

CHAPTER 65. PARI-MUTUEL WAGERING
SUBCHAPTER 9.
CALCULATION OF PAYOFFS AND DISTRIBUTION OF POOLS

325:65-9-6. Win Three Pools

- (a) The Win Three requires selection of the first-place finisher in each of three specified contests.
- (b) The net Win Three pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:
- (1) As a single price pool to those whose selection finished first in each of the three contests; but if there are no such wagers, then
 - (2) As a single price pool to those who selected the first-place finisher in any two of the three contests; but if there are no such wagers, then
 - (3) As a single price pool to those who selected the first-place finisher in any one of the three contests; but if there are no such wagers, then
 - (4) The entire pool shall be refunded on Win Three wagers for those contests.
- (c) If there is a dead heat for first in any of the three contests involving:
- (1) contestants representing the same betting interest, the Win Three pool shall be distributed as if no dead heat occurred.
 - (2) contestants representing two or more betting interests, the Win Three pool shall be distributed as follows:
 - (A) as a profit split to those whose selections finished first in each of the three contests; but if there are no such wagers, then
 - (B) as a single price pool to those who selected the first place finisher in any two of the three contests; but if there are no such wagers, then
 - (C) as a single price pool to those who selected the first place finisher in any one of the three contests; but if there are no such wagers, then
 - (D) the entire Win Three pool shall be refunded.
- (d) Should a betting interest in any of the three Win Three contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination. ~~Should a betting interest in any of the three Win Three contests be scratched and the actual wagering favorite for that race has already been included in the wager, a refund shall be offered for the scratched horse.~~
- (e) If all three Win Three contests are canceled or declared "no contest," the entire pool shall be refunded on Win Three wagers for those contests.
- (f) If one or two of the Win Three contests are canceled or declared "no contest," the Win Three pool will remain valid and shall be distributed in accordance with (b) of this Section.
- (g) If the Win Three pool is distributed according to subparagraphs (c)(2)(B) or (c)(2)(C) an announcement shall be made to the public as to the possible winning Win Three combinations.
- (h) If any regularly scheduled turf race is moved to the main race course for any leg(s) of

a Win Three and such change has not been known to the public before the close of wagering for the Win Three, all wagers of such leg(s) affected by the surface change shall be considered winning wagers for the purpose of the Win Three pool.

325:65-9-7. Pick (n) Pools

(a) The Pick (n) requires selection of the first-place finisher in each of a designated number of contests. The Organization Licensee must obtain written approval from the Commission concerning the scheduling of Pick (n) contests, the designation of one of the methods prescribed in (b) of this Section, and the amount of any cap to be set on the carryover. Any changes to the approved Pick (n) format require prior approval from the Commission.

(b) The Pick (n) pool shall be apportioned under one of the following methods:

(1) Method 1, Pick (n) with Carryover: The net Pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. If there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests; and the remainder shall be added to the carryover.

(2) Method 2, Pick (n) with Minor Pool and Carryover: The major share of the net Pick (n) pool and the carryover, if any, shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (n) contests, the minor share of the net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests; and the major share shall be added to the carryover.

(3) Method 3, Pick (n) with No Minor Pool and No Carryover: The net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

(4) Method 4, Pick (n) with Minor Pool and No Carryover: The major share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If the greatest number of first-place finishers selected is one (1), the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

(5) Method 5, Pick (n) with Minor Pool and No Carryover: The major share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the

net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in all Pick (n) contests, the entire net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests. If there are no winning wagers, the pool is refunded.

