ARKANSAS REGISTER

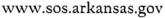


Transmittal Sheet

Use only for FINAL and EMERGENCY RULES

Secretary of State Cole Jester

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For Office Use Only: Effective Date December 5,	2025 Code Number 23-110-204	
Name of Agency Arkansas Racing C	Commission	
Department of Finance		
Contact John Campbell	E-mail smokey.campbell@dfa.arkansas.go	Phone 501-682-1467
Statutory Authority for Promulgating Ru		
	st Waiver Claiming Amendment & Claiming Prefe	erence Repeal
Intended Effective Date		
(Check One) Emergency (ACA 25-15-204)	Legal Notice Published	Date 9-5-2025
Other (Must be at least 10 days after filing date.)	Final Date for Public Comment	10.7.2025
	Reviewed by Legislative Council	11 21 2025
	Adopted by State Agency	10.8.2025
Electronic Copy of Rule e-mailed from: (Required		(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)
John Campbell	smokey.campbell@dfa.ark	ansas.gov
Contact Person	E-mail Address	Date
I Hereby C	ertify That The Attached Rules Were Adopted nsas Administrative Act. Strative Sct. (ACA 25-15-2	
	Signature	
501-682-	17 (0.707)	
Phone Number Assistant	E-mail Address Division Administrator	
, loolotane	Title	
12/2/202	5	
	Date	

- (B) The holder of a claiming authorization shall not, by virtue thereof, be entitled to admission to the grandstand, clubhouse, or other spectator facility at prices less than those charged the general public.
- (4)(A) An application for claiming authorization may be denied or revoked for any reason that would justify denial, suspension, or revocation of an owner's license.
- (B) Any person whose claiming authorization is denied or revoked shall have the same rights to notice and hearing as an owner whose license is denied, suspended, or revoked.
- (5) A holder of a claiming authorization for the current race meet who has not previously been granted an owner's license for the current race meet will be issued an owner's license without payment of any additional fees, but subject to the other requirements for issuance of an owner's license.
- (c)(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 one hundred twenty (60120) 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 subdivision (c)(1) shall apply only to the horse's first start as an official starter following each such sixtyone hundred twenty-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:

- (2) A horse is a starter when the stall doors of the starting gate open in front of it at the time the starter dispatches the horses.
- (r)(1) Any horse that has been claimed shall, after the race has been run, be taken to a claimed horse exchange area approved by the Board of Stewards for delivery to the claimant.
- (2) However, if a urine or other test is to be made, the horse shall be taken to the test barn and the test made immediately.
 - (3) Thereafter, possession of the horse shall be delivered to the claimant.
- (s) A horse claimed shall not be delivered by the original owner to the successful claimant until written authorization is given by the Racing Secretary.
- (t) No person shall refuse to deliver to the person legally entitled thereto a horse claimed out of a claiming race.

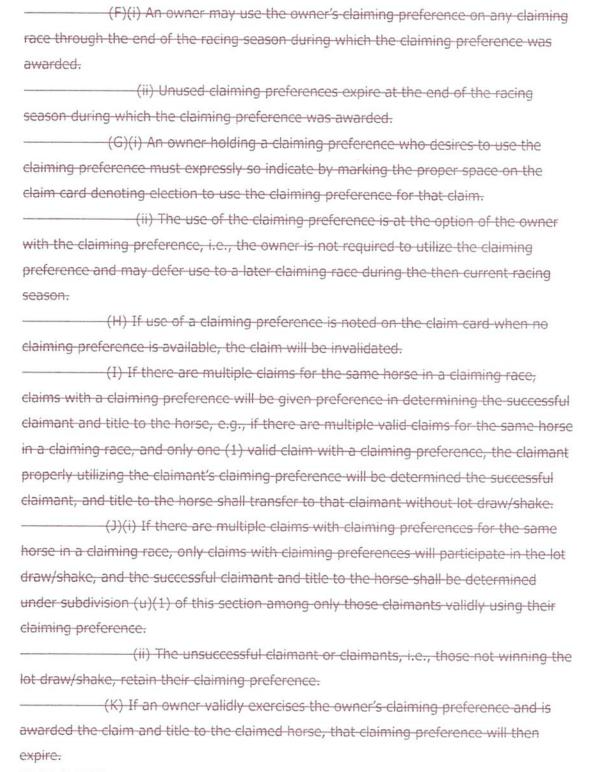
(u)(1) Multiple claims determined by draw — Invalid claims.

