

Horsemen's Guide: Claiming Rules

Sec. 313.301. Eligibility to Claim

(a) Except as otherwise provided by this section, in a claiming race, each horse is subject to be claimed for its entered price by:

(1) a licensed owner or lessee or an authorized agent acting on behalf of the owner or lessee;

(2) person who has applied for an owner's license and has been granted approval by the stewards to make a claim.

(b) A claim may not be made directly or indirectly by an owner for his or her own horse.

Sec. 313.302. Claim Procedure

(a) A steward or a designee of the stewards shall supervise the making of claims and ensure the accuracy of all claims made in a race.

(b) A claim must be made in writing on forms and in envelopes approved by the commission. The form and envelope must be filled out completely and must be accurate in every detail. For purpose of this section, the name of the horse as it appears in the official program governs.

(c) The person making a claim is responsible for determining the sex of the horse.

(d) A claim must be deposited in a locked box provided by the Racing Secretary not later than 15 minutes before post time of the race in which the horse being claimed is to start. A person may not place money or its equivalent in the claim box.

(e) Before the deadline for filing claims for a race, a person may not: open the box in which claims are deposited; or reveal information regarding the filing of a claim.

(f) After the deadline for filing claims for a race, a Steward or a designee of the stewards shall open the box, examine the claims, and notify the stewards of all accurate claims. The stewards or designee will then notify the horsemen's bookkeeper of the claims to determine whether the appropriate amount is on deposit with the bookkeeper in accordance with 313.305 (relating to amounts of deposit) and to debit the claimant's account for the amount of the claim, plus all applicable fees. If more than one person enters a claim for a horse, a steward or a designee of the stewards shall determine the disposition of the horse by lot.

Sec. 313.303. Effective Time of Claim

(a) A person who has a valid claim to a horse becomes the owner of the horse when the horse goes on to the racetrack for the race. This subsection applies regardless of whether the horse reaches the starting gate and regardless of subsequent injury to the horse during or after the race.

(b) On the day claimed, a claimed horse runs in the interest of and for the account of the owner from whom the horse was claimed.

Sec. 313.304. Claim Irrevocable

(a) Except as otherwise provided by this section, a claim that is filed in accordance with this subchapter is irrevocable.

(b) If the stewards declare a claiming race a "no-race", all claims for that race are invalid.

Sec. 313.306. Amounts of Deposit

(a) To make a valid claim, a person must have on deposit with the horsemen's bookkeeper an amount of the claim, plus all transfer fees, in the form of cash, money order, certified check or cashier's check. A personal check may be deposited for the amount of claim and all applicable fees if the check has received prior written approval by the association. The association shall guarantee and be liable for any insufficient funds related to the personal check.

(b) A person who files a claim may not exhaust the person's account with the association during the two-hour period after the claim was filed.

Sec. 313.306. Transfer of Claimed Horse

(a) A horse that has been claimed in a claiming race shall be taken after the race to the area designated by the association for delivery to the claimant, unless the horse is designated for testing.

(b) A person may not refuse to deliver a claimed horse.

(c) The engagements of a claimed horse automatically transfer to the new owner. A claimed horse is ineligible for entry in a future race unless the entry is made on behalf of the new owner.

(d) A horse may not be delivered to a successful claimant without authorization from a steward or a designee of the stewards.

Sec. 313.307. Responsibility of Testing

The trainer losing a horse through a claim is nevertheless responsible for the results of any drug tests performed on specimens obtained from the horse. The trainer is responsible for the horse during the testing procedures and may not deliver the horse to the successful claimant in the test barn until the commission veterinarian informs the trainer or representative that all testing procedures are complete.

Sec. 313.308. Restrictions on Subsequent Use

(a) A horse claimed in a claiming race in Texas:

(1) may not be sold or transferred in whole or part, by any method other than a claiming race during the 30-day period after the initial claim;

(2) and is ineligible to start in a race at a race meeting other than the one at which it was claimed until the end of the meeting at which the horse was claimed.

(b) A horse claimed in another state is subject to the eligibility requirements for claimed horses in effect at the time of the claim in the jurisdiction in which the horse was claimed.