(6) Method 6, Pick (n) with Minor Pool, Jackpot Pool, Major Carryover and Jackpot Carryover: Predetermined percentages of the net Pick (n) pool shall be set aside as a Major pool, Minor pool and Jackpot pool. The Major share of the net Pick (n) pool and the Major carryover, if any, shall be distributed to those who selected the first place finisher of each of the Pick (n) contests, based on the official order of finish. If there are no tickets selecting the first-place finisher in each of the Pick (n) contests, the Major net pool shall be added to the Major carryover. If there is only one single ticket selecting the first-place finisher of each of the Pick (n) contests, based on the official order of finish, the Jackpot share of the net Pick (n) pool and the Jackpot carryover, if any, shall be distributed to the holder of that single ticket, along with the Major net pool and the Major carryover, if any. If more than one ticket selects the first-place finisher of each of the Pick (n) contests the Jackpot net pool shall be added to the Jackpot carryover. The Minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher of the second greatest number of Pick (n) contests, based on the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (n) contests, the Minor net pool of the Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher of the greatest number of Pick (n) contests.

(7) Method 7, Pick (n) with No Minor Pool and Carryover: The net Pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests, based on the official order of finish. If there are no such wagers, the net Pick (n) pool shall be added to the carryover.

(8) Method 8, Pick (n) with Minor Pool and Carryover with Unique Wager: The entire Pick (n) pool and carryover, if any, shall be distributed to the holder of a unique wager selecting the first place finisher in each of the selected Pick (n) contests, based upon the official order of finish. If there is no unique wager selecting the first place finisher in all Pick (n) contests, the minor share of the Pick (n) pool shall be distributed as a single price pool to those who selected the first place finisher in the greatest number of Pick (n) contests; and the major share shall be added to the carryover. If the minor share cannot be distributed, the minor pool shall be combined with the major pool and added to the previous day's carryover. The entire pool plus carryover shall be carried forward to the next Pick (n) pool.

(c) If there is a dead heat for first in any of the Pick (n) contests involving:

(1) contestants representing the same betting interest, the Pick (n) pool shall be distributed as if no dead heat occurred.

(2) contestants representing two or more betting interests, the Pick (n) pool shall be distributed as a single price pool with each winning wager receiving an equal share of

the profit.

(d) Should a betting interest in any of the Pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the host Organization Licensee for the contest at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination. ~~Should a betting interest in any of the Pick (n) contests be scratched and the actual wagering favorite for that race has already been included in the wager, a refund shall be offered for the scratched horse.~~

(e) If any regularly scheduled turf race is moved to the main race course for any leg(s) of a Pick (n) wager and such change has not been known to the public before the close of wagering for the Pick (n), all wagers on such leg(s) affected by the surface change shall be considered winning wagers for the purpose of the Pick (n) pool.

(f) The Pick (n) pool shall be canceled, and all Pick (n) wagers for the individual performance shall be refunded if:

(1) all three contests included as part of a Pick 3 are canceled or declared "no contest."

(2) at least three contests included as part of a Pick 4, Pick 5 or Pick 6 are canceled or declared "no contest."

(3) at least four contests included as part of a Pick 7, Pick 8 or Pick 9 are canceled or declared "no contest."

(4) at least five contests included as part of a Pick 10 are canceled or declared "no contest."

(g) If at least one contest included as part of a Pick (n) is canceled or declared "no contest," but not more than the number specified in (e) of this Section, the net pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the Pick (n) carryover but not the carryover from previous performances.

(h) The Pick (n) carryover may be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the Pick (n) carryover equals or exceeds the designated cap, the Pick (n) carryover will be frozen until it is won or distributed under other provisions of this Section. After the Pick (n) carryover is frozen, 100 percent of the net pool, part of which ordinarily would be added to the Pick (n) carryover, shall be distributed to those whose selection finished first in the greatest number of Pick (n) contests for that performance.

