

**CHAPTER 65.  
PARI-MUTUEL WAGERING**

3A O.S., § 204(A)

**SUBCHAPTER 1.  
GENERAL PROVISIONS**

**325:65-1-1. Through 325:65-1-30 [REVOKED]**

[**Source:** Revoked at 9 Ok Reg 3201, eff 6-30-92 (emergency); Revoked at 10 Ok Reg 3569, eff 7-12-93]

**325:65-1-31. Purpose**

The rules in this Chapter provide the regulatory procedures for the operation of the mutuel department of an Organization Licensee, including the types of wagers offered to the public, mutuel pool distribution, claim requirements, and the establishment of responsibility for decision-making and reporting protocols as authorized under the provisions of the Oklahoma Horse Racing Act, 3A O.S., § 200 et seq.

[**Source:** Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

**325:65-1-31.1. Definitions**

In addition to the definitions provided in Section 200.1 of Title 3A of the Oklahoma Statutes, the following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Act"** means the Oklahoma Horse Racing Act [3A O.S. 200, et seq.].

**"Betting interest"** means one or more horses in a pari-mutuel contest which are identified by a single program number for wagering purposes.

**"Breakage"** means the net pool minus payout.

**"Carryover"** means non-distributed pool monies which are retained and added to a corresponding pool in accordance with these rules.

**"Commissioner"** means a member of the Oklahoma Horse Racing Commission.

**"Complaint"** means a written allegation of a violation of statute or these rules.

**"Contest"** means a competitive racing event on which pari-mutuel wagering is conducted.

**"Contestant"** means an individual participant in a contest.

**"Coupled entry"** means two or more contestants in a contest that are treated as a single betting interest for pari-mutuel wagering purposes (also see "Entry").

**"Dark day"** means a day during a live race meeting when no pari-mutuel wagering is conducted.

**"Day"** means a 24-hour period ending at midnight.

**"Dead heat"** means the finish of a race in which the noses of two or more horses reach the finish line at the same time.

**"Entry"** means:

(1) a horse eligible for and entered in a race

(2) Two or more horses, entered in the same race, which have common ties of Ownership, lease or training (see "Coupled Entry").

**"Expired ticket"** means an outstanding ticket which was not presented for redemption within the required time period for which it was issued.

**"Field"** means all horses competing in a race.

**"Guest Organization Licensee"** means an association which offers licensed pari-mutuel wagering on contests conducted by another Organization Licensee which is the host in either the same jurisdiction or another jurisdiction.

**"Handle"** means the total amount of all pari-mutuel wagering sales excluding refunds and cancellations.

**"Host Organization Licensee"** means the association conducting a licensed pari-mutuel meeting from which authorized contests or entire performances are simulcast.

**"Inquiry"** means:

(1) an investigation by the Stewards of potential interference in a contest prior to declaring the result of said contest official; or

(2) the Stewards or Commission investigation of a matter alleged to be related to the provisions of the

Act or the rules of the Commission.

**"Mutuel field"** means two or more contestants treated as a single betting interest for pari-mutuel wagering purposes because the number of betting interests exceeds the number that can be handled individually by the pari-mutuel system.

**"Net pool"** means the amount of gross ticket sales less refundable wagers and statutory commissions.

**"No contest"** means a race canceled for any reason by the Stewards.

**"Occupation license"** means a state requirement for any person acting in any capacity pursuant to provisions of the Act.

**"Official order of finish"** means the order of finish of the horses in a contest as declared official by the Stewards.

**"Organization Licensee"** means any person desiring to conduct a race meeting in Oklahoma within the minimum standards as required by the Act and the rules of the Commission.

**"Outstanding ticket"** means a winning or refundable pari-mutuel ticket which was not cashed during the performance for which it was issued; also known as "Outs."

**"Pari-mutuel system"** means the manual, electro-mechanical or computerized system and all software (including the totalizator, account betting system and off-site betting equipment) that is used to record bets and transmit wagering data.

**"Pari-mutuel wagering"** means a form of wagering on the outcome of a contest in which all wagers are pooled and held by an Organization Licensee for distribution of the total amount, less the deductions authorized by law, to holders of tickets on the winning horses.

