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ILLINOIS RACING BOARD

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Pentafecta
- 2) Code Citation: 11 Ill. Adm. Code 324
- 3) 

<u>Section Numbers:</u> 324.10 324.20 324.30 324.40 324.50 324.60	<u>Proposed Action:</u> New Section New Section New Section New Section New Section New Section
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- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking creates a new wager in which bettors are required to properly select the first 5 finishers in a race in exact order. This proposal is similar to a Superfecta except you must correctly select the first 5 finishers rather than the first 4 finishers.
- 6) Published studies or reports and sources of underlying data used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending in this Part? No
- 11) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days after this notice, to:

Mickey Ezzo  
Illinois Racing Board  
100 West Randolph  
Suite 7-701

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Chicago, Illinois 60601

(312) 814-5017

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda which this rulemaking was summarized: This rulemaking was inadvertently not included on the 2008 Regulatory Agenda.

The full text of the Proposed Rules begins on the next page.

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TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY  
SUBTITLE B: HORSE RACING  
CHAPTER I: ILLINOIS RACING BOARD  
SUBCHAPTER a: GENERAL RULES

PART 324  
PENTAFACTA

Section

324.10	Pentafecta
324.20	Pool Distribution
324.30	Scratches
324.40	Dead Heats
324.50	Minimum Fields
324.60	Entries

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 32 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 324.10 Pentafecta

- a) The Pentafecta requires selection of the first five finishers, in their exact order, for a single contest.
- b) The organization licensee may re-name this wager, but shall notify the State Director of Mutuels of the name that will be used.

Section 324.20 Pool Distribution

The organization licensee may choose to distribute pools in accordance with either subsection (a) or (b) or (c). The organization licensee must give the Board 30 days notice if it chooses to distribute pools under subsection (b) or subsection (c), including the exact percentages it will use to determine minor and major pools if (b) is used. The racing program shall indicate when the method described in subsection (b) or subsection (c) is being used for a meet.

- a) The net Pentafecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

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- 1) As a single price pool to those whose combination finished in correct sequence as the first five betting interests; but if there are no such wagers, then
  - 2) As a single price pool to those whose combination included, in correct sequence, the first four betting interests; but if there are no such wagers, then
  - 3) As a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then
  - 4) As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then
  - 5) As a single price pool to those whose combination correctly selected the first place betting interest only; but if there are no such wagers, then
  - 6) The entire pool shall be refunded on Pentafecta wagers for that contest.
- b) The net Pentafecta pool shall be distributed to winning wagers in the following precedence, based on the official order of finish:
- 1) As a single price pool to those whose combination finished in correct sequence as the first five betting interests; but if there are no such wagers, then
  - 2) The net pool will be divided into two separate pools. The major pool of the net pool shall be paid as a carryover pool into the next regularly scheduled Pentafecta race. The remaining minor pool shall be paid as a Pentafecta consolation pool, which will be equally divided among those ticket holders who correctly select the first four betting interests; but if there are no such wagers, then
  - 3) The Pentafecta consolation pool will be divided among those ticket holders who correctly select the first three interests; but if there are no such wagers, then

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- 4) The Pentafecta consolation pool will be divided among those ticket holders who correctly select the first two interests; but if there are no such wagers, then
- 5) The Pentafecta consolation pool will be divided among those ticket holders who correctly select the first betting interest; but if there are no such wagers, then
- 6) The entire net pool shall become a carryover pool into the next regularly scheduled Pentafecta race.

On the last Pentafecta race on the final day of the meeting, the net pool shall be redistributed using the method described in subsection (a).

- c) The net Pentafecta pool shall be distributed to winning wagers in the following precedence, based on the official order of finish:
  - 1) As a single price pool to those whose combination finished in correct sequence as the first five betting interests; but if there are no such wagers, then
  - 2) The entire net pool shall be paid as a carryover pool into the next regularly scheduled Pentafecta race.