(i) A written request for permission to distribute the Pick (n) carryover on a specific performance may be submitted to the Commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

(j) Should the Pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selecting the first-place finisher in each of the Pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (n) contests. The Pick (n) carryover

shall be designated for distribution on a specified date and performance only under the following circumstances:

- (1) Upon written approval from the Commission as provided in (h) of this Section.
 - (2) Upon written approval from the Commission when there is a change in the carryover cap, a change from one type of Pick (n) wagering to another, or when the Pick (n) is discontinued.
 - (3) On the closing performance of the meet or split meet.
- (k) If, for any reason, the Pick (n) carryover must be held over to the corresponding Pick (n) pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission. The Pick (n) carryover plus accrued interest shall then be added to the net Pick (n) pool of the following meet on a date and performance so designated by the Commission.
- (l) With the written approval of the Commission, the Organization Licensee may contribute to the Pick (n) carryover a sum of money up to the amount of any designated cap.
- (m) Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining is strictly prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.
- (n) The Organization Licensee may suspend previously-approved Pick (n) wagering with the prior approval of the Commission. Any carryover shall be held until the suspended Pick (n) wagering is reinstated. An Organization Licensee may request approval of a Pick (n) wager or separate wagering pool for specific performances.
- (o) The following is an example of a net price calculation for a Pick 7 pool with multiple takeout rates and multiple betting sources:

325:65-9-8. Place Pick (n) Pools

- (a) The Place Pick (n) requires selection of the first or second- place finisher in each of a designated number of contests. The Organization Licensee must obtain written approval from the Commission concerning the scheduling of Place Pick (n) contests, the designation of one of the methods prescribed in (b) of this Section, the distinctive name identifying the pool and the amount of any cap to be set on the carryover. Any changes to the approved Place Pick (n) format require prior approval from the Commission.
- (b) The Place Pick (n) pool shall be apportioned under one of the following methods:
- (1) Method 1, Place Pick (n) with Carryover: The net Place Pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first- or second-place finisher in each of the Place Pick (n) contests, based upon the official order of finish. If there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first- or second-place finisher in the greatest number of Place Pick (n) contests; and the remainder shall be added to the carryover.
 - (2) Method 2, Place Pick (n) with Minor Pool and Carryover: The major share of the net Place Pick (n) pool and the carryover, if any, shall be distributed to those who selected the first- or second-place finisher in each of the Place Pick (n) contests, based upon the official order of finish. The minor share of the net Place Pick (n) pool shall be distributed to those who selected the first- or second-place finisher in the second greatest number of Place Pick (n) contests, based up on the official order of

finish. If there are no wagers selecting the first or second-place finisher of all Place Pick (n) contests, the minor share of the net Place Pick (n) pool shall be distributed as a single price pool to those who selected the first- or second-place finisher in the greatest number of Place Pick (n) contests; and the major share shall be added to the carryover.

(3) Method 3, Place Pick (n) with No Minor Pool and No Carryover: The net Place Pick (n) pool shall be distributed as a single price pool to those who selected the first- or second-place finisher in the greatest number of Place Pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

(4) Method 4, Place Pick (n) with Minor Pool and No Carryover: The major share of the net Place Pick (n) pool shall be distributed to those who selected the first- or second-place finisher in the greatest number of Place Pick (n) contests, based upon the official order of finish. The minor share of the net Place Pick (n) pool shall be distributed to those who selected the first- or second-place finisher in the second greatest number of Place Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first- or second-place finisher in a second greatest number of Place Pick (n) contests, the minor share of the net Place Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first- or second-place finisher in the greatest number of Place Pick (n) contests. If the greatest number of first- or second- place finishers selected is one (1), the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

(5) Method 5, Place Pick (n) with Minor Pool and No Carryover: The major share of net Place Pick (n) pool shall be distributed to those who selected the first- or second-place finisher in each of the Place Pick (n) contests, based upon the official order of finish. The minor share of the net Place Pick (n) pool shall be distributed to those who selected the first- or second-place finisher in the second greatest number of Place Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first- or second- place finisher in all Place Pick (n) contests, the entire net Place Pick (n) pool shall be distributed as a single price pool to those who selected the first- or second-place finisher in the greatest number of Place Pick (n) contests. If there are no wagers selecting the first- or second-place finisher in a second greatest number of Place Pick (n) contests, the minor share of the net Place Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first- or second-place finisher in each of the Place Pick (n) contests. If there are no winning wagers, the pool is refunded.