**"Payout"** means the amount of money payable to winning wagers.

**"Performance"** means a schedule of races run consecutively as one program.

**"Post position"** means the position in the starting gate assigned to the horse for the start of the race.

**"Post time"** means the scheduled time set for the arrival of the horses at the starting gate for the race.

**"Profit"** means the net pool after deduction of the amount bet on the winners.

**"Profit split"** means a division of profit among separate winning betting interests or winning betting combinations resulting in two or more payout prices.

**"Program"** means the published listing of all contests and contestants for a specific performance.

**"Race"** means a contest between horses.

**"Race day"** means a day during a race meeting when pari-mutuel wagering occurs on live races conducted at that racetrack.

**"Restricted area"** means any area within the enclosure where access is limited to licensees whose occupation requires access. Those areas which are restricted shall include but not be limited to the barn area, paddock, test barn, Stewards' tower, racecourse, mutuel line and money rooms, or any other area designated restricted by either the Organization Licensee or the Commission, or both. Signs giving notice of restricted access shall be prominently displayed at all entry points.

**"Result"** means that part of the official order of finish used to determine the pari-mutuel payout of pools for each individual contest.

**"Rules"** means the rules adopted by the Commission to implement the provisions of the Act.

**"Scratch"** means the act of withdrawing an entered horse from a contest after the closing of entries.

**"Simulcast"** means the live audio and visual transmission of a contest to another location for pari-mutuel wagering purposes.

**"Simulcast day"** means a day on which pari-mutuel wagering is conducted only on simulcast racing.

**"Single price pool"** means an equal distribution of profit to winning betting interests or winning betting combinations through a single payout price.

**"Steward"** means a duly appointed Racing Official with powers and duties specified by statutes or rules.

**"Takeout"** means the total amount of money, excluding breakage, withheld from each pari-mutuel pool, as authorized by statute or rule.

**"Unclaimed ticket"** means:

(A) a winning or refundable pari-mutuel ticket which was not cashed during the performance for which it was issued; or

(B) Proceeds which shall be remitted by the Organization Licensee to the Commission for deposit in the Oklahoma Breeding Development Fund Special Account in accordance with provisions of statute and as prescribed by the Commission.

**"Winner"** means the horse whose nose reaches the finish line first or is placed first as a result of a disqualification by the Stewards.

**"Year"** means a calendar year.

[Source: Added at 14 Ok Reg 2935, eff 7-11-97; Amended at 15 Ok Reg 3194, eff 7-13-98; Amended at 16 Ok Reg 2893, eff 7-12-99; Amended at 18 Ok Reg 3476, eff 6-26-01 (emergency); Amended at 19 Ok Reg 1776, eff 6-13-02; Amended at 30 Ok Reg 516, eff 5-15-13]

**325:65-1-32. General Compliance with Laws and Rules; Approval by Commission**

Each Organization Licensee shall conduct wagering in accordance with applicable laws and the rules of this Chapter. Such wagering shall employ a pari-mutuel system approved by the Commission. The totalisator shall be tested prior to and during the meeting as required by the Commission.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

**325:65-1-34. Pari-Mutuel Tickets; Validity**

A pari-mutuel ticket is evidence of a contribution to the pari-mutuel pool operated by the Organization Licensee and is evidence of the obligation of the Organization Licensee to pay to the holder thereof such portion of the distributable amount of the pari-mutuel pool as is represented by such valid pari-mutuel ticket. The Organization Licensee shall cash all valid winning tickets when such are presented for payment where sold, and no later than sixty (60) days after the wager was made.

(1) To be deemed a valid pari-mutuel ticket, such ticket shall have been issued by a pari-mutuel ticket machine operated by the Organization Licensee and recorded as a ticket entitled to a share of the pari-mutuel pool, and contain imprinted information as to:

- (A) the name of the Organization Licensee operating the meeting.
- (B) a unique identifying number or code.
- (C) identification of the terminal at which the ticket was issued.
- (D) a designation of the performance for which the wagering transaction was issued.
- (E) the contest number for which the pool is conducted.
- (F) the type or types of wagers represented.
- (G) the number or numbers representing the betting interests for which the wager is recorded.
- (H) the amount or amounts of the contributions to the pari-mutuel pool or pools for which the ticket is evidence.

