

VIRGINIA RACING COMMISSION

CHAPTER 120.
CLAIMING RACES.

11 VAC 10-120-10. Generally.

A claiming race is a race in which any horse programmed may be purchased for the designated price by any person holding a permit as an owner, or his authorized agent, or a person holding a claiming certificate issued by the commission. For the purposes of this regulation, "programmed" means the horse's name and designated claiming price are printed in the daily program published by the licensee.

11 VAC 10-120-20. Claiming certificate.

A person, who does not hold a currently valid permit in Virginia or any other jurisdiction as an owner, may apply for a claiming certificate. The following provisions shall apply to applicants for claiming certificates:

1. The applicant shall submit an application for a permit as an owner, pay the applicable fee, be photographed and fingerprinted as set forth in 11 VAC 10-60-10 et seq. of these regulations;

2. The applicant also shall submit a statement designating the trainer who will assume care and responsibility for the horse claimed;

3. The trainer named in the statement must be the holder of a currently valid permit issued by the commission;

4. The claiming certificate may be issued to the applicant which will be valid ~~for one calendar year~~ until the end of the race meeting during which it was approved, but it may be canceled by the stewards for cause; and

5. The applicant shall file the claiming certificate with the racing secretary indicating his eligibility to claim a horse.

11 VAC 10-120-30. Voided claiming certificate.

The holder of a claiming certificate may be issued a permit as an owner upon the completion of a valid claim and the claiming certificate shall be returned to the commission and voided.

11 VAC 10-120-40. Eligibility to claim.

Only a holder of a permit as an owner, or his authorized agent, or the holder of a claiming certificate may file a claim on a horse programmed to race in a claiming race. The following provisions shall apply to the eligibility of persons filing claims:

1. An authorized agent may only file a claim for an owner for whom he is authorized to act as an agent;
2. A person holding a permit solely as an authorized agent may not file a claim for himself or for any other person for whom he is not authorized to act as agent;
3. An owner, authorized agent or holder of a claiming certificate may file only one claim for any race;
4. An owner may not file a claim for his a horse in which the owner or trainer has a financial or beneficial interest, or cause his horse to be claimed, directly or indirectly, for his account; and
5. A partnership, stable name or any other joint venture, despite the number of individual owners comprising such a venture, may file no more than one claim for any race.

11 VAC 10-120-50. Claiming procedure.

A claim may be filed on a horse programmed to race by properly completing a claim slip, including but not limited to the correct spelling of the horse's name, the date and race number, sealing the claim slip in an envelope and depositing the envelope in a locked claims box. The following provisions shall apply to the claiming of a horse:

1. The licensee shall provide claim slips, claim envelopes and a locked claim box to secure filed claims;

2. The claim slip, enclosed in a sealed envelope, must be deposited in a locked claim box at least 15 minutes before post time of the race for which the claim is filed;

3. The licensee shall provide a clock, and before the sealed envelope is deposited in the locked claim box, the time of day shall be stamped upon the envelope;

4. No money or its equivalent shall be put in the claim box;

5. The person filing the claim must have sufficient funds on deposit with the horsemen's bookkeeper or licensee in not less than the amount of the designated price and applicable sales taxes;

~~6. The claims clerk shall open the claim box when the horses enter the racing surface on their way from the paddock to the post;~~

~~7~~ 6. The claims clerk shall inform the stewards of a claim filed for a horse and of multiple claims on a horse;

~~8~~ 7. The claims clerk shall ascertain that the claim slip and envelope are properly complete;

~~9~~ 8. The claims clerk shall ascertain that the person is eligible to claim a horse and inform the stewards immediately of any doubts of the person's eligibility;

~~10~~ 9. The claims clerk shall ascertain that there are sufficient funds on deposit with the horsemen's bookkeeper or licensee of not less than the amount of the claim and applicable sales taxes;

~~11~~ 10. If more than one valid claim is filed for a horse, then title to the horse shall be determined by lot under the supervision of the stewards or their representative;

~~12~~ 11. A claimed horse shall race in the interest of and for the account of the owner from whom the horse was claimed;

~~13~~ 12. The original trainer shall remain the absolute insurer of the condition of the horse until any post-race testing is completed;

~~14~~ 13. Title to a claimed horse shall be transferred to the new owner at the time the horse is deemed a starter whether the horse is dead or alive, sound or unsound, or injured in the race or after the race;