- (c) If there is a dead heat for first in any of the Place Pick (n) contests involving:
 - (1) contestants representing the same betting interest, the Place Pick (n) pool shall be distributed as if no dead heat occurred.
 - (2) contestants representing two or more betting interests, the Place Pick (n) pool shall be distributed as a single price pool with a winning wager including each betting interest participating in the dead heat.
- (d) If there is a dead heat for second in any of the Place Pick (n) contests involving:
 - (1) contestants representing the same betting interest, the Place Pick (n) pool shall be distributed as if no dead heat occurred.
 - (2) contestants representing two or more betting interests, the Place Pick (n) pool shall

be distributed as a single price pool with a winning wager including the betting interest which finished first or any betting interest involved in the dead heat for second.

(e) Should a betting interest in any of the Place Pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the host Organization Licensee for the contest at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination. ~~Should a betting interest in any of the Pick (n) contests be scratched and the actual wagering favorite for that race has already been included in the wager, a refund shall be offered for the scratched horse.~~

(f) If any regularly scheduled turf race is moved to the main race course for any leg(s) of a Place Pick (n) wager and such change has not been known to the public before the close of wagering for the Place Pick (n), all wagers on such leg(s) affected by the surface change shall be considered winning wagers for the purpose of the Place Pick (n) pool.

(g) The Place Pick (n) pool shall be canceled and all Place Pick (n) wagers for the individual performance shall be refunded if:

(1) at least two contests included as part of a Place Pick 3 are canceled or declared "no contest."

(2) at least three contests included as part of a Place Pick 4, Place Pick 5 or Place Pick 6 are canceled or declared "no contest."

(3) at least four contests included, as part of a Place Pick 7, Place Pick 8 or Place Pick 9 are canceled or declared "no contest."

(4) at least five contests included as part of a Place Pick 10 are canceled or declared "no contest."

(h) If at least one contest included as part of a Place Pick (n) is canceled or declared "no contest," but not more than the number specified in (f) of this Section, the net pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of Place Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the Place Pick (n) carryover but not the carryover from previous performances.

(i) The Place Pick (n) carryover may be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the Place Pick (n) carryover equals or exceeds the designated cap, the Place Pick (n) carryover will be frozen until it is won or distributed under other provisions of this Section. After the Place Pick (n) carryover is frozen, 100 percent of the net pool, part of which ordinarily would be added to the Place Pick (n) carryover, shall be distributed to those whose selection finished first or second in the greatest number of Place Pick (n) contests for that performance.

(j) A written request for permission to distribute the Place Pick (n) carryover on a specific performance may be submitted to the Commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution.

(k) Should the Place Pick (n) carryover be designated for distribution on a specified date

and performance in which there are no wagers selecting the first- or second-place finisher in each of the Place Pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first or second in the greatest number of Place Pick (n) contests. The Place Pick (n) carryover shall be designated for distribution on a specified date and performance under any of the following circumstances:

(1) Upon written approval from the Commission as provided in (i) of this Section.

(2) Upon written approval from the Commission when there is a change in the carryover cap, a change from one type of Place Pick (n) wagering to another, or when the Place Pick (n) is discontinued.

(3) On the closing performance of the meet or split meet.

(l) If, for any reason, the Place Pick (n) carryover must be held over to the corresponding Place Pick (n) pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission. The Place Pick (n) carryover plus accrued interest shall then be added to the net Place Pick (n) pool of the following meet on a date and performance so designated by the Commission.

(m) With the written approval of the Commission, the Organization Licensee may contribute to the Place Pick (n) carryover a sum of money up to the amount of any designated cap.

(n) Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining is strictly prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data.

(o) The Organization Licensee may suspend previously-approved Place Pick (n) wagering with the prior approval of the Commission. Any carryover shall be held until the suspended Place Pick (n) wagering is reinstated. An Organization Licensee may request approval of a Place Pick (n) wager or separate wagering pool for specific performances.