(2) No pari-mutuel ticket recorded or reported as previously paid, canceled, or non-existent shall be deemed a valid pari-mutuel ticket by the Organization Licensee. The Organization Licensee may withhold payment and refuse to cash any pari-mutuel ticket deemed not valid, except as provided in 325:65-1-35(e).

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 30 Ok Reg 516, eff 5-15-13]

**325:65-1-35. Pari-Mutuel Ticket Sales; Payments and Claims; Purchasing Restrictions**

(a) Pari-mutuel tickets shall not be sold by anyone other than an organization licensed to conduct pari-mutuel wagering.

(b) No pari-mutuel ticket may be sold on a contest for which wagering has already been closed and no Organization Licensee shall be responsible for ticket sales entered into but not completed by issuance of a ticket before the totalisator is closed for wagering on such contest.

(c) Claims pertaining to a mistake on an issued ticket, or a mistake involving failure to issue a ticket, must be made by the bettor prior to leaving the seller's window. Cancellation or exchange of tickets issued shall not be permitted after a patron has left a seller's window except in accordance with written policies established by the Organization Licensee and approved by the Commission.

(d) Payment on winning pari-mutuel wagers shall be made on the basis of the order of finish as purposely posted and declared "official." Any subsequent change in the order of finish or award of purse money as may result from a subsequent ruling by the Stewards or Commission shall in no way affect the pari-mutuel payoff. If an error in the posted order of finish or payoff figures is discovered, the official order of finish or payoff prices may be corrected and an announcement concerning the change shall be made to the public.

(e) The Organization Licensee shall not satisfy claims on lost, mutilated, or altered pari-mutuel tickets without authorization of the Commission.

(f) The Organization Licensee shall have no obligation to enter a wager into a betting pool if unable to do so due to equipment failure.

(g) The Organization Licensee shall not accept mailed or telephoned wagers, except as provided by law and

the rules of this Chapter, nor knowingly accept any wagers made by or for a person who is prohibited from participating in pari-mutuel wagering.

(h) No minor shall purchase or cash any pari-mutuel ticket. No employee of the organization shall knowingly sell to or cash for a minor any pari-mutuel ticket.

(i) No Racing Official or assistant Racing Official, mutuel department employee, general manager, valet, Jockey room custodian, official camera operator, assistant starter, receiving or detention barn staff member, security personnel, track superintendent or track maintenance department employee, member or employee of the Commission shall wager on the result of a race. No employee of the organization shall knowingly sell to or cash any pari-mutuel ticket for any of the categories of license listed in this subsection.

(j) No Jockey shall make any wager, or have any wager made in his/her behalf, in any race in which s/he participates, except through the Owner or Trainer and on the horse which s/he rides. Any Owner or Trainer wagering for such Jockey shall maintain a record of all such wagers and all other presents or other gratuities s/he has given any Jockey. Such records will be furnished to the Stewards or the Commission or its investigators upon demand.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 11 Ok Reg 4203, eff 7-26-94; Amended at 13 Ok Reg 2579, eff 6-28-96; Amended at 17 Ok Reg 2421, eff 6-25-00; Amended at 30 Ok Reg 516, eff 5-15-13]

### **325:65-1-37. Claims for Payment From Pari-Mutuel Pool**

At a designated location, a written, verified claim for payment from a pari-mutuel pool shall be accepted by the Organization Licensee in any case where the Organization Licensee has withheld payment or has refused to cash a pari-mutuel wager. The claim shall be filed with the Organization Licensee within sixty (60) days after the wager has been made on a form prescribed and furnished by the Commission, and the claimant shall make such claim under penalty of perjury. The original of such claim shall be forwarded to the Commission within 48 hours.

(1) In the case of a claim made for payment of a mutilated pari-mutuel ticket which does not contain the total imprinted elements required in 325:65-1-34(1), the Organization Licensee shall make a recommendation to accompany the claim forwarded to the Commission as to whether or not the mutilated ticket has sufficient elements to be positively identified as a winning ticket.

