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## **Operation of Greyhound Racing, Jai Alai and Off-Track Betting General Provisions**

### **Sec. 12-574-F1. Definitions, constructions, interpretations**

(a) In applying the provisions of sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies, the following definitions, constructions and interpretations shall apply:

(1) "Account holder" means a natural person authorized by an association to place bets by phone or any other means authorized by the division;

(2) "Affiliate" means a business organization, other than a shareholder in a publicly traded corporation, which may exercise control in or over an association, totalizator or concessionaire licensee;

(3) "Applicant" means any person seeking to obtain a license from either the board or the division;

(4) "Association" means any person licensed to conduct a recognized greyhound or jai alai meet or operate the off-track betting system;

(5) "Association kennels" means, in greyhound racing, owned or leased kennel structures operated by the association providing housing for the booked kennels, located at a facility or at an off-site location approved by the division. Any off-site kennel location shall be considered part of the facility's premises for regulatory purposes;

(6) "Board" means the five member Gaming Policy Board of the state of Connecticut established by section 12-557d of the Connecticut General Statutes;

(7) "Booking" means, in greyhound racing, a contract between the owner of a kennel of greyhounds and the association to provide racing greyhounds to an association;

(8) "Branding" means a capability of the totalizator cash-sell system by which a pari-mutuel ticket is imprinted with information identifying it as a canceled ticket or a cashed out-ticket and the transaction is automatically recorded within the system's memory;

(9) "Breakage" means the net pool minus the payoff;

(10) "Business organization" means a partnership, incorporated or unincorporated association, firm, corporation, trust or other form of business or legal entity, other than a financial institution regulated by a state or federal agency which is not exercising control over an association licensee;

(11) "Carom serve" means, in jai alai, a serve that strikes the side wall before hitting the front wall; may also be referred to as a two wall serve;

(12) "Cash voucher" means a ticket issued by a totalizator system terminal that is the equivalent of cash and is used for wagering purposes;

(13) "Cesta" means, in jai alai, the spanish name for the basket used to catch the pelota in the game of jai alai;

(14) "Close of betting" means the time designated by an association after which no bet shall be accepted in any particular pari-mutuel pool;

(15) "Commingling" or "combined pool" means the combination of wagers from different locations or jurisdictions into a single pool at a host track;

(16) "Commission" or "takeout" means that portion of the gross pool authorized by law and approved by the division that is deducted by the association prior to computing the payout to winning bettors, and from which the state tax is paid as specified in sec. 12-572(c) and (d)(1) and (2) and sec. 12-575(c) of the Connecticut General Statutes;

(17) “Concessionaire” means any person granted the right by an association to operate an activity in conjunction with an authorized meeting for the purpose of making a profit. Parking contractors, vending machine suppliers, restaurant or catering contractors, video contractors, program printers, handicappers, contractual kennel owners, and cleaning and maintenance contractors are concessionaires. Any other contractors whose sole business is that connected with an association’s licensed activity are also concessionaires. A contractor who delivers goods to a facility or provides services off the facility may be considered a concessionaire, in the discretion of the executive director;

(18) “Condition” means:

(A) In greyhound racing:

(i) Of a race, one of the characteristic elements of the race and may refer, for example, to items such as purse or stakes, qualifications of greyhounds to enter, distance, or other special features; or

(ii) Of a greyhound, the general health, training and fitness of the greyhound;

(B) In jai alai:

(i) Of a game, one of the characteristic elements of a game and may refer, for example to items such as prize money, qualifications of players for entry, whether the game is singles, doubles, triples, spectacular seven, or other special features; or

(ii) Of a player, the general health, training and fitness of a player;

(19) “Control” means the power to exercise authority over or direct the management and policies of a person or business organization;

(20) “Corporation - traded publicly” means any corporation whose stock is available for purchase by the general public in the open market on a regular and continuing basis or any corporation which is listed for trading with a national stock exchange or which has a security subject to registration under section 12 of the federal Securities Exchange Act;

(21) “Coupled entry” means two or more animals which are entered in a race and are owned or leased by the same owner or trained by the same trainer and are coupled for the purpose of pari-mutuel betting as one betting interest, and according to the requirement of the text, may include field;

(22) “Division” means the Division of Special Revenue within the Department of Revenue Services;

(23) “Electronic transmission or electronically transmitted” means any process of communication that is suitable for the retention, retrieval and reproduction of information by the recipient and which does not directly involve the physical transfer of paper;

(24) “Entry” means a horse or greyhound made eligible to run in a race or any wagering interest made eligible to participate in an authorized off-track betting event;

(25) “Equipment” means, as applied to a greyhound, muzzle, number blanket, and all other paraphernalia common or otherwise which must be used on or attached to a greyhound while racing. As applied to jai-alai, equipment means the helmet, cesta, numbered shirt, and all other paraphernalia common or otherwise, which may be used by the player while playing;

(26) “Established weight” means the racing weight established by the kennel owner or trainer as the greyhound’s racing weight;

(27) “Evening performance” means in greyhound racing and jai alai, a program of races or games conducted at a facility which begins at 6:00 P.M. prevailing time or later. For off-track betting, evening performance includes those race programs from tracks whose first race begins between 7:00 P.M. and 6:59 A.M. (Eastern time);

(28) “Facility” means the total real estate, land and buildings of an association or OTB facility operator, either owned or leased, utilized for the purpose of conducting a meet or off-track betting;

(29) “Field” means, in off-track betting, according to the requirements of the text:

(1) All the animals which compete in a race;

(2) A number of animals which are grouped together as a single betting interest for the purposes of pari-mutuel betting; or

(3) Animals or entries grouped or bracketed together to form various betting interests, as determined by the association and approved by the executive director;

(30) “Fraudulent or corrupt practice” means any attempt to enrich oneself or another, or to gain any advantage for oneself or another, through unfair, unlawful or dishonest behavior in connection with the racing of greyhounds, the playing of the game of jai alai or off-track betting;

(31) “Fronton” means, in jai alai, the building or enclosure in which is provided a playing court with three walls so designed and constructed for the playing of the game of jai alai;

(32) “Game” means, in jai alai, a contest between players for any purse, stake or reward conducted at any licensed fronton;

(33) “Game infraction” means, in jai alai, any violation of sections 12-574-F50 to 12-574-F56, inclusive, of the Regulations of Connecticut State Agencies by jai-alai players or officials occurring on the jai alai court or in the players quarters;

(34) “Greyhound owner” means the person in whose name a greyhound is registered to at the meet in accordance with section 12-574-F38 of the Regulations of Connecticut State Agencies and where applicable, will be the lessor of the greyhound;

(35) “Gross pool” means the total amount wagered in a specific pool less refunds and cancellations;

(36) “Handle” means depending on the context, the total amount of money wagered within a pool, a race, a game, a performance, or performances within a meeting;

(37) “Horse number, greyhound number or entry number” means a numeric or alphabetic designation assigned by an association to each horse, greyhound or entry on which the association is accepting bets;

(38) “Hub system” means a centralized computer system that provides totalizator service to more than one facility or association;

(39) “Independent pool” means a pool calculated based solely upon wagers made through the Connecticut OTB system;

(40) “Judges” means:

(A) In greyhound racing, judges are the three racing judges of the meet, or their deputies or substitutes, acting together or such of them as may be acting at any time. The racing judges include the division racing judge appointed by the executive director and the presiding racing judge and the associate racing judge appointed by the association conducting the meet. Racing judges have jurisdiction over all matters directly involving races, racing, and racing meet-related activity;

(B) In jai alai, court judges are the chief center court judge, a back court judge and a front court judge, all of whom are appointed by the association; or

(C) The board of administrative judges are the three members of the board of administrative judges, or their deputies or substitutes, acting together or such of them as may be acting at any time. The three judges are: (1) the division facility supervisor or designee, (2) the general manager or designee and (3) an additional

division representative. The Division of Special Revenue facility supervisor or substitute is the presiding judge of the board of administrative judges;

(41) “Kennel name” means;

(A) The name registered with the division which is used to identify a particular kennel of greyhounds participating in a race meeting;

(B) The registered name, under which licensed greyhound owners may race their in an association contracted kennel;

(42) “Kennel owner” means a person granted the right by an association and licensed by the executive director, to operate a kennel for racing greyhounds at a licensed facility;

(43) “Key executive and other control person” means any person, which includes corporations in the meaning of the term “person,” to which the terms “control,” “management,” “related” or “principal owner” apply;

(44) “Lead out” means the attendant that handles the greyhound exiting the paddock, while en route to the starting box;

(45) “Lessee” means the person or business organization to whom a greyhound has been leased and who holds a registered lease certificate for such greyhound in accordance with the National Greyhound Association;

(46) “Licensee” means any individual, or business organization licensed by either the board or the division to participate in greyhound racing, jai alai or off-track betting;

(47) “Lure” means a mechanical apparatus consisting of the following component parts: a stationary rail installed around the track; a motorized mechanism which travels on the rail; a pole which is attached to the mechanism and extends out over the track to which a decoy approved by the division is attached;

(48) “Management” means any persons having responsibility to manage, direct, or administer the affairs of a person or business organization. Management includes, but is not limited to, members of the board of directors of a corporation, officers in charge of principal business functions, or principal owners;

(49) “Matinee” means, in greyhound racing and jai alai, a program of races or games conducted at a racetrack or fronton which begins before 6:00 p.m. prevailing time;

(50) “Meet” or “recognized meet” means the entire consecutive period of days that has been granted to the association by the board to conduct greyhound racing or jai alai;

(51) “Minor” means any person under the age of majority as established by law;

(52) “Net pool” means the total amount wagered in a specific pool after refunds and cancellations, minus the commission;

(53) “OTB” or “off-track betting” means the acceptance of off-track betting wagers from the public on events held both within and without the state as authorized by the division;

(54) “OTB facility operator” means a jai alai or greyhound racing association licensee or a licensed concessionaire under contract with the OTB association licensee to operate an off-track betting facility as authorized by the division;

(55) “Off-track betting information” means information about racing events that shall be limited to past performance information, late changes in the racing event, handicapping tips, betting pool information, information about any steward’s inquiries, and official payout prices;

(56) “Operating procedures” means those practices established by an association which govern the daily conduct and administration of all association and OTB facility operator activities as approved by the division;

(57) “Outs” means winning tickets or tickets due refunds which have not yet been redeemed for payment;

(58) “Paddock” means, in greyhound racing, the area which includes the lock-out area (ginny pit), weighing-in/weighing-out area, paddock judge’s office, clerk of scale’s office and association veterinarians’ office;

(59) “Pari-mutuel” means the system of betting which returns to successful bettors the precise amount of money wagered by unsuccessful bettors plus their initial wager, after deductions for commission and breakage;

(60) “Parlay” means a series of bets whereby the bettor bets on one entry and bets the proceeds on a second entry, and the proceeds from the second bet on a third entry, and so on;

(61) “Partido” means a game of jai alai on which only win betting is allowed between two post positions to a designated number of points determined by the association and approved by the division;

(62) “Patrol judge” means, in greyhound racing, the racing official who supervises the lead outs from the paddock to the starting box;

(63) “Pelota” means the Spanish name for the ball used in the playing of the game of jai alai;

(64) “Performance” means:

(A) In greyhound racing and jai alai, a schedule of races or games to be conducted either as a matinee, at twilight (late afternoon post time), or in the evening on a particular day; and

(B) In off-track betting, the consecutive hours during which off-track betting is open to the public. Afternoon performances include those race programs from tracks whose first race begins between 7:00 a.m. and 6:59 p.m. (Eastern time). Evening performances include those race programs from tracks whose first race begins between 7:00 p.m. and 6:59 a.m. (Eastern time);

(65) “Performance line” means the information compiled by the chart writer, detailing the performance of a greyhound in an official race or schooling;

(66) “Person” means an individual or business organization;

(67) “Placing” means when used in connection with a race or game results, first, second or third, and in that order is called “win”, “place” and “show”;

(68) “Player” means a jai alai player who is under contract to a jai alai association, participates in any official game of jai alai, and holds a current valid license from the division;

(69) “Pool” means the total amount bet on a specific type of wager in a given race or game;

(70) “Post position” means:

(A) In jai alai, represents the number assigned by the player’s manager which appears to the left of a player’s name in the printed program and which represents the numerical order in which players will appear to play on the court at the commencement of a game; and

(B) In greyhound racing, represents the number randomly assigned to a greyhound to participate in any race and which appears opposite the greyhound’s name in the printed program;

(71) “Post time” means:

(A) In greyhound racing, the time set for the release at the starting box of the greyhounds in a race that is shown reasonably in advance of the race on a clock device, prominently displayed and clearly readable from the grandstand;

(B) In jai alai, the time set for the first serve in a game, which time is shown reasonably in advance of the game on a clock device prominently displayed and clearly readable by the spectators; and

(C) In off-track betting, the time set by the host track for the cessation of wagering;

(72) "Program" means the schedule of races as prepared by the racing secretary or the schedule of games as prepared by the player's manager and printed for the association for sale to the public;

(73) "Race" means a contest for purse, stakes, or entry fees on any course and in the presence of duly licensed racing officials. For off-track betting, race means any authorized off-track betting event;

(74) "Related" means of any persons or entities who are the reporting licensee; its affiliates; principal owners, management and members of their immediate families; entities for which investments are accounted for by the equity method; and any other party who has the ability to significantly influence, directly or indirectly, the reporting licensee from fully pursuing its own separate management operation policies. This includes any power of attorney or fiduciary capacity delegated to any of the persons in this subdivision;

(75) "Related party transactions" means any transaction between a parent company and its subsidiaries, transactions between or among subsidiaries of a common parent, and transactions in which the reporting licensee participates with other affiliated businesses, with management, with principal owners or principal stockholders;

(76) "Ruled off or ejected" means the act of denying a person from all racing privileges at a facility. A person who is ruled off or ejected is barred from all participation including patronage at pari-mutuel facilities. Persons ruled off or ejected in jurisdictions which recognize ejections by Connecticut authorities will be ejected in Connecticut;

(77) "Schooling" means an official race conducted in the presence of the racing judges, with a distance of no less than 5/16 of a mile, in which a greyhound exhibits its skill and ability in a race.

(78) "Scratch" means:

(A) In greyhound racing, the withdrawal of an entered greyhound from a race after the official program has been printed;

(B) In jai alai, the withdrawal of a player from a game after the official program has been printed. The scratched player is replaced by the official substitute listed in the program; and

(C) In off-track betting, the withdrawal of an entry by the host track;

(79) "Session" means a period of time established by the totalizator licensee to report the total betting and cashing activity for matinee, twilight and evening performances conducted on the same day;

(80) "Simulcasting" means the transmission of live audio and video signals of racing events pursuant to a contract, upon which pari-mutuel wagers are accepted; the transmission occurs simultaneously with the racing event from a host track to off-track betting facilities;

(81) "Starter" means, in greyhound racing, according to the requirement of the text:

(A) A greyhound is a starter for the race when the doors of the starting box open in front of it at the time the starter dispatches the greyhounds;

(B) The official who effects the proper start of the greyhounds in the race;

(82) "State" means the state of Connecticut;

(83) “Stock” means any security representing an ownership interest except as otherwise limited by chapters 226 and 226b of the Connecticut General Statutes;

(84) “Stockholders” means those persons whose names appear on the books of a corporation as the owners of the shares of stock and who are entitled to participate in the management and control of the corporation;

(85) “Telephone deposit center” means a facility for accepting wagers by telephone, or other electronic means approved by the division, on authorized off-track betting events;

(86) “Totalizator” means the complete integrated set of hardware and software elements which functions to issue, cancel and record wagers in pools, determine and validate winning wagers, calculate and display approximate odds and payoffs on winning wagers on an electronic display board or monitor for the public view, perform teller accounting, provide real-time and historical reporting, and perform other functions necessary for the operation of pari-mutuel gaming. This term also applies to a duly licensed company providing such a system;

(87) “Tout” means one who obtains information on race entries and their prospects and sells it to bettors by persistently or brazenly soliciting customers on the grounds of a pari-mutuel or OTB facility;

(88) “Track” or “racetrack” means, in greyhound racing, any parts of the plant of a racing association, including, but not limited to, the racing strip, the approaches and entrances, the stands and all other accommodations and facilities afforded to the public, the kennels, lockout, judges’ boxes, pari-mutuel offices, facilities and equipment, totalizator and public address system. For off-track betting, track or racetrack means a race course for conducting races with respect to which the association is accepting bets. A track may include any facility, association or system which conducts racing or accepts wagering;

(89) “Trainer” means a person responsible for the care of greyhounds in a kennel;

(90) “Twilight” means a performance whose first race or game begins in late afternoon;

(91) “Wagering” means the purchasing and cashing of tickets;

(92) “Wagering terminal” means any device approved by the division used to enter wagers into the totalizator system;

(93) Weighing-in weight. The weight of the greyhound taken at first weighing in; and

(94) Weighing-out weight. The weight of the greyhound just previous to post time of the race in which it was entered.

(Adopted effective October 3, 2001)

## **Sec. 12-574-F2. General provisions**

(a) **Gaming policy board.** The board may delegate any duty to the division concerning the regulation of pari-mutuel wagering or off-track betting as long as such delegation is not in conflict with chapters 226 and 226b of the Connecticut General Statutes.

(b) **Applicability.** All licensees and all persons wagering at or through off-track betting or parimutuel facilities shall be bound by the provisions of chapters 226 and 226b of the Connecticut General Statutes and sections 12-574-F1 to 12-574-F65, inclusive of the Regulations of Connecticut State Agencies.

(c) **Waiver.** The gaming policy board or the executive director with the approval of the gaming policy board, in its discretion, may waive any regulation contained herein when such waiver shall be in the best interests of the state of Connecticut, greyhound racing, off-track betting or jai alai. Prior approval of the board shall not

be required for waivers within the jurisdiction of the executive director or where the executive director finds that public health, safety or welfare requires emergency action, or is necessary to facilitate the daily operations of the facilities, provided the board shall be apprised at their next scheduled meeting of the waiver and the circumstances surrounding it. The board may approve or disapprove the continuance of such waiver.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F3. Operating dates, times, and number of games or races**

#### **(a) Jai alai and greyhound operating dates; number of games or races.**

(1) Generally. The board shall approve the number of jai alai playing and greyhound racing days to be awarded, which shall not be less than one hundred (100) days in a year unless the board waives this requirement for an association's initial year of operation. Unless delegated to the division by the board in accordance with section 12-574-F2 (a) of the Regulations of Connecticut State Agencies, the board shall approve the actual days awarded, the number of performances, the post times of the first game or race for each performance and the number of games or races in each performance. Post times for games or races other than the first of each performance shall be established by management and normally adhered to within one minute. However, upon request from management, the division representative may approve extension of the betting period if such extension is required by the circumstances and is in the best interest of the public. Failure to comply with the post times or approved extensions shall constitute an infraction of the regulations which may subject the violating association to a fine, license suspension or both.

(2) Annual application. An association licensee shall annually apply for jai alai or greyhound racing dates and file such information as the board may direct. In awarding jai alai or greyhound racing dates the board shall consider the best interests of the state, the interests of the associations and any other pertinent considerations. The board shall as far as practicable avoid conflicts in the dates assigned.

(3) Sunday performances. With the approval of the legislative body of the town in which the meet is scheduled to take place and upon the request of the licensee, Sundays may be included in the period of days assigned for a greyhound or jai alai meet.

(4) Make-up performances. If for good cause, jai alai or greyhound racing could not be conducted during a meet, the executive director may award make-up performances to be conducted on such dates as the executive director may determine.

#### **(b) OTB operating dates.**

(1) Annual application. Unless waived by the board, the board shall approve the number of operating days to be awarded and the actual days awarded. The executive director shall approve the program of races for each performance, the time of the first race for each performance and the hours of daily operation. The association licensee shall annually apply for operating dates and file such forms as the board may direct. In awarding operating dates the board shall consider the best interests of the state, the interests of the association and any other pertinent considerations.

(2) Sunday operation. With the approval of the legislative body of the town in which the operation is scheduled to take place and upon the request of the licensee, the board shall include Sundays in the period of days assigned for operation.

(3) Make-up performances. If for good cause an OTB program could not be conducted the executive director may award makeup programs to be conducted on such dates as the executive director may determine.

(Adopted effective October 3, 2001)

**Sec. 12-574-F4. Requirements of associations**

(a) **Price notification.** The division shall be notified of the prices of admission, if applicable, to wagering facilities, to special enclosures and reserved spaces therein, to parking areas and of the prices of any other services, equipment or accommodations for wagering, handicapping or otherwise for the comfort, safety or convenience of patrons which might be made available within the facility.

(b) **Commission.** Any association conducting jai alai or greyhound racing shall submit to the division their proposed commission for all pari-mutuel pools. Any changes to the commission structure shall receive prior division approval. The commission shall be in accordance with chapter 226 of the Connecticut General Statutes. Upon request, the association shall make available the approved commission for all active pari-mutuel pools.

(c) **Offices for division.** Each association or OTB facility operator shall provide within its facility suitable offices and in close proximity to the facility suitable parking for the use of the division.

(d) **Information for division.** Associations and concessionaires shall promptly give to the division such information in writing as may be requested and shall freely and fully cooperate with the division in every way.

(e) **Program approval.** The division shall approve the contents of programs offered for sale at the facilities.

(f) **Handicappers.** Anyone who sells or promotes the sale of handicap sheets or other wagering advice or information to the public at a facility shall obtain, as the case may require, an occupational or concessionaire license from the division.

(g) **Race information.**

(1) Associations shall make sure the race or game information which they disseminate to the news media is accurate and shall make all reasonable efforts to make corrections whenever erroneous information is transmitted or whenever an erroneous publication is brought to the attention of the association.

(2) Associations and OTB facility operators shall provide within the facility a method to inform the public of the results of the previous day's performances and shall also maintain a telephone line for use within the state to afford the public with ready access to accurate race results. This line shall provide the correct placings the day following the performance and shall be open and available during business hours during a meet.

(h) **Erection, removal of structures.** Any plan to alter, construct or remove structures on or within facilities utilized by an association or OTB facility operator shall be approved by the division.

(i) **Inspection of racing facilities prior to meet.** At least fifteen (15) days before the start of the initial meet in any calendar year when a facility has been inoperable for a period of thirty days (30), the division shall make an inspection of the facility where the meet will be conducted.

(j) **Clean grounds.** An association or OTB facility operator shall keep and operate all of its facility, including leased areas and parking areas, if applicable, in a clean and safe manner at all times.

(k) **Penalties for illegal wagering.** Any licensee who participates in illegal wagering may be subject to ejection, fine(s), license suspension or license revocation. In the case of the owner of any greyhound, the entries of said owner shall be refused for all Connecticut tracks.

