

NOTICE OF INTENT
Office of the Governor
Division of Administration
Racing Commission

Declaring a Horse Ineligible to be Claimed at Time of Entry (LAC 35:XI.9902)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to adopt LAC 35:XI.9902. The proposed Rule specifies who may declare a horse ineligible to be claimed at the time of entry and establishes the qualifying factors of horses that can be declared ineligible to be claimed.

Title 35
HORSE RACING
Part XI. Claiming Rules and Engagements

Chapter 99. Claiming Rule

§9902. Declaring a Horse Ineligible to be Claimed at Time of Entry

A. At the time of entry, the owner, trainer, or authorized agent may declare a horse ineligible to be claimed provided: The horse has been laid off and has not started in a race for a minimum of one hundred and twenty days and is entered for a claiming price equal to or greater than the price at which the horse last started. For counting purposes, the day following the horse's last race will count as day one. The horse is eligible to start on day one hundred and twenty-one.

B. Failure to declare the horse ineligible to be claimed at the time of entry may not be remedied.

C. A horse that enters a claiming race and is declared ineligible to be claimed in such race, cannot consider that race for eligibility in any starter type race or optional claiming race.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142, and 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission LR

Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

Public Comments

The domicile office of the Louisiana State Racing Commission is open from 8:00 a.m. to 4:30 p.m. Monday - Friday, and interested parties may submit oral or written comments, data, views, or arguments relative to this proposed rule for a period up to 20 days (exclusive of weekends and state holidays) from the date of this publication to Brett Bonin, Assistant Attorney General, 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.



Charles A. Gardiner III
Executive Director

7/15/2021
Date