(2) In the case of a claim made for payment on a pari-mutuel wager, the Commission shall adjudicate the claim and may order payment thereon from the pari-mutuel pool or by the Organization Licensee, or may deny the claim, or may make such other order as it may deem proper.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 18 Ok Reg 3476, eff 6-26-01 (emergency); Amended at 19 Ok Reg 1726 eff 6-13-02]

### **325:65-1-38. Payment for Errors**

If an error occurs in the payment amounts for pari-mutuel wagers which are cashed or entitled to be cashed; and as a result of such error the pari-mutuel pool involved in the error is not correctly distributed among winning ticket holders, the following shall apply:

(1) Verification is required to show that the amount of the commission, the amount in breakage, and the amount in payoffs is equal to the total gross pool. If the amount of the pool is more than the amount used to calculate the payoff, the underpayment shall be added to the corresponding pool of the next contest. If underpayments are discovered after the close of the meeting, the underpayment shall be held in an interest-bearing account approved by the Commission until being added, together with accrued interest, to the corresponding pool of the next meet.

(2) Any claim not filed with the Organization Licensee within 30 days, inclusive of the date on which the underpayment was publicly announced, shall be deemed waived; and the Organization Licensee shall have no further liability therefore.

(3) In the event the error results in an overpayment to winning wagers, the Organization Licensee shall be responsible for such payment.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

### **325:65-1-40. Display of Betting Information**

(a) Approximate odds for Win pool betting shall be posted on display devices within view of the wagering public and updated at intervals of not more than ninety (90) seconds.

- (b) The probable payoff or amounts wagered, in total and on each betting interest, for other pools may be displayed to the wagering public at intervals and in a manner approved by the Commission.
- (c) Official results and payoffs must be displayed upon each contest being declared official.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 30 Ok Reg 516, eff 5-15-13]

**325:65-1-41. Canceled Contests**

If a contest is canceled or declared "no contest", refunds shall be granted on valid wagers in accordance with the rules of this Chapter.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

**325:65-1-42. Refunds**

- (a) Notwithstanding other provisions of this Chapter, refunds of the entire pool shall be made on:
  - (1) Win pools, Exacta pools, and first-half Double pools offered in contests in which the number of betting interests has been reduced to fewer than two (2).
  - (2) Place pools, Quinella pools, Trifecta pools, first-half Quinella Double pools, first-half win Quinella pools, first-half Twin Trifecta pools, and first-half Tri-Superfecta pools offered in contests in which the number of betting interests has been reduced to fewer than three (3).
  - (3) Show pools, Superfecta pools, and first-half Twin Superfecta pools offered in contests in which the number of betting interests has been reduced to fewer than four (4).
- (b) Authorized refunds shall be paid upon presentation and surrender of the affected pari-mutuel ticket.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

**325:65-1-43. Coupled Entries and Mutuel Fields**

- (a) Contestants coupled in wagering as a coupled entry or mutuel field shall be considered part of a single betting interest for the purpose of price calculations and distribution of pools. Should any contestant in a coupled entry or mutuel field be officially withdrawn or scratched, the remaining contestants in that coupled entry or mutuel field shall remain valid betting interests and no refunds will be granted. If all contestants within a coupled entry or mutuel field are scratched, then tickets on such betting interests shall be refunded, notwithstanding other provisions of this Chapter.
- (b) For the purpose of price calculations only, coupled entries and mutuel fields shall be calculated as a single finisher, using the finishing position of the leading contestant in that coupled entry or mutuel field to determine order of placing. This Section shall apply to all circumstances, including situations involving a dead heat, except as otherwise provided in this Title.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 30 Ok Reg 516, eff 5-15-13]

**325:65-1-44. Pools Dependent upon Betting Interests**

Unless the Commission otherwise provides, at the time the pools are opened for wagering, the Organization Licensee:

