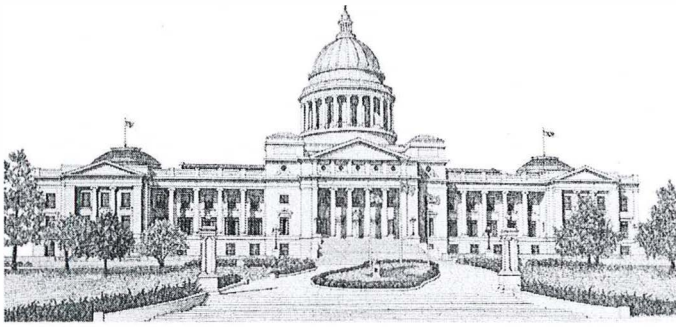


ARKANSAS REGISTER

Transmittal Sheet

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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 2444 Claiming

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☐ Emergency (ACA 25-15-204)

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

Byron Freeland

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11-18-22

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.)


Signature

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Phone Number

E-mail Address

Attorney

Title

11-18-22

Date

2444. (a) **Multiple Claims Determined by Draw; Invalid Claims.** Except as otherwise provided in Rule 2444(b) below, if more than one claim is filed for the same horse, the title to the horse shall be determined by lot under the direction and supervision of one or more of the Stewards. After title to the claimed horse is determined by lot under this Rule 2444(a), or, if applicable, under Rule 2444(b) below, all other claims on that horse in a race shall be deemed null and void. Accordingly, if the winning claim determined by lot under this Rule 2444(a), or, if applicable, under Rule 2444(b) below, is subsequently ruled invalid for any reason, title to the horse shall be returned to the owner of the horse prior to the lot draw, or, if applicable, prior to the determination of the preferred claimant under Rule 2444(b) below. The successful claimant shall be responsible for all expenses for the care and maintenance of the horse from the time the horse is transferred to the claimant until the time the horse is returned to the prior owner following invalidation of the winning claim.

(b) **Claiming Preference.** An owner who has a horse claimed during the Oaklawn racing season will be awarded a claiming preference (a “**Claiming Preference**”) subject to the terms and conditions of this Rule 2444(b).

(1) An owner who has a horse claimed during the Oaklawn current racing season will be awarded one Claiming Preference.

(2) Claiming Preferences cannot be accrued or accumulated. A second Claiming Preference may not be awarded until the first is validly used and the owner using the Claiming Preference is awarded title to the claimed horse. If a Claiming Preference is validly used and the owner using the Claiming Preference is awarded title to the claimed horse, the owner will be issued another Claiming Preference if the owner subsequently has a horse claimed at Oaklawn.

(3) Claiming Preferences will become valid (and useable by the owner to whom the Claiming Preference was awarded) starting the first Tuesday of the week after the Claiming Preference is awarded. A Claiming Preference may only be used by the exact same owner to whom the Claiming Preference was awarded.

(4) An owner may use the owner's Claiming Preference on any claiming race through the end of the racing season during which the Claiming Preference was awarded. Unused Claiming Preferences expire at the end of the racing season during which the Claiming Preference was awarded.

(5) An owner holding a Claiming Preference who desires to use the Claiming Preference must expressly so indicate by marking the proper space on the Claim Card denoting election to use the Claiming Preference for that claim. The use of the Claiming Preference is at the option of the owner with the Claiming Preference (*i.e.*, the owner is not required to utilize the Claiming Preference and may defer use to a later claiming race during the then current racing season).

(6) If use of a Claiming Preference is noted on the Claim Card when no Claiming Preference is available, the Claim will be invalidated.

(7) If there are multiple claims for the same horse in a claiming race, claims with a Claiming Preference will be given preference in determining the successful claimant and title to the horse (*e.g.*, if there are multiple valid claims for the same horse in a claiming race, and only one valid claim with a Claiming Preference, the claimant properly utilizing the claimant's Claiming Preference will be determined the successful claimant, and title to the horse shall transfer to that claimant without lot draw/shake).

(8) If there are multiple claims with Claiming Preferences for the same horse in a claiming race, only claims with Claiming Preferences will participate in the lot draw/shake, and the successful claimant and title to the horse shall be determined under Rule 2444(a) above among only those claimants validly using their Claiming Preference. The unsuccessful claimant(s) (*i.e.*, those not winning the lot draw/shake) retain their Claiming Preference.

(9) If an owner validly exercises the owner's Claiming Preference and is awarded the claim and title to the claimed horse, that Claiming Preference will then expire.

(10) Once a Claiming Preference is validly used by the owner, and the owner is awarded the claim and title to the claimed horse, the owner will receive a subsequent Claiming Preference upon having another horse claimed.

(11) The Racing Office shall post a list of owners with Claiming Preferences every Tuesday before entries.

(12) A Claiming Preference may only be used in the exact same name of the owner to whom the Claiming Preference was awarded.

(13) Claiming preferences are not transferable.