



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (October 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 21, 2020

TIME: 10:12 AM

WSR 20-09-131

Agency: Washington Horse Racing Commission

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: To amend the time required between races for a horse to be declared ineligible to be claimed.

Citation of rules affected by this order:

New:

Repealed:

Amended: WAC 260-60-405

Suspended:

Statutory authority for adoption: RCW 67.16.020

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 20-05-028 on February 10, 2020 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	1	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	1	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: April 17, 2020

Name: Douglas L Moore

Title: Executive Secretary

Signature:



WAC 260-60-405 Claiming—Declaring a horse ineligible to be claimed at time of entry. (1) At the time of entry, the owner, trainer, or if designated, the jockey agent, may opt to declare a horse ineligible to be claimed provided: ~~((a))~~ The horse has been laid off and has not started in a race for a minimum of one hundred ~~((eighty))~~ days ~~((; and~~

~~((b) The horse is entered for a claiming price equal to or greater than the price at which the horse last started.~~

~~((2))~~ 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 horses last race will count as day one. The horse is eligible to start on day one hundred one.

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

(3) ~~((The provisions of this rule will only apply to the first start following each layoff.))~~ A horse that enters a claiming race and is declared ineligible to be claimed in such race, cannot consider that race for eligibility in a starter's allowance race.