- (1) may offer win, place, and show wagering on all contests with six (6) or more betting interests.
- (2) may be allowed to prohibit show wagering on any contest with five (5) or fewer betting interests scheduled to start.
- (3) may be allowed to prohibit place wagering on any contest with four (4) or fewer betting interests scheduled to start.
- (6) may be allowed to prohibit Exacta wagering on any contest with three (3) or fewer betting interests scheduled to start.
- (7) may be allowed to prohibit Trifecta wagering on any contest with six (6) or fewer betting interests scheduled to start.
- (8) may be allowed to prohibit Superfecta wagering on any contest with seven (7) or fewer betting interests scheduled to start.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended

at 14 Ok Reg 2935, eff 7-11-97; 10-10-97; Amended at 18 Ok Reg 3476, eff 6-26-01 through 7-14-02 (emergency); Amended at 21 Ok Reg 3176, eff 9-11-04; Amended at 30 Ok Reg 516, eff 5-15-13; Amended at 31 Ok Reg 1778, eff 9-12-14]

**325:65-1-46. Closing of Wagering in a Contest**

(a) A Commission representative shall close wagering for each contest after which time no pari-mutuel tickets shall be sold for that contest.

(b) The Organization Licensee shall maintain, in good order, a system approved by the Commission for closing wagering.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

**325:65-1-47. Complaints Pertaining to Pari-Mutuel Operations**

(a) When a patron makes a complaint regarding the pari-mutuel department to an Organization Licensee, the Organization Licensee shall immediately issue a complaint report, setting out:

- (1) the name of the complainant;
- (2) the nature of the complaint;
- (3) the name of the persons, if any, against whom the complaint was made;
- (4) the date of the complaint;
- (5) the action taken or proposed to be taken, if any, by the Organization Licensee.

(b) The Organization Licensee shall submit every complaint report to the Commission within forty-eight (48) hours after the complaint was made.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

**325:65-1-51. Racing Predictions/Selections**

An Organization Licensee may sell or furnish or offer to sell or furnish a racing prediction(s) if such racing prediction(s) has been authorized by the Organization Licensee and the author thereof (whether an employee of the Organization Licensee or any other person) is subsequently licensed by the Commission. No Racing Official and/or Commission employee shall sell or furnish or offer to sell or furnish any racing prediction. No other person, organization or entity shall sell or furnish or offer to sell or furnish any racing prediction within the enclosure. The Organization Licensee shall prohibit the sale, offering for sale, or gift of any racing selection sheet or other racing prediction upon the premises of the organization, except for any service which has been authorized by the Organization Licensee and licensed by the Commission.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

**SUBCHAPTER 7.  
INTERJURISDICTION COMMON POOL WAGERING**

**325:65-7-2. Guest Jurisdiction Participation in Interjurisdiction Common Pools**

(a) With the prior approval of the Commission, pari-mutuel wagering pools may be combined with corresponding wagering pools in the host jurisdiction, or with corresponding pools established by one or more other jurisdictions.

(b) The Commission may permit adjustment of the takeout from the pari-mutuel pool so that the takeout rate in this jurisdiction is identical to that at the host track, or identical to that of other jurisdictions participating in a merged pool.

(d) Rules established in the jurisdiction of the host Organization Licensee designated for a pari-mutuel pool shall apply.

(f) If, for any reason, it becomes impossible to successfully merge the bets placed into the interjurisdiction common pool, the Organization Licensee shall make payoffs in accordance with payoff prices that would have been in effect if prices for the pool of bets were calculated without regard to wagers placed elsewhere; except

that, with permission of the Commission, the Organization Licensee may alternatively determine to either pay winning tickets at the payoff prices at the host track, or declare such accepted bets void and make refunds in accordance with the applicable rules.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 14 Ok Reg 2935, eff 7-11-97]

## **SUBCHAPTER 9. CALCULATION OF PAYOFFS AND DISTRIBUTION OF POOLS**

### **325:65-9-1. General--Separate Pools, Standard Price or Net Price Calculation Required; Profit Split**

(a) All permitted pari-mutuel wagering pools shall be separately and independently calculated and distributed. Takeout shall be deducted from each gross pool as stipulated by law. The remainder of the monies in the pool shall constitute the net pool for distribution as payoff on winning wagers.

(b) For each wagering pool, the amount wagered on the winning betting interest or betting combinations is deducted from the net pool to determine the profit; the profit is then divided by the amount wagered on the winning betting interest or combinations, such quotient being the profit per dollar.

(c) Either the standard or net price calculation procedure may be used to calculate single commission pools, while the net price calculation procedure must be used to calculate multi-commission pools.