(l) **Video records.** An association shall cause all races to be videotaped in a manner approved by the division and shall carefully retain all tapes for a period approved by the division.

(m) **Complimentary services.** An association may establish procedures to award complimentary services to patrons. Such procedures and any software which interacts with the totalizator system are subject to the prior review, testing and approval of the division. In addition, the division shall have full access to any records and system reports of such services.

(n) **Unfettered access.** Members of the division and its designated representatives shall have the right of full and complete entry to any and all parts of the association's facilities and offices.

(o) **Chronic gamblers fund.** Pursuant to the provisions of section 17a-713(b) of the Connecticut General Statutes, each association or OTB facility operator shall pay a monthly fee for the funding of the chronic gamblers treatment and rehabilitation program. Said fee is to be paid to the division for deposit in the general fund. The previous month's fee shall be paid by each association or OTB facility operator by no later than the fifth business day of the following month.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F5. Facility operations**

(a) **Persons prohibited.** No persons who are apparently intoxicated or under the influence of illicit drugs, touts, persons making book on or about the premises, loiterers or disorderly persons shall be admitted to or permitted to remain in any facility and no such person shall be permitted to place a bet directly or indirectly in any such facility.

(b) **Fraud or interference.** No person shall alter, change, or interfere with any equipment or device used in connection with pari-mutuel operations, or cause any false, inaccurate or unauthorized information, data, impulse or signal to be fed into, transmitted over, registered in, or displayed upon such equipment or device with intent to obtain or enable any person to obtain any payment from the association to which the person is not lawfully entitled, or with intent to cause the association to make any payment not lawfully due, or with intent to defraud the association or any person.

(c) **Responsibility of employer on discharge of employee.** When an association or OTB facility operator discharges a licensed employee, or when such employee voluntarily leaves the employ of the association or OTB facility operator, the association or OTB facility operator shall immediately notify the division of such discharge or resignation. The failure to so notify the division may subject the association or OTB facility operator to a fine, license suspension or both.

(d) **Unlicensed activity forbidden.** No person requiring a license from the division shall carry on any activity whatsoever upon the premises of a facility, unless and until the person has been so duly licensed, except that any such person with the consent of the division representative may so act pending action on the application duly filed. Any person who employs anyone in contravention of these regulations may be fined or suspended.

(e) **Examination of badges.** All persons who have been issued a badge by the division must keep such badge in their possession, subject to examination by the division or its duly authorized representatives, or officials of an association or OTB facility operator, at any time they may deem necessary or proper. The division, at its discretion, may provide temporary badges to facilitate operations when an occupational licensee does not possess such badge for a given day or when final action is still pending on a license application. No licensee shall permit any other person to use the licensee's badge.

(f) **Reporting responsibilities.** Any irregularities or wrongdoing which may threaten the integrity of the facility operations shall be immediately reported to the division by any licensee or association or totalizator personnel having knowledge thereof.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F6. Communication lines**

(a) **Division approval.** No telephone, signal device, radio, television, or other method of electrical, mechanical, manual, or visual communication shall be installed within the association facility until approved by the division.

(b) **Closing telephones.** Notwithstanding the provisions of section 12-574-F6(d), all telephones in the association facility where a meet is being conducted, not specifically authorized by the division, shall be closed at post time for the first race of a performance. No external calls shall be initiated or received after the telephones are closed until after the conclusion of the performance except as authorized by division officials.

(c) **Approval for radio, television, press.**

(1) Any licensed association desiring to broadcast, televise or transmit race or game information by any means, in a manner not inconsistent with state or federal law, shall first obtain the approval of the division.

(2) Associations may permit, subject to the approval of the division, representatives of the media to send, for the exclusive use of such media, news items, and the official results of each race or game together with pertinent information.

(d) **Communication devices - cellular telephones.**

Associations may permit in designated areas as approved by the division, the use of communication devices including, but not limited to, cellular telephones, providing such use does not interfere with patrons or employees. At no time may any communications device be used in the immediate area where wagering is being conducted. If, in the opinion of the director of security or the division, a patron's use of a communication device becomes distracting to the facility's operation, the person shall immediately terminate the use of the device and may be prohibited from any future use.

(e) **Transmission of wagering information.** Unless prior division approval is received, no person shall transmit, receive or attempt to transmit or receive wagering information through the use of any communication device.

(f) **Electronic transmission.** No patron or employee shall receive or send any electronic transmission pertaining to wagering not generally provided by the association, which may be used for the purpose of placing wagers. This subsection is not intended to preclude an association from conducting normal business activities.

(Adopted effective October 3, 2001; amended February 10, 2003)

### **Sec. 12-574-F7. General rules of wagering**

(a) **Approved wagers.** The definitions and the calculation and distribution rules for all wagers shall be approved by the gaming policy board and shall be maintained by the division in a manner approved by the executive director.

(b) **Separate pools.** Pools for each bet type have no connection with any other pool. All wagers for a specific bet type shall be calculated in a pool made up of all wagers for that bet type.

(c) **Refund.** If no ticket is sold that would require distribution of a pool, in accordance with the rule for the wager, the association shall make a complete and full refund of the entire pool upon surrender of the tickets so purchased.

(d) **Post positions.** Selections are made by post positions for jai alai and greyhound racing and by program numbers for horse racing.

(e) **Hold tickets.** Tickets shall be retained until the payouts have been declared official.

(f) **Denomination of tickets.** Tickets shall be sold only in denominations approved by the executive director. For commingled wagers, host track policy shall prevail.

(g) **Minimum entries.** There shall be at least one more contestant in a game or race than required by the number of runners or players in a specific wager, or the entire pool for that wager will be refunded.

(h) **Interrupted game.** If, for any reason, a jai alai game designated as a component of a wager begins and is not completed, said game shall be considered canceled.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F8. Financial reporting**

(a) **Scope.** This particular section of these regulations shall apply only to association, concessionaire, vendor and their affiliate licensees. When the term licensee is used in sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies, unless otherwise specified, it shall be deemed to include only those licensees. The division on its own or upon appropriate application may exempt a licensee from or modify the provisions of this section. The burden of proving that an exemption should be granted rests solely with the licensee.

(b) **Monthly.**

(1) Attendance schedules. Within ten (10) calendar days after the end of the month each licensee shall prepare and submit to the division on forms provided by the division, a schedule of paid and unpaid attendance for each facility at which an admission charge is customarily assessed, for each day of operation during the preceding month.

(2) Revenue schedules. Fifteen (15) calendar days after the end of the month or according to section 12-574-F8(c)(2) of the Regulations of Connecticut State Agencies, the division may require each licensee to prepare and submit to the division on forms provided by the division, simple schedules detailing by performance and price, the number of persons, vehicles or transactions, where applicable, and the dollar amount in receipts of the following revenue categories:

(A) Admissions (by type);

(B) Parking (by type);

(C) Fast foods;

(D) Programs, chart books, year books, etc;

(E) Bars;

(F) Restaurants;

(G) Boutiques and souvenirs; and

(H) Miscellaneous revenue segregated for pari-mutuel and nonpari-mutuel activities.

For all nonpari-mutuel related activities which result in revenue receipts or expenses of a licensee during a dark period, full details shall be provided to the division with this monthly information.

(3) Payroll reports. Each licensee shall upon request, provide the division with access to a copy of each payroll detailed by department, employee name, employee number and dollar amount of salary, commission and bonus, as applicable.

(4) Outs reconciliation. Pursuant to the provisions of section 12-574-F10 of the Regulations of Connecticut State Agencies, each association shall prepare and submit

to the division within fifteen (15) calendar days after the end of the month, such reconciliation of the amounts in the outbook to its account.

(5) Reduplication. With the division's permission, information which is submitted more frequently than monthly need not be reduplicated in the monthly report.

(c) **Quarterly.**

(1) Financial statement. Within forty-five (45) calendar days after the end of its fiscal quarters, each licensee as directed by the division shall prepare and submit to the division its quarterly financial statements prepared on an accrual basis in accordance with generally accepted accounting principles. Such statements are:

- (A) Balance sheets;
- (B) Statement of operations;
- (C) Statement of owner's equity; and
- (D) Statement of cash flows.

(2) Disclosure. Each licensee shall disclose changes to the following, if applicable, under the uniform reporting system schedules of the division:

- (A) Principles of consolidated or combined statements as prepared annually, if any;
- (B) Related party transactions:
  - (i) Nature of relationship (receivable, payable, revenue, expense, gain/loss and cash flow);

- (ii) Amount of investment in related parties;

- (iii) Description of the related party transactions involved; and

- (iv) Dollar value and terms of the related party transactions and the manner of settlement of such;

(C) Adjustments to develop combined or consolidated statements to prevent duplication in reporting and provide a fair representation:

- (i) Amounts that could be eliminated in related party transactions including non-licensees and licensees separately;

- (ii) Amounts of intercompany profit and loss which may be eliminated; and

- (iii) Disclosure of mark-up of cost or revenue, imputed interest rates or adjusted interest rates if favorable rates are provided to related parties.

(3) Reduplication. With the division's permission, information which is submitted in the monthly reports need not be reduplicated in the quarterly report. Licensees who submit monthly reports in lieu of the quarterly reports shall have thirty calendar days after the end of the month in which to submit the monthly report.

(d) **Annually.**

(1) Price structures. Each licensee shall provide the division with a list of prices for items and services by revenue category which shall be available as of the first day of operation each calendar year at such facility, and shall include a seating plan detailing the price per seat, the number of seats per price category and their location. The division shall be apprised of any subsequent change of such pricing information or changes in the sales mix and the effective dates thereof. If an association or any OTB facility operator anticipates providing group packages, such report shall be expanded to indicate total discounts offered, how the package price shall be detailed and recorded by revenue category and the anticipated volume of such packages to be sold.

(2) Annual report. By April 15 or within one-hundred and five (105) days after the close of its fiscal year, each licensee shall submit to the division a complete audit of its accounts prepared for the licensee and the division by a certified public accountant. Such audit shall consist of the financial statements required by a CPA report which shall include: (A) a balance sheet; (B) statement of operations; (C)

statement of owner's equity; and (D) statement of cash flows. Where the licensee is a subsidiary of a company which is subject to reporting to the Securities and Exchange Commission, or its successor agency, the complete audit of the parent company financial statements may be substituted in compliance with this requirement, provided there is also submitted complete unaudited financial statements for the licensee, along with a schedule reflecting the adjustments made in consolidating such subsidiary statements into the consolidated parent company financial statements. Such unaudited financial statements of the licensee shall be submitted on forms provided by or in a format acceptable to the division, and shall be accompanied by a statement signed by the licensee's chief financial officer verifying that, to the best of the signer's knowledge and belief, such financial statements have been prepared from the licensee's financial records and are true, correct and complete, and that in the opinion of management all adjustments necessary to present fairly the financial position, results of operations and cash flows as of and for the periods indicated have been made.

(3) Disclosure. In addition, the division may require the following under its uniform reporting system:

(A) Disclosure of all related party transactions as referred to in quarterly reporting;

(B) Organizational data (listing directors, officers and schedule of stockholders' holdings);

(C) Schedules as of year end or the year ended, for:

(i) Cash accounts by bank and balance;

(ii) Receivables;

(iii) Investments;

(iv) Insurance coverage (including the names and addresses of all companies with whom the policies have been placed as well as the agents with whom the policies have been placed);

(v) Prepaid expenses;

(vi) Fixed assets (detailing acquisition date and cost, asset life and depreciation rate used);

(vii) Loans or notes outstanding to and from the association licensee related parties;

(viii) Accounts payable;

(ix) Miscellaneous revenue in detail by source;

(x) Expenses for, or reimbursements to, employees, officers, stockholders, and directors other than salaries or wages;

(xi) Salaries and wages by department;

(xii) Salaries paid to officials and department heads;

(xiii) Legal, accounting, lobbyist and consulting fees;

(xiv) Travel and entertainment (in complete detail showing actual disposition of funds);

(xv) Contributions or donations;

(xvi) Taxes expensed or paid or both by type of tax;

(xvii) Advertising expense; and

(xviii) Depreciation and amortization;

(D) The results of the study and evaluation of internal control to include the procedures and tests and such other evidential matters utilized as the basis for the study and evaluation;

(E) The licensee's representation letter to the auditor for accounting information material to the financial statements and for matters relating to audit disclosure requirements;

(F) Access to articles of organization and any changes thereto, resolution, amendments to by-laws, minutes of annual corporate meetings, and schedules of percentage distribution of income; and

(G) Reconciliation of the differences between accounting and tax reports (e.g., timing differences) that shall include a concise explanation as to the difference.

**(e) Licensees subject to reporting to the Securities and Exchange Commission.**

(1) In addition to any other accounting system requirements imposed by these regulations, any licensee which is subject to reporting to the Securities and Exchange Commission, or its successor agency, shall be required to submit additional documents to the division.

(2) Each such licensee shall submit to the division a copy of its form 8k, form 10k, form 10-q, proxy statement and annual report to shareholders within fifteen (15) calendar days of filing with the Securities and Exchange Commission.

(f) **Contact person.** Each licensee shall designate individuals knowledgeable in and responsible for the licensee's accounting and reporting systems, as the contact person with the division to respond to accounting and other financially related questions or problems. In addition, each licensee shall provide a contact for each financial consultant and CPA firm utilized for financial advice, accounting or auditing functions, as applicable, and shall also provide a contact for the legal counsel or firm utilized. Such information as submitted to the division shall be updated for any changes.

(Adopted effective October 3, 2001; amended February 10, 2003)

### **Sec. 12-574-F9. Pari-mutuel operations**

(a) **Mutuel manager.** The jai alai, OTB or greyhound association shall appoint a mutuel manager or equivalent who shall be licensed by the division. The mutuel manager and association are responsible for monitoring the accuracy of all pay-off prices. The mutuel manager is further responsible for the integrity of operations and the conduct of all members of the staff. In the case of OTB, the mutuel manager or equivalent is also responsible for the integrity of race control operations. Pool closing time shall be set, supervised and enforced by the mutuel manager.

(b) **Facility manager.** The association and any OTB facility operator shall appoint a facility manager or equivalent for each off-track betting facility who shall be licensed by the division. The facility manager is responsible for the accuracy of all pay-off prices, the integrity of facility operations and the conduct of all members of the staff. Pool closing shall be enforced by the facility manager.

(c) **Availability of pari-mutuel rules.** Such rules of pari-mutuel wagering as approved by the division shall be reproduced and made readily available to the public at each facility. The daily programs sold to the public by associations shall contain a prominent statement indicating that such rules are available.

(d) **Locations for sale of pari-mutuel tickets.** The sale of pari-mutuel tickets shall be permitted only in locations within the facilities accessible to the general public, subject to division approval.

(e) **Acting as agent for patron.** Licensed personnel shall not be permitted to serve as an agent or employee of a patron for the purpose of wagering. It is the duty of the association to enforce this regulation without exception.

(f) **Documentation required.** Payment of winning pari-mutuel tickets shall be made only upon presentation and surrender of such tickets, except in cases of claims based on alleged improperly cancelled tickets. No claims shall be allowed for lost, improperly cancelled, stolen, or destroyed tickets except upon the submission of proof satisfactory to the association that such claim is valid. The association shall

determine the validity of all such submitted claims and may order nonpayment or such payment as it may determine proper. Mutilated pari-mutuel tickets or those whose validity is questioned shall be submitted to the mutuel manager or the mutuel manager's authorized representative for inspection and disposition as to payment. Such mutilated tickets shall also be verified by the totalizator licensee. A decision of nonpayment by the mutuel manager may be appealed to the division whose finding shall be final. A record or log of all claims made and their disposition shall be maintained by the association.

(g) **Ticket presentation deadline.** All winning pari-mutuel tickets shall be presented for payment within one year of the date the race or game was conducted, or all rights to those winnings will be waived. All such unclaimed winnings shall revert to the association pursuant to section 12-575(j) of the Connecticut General Statutes. An association shall print in its daily program an association address at which all holders may present their unredeemed tickets during the period of limitation, or uncashed ticket vouchers for payment.

(h) **Notification of program changes.** For greyhound races and jai alai games, the mutuel manager shall be immediately advised by the racing judges or player's manager prior to the beginning of a wagering period of changes in the program affecting that period.

(i) **Payments-minimum payments.** Payments due on all wagers shall be made in conformity with the established practice of the pari-mutuel system. The practice is to work in dollars and not in number of tickets. The breakage permitted by chapter 226 of the Connecticut General Statutes is deducted in all the calculations arriving at the payoff prices; i.e., the odd cents (¢) of any multiple of ten (10) cents (¢) of winnings per dollar wagered are deducted and retained by the licensee, half of which is to be remitted to the state. The minimum pari-mutuel payoff by a greyhound or OTB association shall be \$2.10 on each winning \$2.00 wager and \$2.20 for jai alai wagers. In the event a minus occurs in any pool the expense of said minus pool shall be borne by the association, and the state shall maintain its percentage of total pool including half of the breakage of the remaining pool.

(j) **Minors prohibited from wagering.** No person under the age of majority shall be permitted to wager.

(k) **Persons prohibited from betting.**

(1) Persons prohibited from betting directly or indirectly at any OTB facility, or at any in-state facility supplying the association with simulcasting or racing information, or via a telephone betting account shall include the following:

(A) Any licensed employee of the pari-mutuel department of an association conducting off-track betting or supplying the association with simulcasting or racing information;

(B) Any licensed employee of the pari-mutuel department of an OTB facility operator;

(C) Any division employee;

(D) Any licensed employee of the totalizator company;

(E) Any association and OTB facility operator officials:

(i) Key executive or control person(s);

(ii) Director of security and assistant(s);

(iii) General manager and assistant(s);

(iv) Mutuel manager and assistant(s);

(v) Facility manager(s) and assistant(s);

(vi) Telephone betting manager and assistant(s); and

(F) Employees of the pari-mutuel department are not permitted to wager at any mutuel window of an association at which they are employed. This prohibition shall not preclude wagering by persons in connection with and as part of their official duties, if approved by the executive director.

(2) No division employee shall accept any gift or gratuity, directly or indirectly, from any person who places a bet at any off-track betting facility or facility supplying the association with simulcasting or racing information services, from any association, OTB facility operator, concessionaire or from any other licensee.

(3) The association, totalizator licensee or OTB facility operator shall be responsible for purchasing those tickets which are entered in pari-mutuel pools either through equipment malfunctions or pari-mutuel employee error and shall provide in the totalizator contract for the recognition and apportionment of this responsibility between them. Nothing in the prohibition of employee wagering shall preclude the responsibility of the association, totalizator licensee, OTB facility operator or the responsible employees of the association, to purchase those tickets which are the result of pari-mutuel employee error or the malfunctions of the ticket issuing terminals and the purchasers of those tickets shall be their owners. Any pari-mutuel employee who continuously punches out tickets in error may be subject to fine, license suspension or license revocation.

(l) **Opening of pari-mutuel terminals.** Pari-mutuel terminals shall be open during the hours of operation approved by the division. After the last race or game of a performance, mutuel cashiers' terminals shall remain open until all patrons in line have been afforded the opportunity to cash their winning tickets or to receive refunds.

(m) **Refunds.**

(1) Generally.

(A) If a race or game is declared off by the judges after wagering begins on that race or game, all money wagered on that race or game shall be refunded.

(B) If no greyhound finishes in a race, all money wagered on that race shall be refunded.

(C) If a greyhound race is marred by jams, spills, or racing circumstances other than accidents to the machinery while a race is being run, and three or more greyhounds finish, the racing judges shall declare the race finished, but if less than three greyhounds finish, the racing judges shall declare it "no race" and monies shall be refunded.

(2) Scratches.

(A) Greyhound racing

(i) If a greyhound is excused from a race for any reason whatsoever after wagering on that race has begun, the money wagered on that greyhound shall be refunded.

(B) Jai alai

(i) When for any reason, a player scheduled to play is unable to compete, the players' manager shall use the official substitute shown in the program to complete the game and all bets made on the scratched player or players shall remain in effect on the scratched player's position.

(ii) No refund shall be made on any player or team.

(C) OTB

(i) Refunds and scratches are based upon the host track rules.

(n) **Wagering terminals locked.** All pari-mutuel wagering terminals shall be lockable by electrical control. A locked terminal shall be incapable of accepting or recording wagers and issuing tickets on prior races and games or the race and game in progress. Each association shall provide and maintain in the judge's stand an

electrical device which shall directly control the locking of all pari-mutuel terminals. Such locking control shall be restricted to the judge's stand, the totalizator room or the hub. No other location shall be so equipped as to be capable of exercising such locking control. The machines shall be locked only by the division representative unless otherwise specifically authorized by the division and shall be locked prior to the opening of the starting box, or the first serve in any game. The time of locking of the terminals and the location from which such locking is initiated shall be recorded on the history log of the system.

(o) **Sales not completed.** No association or totalizator licensee shall be responsible for ticket sales not completed before the wagering terminals are locked. No further transactions on prior races or games or the race or game in progress shall be permitted after the wagering terminals are locked except that where equipment permits, time will be allowed, subject to division approval, for cancellations where the wrong ticket has been issued on the race or game just begun.

(p) **Display of odds.**

(1) The totalizator shall be so designed that it will aggregate the total amounts and the amounts on each program number wagered from time to time as the wagering progresses. There shall be operated in connection with such totalizator, one or more totalizator boards which shall prominently display within view of the public, winning odds on each program number as indicated during the progress of such wagering and at intervals of not more than ninety (90) seconds between each complete change of odds. The posting of the win odds shall begin immediately upon the commencement of wagering in the win pool. These odds will be approximate, and are not the exact figures used in the payoff. The odds to be posted shall be the odds on each program number to win in each race or game. The odds on each combination in quinella and perfecta wagering, if any, shall be posted on the television screens throughout the facility.

(2) The final approximate odds and the total amount wagered in each approved pari-mutuel pool shall be calculated and displayed immediately after the close of the pari-mutuel terminals and transmission of information from all remote locations. The totalizator equipment shall display on TV monitors throughout the facility at the end of each race, when the results have been declared official, the winning program numbers and the payout of every winning combination by pool.

(q) **Pool discrepancy on totalizator board.** Whenever there is a difference in any pool or pools, i.e., a difference between the sum total of the wagers on the individual entries as compared with the grand total as shown by the totalizator boards, or when ever the totalizator board fails and the amounts shown are obviously unreliable as to the amounts wagered, the payoff shall be computed on the sums wagered in each pool as reported by the totalizator licensee and reviewed and recomputed based upon division judgement of such circumstances. If an error is made in posting the payoff figures on the totalizator board, it shall be corrected promptly and only the correct amounts shall be used in the payoffs, irrespective of the error on the totalizator board. If because of a mechanical failure it is impossible to promptly correct the posted payoff, a statement shall be made over the public address system stating the facts and corrections.