~~15. A horse is deemed a starter when it obtains a fair start;~~

~~16~~ 14. In harness racing, the successful claimant of a horse programmed to start may, at his option, acquire ownership of a claimed horse even though such claimed horse was scratched and did not start in the claiming race from which it was scratched. The successful claimant must exercise his option by 9:00 a.m. of the day following the claiming race to which the horse programmed and scratched. No horse may be claimed from a claiming race unless the race is contested;

~~17~~ 15. A horse that has been claimed shall be delivered to the new owner, ~~with its halter,~~ at the conclusion of the race either at the paddock or at the detention barn, after the completion of any post-race testing;

~~18~~ 16. The claimant shall present the former owner with written authorization of the claim from the racing secretary;

~~19~~ 17. A positive test result for any prohibited drug is grounds for voiding the claim;

~~20~~ 18. The new owner may request that the horse be tested for equine infectious anemia, by taking the horse immediately following the race to the detention barn where a blood sample will be drawn;

~~21~~ 19. A positive test result for equine infectious anemia is grounds for voiding a claim;

~~22~~ 20. The certificate of registration, eligibility certificate or registration document shall be retained by the racing secretary until the results of the post-race testing are known;

~~23~~ 21. The funds for the claim shall be retained by the horsemen's bookkeeper or licensee until the results of the post-race testing are known;

~~24~~ 22. When it is determined that the claim is valid and that there are no grounds for voiding the claim, the certificate of registration shall be delivered by the racing secretary to the claimant and the funds for the claim shall be paid to the former owner;

~~25~~ 23. The new owner shall be responsible for filing the change of ownership with the appropriate breed registry; ~~and~~

~~26~~ 24. Despite any designation of sex or age of a horse appearing in the daily program or other publication, the person making the claim shall be solely responsible for determining the sex or age of the horse before filing a claim for the horse- and

25. Officials and employees of the licensee shall not provide any information as to the filing of the claims until after the race has been run, except as necessary for processing of the claim.

11 VAC 10-120-60. Invalid agreements.

No person shall offer or agree to claim or not to claim, or attempt to prevent another person from claiming any horse in any claiming race. No person shall attempt to prevent another person from entering a horse in a claiming race. No owner or trainer shall make an agreement with another owner or trainer for the protection of each other's horses in a claiming race.

11 VAC 10-120-70. Voided claims.

The stewards may void any claim that violates the provisions of this regulation. The stewards, in their discretion, may require a person filing a claim to sign a written statement that the claim was made according to the provisions of this regulation.

11 VAC 10-120-80. Restrictions on a claimed horse.

When a horse is claimed out of a claiming race other than steeplechase races, the following restrictions shall apply to the horse for 30 calendar days after the day that the horse was claimed:

1. The horse may only start in claiming races for a designated price of 25% more than the amount for which the horse was claimed, except ~~for~~ in harness racing, a horse may start in claiming races for a ~~designated~~ any price ~~equal to or less~~ than the amount for which the horse was claimed;

2. The horse may not be sold or transferred wholly or in part to another person, except in another claiming race;

3. The horse may not remain in the same stable or under the control or supervision of its former owner or trainer, unless reclaimed; ~~and~~

4. The horse may not race elsewhere until after the close of the meeting at which it was claimed or 30 calendar days, whichever occurs first, except with the permission of the stewards; and

5. All horses claimed in other jurisdictions and racing in Virginia shall be subject to the conditions of the claiming regulation in the jurisdiction where the claim was made.

11 VAC 10-120-90. ~~Steeplechase races.~~

~~For the purposes of races sanctioned by the National Steeplechase Association (NSA), any racing conducted from January 1 through June 30 shall be considered "one meeting" and any racing conducted from July 1 through December 31 shall be considered "one meeting." Any horse claimed may only race at~~

~~meetings sanctioned by the NSHA until the close of the meeting during which it was claimed or for 30 days, whichever comes first.~~

11 VAC 10-120-100. Disciplinary action.

Failure to comply with the regulations pertaining to claiming of horses or failure to deliver a horse that has been claimed to the successful claimant may subject the permit holder or holder of a claiming certificate to disciplinary action by the stewards.

I certify that this regulation is full, true, and correctly dated.

William H. Anderson
Director of Policy and Planning
Virginia Racing Commission
May 30, 2002