### **325:65-9-2. Win Pools**

(a) The amount wagered on the betting interest which finishes first is deducted from the net pool, the balance remaining being the profit; the profit is divided by the amount wagered on the betting interest finishing first, such quotient being the profit per dollar wagered to Win on that betting interest.

(b) The net Win pool shall be distributed as a single price pool to winning wagers in the following precedence, based upon the official order of finish:

- (1) To those whose selection finished first; but if there are no such wagers, then
- (2) To those whose selection finished second; but if there are no such wagers, then
- (3) To those whose selection finished third; but if there are no such wagers, then
- (4) The entire pool shall be refunded on Win wagers for that contest.

(c) If there is a dead heat for first involving:

- (1) contestants representing the same betting interest, the Win pool shall be distributed as if no dead heat occurred.
- (2) contestants representing two or more betting interests, the Win pool shall be distributed as a profit split.

### **325:65-9-3. Place Pools**

(a) The amounts wagered to Place on the first two betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into two equal portions, one being assigned to each winning betting interest and divided by the amount wagered to Place on that betting interest, the resulting quotient is the profit per dollar wagered to Place on that betting interest.

(b) The net Place pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

- (1) If contestants of a coupled entry or mutuel field finished in the first two places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise
- (2) As a profit split to those whose selection is included within the first two finishers; but if there are no such wagers on one of those two finishers, then
- (3) As a single price pool to those who selected the one covered betting interest included within the first two finishers; but if there are no such wagers, then
- (4) As a single price pool to those who selected the third-place finisher; but if there are no such wagers, then
- (5) The entire pool shall be refunded on Place wagers for that contest.

(c) If there is a dead heat for first involving:

- (1) contestants representing the same betting interest, the Place pool shall be distributed as a single price pool.
- (2) contestants representing two or more betting interests, the Place pool shall be distributed as a profit

split.

(d) If there is a dead heat for second involving:

- (1) contestants representing the same betting interest, the Place pool shall be distributed as if no dead heat occurred.
- (2) contestants representing two or more betting interests, the Place pool is divided with one-half (1/2) of the profit distributed to Place wagers on the betting interest finishing first and the remainder is distributed equally amongst Place wagers on those betting interests involved in the dead heat for second.

#### **325:65-9-4. Show Pools**

(a) The amounts wagered to Show on the first three betting interests to finish are deducted from the net pool, the balance remaining being the profit; the profit is divided into three equal portions, one being assigned to each winning betting interest and divided by the amount wagered to Show on that betting interest, the resulting quotient being the profit per dollar wagered to Show on that betting interest.

(b) The net Show pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

- (1) If contestants of a coupled entry or mutuel field finished in the first three places, as a single price pool to those who selected the coupled entry or mutuel field; otherwise
- (2) If contestants of a coupled entry or mutuel field finished as two of the first three finishers, the profit is divided with two-thirds (2/3) distributed to those who selected the coupled entry or mutuel field and one-third (1/3) distributed to those who selected the other betting interest included within the first three finishers; otherwise
- (3) As a profit split to those whose selection is included within the first three finishers; but if there are no such wagers on one of those three finishers, then
- (4) As a profit split to those who selected one of the two covered betting interests included within the first three finishers; but if there are no such wagers on two of those three finishers, then
- (5) As a single price pool to those who selected the one covered betting interest included within the first three finishers; but if there are no such wagers, then
- (6) As a single price pool to those who selected the fourth-place finisher; but if there are no such wagers, then
- (7) The entire pool shall be refunded on Show wagers for that contest.

(c) If there is a dead heat for first involving:

- (1) two contestants representing the same betting interest, the profit is divided with two-thirds (2/3) distributed to those who selected the first-place finishers and one-third (1/3) distributed to those who selected the betting interest finishing third.
- (2) three contestants representing a single betting interest, the Show pool shall be distributed as a single price pool.
- (3) contestants representing two or more betting interests, the Show pool shall be distributed as a profit split.

(d) If there is a dead heat or second involving:

- (1) contestants representing the same betting interest, the profit is divided with one-third (1/3) distributed to those who selected the betting interest finishing first and two-thirds (2/3) distributed to those who selected the second-place finishers.
- (2) contestants representing two betting interests, the Show pool shall be distributed as a profit split.
- (3) contestants representing three betting interests, the Show pool is divided with one-third (1/3) of the profit distributed to Show wagers on the betting interest finishing first and the remainder is distributed equally amongst Show wagers on those betting interests involved in the dead heat for second.

