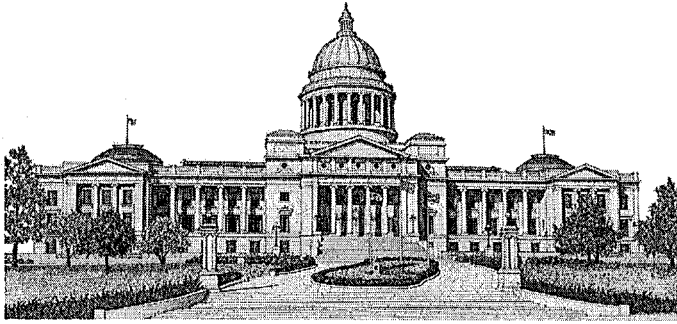


ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Racing Commission

Department Department of Finance & Administration

Contact Byron Freeland E-mail bfreeland@mwlaw.com Phone (501) 688-8810

Statutory Authority for Promulgating Rules Ark. Code Ann. 23-110-204

Rule Title: Thoroughbred Rule 2426-A Claiming

Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

☐ 10 Days After Filing (ACA 25-15-204)

☒ Other 12-01-21
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

08-27-21

10-14-21

11-17-21

10-14-21

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Byron Freeland

bfreeland@mwlaw.com

11-29-21

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Byron Freeland
Signature

(501) 688-8810

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Phone Number

E-mail Address

Attorney

Title

November 29, 2021

Date

Thoroughbred Rule 2426-A

2426-A. (1) First Waiver. At the time of entry into a claiming race, the owner (or trainer acting under authorization from the owner) may opt to declare a horse ineligible to be claimed provided: (a) the horse has not been an official starter in a race at any racetrack for a minimum of sixty (60) days since its last race as an official starter; (b) the horse's last race as an official starter was a claiming race in which the horse was eligible to be claimed; (c) the horse is entered for a claiming price equal to or greater than the claiming price at which it last started as an official starter; (d) failure to declare the horse ineligible at the time of entry may not be remedied; and (e) ineligibility to be claimed under this First Waiver Rule 2426-A(1) shall apply only to the horse's first start as an official starter following each such 60-day or longer layoff.

(2) Second Waiver. At the time of entry into a claiming race, the owner (or trainer acting under authorization from the owner) may opt to declare a horse ineligible to be claimed provided: (a) the horse was properly declared ineligible to be claimed in its immediately preceding race at Oaklawn under the First Waiver Rule 2426-A(1) above (i.e., its "First Race Back"), (b) the horse was an official starter in its First Race Back and was not the official winner in its First Race Back, (c) the horse has not been an official starter in a race at any racetrack since its First Race Back; (d) the horse is entered for a claiming price equal to or greater than the claiming price at which it last started as an official starter; (e) failure to declare the horse ineligible at the time of entry may not be remedied; and (f) ineligibility to be claimed under this Second Waiver Rule 2426-A(2) shall apply only to the horse's next start as an official starter following the horse's First Race Back.