(r) **Overpayment.** In the event that an association overpays to the public in a given race or game, the association shall bear the expense and report to the division such overpayment. The percentage to be given to the state pursuant to chapter 226 of the Connecticut General Statutes shall be derived from the actual amount wagered in the specific pool in which an overpayment occurs.

(s) **Reporting of equipment malfunction and totalizator breakdown.**

(1) As soon as a problem is discovered involving a malfunction of totalizator equipment, the division shall be furnished a verbal statement of the nature of the problem and its impact on the operation, which will then be followed by a detailed report thereof in writing signed by the totalizator manager. In all instances, the totalizator operator shall notify the affected associations as soon as a problem is discovered. At the discretion of the division a written report shall also be provided to the division and prepared by the mutuel manager detailing the reasons for, and the actions taken, because of equipment malfunction or totalizator breakdown.

(2) In the event of a breakdown of the totalizator or the ticket issuing machine, or both, which in the opinion of the division materially affects the operation of the system during the wagering on a race or game, the wagering for that race or game shall be declared closed. The mutuel manager shall refer to the general manager or designee who, with the approval of the division representative, shall determine whether a refund shall be made on the tickets purchased for that race or game, or whether the payoff for that race or game shall be computed on the sums already wagered in each pool or in the case of OTB, based upon the applicable provisions of the calculation rules as approved by the division. The association and the totalizator licensee shall provide for and ensure accuracy of the handle distribution by pool. Subject to the provisions of this subsection, the mutuel manager or designee and the division representative shall advise the general manager or designee whether payment shall be delayed until all relevant facts are determined and whether the remaining races or games shall be cancelled; or there shall be a suspension of wagering on any given pool until the totalizator system has been put in order. In the event of such a suspension, races or games may be run without wagering.

(t) **Posting of final approximate odds.** The printout on each pool, showing total amount wagered on each program number, shall be immediately available for inspection by the public. Such availability is to be made as soon as possible after the completion of the race or game and shall remain available until the close of the day's program.

(u) **Reporting of irregularities.** Any irregularities or wrongdoing involving pari-mutuel wagering shall be immediately reported to the division by any licensee or association or totalizator personnel having knowledge thereof.

(v) **Tax reportable winnings and withholding.** The association shall comply with all statutes, rules, regulations, rulings, and directives of the Internal Revenue Service and Department of Revenue Services regarding reportable winnings and withholding thereon. Federal and state reportable winnings information shall be provided to the division on a quarterly basis, using a media and a format specified by the division.

(w) **Wagering pools.** There shall be separate wagering pools for each type of approved pari-mutuel wagering with payoffs calculated independently of each other. From each pool there shall be deducted the amount specified by chapter 226 of the Connecticut General Statutes for the state and association, the remainder being the net pool for distribution.

(x) **Official results.** At the end of each race or game the judges shall verify with the mutuel department, by use of totalizator equipment or telephone, the official placement and payout of the program numbers. No payoffs shall be made until the receipt of such verification and the declaration that the result is official by flashing the word "official" on the totalizator board or announcing such on the public address system.

(y) **Emergencies.** Should any emergency arise in connection with the operation of the pari-mutuel department not covered by sections 12-574-F1 to 12-574-F58, inclusive, of the Regulations of Connecticut State Agencies and an immediate decision is necessary, the general manager, after consultation with the mutuel manager and division representative, shall determine the appropriate action and shall make a detailed explanation in writing immediately to the division.

(z) **Mutuel department.** The mutuel department of every association and facility operator shall be conducted in a strict, courteous, dignified and professional manner.

(aa) **Right to refuse payment.** In the event any wager is determined to have been placed after a race or game has officially started, the association, with division approval, may withhold payment on such wagers and calculate pay-off prices based on wagers placed prior to the start of the race or game.

(bb) **Sales of tickets.** All wagers shall be for cash at the time of sale and all cash transactions shall be made with United States currency.

(cc) **No wagering on credit.** No licensee shall extend credit in any form to any patron for the purpose of wagering. Checks accepted by an association or oth facility operator shall be immediately endorsed for deposit and not held for subsequent redemption by the issuer. Nothing in this subsection shall preclude the installation, subject to division approval, of a third party cash service at any facility.

(dd) **Use of printed slips.** The association or OTB facility operator may require that the bettor indicate on a printed betting slip in clearly legible handwriting, the racetrack, amount of bet, the type of bet, the race number, the wagering interest and such other information as may be specified by the association or OTB facility operator.

(ee) **Issuance of pari-mutuel ticket.** Upon receipt of the money to be wagered and the information set forth in subsection (dd) of this section, the association or OTB facility operator shall issue a ticket or receipt to the bettor which shall show the information submitted by the bettor. The issuance of such ticket or receipt shall constitute the acceptance of the bet, subject to subsection (ff) of this section and to said bet containing the information specified by the association or OTB facility operator. Provisions of this subsection notwithstanding, an association or OTB facility operator may implement procedures for betting by any other electronic means approved by the division.

(ff) **Acceptance of pari-mutuel ticket.** Except as otherwise provided in sections 12-574-F1 to 12-574-F58, inclusive, of the Regulations of Connecticut State Agencies, any person making a bet at a facility shall be deemed to accept the ticket or receipt issued. Cancellations of pari-mutuel tickets shall only be permitted under procedures determined by the association and approved by the division. Any claim by a person that a ticket or receipt issued is in error, bears an omission or they have received an incorrect amount of change shall be made before leaving the pari-mutuel ticket window.

(gg) **Patron complaints.** Patrons with complaints should register them with an authorized mutuel supervisor, or division representative who may direct the patron to the mutuel manager, their authorized representative or the division office for redress. The record of any complaint concerning any pari-mutuel transaction shall be reported immediately to the division representative by the mutuel manager or supervisor.

(hh) **Sale of wagers.** The method and manner of selling pari-mutuel wagers shall be approved by the division. The approval shall include, but not be limited to, the number, type, and distribution of wagering terminals.

(ii) **Faulty pari-mutuel ticket.** It is the burden of the bettor to verify all information on the ticket issued at the time of issuance. Once the bettor accepts an issued ticket, it is deemed to be valid. Where a ticket presented for payment is incomplete, or contains undecipherable characters or inconsistent data with respect to any particular bet thereon, to the extent that a correct payoff cannot be determined, the association may deny refund or payoff.

(jj) **Delay of payment.** The association may reserve the right to delay any payment until an official inquiry is made into the race or ticket in question.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F10. Uncashed tickets**

(a) **Outsbook.** The association shall carry an account called the outsbook which shows the total amount due for current and prior days outstanding unredeemed pari-mutuel tickets which represents: (1) the winning tickets not presented for payment; (2) the unredeemed refundable pari-mutuel tickets for canceled races, games or equipment malfunctions; (3) the unredeemed refundable pari-mutuel tickets for any pool of any race or game in which there is no winning ticket and such pool cannot be redistributed to other winning combinations as provided by the rules for the wager; and (4) scratched entries. A record of all current unpaid pari-mutuel tickets shall be prepared and retained by the data processing systems or computerized totalizator services utilized by the association at the end of each racing day as requested by the division. A copy of the outstanding tickets report prepared by the association or totalizator licensee showing the daily accumulation of the current outs totals shall be delivered to the division by the association at the close of each racing day. The association shall provide the division with a complete outs listing when so requested in a format acceptable to the division. Subject to division approval, no outsbook removed from memory files of the data processing or totalizator equipment shall exist in more than two copies. One copy is to be maintained by the association or totalizator licensee for outs activity. The other copy shall be provided to the division, which copy may have certain bet identification parameters suppressed. No other copies, extractions or access shall be made on uncashed ticket information unless so authorized in writing by the executive director.

(b) **Uncashed cash vouchers.** An association shall maintain proper records regarding all uncashed vouchers in order to comply with the requirements for unclaimed property in accordance with section 3-64a of the Connecticut General Statutes.

(c) **Requirements current.** The current day's outsbook shall include the date, performance, race or game, type of wager, amount wagered, winning combination, payoff amount, number of winning tickets outstanding and total amount outstanding for the day and shall be furnished in accordance with the requirements of this section. For systems that utilize a ticket identification code, at no time shall a decipherable ticket identification code appear in the outsbook.

(d) **Update.** The outsbook shall be updated at the end of each subsequent racing day by the reduction of the amount and number of tickets outstanding and the addition of outstanding tickets data for the racing day just ended. The supporting data utilized for such update shall be presented along with the update in a manner prescribed by the division.

(e) **Off-line cashing of tickets.** When the cashing of a ticket is not automatically recorded in the totalizator system's memory, within fifteen (15) days after the end of the month and subject to subsection (g) of this section, an association shall provide the division with a monthly summary of the outs activity for the month just ended that shall contain the beginning balance, the activity for the month

segregated for tickets cashed and other adjustments, and the ending balance. Such summary shall be signed by the association employee responsible for maintaining the outbook and shall indicate that a trial balance for the outs has been completed and is in agreement for such month. All adjustments in the outbook shall be initialed and shall indicate the time, date and reason for such adjustment.

(f) **Cashing tickets.** When cashing current day pari-mutuel tickets or pari-mutuel tickets which have been entered in the outbook, the association shall be responsible to see that the ticket is branded for systems with that capability or that on the back of each ticket is clearly stamped with the number of the cashier, the words “out ticket”, the date such ticket was cashed, and the name of each patron with federal and state reportable winnings. The regulations as set forth in sections 12-574-F9(f) and (g) of the Regulations of Connecticut State Agencies for ticket presentation and section 12- 574-F9(v) of the Regulations of Connecticut State Agencies for betting information shall apply.

(g) **Records to be retained.** All outstanding tickets cashed shall be grouped by cashing date and any outstanding tickets cashed for any outbook which is removed from the memory files of the data processing system or totalizer equipment shall be segregated from current performance tickets cashed. No records including updated records pertaining to pari-mutuel operations or cashed winning pari-mutuel tickets shall be destroyed without the permission of the division. Safe-guarding of these records is the association’s responsibility.

(h) **Limitations.** No tickets are to be honored for payment unless presented for payment within one year from the date of the event. At the expiration of this limitation period, the value of the uncashed winning pari-mutuel tickets shall be paid over to the association and a final update of the outs listing represented by the amount paid over to the association shall be submitted to the division.

(i) **Discrepancies.** It is the association’s responsibility to ensure the accuracy of transactions involving the outs account and to reimburse the account for any errors, misrepresentations, or discrepancies. Furthermore, the association shall immediately notify the division of any such errors, misrepresentations, or discrepancies and provide the division with a full explanation as soon as possible thereafter.

(j) **Money retained in operating account.** All money representing the value of the outbook shall be retained by the association in a regular or restricted operating account determined by the association subject to the surety required by the division. Investments may be purchased as surety subject to the conditions and approval of the division.

(k) **Certification.** The mutuel manager shall be responsible for the adequate and timely maintenance and reconciliation of the outbook and shall keep a record of the names of the individuals who have made entries in the outbook and the date of such entries. The mutuel manager shall further certify the validity of the entries and the accuracy of the computations in the outbook and shall include such certification in the final update that is submitted to the division.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F11. Underpayments, fines, remittance**

(a) **Underpayments.** All monies resulting from underpayment to the public of the mutuels payout irrespective of cause, shall be paid over to the state of Connecticut by each licensee by the close of banking hours the next banking day following the day of the session.

(b) **Fines.** Except where a stay is granted, upon official notification, all fines imposed upon licensees pursuant to chapter 226 of the Connecticut General Statutes

or any applicable regulations shall be paid over to the state within forty-eight (48) hours of notification of said fine.

(c) **Failure to comply.** Failure by any licensee to comply with this section may be cause for further administration action.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F12. Officials**

(a) **Designation of officials.** Officials shall include the following, as determined by the division:

- (1) Division officials:
  - (A) Division facility supervisor;
  - (B) Division judge;
  - (C) Division senior facility officer;
  - (D) Division liaison officer;
  - (E) Division veterinarians;
- (2) Association officials:
  - (A) Presiding racing judge;
  - (B) Associate racing judge;
  - (C) Court judges;
  - (D) General manager and assistants;
  - (E) Mutuel manager and assistants;
  - (F) Facility manager and assistants;
  - (G) Director of security and assistants;
  - (H) Association veterinarians;
  - (I) Players's manager and assistants;
  - (J) Racing secretary and assistants;
  - (K) Paddock judge;
  - (L) Chart writer;
  - (M) Kennel master;
  - (N) Operator of mechanical lure;
  - (O) Patrol judge;
  - (P) Clerk of the scales; and
  - (Q) Starter.

(b) **Approval by division.**

(1) At least thirty (30) days prior to the first day of a race or meet, the association shall submit in writing to the division the names of all association officials, and no association official shall be qualified to act until having been licensed by the division. In the event of incapacitation of any such approved association official, the association may, with the approval of the division, appoint a substitute who shall, within seven (7) days of appointment, obtain a license from the division. Any removal or transfer of association officials shall be reported to the division in writing prior to actual removal or transfer, detailing the reason for such action.

(2) All association officials enumerated in subsection (a) of this section shall be appointed by the association holding the race or meet. All appointments are subject to licensure by the division, which reserves the right to demand a change of personnel for good and sufficient reason. The division shall appoint the division officials.

(c) **Compensation.** All association officials enumerated in subsection (a) of this section shall be compensated by the association.

(d) **Dual jobs.** No operating official may hold more than one position at a facility unless written permission is obtained from the division.

(e) **Wagering prohibited.** No licensed greyhound official may wager on the result of a greyhound race conducted in Connecticut. No licensed jai alai official may wager on the result of any games played at a fronton in Connecticut.

(f) **Reports to division.** All observed violations of sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies shall be reported in writing by officials and their assistants to the division and the board of administrative judges. Any official or assistant having knowledge of, or information pertaining to any mistreatment or neglect of greyhounds, shall report to the division immediately and submit details in writing, in a timely manner thereafter for investigation and redress.

(g) **Prohibition.** No person employed or appointed by the division or the association shall have or maintain any interest, direct or indirect, in the ownership or leasing of a greyhound which participates at any licensed meet within Connecticut.

(h) **Respect accorded officials.** If any person licensed by the division uses abusive language to an official, state or division employee, or otherwise disturbs the peace at the facility said person shall be liable for a penalty, including ejection by the association which shall be immediately reported to the division, or a fine, license suspension or license revocation by the division.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F13. Board of administrative judges for jai alai and greyhound racing**

(a) **Composition and appointment.** The three member board of administrative judges shall be comprised of:

- (1) the division facility supervisor or designee;
- (2) the general manager or designee; and
- (3) an additional division representative.

(b) **Authority.**

(1) Majority rules. All questions pertaining to which their authority extends shall be determined by a majority vote of the board of administrative judges.

(2) Presiding judge. The division facility supervisor or the senior facility liaison officer shall be the presiding judge of the board of administrative judges.

(c) **Deputy and temporary racing judges.** No deputy or temporary racing judge shall sit on the board of administrative judges unless the permission for such substitution is received from the executive director.

(d) **Powers and duties.**

(1) The board of administrative judges shall have jurisdiction over all matters concerning allegations of regulatory infractions committed by patrons or division licensees.

(2) The board of administrative judges shall investigate and review any allegation of fraudulent or corrupt practices at the facility.

(3) The board of administrative judges shall investigate all complaints.

(4) The board of administrative judges shall have the power to conduct reinstatement hearings.

(5) The board of administrative judges shall have the power, following a hearing conducted in accordance with the division rules of practice and hearing procedures, to punish for violation of chapter 226 of the Connecticut General Statutes or sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies, any person subject to their control and in their discretion, to impose fines, license suspensions or both for said violations.

(6) The board of administrative judges may suspend for not longer than sixty (60) days anyone whom they have authority to supervise, they may impose a fine not exceeding \$500.00, or they may impose a combination of these penalties. They may also suspend any person, including greyhound racing authorities, racing judges of any other state or any other officials of the meet, found guilty of any corrupt or fraudulent practices. All such suspensions and fines shall be reported to the division. If the penalty capable of being imposed by them is not in their opinion sufficient, the board of administrative judges shall refer the matter to the division.

(7) Any party aggrieved by the imposition of a penalty by the board of administrative judges may petition the division for a hearing de novo conducted in accordance with chapter 54 of the Connecticut General Statutes. The petition shall be submitted in writing to the division within three days of official notice of the judges' decision. The taking of a petition to the division shall automatically stay any penalty imposed by the board of administrative judges.

(8) The division retains the right to assume jurisdiction over any matter within the purview of the board of administrative judges.

(e) **Exclusions.** In accordance with section 12-574-F19 of the Regulations of Connecticut State Agencies, the board of administrative judges shall order the exclusion from all places under their control of persons ruled off or ejected. In accordance with section 12-574-F19 of the Regulations of Connecticut State Agencies, they may also order the exclusion of any person declared guilty of any corrupt or fraudulent practices by authorities or judges of any other state or country. The names of all persons ordered excluded shall be promptly reported to the division.

(Adopted effective October 3, 2001)

#### **Sec. 12-574-F14. Security**

(a) **Director of security.** An association and any OTB facility operator shall employ a full time director of security who shall be licensed by the executive director. The director of security, the authorized representative or, in the absence of security, facility management shall be responsible to:

(1) Supervise the entrance to and exit from the OTB facilities, and supervise the entrance to and exit from every gate within the grounds of the association at all times during the scheduled meet of said association;

(2) Supervise all security personnel in the constant search for undesirables and expulsion of same from the facility;

(3) Investigate and report in a timely manner to both the division and the association any action or allegation of action on anyone's part which may endanger the honest operation of any facility; and

(4) Enforce sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies and association rules, whether the violator is a patron or employee, and assist in the apprehension of offending parties and expulsion of same, if requested by either the association or the division.

(b) **Crowd control.** At least fifteen (15) days before the start of the initial meet of any calendar year, the association or facility operator shall provide the division with a plan for crowd control and thereafter shall notify the division of any amendments to such plan, which are subject to the division's approval.

(c) **Daily security or incident report.** The track or fronton security department and any other law enforcement agency employed by the association to act in, on or about the licensed premises of any facility, shall furnish a copy of their daily security report, and any incident reports, together with any additional pertinent information, to the division. The copy shall be delivered to the division personnel

at the facility upon the close of each operating day, or furnished to the division immediately upon demand. The association shall likewise furnish the division with copies of any other police reports of which it comes into actual possession.

**(d) Responsibility of association.**

(1) Each association through its director of security shall police its grounds at all times in such a manner as to preclude the admission of any person in and around the kennels, paddock area, players' quarters, parking area or other restricted areas of a facility excepting those duly licensed by the division, and authorized by the association. If the division finds that the restricted areas of an association are not being properly policed and unauthorized persons are found in and around these areas, the division shall take all action appropriate under chapter 226 of the Connecticut General Statutes including, but not limited to, fine(s), license suspension or license revocation.

(2) A jai alai association, through its director of security, shall supervise all entrances to and exits from the players' quarters and shall secure such entrances at least one (1) hour before the start of the first game of a performance and shall insure that the hour remain secured throughout the performance.

(3) Each greyhound association through its director of security shall furnish as approved by the division complete security service night and day in and about all kennel enclosures and shall furnish to the division a complete list showing name, duty, place stationed and portions of enclosures supervised by such security officers.

(4) Each association through its director of security shall police its grounds in such a manner as to properly protect the public and maintain order, and to refuse admission to and eject from its premises any and all undesirable persons.

**(e) No admittance without license.** No unlicensed person shall be permitted to enter in or about any restricted areas or other areas requiring authorization from the division. Admittance to the kennels is prohibited unless a valid owner's, trainer's, kennel employee's, veterinarian's license or temporary badge has been issued by the division.

**(f) Minors prohibited.** No association or persons shall knowingly permit any minor to enter a facility nor shall any minor be permitted to place a bet, directly or indirectly, at any off-track betting facility or by telephone. The division, an association or an OTB facility operator shall have the right to require patrons to produce proof of age and identity. An association shall be fined not more than fifty dollars per violation if any minor is found at its facility in violation of this subsection. Any occupational licensee who violates this section shall be fined not more than twenty-five dollars per violation. Pursuant to section 12-576(e) of the Connecticut General Statutes, nothing in this subsection shall be construed to prohibit any minor from entering onto a parking area at any building or establishment when authorized off-track betting takes place or at any racetrack or fronton when any authorized meeting takes place for the purpose of attending an event at which gambling activities do not occur.

**(g) Employment of minors.** Minors sixteen years of age or older may be licensed by the division provided written permission from a parent or guardian is filed with the division.

**(h) Written report of arrests.** It shall be the duty of each association, through its director of security, to notify the division in writing, in a timely manner, of all ejections and arrests, giving names, addresses and offenses.

**(i) Weapons, alcoholic beverages and drugs.**

(1) No person shall carry or display on the premises of the association any firearm or other dangerous weapon, unless as a law enforcement officer or association security employee.

(2) No person shall possess at any facility, any alcoholic beverage unless the beverage is purchased on the premises.

(3) No person shall possess at any facility, any narcotic or other controlled substance unless under written prescription by a licensed physician.

(j) **Nightly log, recording disturbances.** Where applicable, a log shall be maintained by the association security stating in detail any disturbances, drunkenness or disorderly conduct in and about the kennel area, giving in detail where applicable the names, badge numbers and license numbers of any persons committing any offenses whatsoever.

(k) **Kennel and compound security.**

(1) All incidents relating to improper activities or suspicious occurrences in kennels and compounds shall be immediately reported by owners, trainers or other kennel employees to the director of security or other track officials as well as to the duly authorized representative of the division.

(2) A copy of the association security rules shall be posted inside every kennel or furnished to every kennel owner or trainer.

(3) No person shall be permitted in the kennel area proper except the owner, trainer, kennel operator, kennel helpers, association representatives and authorized division personnel.

(4) Trucks and trailers shall be driven only by licensed kennel personnel and shall be inspected by them prior to the loading of greyhounds.

(5) The division reserves the right to disapprove the type, quality or grade of food delivered for use in the kennels. Food deliveries shall be made directly to kennel personnel and shall be properly secured upon delivery. Food purveyor personnel shall secure a signed delivery receipt from a licensed kennel employee at the time of each delivery.