(e) If there is a dead heat for third involving:

- (1) contestants representing the same betting interest, the Show pool shall be distributed as if no dead heat occurred.
- (2) contestants representing two or more betting interests, the Show pool is divided with two-thirds (2/3) of the profit distributed to Show wagers on the betting interests finishing first and second and the remainder is distributed equally amongst Show wagers on those betting interests involved in the dead heat for third.

#### **325:65-9-5. Double Pools**

(a) The Double requires selection of the first-place finisher in each of two specified contests.

(b) The net Double 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 two contests; but if there are no such wagers, then
  - (2) As a profit split to those who selected the first-place finisher in either of the two contests; but if there are no such wagers, then
  - (3) As a single price pool to those who selected the one covered first-place finisher in either contest; but if there are no such wagers, then
  - (4) As a single price pool to those whose selection finished second in each of the two contests; but if there are no such wagers, then
  - (5) The entire pool shall be refunded on Double wagers for those contests.
- (c) If there is a dead heat for first in either of the two contests involving:
- (1) contestants representing the same betting interest, the Double pool shall be distributed as if no dead heat occurred.
  - (2) contestants representing two or more betting interests, the Double pool shall be distributed as a profit split if there is more than one covered winning combination.
- (d) Should a betting interest in the first-half of the Double be scratched prior to the first Double contest being declared official, all money wagered on combinations including the scratched betting interest shall be deducted from the Double pool and refunded.
- (e) Should a betting interest in the second-half of the Double be scratched prior to the close of wagering on the first Double contest, all money wagered on combinations including the scratched betting interest shall be deducted from the Double pool and refunded.
- (f) Should a betting interest in the second-half of the Double be scratched after the close of wagering on the first Double contest, all wagers combining the winner of the first contest with the scratched betting interest in the second contest shall be allocated a consolation payoff. In calculating the consolation pay off the net Double pool shall be divided by the total amount wagered on the winner of the first contest and an unbroken consolation price obtained. The broken consolation price is multiplied by the dollar value of wagers on the winner of the first contest combined with the scratched betting interest to obtain the consolation payoff. Breakage is not declared in this calculation. The consolation payoff is deducted from the net Double pool before calculation and distribution of the winning Double payoff. Dead heats including separate betting interests in the first contest shall result in a consolation payoff calculated as a profit split.
- (g) If either of the Double contests are canceled prior to the first Double contest, or the first Double contest is declared "no contest," the entire Double pool shall be refunded on Double wagers for those contests.
- (h) If the second Double contest is canceled or declared "no contest" after the conclusion of the first Double contest, the net Double pool shall be distributed as a single price pool to wagers selecting the winner of the first Double contest. In the event of a dead heat involving separate betting interests, the net Double pool shall be distributed as a profit split.

### **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.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 14 Ok Reg 2935, eff 7-11-97; Amended at 30 Ok Reg 516, eff 5-15-13; Amended at 35 Ok Reg 1549, eff 9-14-18]

### **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.

**325:65-9-11. Exacta Pools**

- (a) The Exacta requires selection of the first two finishers, in their exact order, for a single contest.
- (b) The net Exacta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:
  - (1) If contestants of a coupled entry or mutuel field finish as the first two finishers, as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish; otherwise
  - (2) As a single price pool to those whose combination finished in correct sequence as the first two betting interests; but if there are no such wagers, then
  - (3) As a profit split to those whose combination included either the first-place betting interest to finish first- or the second-place betting interest to finish second; but if there are no such wagers on one of those two finishers, then
  - (4) As a single price pool to those whose combination included the one covered betting interest to finish first or second in the correct sequence; but if there are no such wagers, then
  - (5) The entire pool shall be refunded on Exacta wagers for that contest.
- (c) If there is a dead heat for first involving:

