

ARIZONA DEPARTMENT OF RACING

SUBSTANTIVE POLICY STATEMENT 0003 RELATING TO CLAIMING RESTRICTIONS FOR RACING CLAIMED HORSES

Questions have been brought forward regarding the time periods within which a horse claimed in another state and entered to race in Arizona is subject to the claiming restrictions of the state where the claim was made.

The current rule located at R19-2-115.06(B) states that all horses claimed in another state and racing in Arizona shall be subject to the conditions of the claiming restrictions in the state where the claim was made. This substantive policy statement is offered as guidance to persons interpreting Department statutes and rules.

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedures act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

SUBSTANTIVE POLICY STATEMENT

In accordance with A.A.C. R19-2-115.06, a horse claimed in another state and entered to race in Arizona shall be subject to the claiming restrictions in the state where the claim was made. The restrictions preventing the horse from racing in Arizona are only applicable until the close of the meeting at which the horse was claimed or for a period of 60 days, whichever is less, except:

1. to fulfill a stakes engagement transferring automatically to the new owner; or
2. when the horse is entered and starts for a claiming price that would cause the horse to become ineligible to be reentered at the track where claimed.

APPLICABLE LAW

A.R.S. § 5-101, *et seq.*
R19-2-115.06(B)

Filed with the Secretary of State 9/17/08