

Sec. 12-574-B32. Entries

- (a) **Form of entry.** All entries must:
 - (1) Be made in writing on forms approved by the commission.
 - (2) Be signed by the owner or his authorized agent in writing, except as provided in rule (a) of section 12-574-B34, of these rules.
 - (3) Furnish the name, commission license number and address of the owner and the agent, or the lessee, or the registered stable name.
 - (4) Furnish the name, color, sex, age, sire and dam of the horse.
 - (5) Name the event or events in which the horse is to be entered.
 - (6) Entries in overnight events must also comply with the provisions of rule (a) of section 12-574-B34, of these rules.
 - (7) Furnish the name, commission license number and registered racing colors of the driver.
 - (8) Furnish the name and commission license number of the trainer.
 - (9) State if pacer is free legged or hopped.
- (b) **Entries and sustaining payments in early closing events, late closing events, stakes and futurities.** All entries or payments not actually received at the hour of closing shall be ineligible, except entries and payments by letter bearing a postmark not later than the following day (omitting Sunday) or entries notified by telegraph. Where a telegram is used, it must actually be received at the office of sending at or before the hour of closing. Such telegrams must state the color, sex, and name of the horse, the class to be entered, name and residence of the owner and the party making the entry. Whenever an entry or payment becomes due on a Sunday or a legal holiday that falls on Saturday, such entry or payment is to be due on the following Monday and if made by mail, must be postmarked on or before the following Tuesday. If an entry or payment falls on a Monday that is a legal holiday, such entry or payment is due on Tuesday, and if made by mail, must be postmarked on or before the following Wednesday.
- (c) **Void entries.** All entries and payments not governed by published conditions shall be void. Proposed deviation from such published conditions is prohibited. No nominator shall be allowed privileges not in accordance with published conditions of the race or which are in conflict with these rules.
- (d) **Nominator's guarantee.** A nominator is required to guarantee the identity and eligibility of his entries and declarations and if given incorrectly, he shall be deemed guilty of a violation of these rules. A person obtaining a purse or money through fraud or error shall surrender or pay the same to the association conducting the meeting and such purse or money shall be awarded to the party justly entitled to the same. Where, however, any horse is ineligible as a result of an error of the race secretary, the association shall reimburse the owner for the resultant loss of winnings.
- (e) **Transfer to eligible event.** 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.
- (f) **Withholding of purse.** An association shall be warranted in withholding the premium or purse of any horse without a formal protest if it shall receive information that the entry or declaration of any horse was fraudulent or that the horse was ineligible. Such premium shall be withheld by the association pending a decision of the commission concerning such

fraud or ineligibility.

(g) **Death.** All engagements shall be void upon the decease of either owner or horse, prior to the starting of the race, so far as they shall affect the deceased party or horse, except when assumed by the estate or where the proprietorship is in more than one person, and any survive.

(h) **Early closing events and late closing races.**

(1) Place and date. The sponsor shall state the place and date the event will be raced and no change in date, program events or conditions can be made after the nominations have been taken.

(2) File conditions. An entry blank shall be filed with the commission and the United States trotting association.

(3) Payments on the fifteenth (15th) of the month. All nominations and payments other than starting fees in early closing events shall be advertised to fall on the fifteenth (15th) day of the month.

(4) List of nominations. A complete list of nominations to any early closing or late closing race event shall be published within twenty (20) days after the date of closing and mailed to each nominator, the commission and the United States trotting association.

(5) Failure to fill. If the event does not fill, each nominator, the commission and the United States trotting association shall be notified within ten (10) days and refund of nomination fees shall accompany the notice to the nominators.

(6) Transfer provisions. Change of gait. Unless an association submits its early closing conditions to the commission and to the United States trotting association at least thirty (30) days prior to the first publication and has such conditions approved by the commission, the following provisions will govern transfers in the event of a change of gait:

(A) If conditions published for early closing events allow transfer for change of gait, such transfer shall be to the slowest class for which the horse is eligible at the adopted gait.

(B) Eligibility is to be determined at time of closing of entries and the race to which transfer may be made must be the one nearest the date of the event originally entered.

(C) Two-year-olds, three-year-olds, or four-year-olds entered in classes for their age may only transfer to classes for the same age group at the adopted gait to the race nearest the date of the event originally entered. Entry fees shall be adjusted.

(i) **Withdrawals.** Where subsequent payments are required, a complete list of those withdrawn or declared out shall be made within fifteen (15) days after payment was due and the list filed with the commission and the United States trotting association and mailed to every nominator.

(j) **Trust funds.** All fees paid in added money events, early closing events, stakes and futurities shall be segregated and held as trust funds until the event is contested. Proof of such segregation by bank letter or bank statement shall be submitted to the commission, if requested.

(k) **Stabling.** Horses nominated and eligible to start in early or late closing events, stakes or futurities shall be provided stable space on the grounds of the association, the day before, the day of and the day after such race.

(l) **Limitations on conditions.** Conditions of early closing or late closing events that will eliminate horses nominated or add horses that have not been nominated by reason of

the performance of such horses at an earlier meeting held the same season are invalid. Early closing events and late closing events shall not have more than two also eligible conditions.

(m) **Proportion of entry fees to purse.** When entry fees exceed eighty-five percent (85%) of the advertised purse value, such excess entry fees shall be added to the purse. Where the race is split into divisions, each division shall have a purse value of not less than seventy-five percent (75%) of the adjusted advertised purse. However, entry fees in excess of the amount prescribed above may be used toward the amount that must be added. In all cases the sponsor shall add at least fifteen percent (15%) of the entry fees to the advertised purse.