- (1) contestants representing the same betting interest, the Exacta pool shall be distributed as a single price pool to those selecting the coupled entry or mutuel field combined with the next separate betting interest in the official order of finish.
- (2) contestants representing two or more betting interests, the Exacta pool shall be distributed as a profit split.
- (d) If there is a dead heat for second involving contestants representing the same betting interest, the Exacta pool shall be distributed as if no dead heat occurred.
- (e) If there is a dead heat for second involving contestants representing two or more betting interests, the Exacta pool shall be distributed to ticket holders in the following precedence, based upon the official order of finish:
  - (1) As a profit split to those combining the first-place betting interest with any of the betting interests involved in the dead heat for second; but if there is only one covered combination, then
  - (2) As a single price pool to those combining the first-place betting interest with the one covered betting interest involved in the dead heat for second; but if there are no such wagers, then
  - (3) As a profit split to those wagers correctly selecting the winner for first-place and those wagers selecting any of the dead-heated betting interests for second-place; but if there are no such wagers, then
  - (4) The entire pool shall be refunded on Exacta wagers for that contest.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93]

**325:65-9-12. Trifecta Pools**

- (a) The Trifecta requires selection of the first three finishers, in their exact order, for a single contest.
- (b) The net Trifecta 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 combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then
  - (2) As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then
  - (3) As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then
  - (4) The entire pool shall be refunded on Trifecta wagers for that contest.
- (c) If less than three betting interests finish and the contest is declared official, payoffs will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection beyond the number of betting interests completing the contest shall be ignored.
- (d) If there is a dead heat for first involving:
  - (1) contestants representing three or more betting interests, all of the wagering combinations selecting three betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.
  - (2) contestants representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, irrespective of order, along with the third-place betting interest shall share in a profit split.
- (e) If there is a dead heat for second, all of the combinations correctly selecting the winner combined with any of the betting interests involved in the dead heat for second shall share in a profit split.
- (f) If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any of the betting interests involved in the dead heat for third shall share in a profit split.
- (g) Coupled entries and mutuel fields may be permitted in Trifecta contests with the prior written approval of the host Commission.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 14 Ok Reg 2935, eff 7-11-97]

**325:65-9-13. Superfecta Pools**

- (a) The Superfecta requires selection of the first four finishers, in their exact order, for a single contest.
- (b) The net Superfecta 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 combination finished in correct sequence as the first four betting interests; but if there are no such wagers, then
  - (2) As a single price pool to those whose combination included, in correct sequence, the first three betting interests; but if there are no such wagers, then
  - (3) As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then
  - (4) As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then
  - (5) The entire pool shall be refunded on Superfecta wagers for that contest.
- (c) If less than four betting interests finish and the contest is declared official, payoffs will be made based upon the order of finish of those betting interests completing the contest. The balance of any selection beyond the number of betting interests completing the contest shall be ignored.
- (d) If there is a dead heat for first involving:
- (1) contestants representing four or more betting interests, all of the wagering combinations selecting four betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.
  - (2) contestants representing three betting interests, all of the wagering combinations selecting the three dead-heated betting interests, irrespective of order, along with the fourth-place betting interest shall share in a profit split.
  - (3) contestants representing two betting interests, both of the wagering combinations selecting the two dead-heated betting interests, irrespective of order, along with the third-place and fourth-place betting interests shall share in a profit split.
- (e) If there is a dead heat for second involving:
- (1) contestants representing three or more betting interests, all of the wagering combinations correctly selecting the winner combined with any of the three betting interests involved in the dead heat for second shall share in a profit split.
  - (2) contestants representing two betting interests, all of the wagering combinations correctly selecting the winner, the two dead-heated betting interests, irrespective of order, and the fourth-place betting interest shall share in a profit split.
- (f) If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any two of the betting interests involved in the dead heat for third shall share in a profit split.
- (g) If there is a dead heat for fourth, all wagering combinations correctly selecting the first three finishers, in correct sequence, along with any of the betting interests involved in the dead heat for fourth shall share in a profit split.
- (h) Coupled entries and mutuel fields may be permitted in Superfecta contests with the prior written approval of the host Commission.

[Source: Added at 9 Ok Reg 3201, eff 6-30-92 (emergency); Added at 10 Ok Reg 3569, eff 7-12-93; Amended at 14 Ok Reg 2935, eff 7-11-97]