(l) **Trespassers to be ejected.** Any person going upon the surface of the race track or into the winners enclosure without the permission of the racing judges, shall be ejected promptly from the premises of the association.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F15. Patron complaints**

Complaints by patrons against any officials or employees, or complaints of corrupt practices or other questionable incidents shall be made to the division at its offices. Such complaints shall be in writing, and the division shall forward a copy of any complaint to the association or OTB facility operator. A written copy of any patron complaint made to the association or an OTB facility operator shall be immediately forwarded to the division. A written copy of the association's or OTB facility operator's disposition shall also be immediately forwarded to the division.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F16. Violations of rules and regulations**

(a) **Liability.** Any licensee of the board or division violating chapter 226 of the Connecticut General Statutes or any of sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies shall be liable for the penalties herein provided, unless otherwise provided. It is the duty and responsibility of all such licensees to know these rules. Nothing in sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies shall be deemed to

lessen the primary responsibility of a licensed association to enforce these rules and regulations.

(b) **Penalties.** The penalties for violation of chapters 226 and 226b of the Connecticut General Statutes or sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies shall be as follows:

(1) The board:

(A) For good cause, may impose upon a licensee authorized to conduct a meeting or operate the off-track betting system a fine of up to seventy-five thousand dollars per violation;

(B) For good cause, may impose upon any other licensee a fine of up to five thousand dollars per violation;

(C) For good cause, may revoke, suspend, or deny licenses granted by it;

(D) In the case of a license revocation, may bar its licensees from all pari-mutuel operations in Connecticut; and

(E) May impose a combination of these penalties.

(2) The executive director:

(A) For good cause, may impose on his licensees a fine of up to two thousand five-hundred dollars per violation;

(B) For good cause, may deny any license application, and the executive director, deputy, any unit head, assistant unit head or executive assistant, so authorized by the executive director, may suspend or revoke for good cause any license issued by the executive director;

(C) May deny his licensees under suspension admission to or attendance at one or more pari-mutuel facilities;

(D) May eject or bar from all pari-mutuel operations in Connecticut any licensee who has had his license revoked; and

(E) May impose a combination of these penalties.

(3) Penalties by the racing judges are covered under section 12-574-F23(j) (8) of the Regulations of Connecticut State Agencies.

(4) Penalties by the board of administrative judges are covered under section 12-574-F13(d) (6) of the Regulations of Connecticut State Agencies.

(c) **Payment of fines.** All fines assessed shall be paid in accordance with section 12-574-F11(b) of the Regulations of Connecticut State Agencies. Any licensee who pays a fine imposed on another licensee may be penalized by the appropriate authority, except in accordance with applicable law.

(d) **Right to hearing.** All parties cited for violations will be given opportunity for a hearing in accordance with these regulations and the division rules of practice and hearing procedures.

(e) **Right to appeal.** All sanctions imposed by the division are appealable to the board and shall be appealed within fifteen (15) days of the mailing or hand delivery by division personnel of the division's decision. All decisions of the board may be appealed pursuant to section 4-183 of the Connecticut General Statutes.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F17. Corrupt practices and disqualification of persons**

(a) **Corrupt practices.** The following are deemed to be corrupt practices:

(1) Giving, offering or promising, directly or indirectly, a bribe in any form to any person licensed by the board or executive director;

(2) Soliciting, accepting, or offering to accept a bribe in any form by a person licensed by the board or executive director;

(3) Failure of a licensee to notify the board of administrative judges of an offer, promise, request, or suggestion for a bribe made to the licensee or of any other improper or fraudulent practice;

(4) Willfully entering, causing or permitting to be entered, or started in a race, a greyhound which the person knows or has reason to believe to be disqualified;

(5) Offering or receiving money or any other benefit for declaring an entry from a race;

(6) Soliciting bets from the public by any one other than an association;

(7) Tampering, or attempting to tamper with any greyhound, or aiding such tampering in any way;

(8) Committing or conspiring to commit or assisting in the commission of or conspiracy to commit any improper, corrupt or fraudulent act or practice in relation to racing, jai alai or the operation of off-track betting; or

(9) Attempting knowingly to fraudulently establish the identity of a greyhound.

(b) **Use of live animals prohibited.** Any person licensed by the division found guilty of using or permitting the use of live animals in the training of active racing greyhounds shall be fined or their license suspended or revoked.

(c) **Effect of ejection, suspension, or revocation.** Anyone who has been ejected or whose license has been suspended or revoked by the division, the racing judges, the board of administrative judges or by the highest official regulatory body having jurisdiction where the offense occurred, shall be denied admission to all facilities licensed by the board until duly reinstated, or until the matter has been otherwise determined by the division.

(d) **Discretion of board of administrative judges.**

(1) The board of administrative judges shall have the power to declare any act which they deem to be improper, or any act which would tend to mislead the wagering public, or any act which they deem to be detrimental to the best interest of jai alai or racing, a corrupt practice and they shall have power to impose penalties, including, but not limited to fine, ejection or license suspension, and they shall report any such action to the division.

(2) If any alleged corrupt act occurs which may not be provided for in sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies, the board of administrative judges shall investigate, and they shall act upon said investigation in a manner which is just and in conformance with the integrity of jai alai or greyhound racing.

(e) **Penalties.** Anyone committing a corrupt practice shall be immediately ejected from the facility and subject to the attendant consequences of ejection and any other penalty permitted by sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies and the laws of the state of Connecticut. Ejections shall be subject to the provisions of section 12-574-F19 of the Regulations of Connecticut State Agencies. Involvement of a licensee in a corrupt practice shall be deemed sufficient hazard to the public health, safety, and welfare to warrant summary suspension of such licensee's license pending a hearing to be held within seven (7) days of such suspension.

(f) **Fraud, return of prize.** When a licensee is convicted of any fraudulent practice in relation to a particular greyhound, wholly or partly belonging to said licensee, they shall return all money or prizes which such greyhound has fraudulently won.

(Adopted effective October 3, 2001)

**Sec. 12-574-F18. Appearance of licensees as witnesses at hearings**

The board, the division, the racing judges and the board of administrative judges of a meet shall have the authority to order any licensee to appear as a witness at any hearing conducted by them. Failure to appear may subject the licensee to a fine, license suspension or license revocation.

(Adopted effective October 3, 2001)

**Sec. 12-574-F19. Formal ejection of persons**

(a) **Formal ejection.** Through its director of security or duly authorized representative(s), an association or OTB facility operator shall eject from its grounds all unauthorized persons, known undesirables, touts, persons believed to be bookmakers or connected with bookmakers, persons whose licenses are revoked or under suspension, ejected persons or persons whose conduct may be detrimental to jai alai, greyhound racing, OTB or the public welfare. Likewise, the division on its own initiative may eject such aforesaid persons.

(b) **Division notification.** It shall be the duty of each association or OTB facility operator through its director of security, to notify the division of all formal ejections and arrests, giving the name and address of the ejectee and the specific nature of the offense.

(c) **Formal ejectee notification.** Every person formally ejected by the association or the division shall be notified in writing of the ejection and the specific reasons therefore. All ejection notices shall contain appropriate language informing the person ejected of their right to a hearing and the procedures involved. If ejected by an association or OTB facility operator, a copy of the ejection notice issued by the association shall be immediately filed with the division.

(d) **Ejection hearing.** Any person formally ejected by either the association, OTB facility operator or the division shall have the right to a hearing by the division concerning the propriety of such ejection upon written request to the division within seven (7) days of the ejection. Such hearing shall be held pursuant to division rules of practice and hearing procedures. The division, or the board of administrative judges, as the case may be, in either ejection hearings held pursuant to this subsection, or reinstatement hearings held pursuant to subsection (e) of this section, may issue orders as part of its decision as to limitations concerning any additional reinstatement hearings to be afforded said ejected persons. Any ejected person may petition for an additional patron reinstatement hearing pursuant to subsection (e) of this section upon showing that new or additional evidence exists concerning the facts of said persons' original ejection or upon a showing of a significant change in circumstances from those which appertained at the original ejection or reinstatement hearing.

(e) **Ejectee reinstatement.**

(1) Any person formally ejected by the association, OTB facility operator or the division shall have the right to a hearing to show reasons why he should be readmitted to the association facility and such ejection should be terminated. Such hearing shall be held by the board of administrative judges or the division pursuant to division rules of practice and hearing procedures.

(2) The board of administrative judges has the authority to conduct a reinstatement hearing either on its own motion or upon the written petition of the party ejected. As soon as practicable the board of administrative judges shall schedule a hearing and notify the ejectee of the place, date, and time thereof and the procedures involved.

(3) The board of administrative judges may order the appearance of any licensee at this hearing who in its opinion may be necessary for the efficient administration

of justice. After the hearing the board of administrative judges may either uphold the ejection, modify it in any manner or order the ejectee's reinstatement. In any case written notice of the board of administrative judges' findings and decision thereon shall be promptly delivered to the ejected person and the association.

(4) An association or OTB facility operator may on its own reinstate a person, and will immediately file a copy of its reinstatement notice with the division. The division reserves the right within five (5) business days of receipt of notice to approve or disapprove said reinstatement and no association reinstatement will be effective until the end of this period. Any person whose association reinstatement has been disapproved shall be so notified in writing by the division. This notice shall inform said person of his right to a hearing before the board of administrative judges or the division concerning the circumstances of the ejection and the division's determination to disapprove reinstatement.

(f) **Effect of ejection.** Anyone who has been formally ejected or whose license has been suspended or revoked by the official regulatory body having jurisdiction where the offense occurred, whether within or without the state of Connecticut, shall be denied admission to or attendance at any or all facilities licensed by the division until duly reinstated or until the matter has been otherwise determined by the division.

(g) **Association rights.** Nothing in this section shall infringe upon the rights of an association to exclude persons from its grounds for reasons not related to the conduct or integrity of racing or wagering. The length and scope of any such exclusion from association property shall be at the discretion of an association. An association may exclude persons engaged in behavior including, but not limited to, lewd or immoral behavior, using profane or indecent language, or engaging in boisterous or disorderly conduct. The association shall inform the division of any such exclusion. The division may, after reviewing the circumstances of an exclusion, formally eject any such excluded person.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F20. Disorderly conduct**

No person shall use profane or indecent language to an official, or to any employee representing the division. No person shall in any manner, or at any time disturb the peace on the grounds of an association. Anyone engaging in such conduct may be excluded by an association or formally ejected from the facility and subject to the attendant consequences of ejection and any other penalty permitted by sections 12-574-F1 to 12-574-F65 inclusive, of the Regulations of Connecticut State Agencies and the laws of the state of Connecticut.

(Adopted effective October 3, 2001)

## **Operation of Greyhound Racing**

### **Sec. 12-574-F21. Requirements of greyhound association**

(a) **Purses.** Each association conducting a racing meet shall keep a separate bank account to be known as the "kennel account" with sufficient funds at all times to cover all monies due greyhound owners for purses, stakes, rewards and deposits. Withdrawals from this account shall at all times be subject to audit by the division.

(b) **Track size.** A license for a meet will be granted by the board only for a racing facility affording a course of a quarter mile or more in circumference.

(c) **Illumination for evening racing.** In the event evening racing is held, an association shall have lighting equipment which must be approved by the division.

(d) **Identification system.** Each association shall keep and maintain during its meeting a card index system or computerized system of identification of each greyhound racing for the association, and all cards or computerized system shall be legible and thoroughly identifiable for each individual greyhound. The cards or computerized system shall show the name of the kennel, the color, sex, tattoo identifications located in each ear, and characteristic markings, scars and other identification features of the greyhound. The cards shall be completed and filled out by the paddock judge. Cards and records maintained by the paddock judge shall not be given to any trainer, greyhound owner or kennel owner when a greyhound is removed but shall be placed in an inactive file for a minimum period of six (6) months. The provisions of this subsection shall not preclude the use of a microchip system of identification.

(e) **Greyhound identification, examination.** A system of greyhound identification and physical examination shall be instituted and diligently maintained by associations and all greyhounds shall be identifiable by means of tattoo or microchip.

(f) **Restriction on movement of greyhounds.** An association may voluntarily prohibit the flow of all greyhounds in and out of a facility. The division reserves the right, at any given time, to restrict the flow of greyhounds in or out of a facility for good cause.

(g) **Notification of financial assistance.** If an association provides any financial assistance to a person operating or establishing a kennel, the association shall report the nature of the assistance given and all details of the agreement. Assistance includes, but is not limited to, any supplement to purse(s).

(Adopted effective October 3, 2001)

## **Sec. 12-574-F22. Equipment and facilities for greyhound racing**

(a) **Maintenance of track.** Racing associations shall at all times maintain their race track in good, uniform condition and with special consideration to the interest and safety of the public, the greyhounds and of all those whose attendance is required by official duties.

(b) **Detention area.** The association shall provide and maintain a detention area in a location approved by the division for the purpose of securing for analysis such specimens of greyhound body fluids and eliminations as shall be directed.

(c) **Floodlights patrol system.** Associations shall maintain such security systems as the division may require including floodlights to adequately illuminate the kennel areas at night.

(d) **Finish line system.** Racing associations shall install at the finish line and shall adequately maintain two finish line systems, to be approved by the division, to automatically record the finish of the races. One such system is to be held in reserve for emergencies. The racing judges shall keep a file of all recorded finishes thereof for not less than five (5) years.

(e) **Association kennels.** The association shall own or lease kennel structures in which all greyhounds racing at the association facility shall be housed. These kennels shall be operated by the association and shall be subject to the approval of the division as to size, location and security. The association also shall meet all requirements of a commercial kennel.

(f) **Kennel standards.** The following minimum standards shall apply to kennels:

- (1) All exterior doors shall have security locks as approved by the division;
- (2) Kennels shall have at least one floodlight (150 watt minimum) on all sides of the building;
- (3) Fuse boxes and cut-off switches shall be inside the kennel building;

(4) Medicine cabinets and exterior food refrigerators shall have hasps and locks and shall be locked when not in use;

(5) All kennel perimeters shall be enclosed with a six foot chain link fence or fencing approved by the division. All runways and open exercise areas shall be enclosed by chain link fencing not less than four feet high. Enclosure gates shall be equipped with secure locking devices;

(6) Entrance and exit to all compounds shall be by one double gate;

(7) A guardhouse with a telephone system shall be constructed at each entrance gate of all compounds;

(8) Perimeter fences and all areas within the kennel compound shall be amply lighted by floodlights or mercury lamps;

(9) Kennels shall be kept clean and reasonably uncluttered at all times; and

(10) Kennel buildings must have all openings, including doors and windows, screened with both fly screen and heavy mesh wire.

(g) **Video records.** The association shall cause all races to be videotaped in a manner approved by the division and shall carefully retain all tapes for one year. An association shall when requested surrender any of these tapes and all ownership rights therein to the division, and the division shall reimburse the association for the cost of any surrendered tapes. The association shall provide appropriate facilities for the viewing of these tapes by the racing judges or other authorized division representatives. Pari-mutuel payouts and results are final and no evidence discovered on videotapes shall affect that finality.

(h) **Starting boxes.** During the period of its meet and when greyhounds are exercised, each association shall provide and maintain at least two starting boxes approved by the division. Associations shall periodically inspect these boxes as required by the division and shall have in attendance, whenever said boxes are in use, one or more persons skilled and qualified to keep them in good working order.

(i) **Stands for race officials.** Stands for racing judges, timers and the lure operator shall be maintained in division approved positions with an uninterrupted view of the entire racing strip.

(j) **Devices to be approved.** All devices pertaining to racing which are installed at racetracks must be approved by the division before installation and shall not be removed except with the approval of the division.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F23. Judges**

(a) **Number, appointment, compensation, license.** There shall be three (3) racing judges: the division racing judge, appointed and compensated by the division, and the presiding racing judge and associate racing judge, appointed and compensated by the association. The three (3) racing judges shall be held responsible for the proper conduct of the race meet, and shall have general supervision over the direct conduct of the races. The presiding racing judge shall make reports of any actions by the racing judges, when a report is required under sections 12-574-F21 to 12-574-F49, inclusive, of the Regulations of Connecticut State Agencies, and shall transmit said reports to the division. All such reports submitted shall be signed by a majority of the racing judges. All racing judges and deputy racing judges shall be licensed by the division.

(b) **Deputy and temporary racing judges.** The association shall appoint two (2) deputy racing judges to serve in the absence of the presiding racing judge or associate racing judge. In the event of an emergency, where a deputy racing judge who is called to duty is absent or cannot be present in time, the association may

appoint a temporary racing judge from the licensed officials employed by the association. The association shall notify the division of the replacement(s). Appointments of temporary racing judges and utilization of deputy racing judges shall be made only with the full knowledge and consent of the duly authorized representative of the division at the track. Appointments of temporary racing judges are valid only for the day of their appointment. Likewise, the division shall appoint a deputy racing judge to act in the absence of the division racing judge. In the event that the division racing judge or deputy is absent, the rules governing temporary racing judges appointed by the association shall apply as necessary to temporary racing judge appointments made by the division.

**(c) Emergency substitute.**

(1) When vacancies occur among the officials, other than the racing judges, and the association has not filled such vacancies or notified the racing judges prior to the post time of the first race of the day, the racing judges shall fill such vacancy immediately, said appointment to stand for the day only.

(2) Should the vacancy occur after the racing for the day has started, the racing judges shall fill the vacancy at once, the appointment standing for the day only, unless the association fails to fill the vacancy on the following day and notifies the racing judges of their action one hour before the post time for the first race, in which case the appointment will continue from day to day as required.

(3) Emergency substitutes shall be persons holding a license from the division as an official.

**(d) Wagering prohibited.** No racing judge may directly or indirectly wager on the result of a greyhound race conducted in Connecticut.

**(e) Vision requirements.** All persons licensed as a racing judge or deputy racing judge shall possess corrected vision of 20/30 or better.

**(f) Division racing judge.** The division racing judge shall supervise the conduct of the racing officials. Any infraction or violation of the sections 12-574-F21 to 12-574-F49, inclusive, of the Regulations of Connecticut State Agencies or chapter 226 of the Connecticut General Statutes shall be immediately reported to the division.

**(g) Laws, rules.** The laws of the State of Connecticut and sections 12-574-F21 to 12-574-F49, inclusive, of the Regulations of Connecticut State Agencies supersede the conditions of a race and the rules of a race meet, and, in matters pertaining to racing, the orders of the racing judges supersede the orders of the officers of the association.

**(h) Interpretation.**

(1) The racing judges shall have the power to interpret the rules of greyhound racing and to decide all questions within their jurisdiction pertaining to racing not specifically covered in them.

(2) Should any case occur which may not be covered in the rules of greyhound racing here outlined, it shall be determined by the racing judges in conformity with custom, precedent, justice and in the best interest of racing.

**(i) Majority rules.** All questions pertaining to the rules of greyhound racing shall be determined by a majority of the racing judges.

**(j) Powers and duties.**

(1) All questions pertaining directly to racing which arise during the period of the meet shall be determined by the racing judges, but should they be unable to reach a decision in seventy two (72) hours, the case shall be reported to the division for such action as it deems proper.

(2) The racing judges shall have jurisdiction over kennel owners, trainers and other persons attending to greyhounds and also over all other officials and licensed personnel of the meet directly involved in racing activities.

(3) The racing judges shall have control over and free access to all stands, weighing rooms, enclosures and all other places in use for the purpose of racing.

(4) All entries and declarations are under the supervision of the racing judges and they may, without notice, refuse the entries or the transfer of entries of any person.

(5) The racing judges shall have the power to determine all questions arising with reference to entries and racing.

(6) Persons entering greyhounds to run on licensed Connecticut tracks agree in so doing to accept the decision of the racing judges on any questions relating to a race or to racing, subject to their right of petition to the division.

(7) Following a hearing conducted in accordance with the division rules of practice and hearing procedures, the racing judges shall have the authority to impose fines, suspensions or both upon licenses for violation of chapter 226 of the Connecticut General Statutes or sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies.

(8) The racing judges' authority shall be limited to a suspension for no longer than sixty (60) days for anyone under their jurisdiction and a fine not exceeding \$500.00 or they may impose a combination of these penalties. They may also suspend any person found guilty of any corrupt or fraudulent practices by greyhound racing authorities or judges of any other state. All such suspensions and fines shall be reported to the division. If the penalty capable of being imposed by the racing judges is not in their opinion sufficient, the racing judges shall refer the matter to the division.

(9) Any party aggrieved by the imposition of a penalty by the racing judges may petition the division for a hearing de novo conducted in accordance with Chapter 54 of the Connecticut General Statutes. The petition shall be submitted in writing to the division within three days of official notice of the judges' decision. The taking of a petition to the division shall automatically stay any penalty imposed by the racing judges.

(10) The racing judges shall have the power to disqualify a greyhound.

(11) The racing judges shall have the power to investigate for proof that a greyhound is neither itself disqualified in any respect, nor owned, wholly or in part, by a disqualified person. Failure to prove ownership of the greyhound to the satisfaction of the racing judges may result in the disqualification of the greyhound.

(12) The racing judges shall have the power at any time to order an examination by a veterinarian licensed by the division of any greyhound entered for a race or that has run in a race.

(13) The racing judges shall have the power to review the grading and schooling of all greyhounds. Any greyhound may be placed on the schooling list by the racing judges at any time.

(14) The racing judges shall report and investigate any questionable conduct directly related to racing.

(15) The racing judges shall investigate promptly and render a decision on every objection and on every complaint made to them.

(16) The racing judges shall take notice of corrupt racing and other questionable transactions on the track. Complaint thereof may be made by any person. If the complainant is a kennel owner or trainer and the charge is determined to be frivolous,

the complainant may be liable for a suspension or fine. The postponement or cancellation of performances shall be supervised by the racing judges.

(17) The racing judges shall determine the official race results.

(18) The racing judges shall supervise weighing and starting procedures.

(19) All scratches and substitutions shall meet the approval of the racing judges.

(20) The racing judges shall have the power to review any matter referred to the racing judges by the board of administrative judges.

**(k) Report to division.**

(1) The racing judges shall report all objections and complaints to the division as soon as received by them and shall promptly report in writing to the division of their investigation and disposition of such objections and complaint(s).

(2) The racing judges shall each day report in writing to the division all infractions of the rules and of all rulings of the racing judges upon matters coming before them.

(l) **Complaints against officials.** Complaints against officials shall be made to the division in writing, and be signed by the complainant(s).

**(m) Display of winners.**

(1) The racing judges shall promptly display the numbers on the totalizator board of the first three greyhounds in each race in order of their finish. If the racing judges differ in their placing, the majority shall prevail.

(2) Whenever it is considered advisable to inspect a reproduction of the finish of the race, the racing judges may post, without waiting for a reproduction, such placements as are in their opinion unquestionable and after inspecting the reproduction make the other placements. However, in no case shall the race be declared official until the racing judges have determined the greyhound finishing first, second and third.

