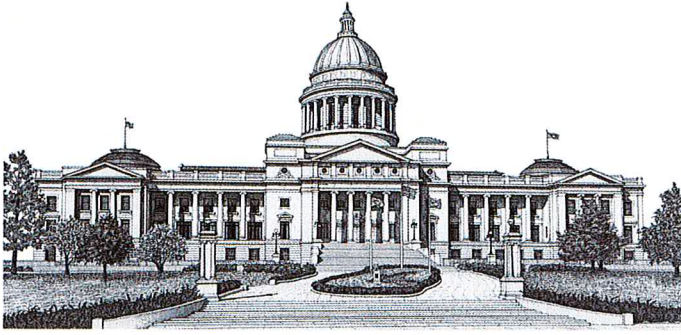


ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department Department of Finance & Administration

Agency or Division Name Arkansas Racing Commission

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

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Thoroughbred Rule 2426-A Amendment Summary

The proposed amendment to Thoroughbred Rule 2426-A allows, subject to certain conditions, an owner to take advantage of a second waiver, making a horse ineligible to be claimed for a second race, after a first waiver has been executed under the existing Rule.

Thoroughbred Rule 2426-A Mark Up

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.