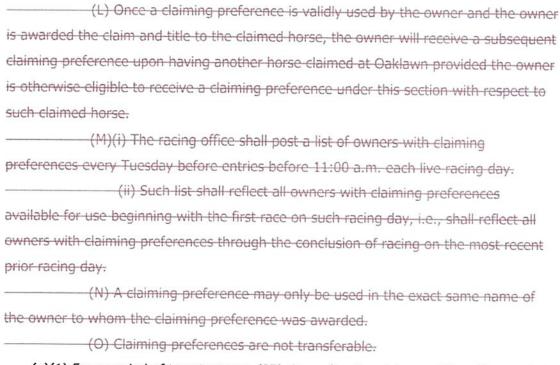
(A)(1) Except as otherwise provided in subdivision (u)(2) of this section, if If more than one (1) claim is filed for the same horse, the title to the horse shall be determined by lot under the direction and supervision of one (1) or more of the stewards.

- (B)(2) After title to the claimed horse is determined by lot under this subdivision (u)(1) this subsectioner, if applicable, under subdivision (u)(2) of this section, all other claims on that horse in ather race shall be deemed null and void.
- (C)(3) Accordingly, if the winning claim determined by lot under this subdivision (u)(1) this subsectioner, if applicable, under subdivision (u)(2) of this section, 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 subdivision (u)(2) of this section.
- (D)(4) 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.

⁽²⁾ Claiming preference.

(A) 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 subdivision (u)(2).
(B)(i) An owner who has a horse claimed during the Oaklawn current
racing season will be awarded one (1) claiming preference.
(ii) However, a claiming preference will not be awarded to the
connections of a claimed horse:
(a) If the horse's most recent previous race was in a nonclaiming
race (or optional claiming race where the horse was not eligible to be claimed); or
(b) If the horse dropped more than twenty-five percent (25%) in
claiming price from the claiming price in its most recent race in a claiming race.
(C) Any owner that receives a claiming authorization under 23 CAR § 357
611(b) and is unsuccessful with the owner's first two (2) valid claim attempts after
receipt of such claiming authorization will be awarded a claiming preference.
(D)(i) Claiming preferences cannot be accrued or accumulated.
(ii) 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.
(iii) 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
and is otherwise eligible to receive a claiming preference under this section with respect
to such claimed horse.
(E)(i) Claiming preferences will become valid and useable by the owner to
whom the claiming preference was awarded starting with the first Tuesday of race on
the week next racing day after the claiming preference is awarded.
(ii) A claiming preference may only be used by the exact same owner
to whom the claiming proference was awarded





- (v)(1) For a period of twenty-seven (27) days after the claim, a claimed horse shall not start in a race in which the determining eligibility price is less than twenty-five percent (25%) more than the price at which it was claimed.
- (2) The day claimed shall not count for purposes of counting the applicable twenty-seven-day period, and for this purpose, the immediate following calendar day after the day claimed shall be the first day.
- (3) The horse shall be entitled to enter whenever necessary so that the horse may start on the twenty-eighth calendar day following the claim, for any claiming price.
- (w)(1) No horse claimed in a claiming race shall be sold or transferred, wholly or in part, to anyone within thirty (30) days after the day claimed except in another claiming race.
- (2) Further, when a horse is claimed at a recognized race meeting under rules that are at variance with this subsection, title to such horse shall be recognized in Arkansas to follow the rule of the race meeting under which it was claimed.
- (x) No claimed horse shall remain in the same stable or under the care or management of the owner or trainer from whom claimed.