(3) Nothing in section 12-574-F9 of the Regulations of Connecticut State Agencies shall be construed to prevent the racing judges from correcting an error before the display of the sign "official" or from recalling the sign "official" in case it has been displayed through error.

**(n) Finish line reproduction.** On all tracks an approved finish line reproduction system shall be installed as an aid to the racing judges; however, in all cases the camera and its reproduction are merely aids, and the decision of the racing judges shall be final. The type of equipment used and its installation shall be approved by the division. Each association shall retain for five (5) years from the date of the race each reproduction of each race. The reproduction of each finish shall be posted or displayed in at least one conspicuous place as promptly as possible after each race.

**(o) Jams, spills.**

(1) If a race is marred by jams, spills or racing circumstances other than accidents to the equipment while a race is being run, and three or more greyhounds finish, the racing judges shall declare the race finished and official, however, if less than three greyhounds finish, the racing judges shall declare "no race" and all monies wagered on said race shall be refunded.

(2) It shall be the duty of the racing judges to keep all races free from unnecessary interferences and jams caused by unruly or fighting greyhounds.

**(p) Make up of cancellations, report.** A "no race" for any reason shall be immediately reported to the division by the racing judges, with a detailed explanation as to its cause. The association may, at its discretion, apply to the division for a "make up" race to replace the "no race".

**(q) Infraction of rules by racing judges.** In the event that an infraction of the rules of greyhound racing is charged against one of the three racing judges conducting

the meet, the other two remaining racing judges shall immediately refer the matter to the division, which may hear the matter on its own or permit the two remaining racing judges as a panel to hold a hearing. This rule shall apply regardless of whether the infraction is charged against one of the racing judges acting in an official capacity as a judge, acting as an individual in no official capacity, or acting in some other official capacity.

(Adopted effective October 3, 2001)

#### **Sec. 12-574-F24. Starter**

(a) **Duties.** The starter is responsible for securing a fair start to each race in accordance with the rules of greyhound racing

(b) **Starting box.** The greyhound shall be started from a type of starting box approved by the division and there shall be no start until, and no recall after, the doors of the starting box have opened, except in the case of a false start in accordance with subsection (d) of this section.

(c) **Delay.** The starter shall report any causes of delay to the racing judges.

(d) **False start.** A start, hampered by faulty action of the starting box, or other interference is void. In such case the greyhounds will be started again as soon as practicable, or, where necessary, the race may be cancelled at the discretion of the racing judges.

(Adopted effective October 3, 2001)

#### **Sec. 12-574-F25. Racing secretary**

(a) **Duties.** Each association shall appoint a racing secretary who shall discharge all duties whether expressed or implied by the rules of greyhound racing. The racing secretary shall report to the racing judges, as the case may demand, all violations of these rules or of the track procedures brought to their attention, and shall keep a complete record of all races. The racing secretary or assistant shall be present during live racing. The racing secretary shall receive all stakes, entrance money and arrears and pay over all monies so collected to those entitled to receive them, and shall receive all entries and declarations.

(b) **Inspection of documents.** The racing secretary shall inspect owners' and trainers' licenses and all papers and documents dealing with trainers and owners, partnership agreements, the appointment of authorized agents, and the adoption of assumed names and may demand their production in order to be satisfied as to their validity, authenticity and compliance with greyhound racing rules. These papers shall also be available to the division at all times.

(c) **Conditions of races.** Conditions of races shall not conflict with greyhound racing rules.

(d) **Viewing race.** When practical or requested the racing secretary or assistant shall view the running of each race or the videotape thereof.

(e) **Listing entries.** Each day, as soon as the entries have closed and have been compiled and the declarations have been made, the racing secretary shall post in a conspicuous place a list of such entries. Prior to accepting a greyhound entry the racing secretary shall ascertain that all relevant kennels, owners and trainers have been properly licensed.

(Adopted effective October 3, 2001)

#### **Sec. 12-574-F26. Clerk of the scales**

(a) **Duties.** The clerk of the scales shall weigh greyhounds in and out on a scale sealed by the state sealer of weights and measures and shall exhibit the accurate

weight of each greyhound. The established racing weight and the weighing-in and weighing-out weight shall be promptly posted for the information of the public.

(b) **Variations of weight.** The clerk of the scales shall record as soon as the weights are exhibited, any variation from the weight appearing on the weight sheet.

(c) **Report to division racing judge.** The clerk of the scales shall deliver to the division a copy of the weight sheet before each performance.

(d) **Uniform weighing.** All greyhounds shall be weighed in a uniform manner approved by the division.

(e) **Report infractions.** The clerk of the scales shall promptly report to the racing judges any infraction of the rules as to weight or weighing.

(f) **Time on scales.** The clerk of the scales shall require a greyhound to remain on the scales until such time as there is no more than one-quarter pound “jump” in scale action caused by motion of the greyhound being weighed.

(g) **Lead-out requirement.** The clerk of the scales shall require the person acting as lead-out for the greyhound being weighed to step back from the scales and allow at least a 6” sag in the lead-out leash.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F27. Paddock judge**

#### **(a) Identification of greyhounds.**

(1) No greyhound shall be permitted to start in an official schooling or purse race unless said greyhound has been tattooed or microchipped, fully identified and checked against the card index system or other system of identification approved by the division and maintained by each association. The identification cards shall be filled in and completed by the paddock judge before greyhounds are entered for an official schooling or for a purse race.

(2) The paddock judge shall fully identify and check against the system of identification maintained by the association, all greyhounds starting in schooling and purse races. All tattoos shall be identifiable by the paddock judge.

(3) The system of identification must be complete and accurate at all times.

(4) The paddock judge shall report to the racing judges any greyhound not conforming to the system of identification.

(b) **Identification tag.** As each greyhound is weighed-in there shall be an identification tag attached to its collar indicating the number of the race in which the greyhound is entered and its post position. This tag shall not be removed until the greyhound has been weighed-out and blanketed.

(c) **License required.** The paddock judge shall not allow anyone to weigh-in a greyhound for racing unless that person has in legal possession a valid kennel owner’s, trainer’s, assistant trainer’s or kennel helper’s license issued by the division.

(d) **Security of lock-out.** After the greyhounds are placed in the lock-out kennels, no persons other than racing officials or persons approved by the division shall be allowed in or near the lock-out kennels.

(e) **Identification in paddock.** The paddock judge shall verify the proper identification of the greyhound while in the paddock before post time.

(f) **Equipment.** Before leaving the paddock for the starting box, every greyhound shall be equipped with a regulation muzzle and blanket. The muzzle and blanket used shall be approved by the paddock judge and shall be carefully examined by him in the paddock before the greyhound leaves for the post parade.

(Adopted effective October 3, 2001)

**Sec. 12-574-F28. Kennel master duties**

Under the supervision of the paddock judge, the kennel master shall unlock the kennels immediately before weigh-in time to see that the kennels are in perfect repair and that nothing has been deposited in any of the kennels for the greyhounds' consumption. The kennel master shall see that the kennels are sprayed, disinfected and kept in proper sanitary condition. The kennel master or assistant must receive the greyhounds from the trainer, one at a time, and see that the greyhounds are placed in their kennels where they will remain until removed for racing. The kennel master or assistant shall remain on guard in the paddock area from that time until the greyhounds are removed for the last race.

(Adopted effective October 3, 2001)

**Sec. 12-574-F29. Timer for races**

(a) **Time of race.** The start of the race shall begin immediately upon the opening of the doors of the starting box.

(b) **Automatic timer.** Each association shall be required to install an automatic timing device approved by the division and the time shown on the timing device shall be the official time of the race.

(c) **Stopwatch.** The association shall provide a stopwatch to be utilized in the event of a failure of the automatic timer, for the purpose of timing the race. When the stopwatch time is used as the official time of the race, it shall be so announced to the public.

(Adopted effective October 3, 2001)

**Sec. 12-574-F30. Chart writer**

(a) **Duties, post position numbers.** The chart writer shall compile the information necessary for the program which shall be printed for each racing day. The names of the greyhounds that are to run in each of the races for that day shall appear in the program in the order of their post positions, which post positions are to be designated by numerals placed at the left and in line with the names of those greyhounds. These numerals shall also be prominently displayed on each greyhound. Post positions shall be color coded as follows:

No. 1 - RED

No. 6 - YELLOW

No. 2 - BLUE

No. 7 - GREEN AND WHITE

No. 3 - WHITE

No. 8 - YELLOW AND BLACK

No. 4 - GREEN

No. 9 - PURPLE

No. 5 - BLACK

**(b) Program charts.**

(1) Program charts or form sheets shall state the correct name, color, sex, date of whelping, breeding, racing weight, distance, time, track record, post position and finish, name of owners, kennel and trainer, number of times finished first, second, and third and such other information as will enable the public to properly judge the greyhound's ability. "Weight" refers to post weight on past performance.

(2) Program charts or form sheets shall carry at least two (2) past performances of said greyhound at the track where it is to race. However, if a greyhound has raced within ten (10) days at any track under the jurisdiction of a regulatory body not less than two past performances of said greyhound at that track may be carried on the program or form sheet.

(3) All past performances as shown in the program shall be listed beginning with the most recent race.

(c) Changes in name. If the name of a greyhound is changed, the new name together with the former name, shall be published in the official entries and program until after the greyhound has started six (6) times.

(Adopted effective October 3, 2001)

**Sec. 12-574-F31. Veterinarians**

(a) **License.** All veterinarians referred to in this section shall be licensed to practice in the state of Connecticut by the state Board of Veterinary Registration and Examination, and association veterinarians shall be licensed by the division.

(b) **Division veterinarian.** The division shall retain a veterinarian who shall be responsible for administration and coordination of all activities under sections 12-574-F21 to 12-574-F49, inclusive, of the Regulations of Connecticut State Agencies which pertain to the division veterinarian.

(c) **Association veterinarian.** Each association shall employ one or more veterinarians to carry out the duties enumerated in this section. The association veterinarians shall be paid by the association at whose track the services are rendered.

(d) **Treating veterinarian.**

(1) Only veterinarians who have been licensed by the executive director may practice veterinary medicine at an association facility and may treat greyhounds at such facility.

(2) No veterinarian licensed to practice at any association facility shall in any manner furnish to any person any hypodermic syringe, hypodermic needle or other device which could be used for injection or other infusion of any substance into a greyhound without first securing written permission from the judges. Only one-time disposable syringes and infusion tubes are authorized for use in the treatment of greyhounds at the facility of an association.

(3) No kennel owner or trainer shall obtain the services of any veterinarian at a facility who has not been duly licensed. The association shall exclude all unlicensed veterinarians. The veterinarians shall make daily reports to the division veterinarian and to the racing judges of all active greyhounds under treatment by them and the medication given. If a kennel owner or trainer leaves the facility and obtains for an active greyhound the services of a veterinarian not licensed by the executive director to practice within the facility, the kennel owner or trainer must file a written report on a form provided by the division with the division veterinarian and racing judges within forty-eight (48) hours of such treatment.

(e) **Requirements of association veterinarian.**

(1) The veterinarian shall perform a visual examination of each greyhound at weighing in time.

(2) Any greyhound the veterinarian does not consider in proper physical condition shall be reported to the racing judges who shall order said greyhound scratched.

(3) Any greyhound that vomits between weigh-in and weigh-out as determined by the veterinarian may be scratched, and if scratched a written report shall be filed with the division.

(4) Any greyhound that has diarrhea or hematuria shall be scratched unless the veterinarian determines upon examination that the racing performance or health of said greyhound will not be affected. A written report shall be filed with the division.

(5) It shall be the duty of the veterinarian to make a final examination and inspection of all greyhounds during the time they are in the paddock before they leave for the track. If the veterinarian finds any greyhound not in proper physical condition such greyhound shall be reported to the judges who shall order said greyhound scratched.

(6) Lactating bitches and bitches in season are not permitted on the racing strip for any purpose.

(7) Bitches coming in season during the racing meet shall not be accepted for entry for thirty (30) days after coming in season.

(8) The association veterinarian may treat or prescribe, provide or administer medication of any form to any greyhounds under the charge, custody or care of any kennel running greyhounds at the race track of the association employing said veterinarian, subject to such restrictions and conditions as may be required by the division.

(9) Each association shall safeguard the health of all greyhounds housed at its licensed facility by requiring a periodic vaccination of each greyhound against diseases deemed by the division veterinarian to be communicable to other greyhounds at the facility. The vaccination requirements of each association shall be approved by the division veterinarian. Records of vaccinations of all greyhounds shall be maintained by the association.

(10) Greyhounds without proof of vaccination sufficient in the judgement of the division veterinarian shall not be permitted at a racing facility under any circumstances. If a greyhound without sufficient proof of vaccination is found at a facility, said greyhound shall, in the judgement of the division veterinarian, be either immediately vaccinated or removed from the facility, and the owner or trainer of that greyhound shall be liable to a fine, license suspension or both.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F32. Drugs and medication**

#### **(a) Action taken by judges - prohibited medication and drugs.**

(1) If the board of administrative judges shall find that any drug or substance other than one specifically approved by the division veterinarian has been administered or attempted to be administered, internally or externally, to a greyhound before a race, which is of such a character as could affect the racing condition of the greyhound in such race, the board of administrative judges shall either immediately refer the matter, together with all pertinent details to the division or impose such punishment and take such other action as they may deem proper.

(2) A positive identification of any drug or substance other than one specifically approved by the division veterinarian, shall constitute prima facie evidence that the greyhound was administered such drug or substance. The identification of any substance that is not a normal constituent of the body fluid of a greyhound constitutes a positive test.

(b) **Procedure in event of positive test.** The following procedure shall apply in the event that a laboratory analysis of body fluid or other sample taken from the greyhound indicates the presence of a prohibited drug or substance:

(1) The board of administrative judges shall cause an investigation of all positive test results to be conducted immediately and shall cooperate fully in any division investigations;

(2) Whenever the laboratory test results in the identification of a positive substance, there shall be a rebuttable presumption that the trainer of the greyhound was responsible for the administration of the prohibited drug or substance. At any hearing conducted to determine responsibility for the administration of any prohibited drug or substance, unless other evidence of sufficient credibility and weight is presented to the contrary, the board of administrative judges or the division may make a finding in accordance with the presumption;

(3) Within a reasonable period of time after a positive test result has been received from the laboratory, the board of administrative judges or the division shall hold a hearing to determine the reasons and responsibility for any alleged medication violation. The hearing shall be conducted pursuant to the division rules of practice and hearing procedures;

(4) Pending a hearing, the division may summarily suspend any person;

(5) Whenever a medication violation occurs as provided in section 12-574-F32(a)(2) of the Regulations of Connecticut State Agencies, the board of administrative judges or the division may take disciplinary action against any of the following persons:

(A) Any person responsible for the proper care and protection of a greyhound if the board of administrative judges or division find the person or persons to have been negligent, reckless, or willful in failing to prevent the administration of the prohibited drug or substance in question;

(B) Any person found by the board of administrative judges or the division to have administered or to have attempted to administer any prohibited drug or substance; or

(C) Any person found by the board of administrative judges or the division to have conspired in the administration or attempted administration of any prohibited drug or substance;

(6) Whenever the board of administrative judges or the division determine that a prohibited drug or substance has been administered to any greyhound that has raced, the owner of the greyhound may be precluded by the board of administrative judges or the division from participating in the purse distribution of the race in question, and a redistribution of that purse may be ordered by the board of administrative judges with the greyhound in question being last unless the board of administrative judges or the division finds that the relevant circumstances surrounding the administration of such prohibited drug or substance, including reference to the nature of said prohibited drug or substance, are such that the administration of such drug or substance was clearly unintentional. The origin of said drug or substance shall be determined before the board of administrative judges or division concludes that the administration was clearly beyond the control of said trainer; and

(7) Any kennel or greyhound owner who has received a purse payment and fails to return any purse as required in subsection (b)(6) of this section shall be liable for the payment of a fine, license suspension or license revocation.

(c) **Track record void.** When a greyhound has established a track record in a race, and it is later determined that a prohibited drug or substance was used, the track record shall be null and void.

(d) **Proper protection to be provided for greyhounds.** The trainer and any other person having charge, custody or care of greyhounds, are obligated to properly guard and protect them against the administration or attempted administration of prohibited drugs or substances. If the board of administrative judges finds that any such person has failed to properly protect the greyhounds, they shall either refer the matter to the division or may impose a fine, license suspension or both.

(e) **Bottles, containers to be labeled.** The trainers shall insure that all bottles and other containers kept in or about the kennel shall bear a label stating plainly the name of each drug or substance contained therein, unless the containers bear regular prescription labels with pharmacists' numbers, names and addresses and the names of the prescribing veterinarians.

(f) **Right to search for and seize drugs and injection devices.** No person within the facility of an association shall have in or upon the premises which they occupy

or control or have the right to occupy or control or in their personal property or effects, any hypodermic syringe, hypodermic needle or other device which could be used for the injection or other infusion into a greyhound of a drug or substance without first securing written permission from the board of administrative judges. Every association is required to use all reasonable efforts to prevent the violation of this regulation. Every association, the division or the board of administrative judges, shall have the right to permit a person or persons authorized by any of them to enter into or upon the buildings, kennels, rooms or other places within the facility of an association and to examine the same and to inspect and examine the personal property and effects of any person within such places. Every person who has been granted a license by the division, by accepting the license, does consent to such search and to the seizure of any hypodermic syringes, hypodermic needles or other devices or any prohibited drugs or substances so found. The written permission of the board of administrative judges for the possession of a hypodermic syringe, hypodermic needle or other device as herein described shall be limited in duration as the board of administrative judges may determine, upon presentation of a prescription written by a veterinarian duly authorized to practice veterinary medicine, but in no case shall its duration extend beyond the racing season in which it is granted. No such similar permission granted by judges of a meet in any other state or country shall have any validity in the state of Connecticut.

(g) **Responsibility for greyhound's condition.** Trainers and assistant trainers are responsible for the condition of greyhounds in their care and must take all appropriate steps to ensure the general health, welfare and well-being of those greyhounds. Any treatment or neglect which the division veterinarian deems inhumane, or failure to obtain treatment for a greyhound when ordered by the division veterinarian may subject such trainer, assistant trainer and the kennel employing them to penalty including ejection.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F33. Testing**

(a) **Admittance to detention area.** No one shall be admitted at any time to the building or part thereof utilized by the division taking specimens of greyhounds except the staff immediately in charge of such work, the division representatives, the racing judges, the board of administrative judges, and the kennel owner, trainer or such other persons as may be authorized in writing by the division.

(b) **Division collectors.** The division shall employ personnel who shall be responsible for the collection of greyhound test specimens.

(c) **Greyhounds tested.** Samples containing the body fluids of the greyhounds shall be collected either prior to a race or at the conclusion of the race. The designated greyhounds shall be detained until released by the division inspector in charge. In the event no sample or an insufficient sample is obtained a report on a form provided by the division shall be filed with the division veterinarian. Said form will be properly completed by the division inspector in charge.

(d) **General testing.** The division inspectors shall when so directed by the division judges, require that any or all of the specimens referred to in this section be taken from any greyhound kenneled at the track at any time during a meet.

(e) **Presence of kennel owner or owner's representative.** The kennel representative may be present in the detention area when specimens of body fluids and eliminations are taken from greyhounds under their control and shall sign such required forms acknowledging the taking of the specimens. Willful refusal to allow the taking of any such specimens, or any act, threat or intimidation designed to

impede or prevent or otherwise interfere with the taking of a specimen shall subject the person responsible to a fine, license suspension or license revocation.

**(f) Taking of specimen.**

(1) All specimens taken by or under the direction of the division representatives shall be delivered to the laboratory designated by the division for official analysis. Each specimen shall be marked by number and date and bear such information as may be determined by the division. The identity of the greyhound from which the specimens were taken or the identity of its owner or trainer shall not be revealed to the laboratory. The container of each specimen shall be sealed by the division representative as soon as the specimen is placed therein.

(2) All containers used for specimens shall be approved by the division.

**(g) Authority to take samples at facility.** The division or its representatives may take samples of any drugs, substances or other materials suspected of containing prohibited drugs or substances found at the facility of an association and which might affect the condition of a greyhound, or which might serve to render an inaccurate test upon the body fluids or eliminations of a greyhound.

(Adopted effective October 3, 2001)

**Sec. 12-574-F34. Contract kennel owners**

**(a) Commercial kennel requirement.** All kennels licensed by the executive director are required to be licensed by the Department of Agriculture as a commercial kennel in accordance with Section 22-344 of the Connecticut General Statutes and must adhere to all standards and requirements of the Department of Agriculture while operating at any association facility.

**(b) Filing of roster.** All licensed kennel operators and kennel owners must file with the division and the association a roster of their trainers, assistant trainers and other employees, together with their license numbers not later than five (5) days before the opening of each racing meet. All changes in such personnel thereafter made during that meet shall be filed with the division.

**(c) Responsibility.** Kennel owners are responsible for providing sufficient funds and supplies for the operation of their kennel. This responsibility is to assure that the trainer under their employment has adequate resources for the care of greyhounds in their kennel in conjunction with the wishes of the greyhound's owner. Failure to provide such funding may result in a fine, license suspension or license revocation.

**(d) Discharge of employee.** When a kennel owner or trainer discharges a licensed employee, or when such employee voluntarily leaves the employ of a kennel owner or trainer, the kennel owner or trainer shall immediately notify the division of such discharge or resignation. The failure to so notify the division shall subject the kennel owner or trainer to a fine, license suspension or both.

**(e) Corrupt practice.** No kennel owner shall accept directly or indirectly, any bribe, gift or gratuity in any form which is intended to or which might influence the results of any race.

**(f) Limitations on starters.** A kennel owner shall not be permitted to race more than one greyhound in any race, nor shall more than one greyhound conditioned by the same trainer be permitted to enter or start in the same race, provided, however, that:

(1) This subsection shall not apply to one nightly feature race; to any stake race to which the owners of greyhounds contribute to the purse and to which money or other prize is added; or to any consolation race held in connection with a stake race;

(2) In all other purse races the following conditions shall apply: No double entries shall be allowed until all single interests are used and the kennel owner shall have

agreed to a double entry, except when no other single entry is available the racing secretary may use a double entry without the permission of the kennel owner. Greyhounds designated for any distance over 5/16 mile are subject to double entry without permission of the kennel owner; and

(3) In each of the cases outlined in subdivision (f)(1) of this section, when two greyhounds from the same kennel, owned by the same owner or conditioned by the same trainer are entered or start, they shall not be coupled in wagering.

(g) **Abide by laws, rules.** Kennel owners and their employees shall abide by sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies and the laws of the state of Connecticut and shall accept, subject to their right of petition to the division, the decisions of the racing judges on any questions to which their authority extends.