On the last Pentafecta race on the final day of the meeting, the net pool shall be redistributed using the method described in subsection (a).

- d) If fewer than five betting interests finish and the contest is declared official, payoffs will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection beyond the number of betting interests completing the contest shall be ignored. If the pools are being distributed under either subsection (b) or subsection (c), any previous Pentafecta contest's carryover will not be included in the payoff and will be retained for the next contest's carryover, and this contest's net Pentafecta pool will be distributed using the method described in subsection (a).

Section 324.30      Scratches

In the event any contestant that is not part of an entry or field is scratched, all wagers, including the scratched betting interest, shall be refunded.

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Section 324.40      Dead Heats

- a)      If there is a dead heat for first involving:
  - 1)      contestants representing five or more betting interests, all of the wagering combinations selecting five betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.
  - 2)      contestants representing four betting interests, all of the wagering combinations selecting the four dead heated betting interests, irrespective of order, along with the fifth place betting interest shall share in a profit split.
  - 3)      contestants representing three betting interests, all of the wagering combinations selecting the three dead heated betting interests, irrespective of order, along with the fourth place and fifth place betting interest betting interests shall share in a profit split.
  - 4)      contestants representing two betting interests, both of the wagering combinations selecting the two dead heated betting interests, irrespective of order, along with the third place and fourth place and fifth place betting interests shall share in a profit split.
  
- b)      If there is a dead heat for second involving:
  - 1)      contestants representing four or more betting interests, all of the wagering combinations correctly selecting shall share in a profit split.
  - 2)      contestants representing three betting interests, all of the wagering combinations correctly selecting the three dead heated betting interests, irrespective of order, and the fifth place betting interests shall share in a profit split.
  - 3)      contestants representing two betting interests, all of the wagering combinations correctly selecting the two dead heated betting interests, irrespective of order, and the fourth place and fifth place betting interests shall share in a profit split.
  
- c)      If there is a dead heat for third involving:

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- 1) contestants representing three or more betting interests, all of the wagering combinations correctly selecting shall share in a profit split.
- 2) contestants representing two betting interests, both of the wagering combinations selecting the two dead heated betting interests, irrespective of order, along with the fifth place betting interest shall share in a profit split.
- d) If there is a dead heat for fourth, all wagering combinations correctly selecting the first three finishers, in correct sequence, along with any two of the betting interests involved in the dead heat for fourth shall share in a profit split.
- e) If there is a dead heat for fifth, all wagering combinations correctly selecting the first four finishers, in correct sequence, along with any of the betting interests involved in the dead heat for fifth shall share in a profit split.

Section 324.50      Minimum Fields

- a) Pentafecta wagering shall not be scheduled on a race unless at least nine betting interests are carded. In the event of a scratch, Pentafecta wagering on a race in which eight betting interests remain is permissible, provided there are no uncoupled entries.
- b) This Section shall not be applicable to stakes races.

Section 324.60      Entries

- a) Entries, either coupled or uncoupled, shall be allowed in a Pentafecta race under the following conditions:
  - 1) one entry requires at least nine betting interests at the start of the race, except, in the event of a scratch, Section 324.50(a) applies.
  - 2) two entries require at least ten betting interests at the start of the race.
  - 3) more than two entries shall require approval from the Stewards.
- b) For stakes races with a minimum purse of \$20,000, entries, either coupled or uncoupled, shall be allowed and there shall be no restrictions on minimum betting interests.

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- c) For stakes races with a minimum purse of \$100,000, common owner entries, either coupled or uncoupled, shall be allowed and there shall be no restrictions on minimum betting interests.
- d) This Section shall not apply to races that are permitted for simulcasting under Section 26(g) of the Act [230 ILCS 5/26(g)] or for uncoupled entries permitted in 11 Ill. Adm. Code 1413.114(c) when there are thoroughbred stakes races with purses of \$250,000 or more.