) Should the Pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selecting the first-place

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finisher in each of the Pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (n) contests. The Pick (n) carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

- 1) Upon written approval from the State Director of Mutuels as provided for in subsection (a).
  - 2) Upon written approval from the State Director of Mutuels when there is a change in the carryover cap, a change from one type of Pick (n) wagering to another, or when the Pick (n) is discontinued.
  - 3) On the closing performance of the meet, split meet or successive or intervening race meeting at the same race track.
- c) If, for any reason, the Pick (n) carryover must be held over to the corresponding Pick (n) of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the State Director of Mutuels. The Pick (n) carryover plus accrued interest shall then be added to the net Pick (n) pool of the following meet on a date and performance designated by the State Director of Mutuels.
- d) With written approval of the Board, the organization licensee may contribute to the Pick (n) carryover a sum of money up to any designated cap.

**Section 308.80 Disclosure**

The organization licensee may display potential distribution to ticket holders depending on the outcome of the appropriate Pick (n) contest.

**Section 308.90 Pick 3 Pools**

- a) The Pick 3 requires selection of the first-place finisher in each of three specified contests.
- b) The net Pick 3 pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:
  - 1) As a single price pool to those whose selection finished first in each of the three contests; but if there are no such wagers, then
  - 2) As a single price pool to those who selected the first-place finisher in any two of the three contests; but if there are no such wagers, then
  - 3) As a single price pool to those who selected the first-place finisher in any one of the three contests; but if there are no such wagers, then

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- 4) The entire pool shall be refunded on Pick 3 wagers for those contests.
- c) If there is a dead heat for first in any of the three contests involving:
- 1) contestants representing the same betting interest, the Pick 3 pool shall be distributed as if no dead heat occurred.
  - 2) contestants representing two or more betting interests, the Pick 3 pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit.
- d) Should a betting interest in any of the Pick 3 contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalizator shall produce reports showing each of the wagering combinations with substituted betting interests that became winners as a result of the substitution, in addition to the normal winning combination.
- e) If two or three Pick 3 contests are cancelled or declared "no contest", the entire pool shall be refunded on Pick 3 wagers for those contests.
- f) If one of the Pick 3 contests is cancelled or declared "no contest", the Pick 3 pool will remain valid and shall be distributed in accordance with subsection (b)(2).

SOURCE: Adopted at 18 Ill. Reg. 7433, effective May 8, 1994; amended at 19 Ill. Reg. 5039, effective April 1, 1995; amended at 30 Ill. Reg. 6165, effective April 1, 2006; amended at 32 Ill. Reg. 10143, effective July 1, 2008; amended at 35 Ill. Reg., effective July 28, 2011.