(h) **Unwarranted complaints.** Kennel owners who make unwarranted complaints may be liable for a fine, license suspension or license revocation.

(Adopted effective October 3, 2001)

### Sec. 12-574-F35. Trainers

(a) **Absolute insurer - trainer.** The trainer shall be responsible for and shall be the absolute insurer of the condition of greyhounds under their care regardless of the acts of third parties. The trainers and assistant trainers are presumed to know sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies and shall also submit to an examination for qualification as determined by the division.

(b) **Condition of kennel.** The trainer as the sole insurer of greyhounds under his care is responsible for the conditions of the kennel where said greyhounds are housed. This responsibility includes, but is not limited to:

(1) The kennel is to be kept clean and free of clutter on the interior and exterior of the building, including turn out areas;

(2) Exterior doors are to be locked and secured unless personnel are present in the kennel;

(3) Crates are to be kept clean with adequate bedding. Any worn or damaged areas are to be repaired;

(4) Medicine cabinets and exterior refrigerators are to be locked;

(5) Windows are to be screened where applicable;

(6) All containers are to be clearly labeled, whether prescription or non-prescription;

(7) No injectable devices or substances of an illegal nature shall be present;

(8) No unauthorized personnel shall be present;

(9) Turnout pens shall be clean and inspected by the trainer or their representative immediately before each turnout;

(10) Truck and trailer crates are to be inspected by the trainer or their representative immediately before racing greyhounds are loaded to be transported to any location;

(11) Greyhound trainers shall furnish the racing secretary and the duly authorized representative of the division a list of all persons employed by the kennel prior to the racing meet, and notification of any deletions or additions will be made within twenty-four (24) hours after the personnel change occurs;

(12) Any trainer or owner employing unlicensed kennel help shall be subject to a fine, license suspension or license revocation; and

(13) The trainer must file a notice of removal for all greyhounds transported from their racing kennel as required by the division.

(c) **Notification of abuse.** Any licensed trainer, assistant trainer or kennel helper shall report to the division and racing secretary any action by an individual that endangers the health and welfare of a greyhound. This shall include, but not be limited to, a kennel owner's failure to properly supply the kennel with adequate supplies for the kennel's daily operation.

(d) **Veterinarian reporting.** Trainers may not request the euthanasia of a greyhound under their care at the facility unless the greyhound has sustained a track injury and it is necessary to relieve the greyhound's pain and suffering, as determined by a licensed veterinarian. Veterinarians shall report to the division the euthanasia within 72 hours.

(e) **Absence of trainer.**

(1) When a trainer is to be absent from a kennel and the facility where a kennel owner's greyhounds are racing, the kennel owner shall notify the division of the licensed trainer or licensed assistant trainer who will assume complete responsibility for the greyhounds.

(2) The trainer shall not be relieved of the responsibility provided for in subsection (a) of this section until the division has approved the licensed trainer, licensed assistant trainer or licensed authorized agent designated by the kennel owner to assume complete responsibility for the greyhounds the kennel owner is racing and the so designated person named by the kennel owner has indicated in writing to the judges and division that he will assume full responsibility as trainer under sections 12-574-F21 to F49, inclusive, of the Regulations of Connecticut State Agencies.

(f) **Corrupt practice.** No trainer, assistant trainer, racetrack employee or other person shall accept directly or indirectly, any bribe, gift or gratuity in any form which is intended to or which might influence the results of any race.

(g) **Greyhounds to report on time.** Every trainer who does not have his greyhound at the weighing-in room by the time designated by the racing judges may have his greyhound scratched. Said trainer shall also be subject to a fine.

(h) **Greyhounds condition - report.**

(1) Trainers shall report to the racing secretary, who shall immediately notify the racing judges, of greyhounds under their care that are off racing form or in poor physical condition. Greyhounds so reported shall not be eligible to enter or to start until approved by the association veterinarian(s) and schooled to the satisfaction of the racing judges.

(2) Bitches in season shall be reported to the racing judges and the association veterinarian. Kennel owners and trainers failing to report this condition promptly shall be fined or suspended.

(3) Kennel owners and trainers shall retire greyhounds off form or in poor condition. Failure to do so may result in the suspension of said greyhounds for a period to be decided by the racing judges.

(4) Greyhounds that have been retired for conditioning or worming shall be brought back to racing weight before being entered.

(5) It shall be the responsibility of the trainer to insure that any greyhound on the grounds of a facility or any greyhound that is registered as being on the grounds of a facility which expires shall be reported to the division veterinarian within seventy-two (72) hours on forms provided by the division.

(6) Disposal of the remains of any greyhound shall be by a method approved by the division veterinarian.

(i) **Masking identification marks.**

No medicine, antiseptic, fluid or any matter containing any color that would mask identification marks shall be used on any part of a greyhound.

(j) **Unwarranted complaints.** Trainers who make unwarranted complaints may be liable for a fine, license suspension or license revocation.

(k) **Abide by laws, regulations.** Trainers and their employees shall abide by sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies and the laws of the state of Connecticut and shall accept, subject to their right of petition to the division, the decisions of the racing judges and the board of administrative judges on any questions to which their authority extends.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F36. Greyhound owner**

(a) **Greyhound owner's responsibility.** All licensed greyhound owners shall accept responsibility for post racing career care of all their greyhounds racing at a board licensed facility. Such care shall include the placement of said greyhound through a recognized adoption program. At no time shall the owner grant permission for the euthanasia of a greyhound at a facility, unless the greyhound has sustained a track injury and it is necessary to relieve the greyhound's pain and suffering as determined by a licensed veterinarian.

(b) **Ownership of greyhounds - prohibited.** An association, its owners, officers, directors and stockholders, and association and division veterinarians shall not be permitted to race any greyhound directly or indirectly owned or leased by any or all of them at any track operated by an association in the state of Connecticut.

(c) **Owners - registration of greyhounds.** All greyhounds shall be registered in the name of the legal owner or owners with the racing secretary of the racing association at which such greyhounds are intended to race. Ownership shall be construed to also include beneficial ownership.

(d) **Ineligibility of greyhound of suspended owner.** When a greyhound owner is ruled off a track, ejected or suspended, every greyhound owned in whole or in part by said greyhound owner shall be ineligible for entry in any race until said greyhound has been made eligible either by the rescission of the owner's penalty or the greyhound's transfer through bona fide sale to an ownership acceptable to the racing judges.

(e) **Ineligibility of greyhounds under suspended trainer.** When a trainer is ruled off a track, ejected or suspended, every greyhound which is under the trainer's care, management, training or superintendence shall not be qualified for entry in any race until said greyhound has been made eligible by the rescission of said trainer's penalty or by the transfer of the greyhound to a licensed trainer with the approval of the racing judges.

(f) **Scope of suspension.** When an owner, trainer, greyhound or kennel of greyhounds is suspended by the judges at one track such suspension shall immediately become effective on all other greyhound tracks under the jurisdiction of the division.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F37. Lead-outs**

(a) **Duties.** Owners, trainers or attendants will not be allowed to lead their greyhounds from the paddock to the starting box. The greyhounds shall be led from the paddock to the starting box by licensed lead-outs provided by each association for that purpose. The lead-outs must put their greyhound in its proper box before the race and then retire to their assigned place.

(b) **Dress, decorum.** Lead-outs are required to present a neat appearance and conduct themselves in an orderly manner and shall be attired in clean uniforms provided by the association.

(c) **Prohibition.** No lead-out shall have any interest in the greyhounds racing at the association track.

(d) **Assignments.** The paddock judge shall assign lead-outs to post positions by lot before each race and shall maintain a record of such assignments.

(e) **Conversations prohibited.** Whether in the paddock, enroute to the starting post or while returning to the paddock, lead-outs are prohibited from holding any conversation with the public.

(f) **Smoking.** Smoking by lead-outs while in uniform and performing their duties is prohibited.

(g) **Wagering prohibited.** Lead-outs are prohibited from wagering on any greyhound racing at the track where they are assigned.

(h) **Training classes.** Lead-outs shall be required to attend training classes prior to the meet for which they have been employed and it shall be the responsibility of the paddock judge to see that the lead-outs are properly trained.

(i) **Food and beverages.** Except when in the approved lead-outs' lounge, lead-outs may not consume or carry food or beverages at any time while performing their duties or when in the paddock area.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F38. Registration**

#### **(a) Requirements.**

(1) No greyhound shall be entered, permitted to race, schooled or kenneled at any racetrack licensed by the board unless it has been tattooed and properly registered in the stud book maintained and kept by the National Greyhound Association in the name(s) of all owners.

(2) The National Greyhound Association shall be recognized as the official breeding registry of all greyhounds and the Greyhound Publications Inc. Information System shall be recognized as the official report keeping agency of the past performance lines on every greyhound raced at an official track licensed by a racing jurisdiction. The division may certify any greyhound whose lack of registration with the approved registry is attributable to arbitrary, discriminatory or other unreasonable action or inaction on the part of the National Greyhound Association.

(b) **Filing of certificates.** A certificate of registration for each greyhound shall be filed with the racing secretary at the racetrack where said greyhound is to be officially schooled, entered or raced. The last six performance lines, if applicable, and the racing history of the greyhound shall also be made available to the racing secretary.

(c) **Availability of certificates.** All certificates of registration shall be available at all times for inspection by the division.

(d) **Transfers.** Any transfer of any title to, leasehold or other interest in greyhounds schooled, entered or racing at any track under the jurisdiction of the division shall be registered and recorded by the National Greyhound Association. No transfer of title shall be effective until a copy of the transfer certificate is returned from the National Greyhound Association.

(e) **Sale of greyhound.** Any sale of a greyhound shall be documented, detailing any conditions of the sale. All owners shall be licensed before the greyhound is eligible to be entered in a race.

(f) **Leases.** All leases or assignment of leases in greyhounds schooled, entered or racing at any track under the jurisdiction of the division shall be registered and recorded with the National Greyhound Association.

(g) **Requirement - recognition of interest.** No title, leasehold or other interest, in any greyhound will be recognized by the division until such title, leasehold or other interest is evidenced by written instrument duly filed with and recorded by the National Greyhound Association and certified copies thereof filed with the division and the racing secretary at the racetrack where said greyhound is to be schooled, entered or raced.

(Adopted effective October 3, 2001)

### Sec. 12-574-F39. Kennel names

(a) **Registration.** A licensed owner wishing to race under a kennel name may do so by registering for the calendar year or racing season with the division and by paying the prescribed fee.

(b) **Trainer requirement.** A trainer, who is also a licensed owner or part owner, may use a kennel name as owner or part owner. However, no trainer may be licensed as trainer other than in their legal name.

(c) **True identity.** In applying to race under a kennel name the applicant must disclose the identity or identities behind a kennel name.

(d) **Partnerships.** If a partnership is involved in the identity behind a kennel name, the identity of each of the partners shall be disclosed to the division and there shall be compliance with the requirements of section 12-574-F61(a) of the Regulations of Connecticut State Agencies.

(e) **Corporations.** If a corporation is involved in the identity behind a kennel name, the identity of all officers and shareholders shall be disclosed to the division and there shall be compliance with the requirements of section 12-574-F61(e) of the Regulations of Connecticut State Agencies.

(f) **Changes in identities.** Changes in identities involved in kennel names shall be reported immediately for division approval.

(g) **Abandonment.** A licensed owner who has registered under a kennel name may at any time abandon the name, after giving written notice to the division.

(h) **Changes in name.** A kennel name may be changed at any time by registering a new kennel name and by paying the prescribed fee.

(i) **No duplication.** A licensed owner cannot register as their kennel name one which is then registered by any other owner.

(j) **Limitations.** A licensed owner cannot register as their kennel name one which is the real name of any owner of greyhounds racing nor one which is the real or assumed name of any prominent person not owning greyhounds.

(k) **Similarities prohibited.** A kennel name shall be plainly distinguishable from that of another duly registered kennel name.

(l) **Right of refusal.** The division reserves the right to refuse any corporation the privilege of registering a kennel name.

(Adopted effective October 3, 2001)

### Sec. 12-574-F40. The race

#### (a) The race.

(1) If a greyhound bolts the course, runs in the opposite direction or does not run the entire prescribed distance for the race, it shall forfeit all rights in the race; and no matter where it finished, the racing judges may declare the finish of the race the same as if said greyhound were not a contender. For the purpose of section 12-574-F42(u) of the Regulations of Connecticut State Agencies, said greyhound shall be considered a "starter".

(2) The lure shall be operated consistently. No race shall be called official unless the lure is in advance of the greyhounds at all times during the race and if at any time during the race any greyhound touches or overtakes the lure the racing judges shall declare it a “no race” and all monies shall be refunded. However, when a greyhound bolts the course or runs in the opposite direction during the running of the race and in so doing said greyhound in the opinion of the racing judges does not interfere with the race in any manner, the racing judges shall declare the race “official”. The decision of the racing judges shall be final.

(3) If it appears that a greyhound may interfere with the running of the race because of failure to leave the starting box, because of accident or for any other reason, any person under the supervision of the racing judges and stationed around the track may remove said greyhound from the track. For the purpose of section 12-574-F42(u) of the Regulations of Connecticut State Agencies, said greyhound shall be considered a “starter”.

**(b) Muzzles, blankets.**

(1) All greyhounds shall wear a racing muzzle and numbered blanket while racing.

(2) Muzzles and blankets shall be carefully examined in the paddock by the paddock judge before the greyhounds leave for the post, and shall be examined again by the patrol judge in front of the racing judges at the racing judge’s stand or by the starter in the starting box.

(c) **Exhibited in paddock.** All greyhounds shall be exhibited before post time of the race in which they are entered.

(d) **Exclusions from track.** After the greyhounds leave the paddock on their way to the starting box, and until the racing judges direct the track gates to be reopened, all persons except the racing officials and necessary attendants, shall be excluded from the track.

(e) **Lure operator responsibility.** The racing judges shall closely observe the operation of the lure and hold the lure operator to strict accountability for any inconsistency of operation.

(f) **Post positions.** The post positions of greyhounds in starting shall be assigned by lot or drawing after all entries are drawn and all races filled in their entirety. The drawing shall be supervised by the division representative and racing secretary three (3) days previous to the running of the race. Kennel owners or trainers are permitted to be present for the draw.

(g) **Starters in purse races.** In purse races not less than five (5) greyhounds, racing in the names of five (5) licensed kennels, shall be entered.

(h) **Substitutions.** Substitutions and replacements drawn from the official leftover list may be allowed by the racing secretary until twenty-four (24) hours prior to race time in the event of greyhound injury or illness.

(Adopted effective October 3, 2001)

**Sec. 12-574-F41. Weights and weighing**

(a) **Time for weighing-in.** The weighing-in of all greyhounds in a day’s program shall be completed at least one hour before the post time of the first race of that performance. The time period established for the weighing-in of all greyhounds shall be determined by the racing judges.

(b) **Delivery.** Greyhounds shall be brought to the weighing-in room by either the kennel owner, trainer, assistant trainer or kennel helper.

(c) **Established racing weight.** Before any greyhound is allowed to school or race at any track, the owner or trainer shall establish the racing weight with the clerk of the scales of each greyhound entered.

**(d) Variations prohibited at weighing-in.**

(1) At weighing-in time, should a greyhound's weight vary more than two (2) pounds either way from its established racing weight, the racing judges shall order said greyhound scratched.

(2) If at weighing-in time, should there be more than two (2) pounds variation between the greyhound's present weight and the weight at the weighing-in time of its last race, the racing judges shall order said greyhound scratched.

**(e) Variations prohibited at weighing-out.** At weighing-out time, if a greyhound has lost weight in excess of two (2) pounds while in the lock-out kennels, the racing judges shall order said greyhound scratched. However, upon certification from the veterinarian that such loss of weight while in the lock-out kennels does not impair the racing condition of the greyhound, the racing judges may allow said greyhound to race.

**(f) Printed in program.** The weight regulations provided in subsections (a), (b), (c), (d) and (e) of this section shall be reproduced in the daily program.

**(g) Changes in established racing weight.** The established racing weight of a greyhound may be changed from time to time upon written notification by the kennel owner or trainer to the racing judges, provided such change is made three (3) days before the greyhound is allowed to race at the new weight.

(1) All greyhounds with an established weight change of more than one (1) pound shall be schooled at least once or more at the discretion of the racing judges at the new established weight before being eligible for starting.

(2) Greyhounds that have not raced or schooled officially for a period of three (3) weeks will be allowed to establish a new racing weight with the written consent of the racing judges and may be schooled officially immediately upon receipt of said written consent.

**(h) Discretion of racing judges.** The racing judges shall have the authority to weigh a greyhound entered in a race at any time during the period from when the greyhound is entered in a race until post time.

(Adopted effective October 3, 2001)

**Sec. 12-574-F42. Entries**

**(a) Abide by rules.** Every person who enters a greyhound, or in any way participates in any race or racing is subject to sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies.

**(b) Racing secretary receives entries.** The racing secretary shall be the only person authorized to receive entries and declarations for any race.

**(c) License requirement.** No greyhound shall be permitted to be entered in a race unless all persons having an ownership or interest in its earnings are in possession of a current greyhound owner's license.

**(d) Official program requirement.** The name of the kennel and the names of all persons having ownership or interest in a greyhound together with the greyhound's past performance record shall be printed in each official program of races in which that greyhound is entered.

**(e) Requirements.** Every entry in a race shall be entered in the name or kennel name of the registered owners. The full name of every person having an ownership in a greyhound or having any interest in its winnings shall be registered with the racing secretary before the greyhound is entered in a race. Any change in ownership shall also be registered with the racing secretary. Failure to comply with subsections (c), (d) and (e) of this section will result in a fine, license suspension or both. If an objection is made and is proven correct against a greyhound that has run in a

race, the greyhound shall not participate in the purse distribution of the race in question and a redistribution of the purse shall be required. Any purse redistribution shall in no way affect the pari-mutuel payoff for the race.

(f) **Entrance fees.** The entrance to a race shall be free unless otherwise stipulated in its conditions, in which case an entrance fee shall accompany the entry as determined by the racing secretary.

(g) **Joint entries.** Joint entries may be made by one or more of the owners. In the event that ownership interests are equally divided, however, all partners shall be jointly and severally liable for all fees and forfeits.

(h) **Proof of ownership.** Racing officials or division representatives shall have the right to call on any person in whose name a greyhound is entered to produce proof that the greyhound entered is not the property either wholly or in part of any person who is disqualified; or to produce proof of the extent of their interest or property in the greyhound. Failing such proof the racing judges shall declare the greyhound out of the race.

(i) **Prohibitions on entries.**

(1) No greyhound shall be permitted to start that has not been fully identified.

(2) No disqualified greyhound shall be allowed to enter or to start in any race.

(3) The entries of any person or the transfer of any entry may be refused with or without notice or reason being given.

(4) No greyhound shall be permitted to enter unless it is conditioned by a licensed trainer.

(5) No greyhound on the official schooling list or the veterinarian's list shall be qualified to be entered.

(6) Any greyhound that has been the object of corrupt practices may be disqualified by the board of administrative judges of the meet for a period not longer than the duration of the meet, and the board shall report the circumstances to the division.

(j) **Posting.** Entries which have closed shall be compiled without delay by the racing secretary and conspicuously posted.

(k) **Alterations.** No alteration other than the correction of an error shall be made in any entry after the closing of entries.

(l) **Starters - if excess entries.** In the event the number of entries to any purse race is in excess of the number of greyhounds that may, because of track limitations, be permitted to start, the starters for the race shall be determined by the racing secretary.

(m) **Races declared off.** If any race fails to fill and is declared off, the names of all greyhounds that were entered therein shall be publicly posted in the racing secretary's office not later than 9:00 p.m. of the same day.

(n) **Refunds.** If an entry is received from any person or of any greyhound that is suspended or expelled, such entry shall be void and any entry fee paid shall be refunded.

(o) **Prohibition - inconsistent racing.** A greyhound whose entry is ordered refused at any recognized meet because of inconsistent racing or erratic racing performance shall not be permitted to race on any track.

(p) **Prohibition - underage greyhound.** No greyhound under the age of twelve (12) months shall run in any official race other than races conditioned for greyhounds of the same age.

(q) **Filing claims.** The holder of a claim of any kind against a greyhound shall be required to file the same with the racing secretary prior to the time the greyhound

is entered. One who fails to do so shall forfeit their rights in the winnings of the greyhound prior to the time the claim is properly filed.

(r) **Changes in unclosed race.** The association shall have the right to withdraw or change any unclosed race.

(s) **Postponements, refund.** In case of fire, accident or for other reasons, after due public notice all races or stakes may be postponed or declared off and when so declared off, all entrance fees shall be refunded.

(t) **Closing of entries.** Entries for purse races shall close 24 hours prior to post time and no entry shall be received after that time, except when races fail to fill or in the case of printing errors, when additional time may be granted. There shall be no “also eligible” entries.

(u) **Starters.** Every greyhound entered for a purse must be a starter unless it is scratched.

(v) **Special races and stake races.** An association may conduct a race or series of races for a designated prize upon approval of the division. The association’s request should include the source of purse monies to be paid, wagering format, qualification for entrance and the manner in which the purse will be distributed. All races conducted under such request shall be held in conformance with sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies.

(w) **Reserve payment.** An association may reserve payment of any purse money until after the results of drug testing are determined.

(x) **Credit payment before starting.** Before a greyhound can start, any person not having money to their credit with the association must pay to the association (in cash, if required), all entrance money, stakes and arrears then due the association on the greyhound intended to start.

(y) **Sale to disqualified person.** If a greyhound is sold to a disqualified person said greyhound’s racing engagements shall be void as of the date of sale.

(Adopted effective October 3, 2001)

### Sec. 12-574-F43. Grading

(a) **Approval of division.** Each association conducting greyhound racing shall submit their grading and racing rules. These rules and conditions shall meet with division approval at least fifteen (15) days prior to the opening date of the association’s meet. Any amendments or changes to the grading or racing rules shall be approved by the division.

(b) **Responsibility of racing secretary.**

(1) The racing secretary shall be responsible for the proper grading of greyhounds. Before the opening of a racing meet, the racing secretary, after sufficient schooling of all greyhounds and consideration of their past performances, shall classify and assign them to their proper grades.

(2) The racing secretary shall determine the grades of the various races.

(c) **Printing of rules in program.** Each association shall have printed the grading rules it has adopted in a conspicuous place in its program.

(Adopted effective October 3, 2001)

### Sec. 12-574-F44. Qualifying time

(a) **Establishment of qualifying time.** Each association licensed by the board shall establish qualifying times for its 5/16 mile distance. Each association licensed by the board may establish qualifying times for distance greater than 5/16 of a mile.

