

# **NOTICE OF INTENT**

**Office of the Governor**

**Division of Administration**

**Racing Commission**

The Louisiana State Racing Commission hereby gives notice to amend the following rule. The proposed rule will allow the exotic wager called the Pick-6, which allows for a carryover of fifty percent of the betting pool when there is not a single ticket winner to the next day's wagering pool.

## **Title 35**

### **HORSE RACING**

#### **Part XIII. Wagering**

#### **Chapter 110. Pick Five or Pick Six**

##### **§ 11001. Pick Five**

A. - K...

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:149, R.S. 4:149.1, R.S. 4:149.2, and R.S. 4:149.3.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 38:1408 (June 2012).

##### **§ 11003. Pick Six**

A. The pick six pari-mutuel pool is not a parlay and has no connection with or relation to any other pari-mutuel pool conducted by the association, nor to any win, place and show pool shown on the totalizator, nor to the rules governing the distribution of such other pools.

B. A pick six pari-mutuel ticket shall be evidence of a binding contract between the holder of the ticket and the association and the said ticket shall constitute an acceptance of the pick six provisions and rules.

C. A pick six may be given a distinctive name by the association conducting the meeting, subject to approval of the commission.

D. The pick six pari-mutuel pool consists of amounts contributed for a selection for win only in each of six races designated by the association with the approval of the commission. Each person purchasing a pick six ticket shall designate the winning horse in each of the six races comprising the pick six.

E. Those horses constituting an entry of coupled horses or those horses coupled to constitute the field in a race comprising the pick six shall race as a single wagering interest for the purpose of

the pick six pari-mutuel pool calculations and payouts to the public. However, if any part of either an entry or the field racing as a single wagering interest is a starter in a race, the entry or the field selection shall remain as the designated selection to win in that race for the pick six calculation and the selection shall not be deemed a scratch.

F. The pick six pari-mutuel pool shall be calculated as follows.

1. The net amount in the pari-mutuel pool referred to in this Section is defined as the pari-mutuel pool created by pick six wagering on that particular day and does not include any amounts carried over from previous days' betting as provided by in Subparagraph F.3.a and Subparagraph F.4.a below.

2. One hundred percent of the net amount in the pari-mutuel pool is subject to distribution to a single unique winning ticket holder, plus any carryover resulting from provisions of Paragraph F.3 and Paragraph F.4 shall be distributed to the unique winning ticket holder of the single pari-mutuel ticket which correctly designates the official winner in each of the six races comprising the pick six.

3. In the event there is more than one pari-mutuel ticket properly issued which correctly designates the official winner in each of the six races comprising the pick six, the net pari-mutuel pool shall be distributed as follows.

a. Fifty percent of the net amount in the pari-mutuel pool shall be retained by the association as distributable amounts and shall be carried over to the next succeeding racing day as an additional net amount to be distributed as provided in Paragraph F.2.

b. Fifty percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the six races comprising the pick-six.

4. In the event there is no pari-mutuel ticket properly issued which correctly designates the official winner in each of the six races comprising the pick six, the net pari-mutuel pool shall be distributed as follows.

a. Fifty percent of the net amount in the pari-mutuel pool shall be retained by the association as distributable amounts and shall be carried over to the next succeeding racing day as an additional net amount to be distributed as provided in Paragraph F.2.

b. Fifty percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the most official winners, but less than six, in each of the six races comprising the pick six.

5. Should no distribution be made pursuant to Paragraph F.1 on the last day of the association meeting, then that portion of the distributable pool and all monies accumulated therein shall be distributed to the holders of tickets correctly designating the most winning selections of the six races comprising the pick six for that day or night; the provisions of Subsections I and J have no application on said last day.

G. In the event a pick six ticket designates a selection in any one or more of the races comprising the pick and that selection is scratched, excused or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs. In the event the amount wagered in the win pool on two or more favorites is identical, the favorite with the lowest number on the program will be designated as the actual favorite.

H. In the event of a dead heat for win between two or more horses in any pick six race, all such horses in the dead heat for win shall be considered as winning horses in that race for the purpose of calculating the pool.

I. No pick six shall be refunded except when all of the races comprising the pick six are canceled or declared as "no contest." The refund shall apply only to the pick six pool established on that racing card. Any net pool carryover accrued from a previous pick six feature shall be further carried over to the next scheduled pick six feature operated by the association.

J. In the event that any number of races less than six comprising the pick six are completed, 100 percent of the net pool for the pick six shall be distributed among holders of pari-mutuel tickets that designate the most winners in the completed races. No carryover from a previous day shall be added to the pick six pool in which less than six races have been completed. Any net pool carryover accrued from a previous pick six feature shall be further carried over to the next scheduled pick six pool operated by the association.

K. No pari-mutuel ticket for the pick six pool shall be sold, exchanged or canceled after the time of the closing of wagering in the first of the six races comprising the pick six, except for such refunds on pick six tickets as required by this regulation, and no person shall disclose the number of tickets sold in the pick six pool or the number or amount of tickets selecting winners of pick six races until such time as the stewards have determined the last race comprising the pick six each day to be official.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:149, R.S. 4:149.1, R.S. 4:149.2, and R.S. 4:149.3.  
HISTORICAL NOTE:

### **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 Statement**

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

### **Public Comments**

The domicile office of the Louisiana State Racing Commission is open from 8:00 a.m. to 4:30 p.m., and interested parties may contact Charles A. Gardiner III, executive director, or Larry Munster, assistant executive director, at (504) 483-4000 (holidays and weekends excluded), or by fax (504) 483-4898, for more information. All interested persons may submit written comments 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 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

Charles A. Gardiner III  
Executive Director

4-22-13  
Date