(b) **Qualifying distance.** A greyhound may race at the distance at which it qualifies.

(c) **Qualifying times, posting.** Each association shall notify the division at least three (3) days before the first day of official racing of the qualifying times established and such times, while in effect, shall be continuously posted on the notice board at the track. Any changes in qualifying times established, during the course of the meet, shall become effective three (3) days after notice of said changes has been posted on the notice board at the track and filed with the racing judges.

(d) **Period of time open for qualification.** The period of time open for race qualifications of greyhounds shall not be longer than from the commencement of the official schooling to one week before the close of the meet.

(e) **Non-qualified greyhounds.** Any greyhound that fails to meet the qualifying times as established shall not be permitted to start in any race.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F45. Schooling**

(a) **Requirements.** Greyhounds shall be properly schooled at least twice at the racetrack in the presence of the racing judges and shall, in the opinion of the racing judges, be sufficiently experienced before they can be entered.

(1) All official schooling races shall be at a distance no less than the distance nearest to 5/16 mile in use at the track.

(2) Greyhounds which transfer from an authorized track operating under the jurisdiction of a state regulatory body need not school if they have raced in an official race or in an official schooling race within ten (10) days at said greyhound track.

(3) Each official schooling race must consist of at least six (6) greyhounds. However, if this condition creates a hardship, less than six (6) may be schooled with the permission of the division racing judge.

(4) No hand schooling shall be considered official.

(5) Lead-outs shall be used for official schooling.

(6) Any greyhound that has not been entered for a period of ten (10) racing days, or more, shall be officially schooled at least once at its racing weight before being eligible for entry.

(7) All greyhounds in official schooling races shall be raced at their established racing weight and started from the box wearing blankets and muzzles.

(8) Any greyhound may be ordered on the official schooling list by the racing judges at any time. Any greyhound ordered on the official schooling list by the racing judges will be schooled officially and satisfactorily before being allowed to enter a race.

(9) Each association shall provide a method to reproduce the finish of a race, approved by the division, to be in operation at all official schooling races.

(10) A greyhound which, by the decision of the racing judges, falls or is involved in a serious jam in a race, may be required to be schooled in an official schooling race to the satisfaction of the racing judges before being allowed to enter or start again.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F46. Declarations**

(a) **Irrevocable.** The declaration of a greyhound out of a race is irrevocable.

(b) **Sweepstakes.** Declarations in sweepstakes shall be made to the racing secretary in the same manner as entries. The racing secretary shall record the day and hour of receipt of and promptly publicize the declaration.

(c) **Purse races.** Declarations in purse races shall be made by the owner, trainer or authorized agent to the racing secretary or assistant at least one-half hour before

the time designated for the drawing of post positions or at such time as the racing secretary may appoint.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F47. Scratches**

(a) **Sufficient cause.** To scratch a greyhound from a race, sufficient cause shall be given to satisfy the racing judges. All scratches and their cause shall be reported immediately to the racing judge.

(b) **Penalties.** Any scratches that occur as a result of a violation of section 12-574-F21 to 12-574-F49, inclusive, of the Regulations of Connecticut State Agencies shall result in a fine or suspension of said greyhound for a period of six (6) racing days. Scratches for other causes shall be reviewed by the racing judges who may decide to take further disciplinary action. If any owner or trainer fails to have a greyhound programmed to start appear at the track at the appointed time for weighing-in, and as a result said greyhound is scratched, the racing judges shall impose a fine, license suspension or both.

(c) **Cancellation.** If three or more greyhounds are withdrawn or scratched from any one race, the racing judges may cancel said race.

(d) **Discretion of racing judges.** The racing judges may scratch a greyhound from a race for any sufficient cause.

(e) **Withdrawals.** Any withdrawals or scratches shall be made with the racing secretary before noon on the day before the races for matinee programs, and before 6:00 p.m. the day before the races for evening programs.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F48. Dead-heats - purses**

(a) **Distribution of money.** When greyhounds run in a dead heat for a place, all monies, and prizes to which those greyhounds would have been entitled shall be divided equally between them. This applies in dividing prizes whatever the number of greyhounds running a dead heat. For example, two greyhounds dead heating for first would divide first and second monies. Two dead heating for second would divide second and third monies, and two dead-heating for third would divide third and fourth monies. Similarly three greyhounds which run a dead heat for first would divide first, second and third monies; three running for second would divide second, third and fourth monies.

(b) **Distribution of non-divisible prize.** If the dividing owners cannot agree as to which of them is to have a cup or other prize which cannot be divided, the question shall be determined by lot by the presiding racing judge.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F49. Objections**

(a) **Requirements.** All objections shall be made to the racing judges in writing, signed by the objector and a copy thereof sent immediately to the division.

(1) Permission of the racing judges is necessary before an objection can be withdrawn.

(2) The racing judges shall decide every objection pertaining to the race, and report their decision to the objector and the division in writing before the conclusion of the performance. The objector may appeal this decision to the division in writing within forty-eight (48) hours of official notification by the racing judges.

(3) Objections to a greyhound engaged in a race may be made to one of the racing judges by the owner or trainer of some other greyhound engaged in the same race, or by an official of the meet.

(4) Objection to any decision of the clerk of the scales shall be made before the greyhounds leave the paddock for the start of the race.

(5) Pending a decision on an objection, any prize which the greyhound may have won in the race shall be withheld until the objection is determined.

(6) Objections shall be filed with the racing judges within forty-eight (48) hours (exclusive of dark days) from the time the race is run. In all cases of fraud or willful deception, the time limitation shall not apply provided the racing judges are satisfied that the allegations are bona fide.

(7) If an objection to a greyhound which has won or which has been placed in a race is declared valid, that greyhound is disqualified and the placings of the other greyhounds in the race will be adjusted accordingly.

(Adopted effective October 3, 2001)

### Operation of Jai-Alai

#### Sec. 12-574-F50. Requirements of a jai alai association

(a) **Prize money to jai alai players.** All payments to jai alai players regarding prize money shall be made by check payable not less than monthly. A record of the prize money and the payment shall be made and filed with the division at such time and in such manner as the division may prescribe.

(b) **Conditions for games-contracts.** At least fifteen (15) days before the start of a meet the association shall submit to the division conditions for all games it proposes to hold together with the purses or rewards. A copy of the player's contract shall be submitted to the division along with a resume detailing the player's personal background including his playing ability and any other information requested by the division. Reasonable notification to the division shall be required prior to effecting changes in the player roster.

(c) **Daily records.** The association shall file and maintain accurate daily records of all players and their placings. Such records shall be furnished to the division at such time and in such manner as the division may prescribe.

(d) **40 player roster.** Each association shall maintain a minimum of 40 players on its roster unless the division determines otherwise.

(e) **Videotape games.** The association shall cause all jai alai games to be videotaped in a manner approved by the division and shall carefully retain all tapes for a period of one year from the date of the game. The association shall when requested surrender the original of any of these tapes to the division, and the division shall reimburse the association for the actual cost of any surrendered tapes. The association shall provide appropriate facilities for the viewing of these tapes by the board of administrative judges or other authorized division representatives. Pari-mutuel payouts are final and no evidence discovered on videotapes shall affect that finality.

(f) **Handicappers.** Anyone who sells or promotes the sale of handicap sheets or other wagering advice or information to the public at a facility shall obtain, as the case may require, the appropriate occupational or concessionaire license from the division. The granting and maintenance of such license shall be conditional on the handicapper's meeting division standards for accuracy.

(g) **Game information.**

(1) The association shall make sure the game information which it disseminates to the news media is accurate and shall make all reasonable efforts to make corrections whenever erroneous publication is brought to the attention of the association.

(2) The association shall provide within the fronton a method to inform the public of the results of the previous day's performances and shall also maintain a telephone line for use within the state to afford the public ready access to accurate game results. This line shall provide the correct placings the day following the performance and shall be open and available as designated by the division during a meet and such notification shall be published in the daily jai alai program.

(h) **Players' contracts.** The association shall within fifteen (15) calendar days after the end of each month, provide the division with access to a schedule listing all players under contract including their playing status in Connecticut at such facility during the month, their playing status elsewhere during the month, the amount of bonuses and prizes earned and paid and the balance of advances made to such players including month-end balances. In addition, the aforementioned information shall be furnished for all players added to or removed from the roster during such month and at the time of such action.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F51. Equipment and facilities**

(a) **Playing court.** The dimensions of the playing court shall be approved by the division. The playing court shall have three walls, a front wall, a back wall and a side wall. The approximate size of the court shall be 175 feet long, 40 feet high and 50 feet wide. The underserve line (4), the overserve line (7) and the serve line shall be plainly marked on the playing court. All walls and the playing court floor shall be constructed of concrete or other similar solid substance. The entire playing court shall be separate from any other part of the fronton but in view of the public.

(b) **Display of winning numbers.** The association shall install and maintain electronic equipment for the purpose of displaying the winning order of finish at the conclusion of each game.

(c) **First aid stations, nurse.** The association shall provide a first aid station in the players' quarters with the necessary medicines and equipment. The association shall also provide a physician or registered nurse licensed by the state of Connecticut who shall report to the fronton one-half hour before the post time of the first game and who shall remain on duty until the final scheduled game is completed for each performance.

(d) **Sanitary facilities for players.** The association shall provide clean and sanitary facilities for the use by players as may be required by the division.

(e) **Program.** A program shall be printed for each performance conducted by the association. This program shall contain the names and numbers of the players who are to compete in each game for that performance. Such names and numbers are to appear in the order of post position, and said post positions are to be designated by numerals at the left and in line with the name of the players in each game. The program shall also include the names of the official substitutes for each game. The association shall ensure the correctness of the information contained in the program and any errors shall be immediately corrected by announcement over the public address system and posting in the wagering areas of the fronton. Furthermore, the program shall contain, along with any other information that is deemed necessary by the division, the names of the members of the board, the executive director and the head of the gambling regulation unit within the division.

(f) **Time clock.** The association shall prominently display a time clock indicating the correct time of day and the post time of the next game. Such post time shall be displayed immediately after the results of the preceding game are official and shall be adhered to unless otherwise authorized by the division.

(g) **Exclusion from players' quarters.** The association shall exclude from the players' quarters all persons except authorized association personnel and those having special permission from the division. A list of such authorized persons shall be forwarded to the division, and the division reserves the right to restrict such admittance.

(Adopted effective October 3, 2001)

## **Sec. 12-574-F52. Judges**

(a) **Appointment and number.** There shall be three (3) court judges on the playing court during the game at all times; a front court judge and a back court judge and a chief (center) court judge all appointed by the association. The association shall appoint and have licensed no less than two alternate judges who shall be available to act as court judges if illness or injury should occur to any of the court judges. The alternate appointed judges cannot be members from the active or inactive official player roster.

(b) **Division judges.** The executive director shall appoint division judges who are responsible for the official score-keeping of all games, including supervising the officiating of the games. The division judge shall report all questionable decisions and actions of the court judges or players which is observed. The division judge reports to the facility supervisor or designee. The division judge may sit as a member of the board of administrative judges.

(c) **Stations, signals, whistle.** The chief court judge and a front and back court judge shall be stationed on the playing court prior to the start of each game. The front and back court judges' duty shall be to report by signal or otherwise to the chief court judge any irregularities or fouls made while a game is in progress. All judges shall be equipped with a whistle or other audible signaling device to be used to immediately signify when a foul has occurred. The court judges shall signify all fouls and points of play according to a standard set of signals approved by the division. Decisions by the court judges shall be easily recognizable and quickly communicated to the general public. To stop the game after the whistle is blown or other audible signal is made, the standard signals as officially posted shall be employed. All standard signals utilized by the judges shall be reproduced in legible type and permanently displayed in readily visible locations in the fronton. The daily jai alai programs sold to the public by the jai alai association shall contain a prominent statement indicating that such signals are posted.

(d) **Court judges' authority.** The court judges' authority extends over the rules of the game, as enumerated in section 12-574-F55 of the Regulations of Connecticut State Agencies, and involves the calling of fouls and interference, the citation of players for game infractions, and the recommendation of penalties therefore to the board of administrative judges.

(e) **Decisions final.** The final decision of any court judge is not subject to appeal or review after the official award of a point.

(f) **Rulings.** If a court judge notices an infraction within his jurisdiction, he must immediately signal it. The chief court judge will make the final decision if necessary after consulting with the front and back judges.

(1) The rulings of the court judges shall be final relative to the playing of the game.

(2) Any player who plainly exhibits displeasure at a judge's decision will be cited for a game infraction.

(3) In any play involving alleged errors of rotation, the chief court judge may at his own discretion or upon the request of the division judge, prior to the official award of a point, review the videotapes of any portion of the play in question for

guidance in making a final decision on such play. If it becomes clear to the chief court judge that an error of rotation has occurred, he shall immediately have the point replayed beginning at the first occurrence of the error in rotation.

(4) In any play involving alleged improper return by a member of the same team, the chief court judge, may at his own discretion or upon the request of the division judge, prior to the official award of a point, review the videotapes of any portion of the play in question for guidance in making a final decision on such play. If it is clear to the chief court judge that an improper return has occurred, he shall immediately award the point to the opposing post position.

(5) No game shall be declared official except by the division judge acting as official scorer. In the event there should arise any question concerning the proper declaration of an official game, the division judge may communicate with the chief court judge or the players' manager or assistant players' manager prior to the declaration of an official game.

(g) **Remain on court, posting number.** The court judges shall not leave the court until the official win, place and show is posted on the payoff board at the end of each game. It is the chief court judge's responsibility to see that the proper numbers are posted and to signify to the division judge his agreement as to the posted results. A player shall respectfully bring to the attention of the judges through the players' manager or assistant players' manager any matter within his knowledge which may have been overlooked by the judges during a play.

(h) **Qualifications for court judges.**

(1) Those appointed as judges or alternate judges shall be of unquestioned integrity, familiar with the game of jai alai and sections 12-574-F50 to 12-574-F56, inclusive, of the Regulations of Connecticut State Agencies and shall not be under contract as a player at the fronton. Scratched or injured players shall not act as court judges. Court judges shall be in excellent physical condition and shall be required to pass an annual physical and visual examination and possess corrected vision for 20/30 or better while officiating.

(2) In addition to the qualifications listed above the chief court judge shall be able to speak English.

(i) **Judges separate facilities.** Each association shall furnish facilities separate from players and the public for use by the judges for offices, lounging and clothes change. Judges shall not socialize with players at any time during a performance and shall limit their relations with players to those required by the judges' official duties.

(j) **Conduct.** While on the court, judges shall at all times conduct themselves in a professional manner consistent with the best interests of jai alai.

(k) **No communication.** Court judges shall not be permitted to contact, talk to or signal to any patron at any time during a performance.

(Adopted effective October 3, 2001)

**Sec. 12-574-F53. Players' manager**

(a) **Duties.** The players' manager or assistant shall attend, observe and maintain a record of the play-by-play scoring of each game and shall be on call during a performance to the chief court judge or division judge, except when a game is actually in play. The players' manager shall discharge all duties imposed on him by sections 12-574-F50 to 12-574-F56, inclusive, of the Regulations of Connecticut State Agencies and report to the division judge, as the case may demand, any violations of sections 12-574-F50 to 12-574-F56, inclusive, of the Regulations of Connecticut State Agencies coming under their notice. The players' manager shall keep a complete record of all games and shall report to the division judge any

violations, scratches or changes in the program as soon as he becomes aware of them. If there is an additional change in the program while the games are in progress, such change and the reasons for it shall be reported immediately to the division judge and the mutuel manager. The players' manager shall have the right to inspect all players and players' room attendants' licenses. The players' manager may also sit as a member of the board of administrative judges and as such shall have the power to cite any jai alai player or game official for game infractions and recommend the penalties to be imposed therefore as set forth in section 12-574-F13(d) of the Regulations of Connecticut State Agencies.

(b) **Players' quarters.** The players' manager shall be in complete charge of the players' quarters. It is his duty to see that all players are identified properly before the start of every game and to preclude the admission of any person not authorized by the division to the players' quarters excepting those duly licensed by the division. Any irregularities shall be immediately reported to the division.

(c) **Restriction against brothers, fathers and sons.** The players' manager shall see that neither brothers nor fathers and sons play in the same game against each other.

(d) **Matchmaker program.** Notwithstanding section 12-574-F12(d) of the Regulations of Connecticut State Agencies, the players' manager shall be responsible for matchmaking and shall file with the chief court judge and the division a proposed program of games not less than twenty-four (24) hours in advance of the performance. It shall be the responsibility of the players' manager to insure that all games are competitive. The players' manager shall so list an official substitute player or players for each game who shall be used in the event that a player scheduled to play has to be replaced due to injury, disqualification or other extraordinary circumstances.

(e) **File daily program.** The player's manager or designee shall maintain a signed program of games played, describing the history of the game.

(Adopted effective October 3, 2001)

## Sec. 12-574-F54. Players

(a) **No pooling of prize money.** Any pooling of the prize money among the players is strictly prohibited.

(b) **Uniform.** All players shall be dressed in clean, regulation uniforms before the start of their first game.

Post position shirts shall be as follows:

No. 1 - red

No. 5 - black

No. 2 - blue

No. 6 - yellow

No. 3 - white

No. 7 - brown

No. 4 - green

No. 8 - purple/orchid

(c) **Safety helmet.** Protective helmets shall be worn by all players while on the court.

(d) **Practice.** All players who are to participate in a game shall appear on the playing court and shall practice prior to the start of the game, thereby enabling the public to observe the players who are to compete in the following game unless permission is granted by the players' manager excusing a player from practice. Such exception and its reason shall be immediately reported to the division representative.

(e) **Positions.** Players shall take their positions off the playing court and near the starting point of each game in numerical order to be determined by the post positions appearing in the program.

(f) **Selection of ball.** The player who is to serve at the start of each point shall have the right to select the ball, and the receiver can only reject the ball if it is

damaged. The players' manager may require that all servers in any given game preselect the balls for that game.

(g) **No smoking.** Smoking shall be prohibited in the players' cage.

(h) **No communication.** Players shall not contact, talk to or signal to any spectator at any time during a performance.

(i) **Best efforts rule.** Jai alai being a game of skill, the winning or losing of a point depends entirely on the individual player's skill and ability, and it shall be the duty of each player at all times to make every possible effort to complete a play. If in the opinion of the court judges or the division representative, a player shows lack of interest and does not use his best efforts while competing in an official game, the offender shall be in violation of the best efforts rule.

(j) **Scratches.** Each player shall compete in and complete the games scheduled except when the player is scratched for any reason. In such case the players' manager shall use the official substitute shown in the program to complete the game and all bets made on the scratched player or players shall remain in effect on the scratched player's post position.

(k) **Wagering prohibited.** No player under contract at a fronton, his wife or blood relatives, may wager money or any other thing of value on the results of any game played at any board licensed fronton.

(l) **Conduct.** While on the court or in the players' cage, players shall at all times conduct themselves in a professional manner consistent with the best interests of jai alai.

(m) **Releases and admissions.** Players may arrive at the fronton after the first game has begun or may leave the fronton upon completion of their last scheduled game at the discretion of the players' manager. If released the player must leave the premises completely and not return until the performance is completed. The players' manager may at any time release and admit players in emergency situations and shall report such occurrences to the division judge immediately, to be followed by a report in writing and in sufficient detail.

(n) **Physical condition.**

(1) **Physical examination.** All players under contract at a fronton shall be required to pass an annual physical examination approved by the division. A copy of the physician's report for each player shall be filed with the division before a player may be entered in any official game. Players entered for a game are subject to physical examination by a physician upon request by the association or the division. The examination shall be performed by a physician chosen by the association and licensed to practice in Connecticut. The physician's determination of the player's physical condition shall be final. A player claiming illness or physical unfitness may request a physical examination by a licensed physician or registered nurse to determine the illness or unfitness. A copy of any physician's report on a player shall be filed with the division. Players who claim temporary illness or unfitness not requiring medical attention may be excused from one performance upon the order of the player's manager.

(2) **Return to play after unfitness.** When any player has been prevented and removed by illness or unfitness from play, he shall not thereafter be entered in a game unless the players' manager shall have secured a certificate of fitness from a licensed physician or registered nurse appointed by the association. If a player is scratched during a performance, he shall not be allowed to return to play during the performance in which he was scratched. The certificate shall be furnished by the player's manager to the division on the day that the player returns to play.

(o) **Drug testing.**

(1) Players and court judges shall be required to participate in an unannounced drug testing program as a condition of licensure pursuant to section 31-51y(c) of the Connecticut General Statutes.

(2) Each player or court judge shall submit to periodic drug testing in accordance with procedures established by the division. Said procedures shall set forth the process for the collection of the specimens for testing and the list of drugs or substances for which players shall be tested.

(3) A positive identification of any drug or substance other than one specifically prescribed by a licensed physician and approved for use by the Federal Drug Administration shall constitute prima facie evidence that such drug or substance has been used.

(4) The division may issue a summary suspension of a player's or court judge's license if an illegal drug or substance is identified through testing. Penalties imposed may include a fine, license suspension or license revocation.

(p) **Player substitutions.** Substitutions shall be reported by the association to the division, in writing, within twenty-four (24) hours, including the reason for the substitution, the performance and game in which the substitution occurred, the names and post positions of the players, and accompanied by the signature of the player's manager and the date of the report.

(q) **Players waiting in rotation.** All players waiting in rotation shall remain in the players cage at all times during the playing of a point. Players shall not be allowed to stand outside the players' cage while a point is in progress.

(Adopted effective October 3, 2001)

**Sec. 12-574-F55. Rules of the game**

(a) **Cancellations.** The association may, in an emergency, postpone or cancel any game. The association shall immediately notify the division judge of any change and the reasons therefore, in writing, and said notification shall be filed with the division within twenty-four (24) hours after taking effect.

(b) **Termination of game.** Except as provided herein when a game is started, it cannot be terminated until win, place and show positions have been officially posted. In the event of a player or players competing out of rotation before the win position has been determined, rotation being the point by point progression of any game, the game shall be declared "off" by the division judge and a full and complete refund made on all wagers for that game. However, if a player or players compete out of rotation during a playoff for place or show the division judge shall cause the game to be returned to the situation prior to the rotational error, and play shall resume with the position(s) determined prior to the rotational error intact. However, in the case where a game is completed and the official results determined, and where it is subsequently discovered that errors of rotation had occurred in that game, the official results shall stand and the payouts shall be made accordingly.

(c) **Start of game.** When a game is started, the player representing post position one and the player representing post position two shall appear on the playing court. When signaled by the chief judge, the player in post position one shall serve the first ball from the service line. In accordance with section 12-574-F55(e) of the Regulations of Connecticut State Agencies, the game shall have been officially started.

(d) **Defective ball.** Should a ball become defective during the playing of a game, any player on the court shall have the right to call said defect to the attention of

the chief court judge and if in the opinion of the chief court judge it is defective another ball shall be put in play at the conclusion of a point.

(e) **The serve.**

(1) A designated uniform serve area approved by the division shall be specified on the playing court. A ball shall be served from this area and failure to do so shall cause the server to forfeit the point to his opponent.

(2) If the server for any reason does not complete a serve or should the ball touch any article of clothing or anything on the person of the server or his partner before being caught by the cesta, the server shall forfeit the point to his opponent.

(3) Only one serve shall be allowed for each point in all games, except partido matches when one (1) overserve is permitted for each point played. No carom serves shall be permitted in singles games.

(f) **Ball in play.** Upon the serve hitting the front wall, a ball shall be in play and the ball shall be ruled in play until a point or a judges' ruling is made.

(g) **Interference.** Should the ball hit any of the server's opponents, the chief judge shall decide whether it is a foul or whether the server should be credited with the point. The judges shall also decide, in the case of a contender obstructing a play of his opponent, whether it was done intentionally or accidentally. Should it be an intentional interference, the player who caused it shall forfeit the point. If accidental or unavoidable, the point shall be played over. The judges cannot rule interference if, in their opinion, the player could not complete the shot if the interference had not occurred.

(h) **Official games.** Official games shall be known as elimination singles, elimination doubles, elimination triples, spectacular seven, spectacular nine and two team partidos to twelve or more points or any other game format approved by the division. Only official games shall be eligible for pari-mutuel wagering.

(i) **Elimination games.** In elimination singles, elimination doubles, elimination triples and spectacular seven games, all players, with the exception of those in first and second positions, shall be seated on a bench in the rear of the court according to their post position. When the game has started, players occupying first and second positions shall compete for the first point until one of the players is eliminated. The player winning the point shall then become the server and his opponent shall be that player which is next in line on the front of the bench. The player who has just been eliminated is to take the rear seat on the other end of the bench until such time as all other players seated on the bench have had an opportunity to play through elimination of one another, and he becomes the first man on the bench again. These games are ruled by the elimination of players until the total required points are scored to decide the win, place and show positions.

(j) **Points to win.** In elimination singles, elimination doubles, elimination triples and spectacular seven games, the number of points required to decide the winner shall be one less than the number of post positions competing in the game. Spectacular seven shall be an eight-post position seven-point game in which all points are doubled after each post position has been on the court once.

(k) **Play-off.**

(1) After a winner has been declared, playoff rules to decide place and show positions vary according to the number of points scored by the participating players or teams and shall be played according to the players' or teams' rotating position (not post position) i.e. in the order in which they were defeated.

(2) When there still remain five or seven players or teams, all of which are tied without a point to their credit, the play-off shall be for a goal of one point less than the number of post positions represented in the play-off.

(3) When there still remain five or seven players or teams, all of which are tied with one point or more, the play-off shall be continued until one player or team reaches the number of points designated for the game.

(4) In case of two ties after a winner has been declared official, and there are still two players or teams tied with the same number of points, the place position shall be awarded to the player or team making the next point, and show position shall go to the loser of said point.

(5) In the case of three ties after a winner has been declared official, and there remain three players or teams tied for place or show, or both, the play-off shall be through elimination, according to their rotating position. If at any time during a play-off a player or team reaches the designated number of points that the game calls for, said player, or team, shall immediately be awarded the place or show position, as the case may be, and the remaining players or teams shall forfeit the right to play for said position.

(6) In case of four or six ties after a winner has been declared official and there remain four or six players or teams, tied for place or show, or both, the play-off shall be through elimination according to their rotating position. The first two players or teams will play the first point. The next two players or teams will play for one point, and the remaining (in case of six) players or teams will also play for one point. Winners of these points will play additional points to decide place or show position, as the case may require. If at any time during a play-off a player or team reaches the designated number of points that the game calls for, said player, or team shall immediately be awarded the place or show position, as the case may be, and the remaining players or teams shall forfeit the right to play for said position.

(l) **Notice of cancellation, substitutions.** When for any reason a change shall be made by substitution of one or more players, or should a game be canceled for any reason, official notice thereof shall be made and posted in the lobby near the parimutuel windows. Announcements shall also be made over the public address system, notifying the public of any such changes. Said notices and announcements shall be made as soon as possible before the start of the game.

(m) **House rules.** The game of jai alai shall be played only in accordance with sections 12-574-F50 to 12-574-F56, inclusive, of the Regulations of Connecticut State Agencies. Association modifications or "house rules" shall have prior division approval.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F56. Fouls**

(a) **Foul areas.** Foul areas shall be indicated by steel frame, wire, wood or padding and distinguished by a color different from the playing court.

(b) **Fouls committed - points.** If a foul is committed by a player the point shall be awarded to the player in the opposing post position. The fouls are:

(1) When the ball strikes the screens or any other indicated foul area before it touches the front wall.

(2) When the ball strikes the screens or any other indicated foul area after it touches the front wall, and before it touches the playing floor.

(3) When the ball hits the wooden floor on its first bounce after striking the front wall.

(4) When a player catches a ball after its second bounce.

(5) **Holding.** This occurs when a player retains the ball in the cesta longer than a reasonable time in his attempt to make a play. The reasonable time is to be determined by the court judges.

(6) **Control foul.** This occurs when a player fails to maintain one continuous motion clearly establishing, in the opinion of the court judges, that the player has lost control of the ball.

(7) **Change of posture or direction.** This occurs when a player, after initiating one motion, changes his momentum and uses an alternative motion in returning the ball.

(8) A served ball not bouncing between lines four (4), the underserve and seven (7) the overserve lines on the playing court.

(Adopted effective October 3, 2001)

### **Operation of Off-Track Betting**

#### **Sec. 12-574-F57. OTB facility operations**

(a) **Notice of hours.** A notice shall be displayed in a conspicuous location in every off-track betting facility setting forth the hours during which said facility shall be open for business.

(b) **Sale or exhibition of off-track betting information.** In each off-track betting facility, there shall be exhibited or offered for sale off-track betting information. The off-track betting information is solely for the convenience of the betting public.

(c) **Declaring the facility closed.** Notwithstanding any other provision of sections 12-574-F1 to 12-574-F65, inclusive, of the Regulations of Connecticut State Agencies, the managing employee of each off-track betting facility may declare the facility closed for receiving bets on any pari-mutuel pool, race, group of races or closed for all betting.

(d) **Payments on winning tickets.** Payments on winning tickets shall be made by check or in United States currency at any off-track betting facility upon proper presentation and surrender of a valid winning ticket. However, payouts in excess of twenty-five thousand dollars (\$25,000) may be delayed one (1) business day.

(e) **Payments to be verified.** Off-track betting facility personnel shall not make a payment in any amount other than that indicated by the official off-track betting race result sheet conspicuously posted at the facility or by the computer terminal equipment installed at the off-track betting facility for ticket cashing purposes.

(Adopted effective October 3, 2001)

#### **Sec. 12-574-F58. Pool calculations**

(a) **Combined pool.** When a payoff by the OTB association is made on the basis of a combined pool, such payoffs shall be made in accordance with the applicable rules in effect at the host track at the time the race is run.

(b) **Independent pool.** Whenever a payoff by the OTB association is made independently of any other pool, the pari-mutuel pools shall be calculated and distributed as follows:

(1) Win, place, show, daily double or any type of wagers accepted by the OTB association from separate wagering pools with payoffs calculated independently of each other.

(2) From each pool there shall be deducted the appropriate percentages as provided by Chapter 226 of the Connecticut General Statutes, the remainder being the net pool for distribution less breakage.

(Adopted effective October 3, 2001)

**Sec. 12-574-F59. OTB pari-mutuel betting**

(a) **Generally.** The OTB association shall conduct pari-mutuel betting on any recognized meeting held within or without the state as the OTB association may determine, subject to the prior approval of the executive director.

(b) **Pools.** The OTB association shall conduct pari-mutuel betting either in a combined pool or in an independent pool as the association may determine on any recognized meeting held within or without the state.

(c) **Telephone betting.** The association may conduct pari-mutuel betting by telephone. Such telephone betting shall be in accordance with section 12-574-F60 of the Regulations of Connecticut State Agencies.

(d) **Types of betting.** The OTB association may accept wagers on such types of pari-mutuel betting as it shall determine subject to the approval of the board.

(e) **Location of ticket sales.** Off-track betting pari-mutuel tickets shall be sold only at off-track betting facilities.

(f) **Limits on betting.** The executive director with the advice and consent of the board shall approve minimum limits on betting.

(g) **Minimum payments.** The OTB association shall pay not less than two dollars and ten cents for each two dollar winning bet in the distribution of any pari-mutuel pool.

(h) **Commencement of betting.** The OTB association shall commence accepting bets for any particular pari-mutuel pool at such times as the executive director may approve.

(i) **Close of betting.** The close of betting shall be set at such times as the executive director may approve or as designated division personnel may determine based upon operational circumstances.

(j) **Locking of pari-mutuel terminals.** Pari-mutuel terminals shall be lockable by electrical control to render them incapable of accepting or recording wagers and issuing tickets on prior races or a race in progress.

(k) **Field.** Whenever two or more horses starting in the same race constitutes a field they shall be combined for purposes of any off-track betting pari-mutuel pool as follows:

(1) One or more horse number(s) shall be provided which shall represent horses in the field. A bettor who bets on a field shall be deemed to have bet on all the horses in that field irrespective of whether or not the particular horses running in that field are determined when the bet is placed. If that entire field is scratched or removed from betting there shall be a refund. However, if part of that field is scratched or removed from betting but there is at least one starter, there shall be no refund;

(2) In the event that a bettor bets on a horse which is later placed in a field, he shall be deemed to have bet on that field except that if the horse upon which he has bet is removed from the race or removed from betting prior to the close of betting, the bettor shall receive a refund;

(3) Upon recommendation of the association, the executive director may approve alternative methods of grouping animals together to constitute a common betting interest.

(l) **Coupled entry.** Whenever, in accordance with the rules of the track, two or more horses starting in the same race constitute a coupled entry for purposes of pari-mutuel betting at the track, they shall be coupled for purposes of any off-track betting pari-mutuel pool and a bet on one shall be a bet on all, as follows:

(1) A horse number may be provided which shall represent each coupled entry. A bettor who bets a coupled entry shall be deemed to have bet on all the horses irrespective of whether or not the particular horses running in the coupled entry are determined when the bet is placed. If the entire coupled entry is scratched or removed from betting there shall be a refund. However, if part of a coupled entry is scratched or removed from betting but there is at least one starter, there shall be no refund;

(2) In the event that a wager is placed on a horse which is part of a coupled entry, the wager shall be deemed to have been on the coupled entry except that if the horse upon which the wager was placed was separately designated and is then removed from the race or removed from betting prior to the close of betting, the wager shall be refunded.

(m) **Refunds.** All bets received on an entry which does not start or on a race which is canceled or postponed may be independently calculated or shall be refunded on the basis of the refund policy in effect at the track.

(n) **Refusal to accept bets.** The OTB association shall have the right to refuse to accept bets on a particular entry or entries or in any or all pari-mutuel pools for what it deems good and sufficient reason. In the event that the association shall prohibit further betting on an entry or entries in a pari-mutuel pool for which it has previously accepted bets, bets on such entry or entries shall be refunded.

(o) **Track refusal to accept bets.** In the event that the track refuses to accept bets on a particular entry or entries, the OTB association shall automatically remove from its pools all bets placed on said entry or entries, and said bets shall be refunded.

(p) **Cancellation of track pool.** In the event that a pari-mutuel pool is canceled by the track, the corresponding off-track betting pari-mutuel pool may be independently calculated or shall be refunded.

(q) **Change of entries.** Until the track posts the official entries of a race, the OTB association may add to the entries and accept public wagering on such entries as it believes shall run in the race and may remove from its list such entries as it believes shall not run in the race.

(r) **Responsibility of division.** The division bears no responsibility with respect to the actual running of any race or races upon which the association accepts bets. In all cases, off-track betting pari-mutuel pool distribution shall be based upon the order of finish posted at the track as "official" or as the rules may apply in the case of substitution for scratched entries. Rulings related to entries, the winning of a race, and the order of finish and determination of judges, stewards or other appropriate officials at the track shall be conclusive in determining the payoffs by the association.

(s) **Error in calculation of payments.** In the event of an error in calculation of payment prices:

(1) Where such error occurs in an independent pool, all off-track betting facilities shall be notified as soon as the error is determined and all further payments shall be in the correct amount. Telephone betting accounts shall be corrected accordingly where practicable. Any amount thereafter remaining in the pool because of an underpayment shall be transferred to the division, and a written report thereof submitted to the division by the day following discovery of such error;

(2) Where such error occurs in a pool which is the result of the combination of the track pool and the off-track betting pool, notwithstanding the provisions of section 12-574-F58 of the Regulations of Connecticut State Agencies, the rules in effect at the track governing the disposition of such error shall prevail.

(t) **Failure of combining pool.**

(1) In the event that any bet accepted by the OTB association for inclusion into a combined pool with the track fails to be appropriately included and combined in the single track pool due to circumstances reasonably beyond the control of the OTB association, payoffs shall be made in accordance with one of the following:

(A) All bets made at OTB facilities shall be placed into an independent pool, and the payoff shall be made in accordance with applicable rules; or

(B) An alternate method may be approved by the board upon the recommendation of the association and the executive director.

(2) An immediate announcement shall be made to the public at all facilities when other than track payoffs will result.

(3) The OTB association shall provide a written report to the division setting forth the circumstances surrounding the failure to include any bet into a combined pool.

(4) In any case where the circumstances of a failure to properly combine any pool results in an underpayment to the public for that pool, as determined by the division after reviewing the required reports, the OTB association shall transfer to the division the amount of such underpayment. Any overpayment on any pool not properly combined is strictly the responsibility of the OTB association and any such overpayment shall not be used to offset the underpayment of any other pool.

(u) **Bettor information for Internal Revenue Service.** An association and any OTB facility operator shall comply with all statutes, rules, regulations, rulings, and directives of the Internal Revenue Service and the state of Connecticut regarding reportable winnings and withholding thereon. The association and any OTB facility operator shall refuse payment to a winning bettor who refuses to supply the relevant information required by the Internal Revenue Service or the state of Connecticut or who attempts to circumvent the withholding and reporting requirements.

(v) **Official results.** When applicable, at the end of each race division personnel shall monitor with the pari-mutuel department, by use of totalizator equipment or telephone, the official placement and payout of the program numbers. No payoffs shall be made until the receipt of the declaration that the result is official by flashing the word "official" on the totalizator board or announcing such on the public address system.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F60. Telephone betting**

(a) **Telephone deposit center.** The association may operate a telephone deposit center for the purpose of keeping deposit accounts and accepting telephone bets. The association shall establish written procedures for the operation of the telephone deposit center. Said procedures and any subsequent amendments shall be subject to division approval.

(b) **Deposit account.** Only those persons providing the required and accurate account identification information to the telephone deposit center with respect to a specific deposit account shall be permitted to bet by telephone. Betting by agents or betting services is prohibited. No association employee shall knowingly accept any wager from any prohibited person. The telephone deposit center shall accept bets up to the amount posted to the credit of such account at the time the bet is placed. Subject to division approval, the association may implement procedures for the use of deposit accounts for betting while at OTB facilities and for betting by any other electronic means approved by the division.

(c) **Application for deposit account.** An applicant for a deposit account shall supply such information as the association may require, subject to division approval. Applicants must certify in their application that they have attained the age of majority.

(d) **Identification of deposit account.**

(1) Each deposit account shall have a unique identifying account number. Such number may be changed at any time provided the association informs the account holder in writing of the change.

(2) All persons shall adhere to such other methods of identification as the association may require, subject to division approval.

(e) **Service charges.** The association may establish charges to accounts for various services subject to the prior approval of the division. The association shall provide each account holder with a list of all service charges and any updates thereto.

(f) **Information to account holder.** An account holder shall receive at the time the account is opened an identification card, a summary of the rules, and an explanation of the procedures then in force for depositing to, withdrawing from and closing of the account; a telephone number to be utilized by the account holder; a description of the mechanics of betting; a listing of any service charges that may apply; and such other information as the association may deem appropriate.

(g) **Natural person only.** The OTB association shall accept telephone deposit accounts in the name of a natural person only. The association shall not allow any corporate, partnership, joint, trust, beneficiary or custodial telephone deposit account(s).

(h) **Non-transferable.** Neither the ownership nor the funds of a telephone deposit account are transferable.

(i) **Right to refuse accounts.** The OTB association shall have the right to refuse the establishment or maintenance of accounts for what it deems good and sufficient reason. No account shall be established or maintained for any prohibited person as described in section 12-574-F9 (k) of the Regulations of Connecticut State Agencies.

(j) **Right to refuse deposits.** The OTB association shall have the right to refuse deposits to accounts for what it deems good and sufficient reason.

(k) **Right to suspend or close an account.** The OTB association and the division have the right to suspend any account or to close any account at any time provided that when an account is closed, the OTB association shall return to the account holder such monies, less any authorized service charges, as are on deposit at the time of said action. The association shall establish procedures, subject to division approval, regarding monies which prove to be undeliverable.

(l) **Deposits or withdrawals.** Deposits to and withdrawals from existing accounts shall be permitted only in such form and by such procedures as established by the OTB association and approved by the division.

(m) **Check deposits.** Checks offered for a deposit in a deposit account shall not be posted to the credit of the account holder until the "hold" period established by the OTB association and approved by the division has elapsed. All such checks shall be immediately marked "for deposit only" and included in the next scheduled deposit.

(n) **Acceptance of bets.** Telephone bets shall be accepted during such time and on such days as designated by the OTB association and approved by the executive director.

(o) **Right to declare betting closed.** Notwithstanding any other rules, the managing employee of the telephone deposit center may at any time declare the telephone deposit center closed for receiving telephone bets on any pari-mutuel pool, race, group of races, or closed for all betting.

(p) **Right to refuse bets.** The OTB association or any OTB facility operator has the right at any time and for what it deems good and sufficient reason to refuse to accept all or part of any bet.

(q) **Betting conversations recorded.** All betting conversations shall be recorded by the telephone deposit center and the tapes of said conversations stored for a period of time which corresponds with the presentation deadline established in section 12-574-F9(g) of the Regulations of Connecticut State Agencies. All betting transactions accepted by means other than an operator shall be electronically recorded, subject to division approval, and stored for a period of time which the division shall establish.

(r) **Responsibility of account holder.** Deposit accounts are for the personal use of the account holder. No other person may act, nor may the account holders facilitate any other person to act, as an agent for an account holder in the placing of wagers or the withdrawal of funds. Account holders are responsible for all bets placed through their accounts by any person using the account. The account holder bears the responsibility for maintaining the secrecy of his account number and secret code word. OTB association employees shall immediately report to the division any suspicion of use of an account by someone other than the account holder. The division may notify the association of use of an account by someone other than the account holder as the division deems appropriate.

(s) **Payments on winning bets.** Payment on winning pari-mutuel telephone wagers and refunds shall be posted automatically to the credit of the account holder, as soon as practicable, after the race is declared official.

(t) **Periodic statements.** Not less than once per year, the OTB association shall provide written statements of account activity during the period to all account holders. In addition, an account holder has the right to request a statement for the current and four (4) previous years, at any time. Unless written notice to the contrary is received by the association within fourteen (14) days of the date that any such statement is rendered to an account holder, said statement shall be deemed accepted by the account holder as correct in any and all particulars. A copy of annual statements for each account shall be maintained by the association in each account holder's file for a five (5) year period.

(u) **Inactive accounts.** Accounts found to be inactive based on guidelines established under Chapter 32 of the Connecticut General Statutes shall be deactivated from the on-line totalizator system. Any funds remaining in such accounts shall be transferred to the state of Connecticut in a manner prescribed by the Office of the State Treasurer.

(v) **Address of account holder.** The last address provided in writing by an account holder to the association is deemed to be the correct address and shall be the address used by the OTB association for the purposes of mailing checks, statements of account, account withdrawals, notices or any other written correspondence to the account holder. The mailing of checks or other correspondence to the address given by the account holder shall be at the sole risk of the account holder. Any change of address shall be made in writing, signed by the account holder and retained in the account holder's file. Any request for a withdrawal or the mailing of any other account information to an address other than the current address on file shall be accompanied by a written request signed by the account holder.

(w) **Employees.** No employee of the telephone deposit center shall divulge any confidential information related to the placing of any wager or any confidential information related to the operation of the telephone deposit center.

(x) **Money retained in deposit accounts.** The funds from the telephone deposit accounts shall not be transferred to a corporate account. Telephone deposit funds shall be kept in a separate account. Such account shall be an escrow account for

this purpose and maintained within the state of Connecticut. The total funds in this escrow account plus the payoff receivables due from tracks which arise from betting activity of the telephone betting patrons shall be sufficient at all times to cover all sums due to telephone deposit account holders.

(Adopted effective October 3, 2001)

### Licensing

#### Sec. 12-574-F61. Greyhound partnerships and corporations

(a) **Registration of greyhound partnerships.** All partnership owners shall be registered with the division, pay the fee required if applicable and report the name, address, date of birth and social security number of all partners and of every person having any interest in a greyhound, as well as the relative proportions of such interest. The terms of any sales with contingencies or arrangements shall be signed by all parties or their authorized agents and be filed with the racing secretary, a copy of which shall be transmitted immediately before the opening of the race meet to the division. All partners shall each be jointly and severally liable for all stakes and forfeits. The division in its sole discretion may require each partner or, in the case of limited partnerships authorized to do business in Connecticut, each general and limited partnership registered hereunder to apply and qualify for a greyhound owner's occupational license.

(b) **Requirements of greyhound partnerships.** All statements of partnerships, or sales with contingencies or arrangements, shall declare to whom winnings are payable, in whose name the greyhound shall run and with whom the power of entry or of declaration of forfeit rests. A copy of this information shall be transmitted immediately to the division.

(c) **Emergencies.** In case of emergency, authority to sign declarations of partnerships may be given to the racing secretary by a facsimile promptly confirmed by signed letter.

(d) **Assignments.** The part-owner of any greyhound cannot assign his share or any part of it without the written consent of the other partners, the said consent to be filed with the racing secretary.

(e) **Requirements of greyhound corporations.** All corporations having any interest in a greyhound shall file with the division at the time of filing application for an occupational license, a statement in duplicate setting forth the names and addresses and date of birth and social security number of all officers, directors and stockholders of said corporation, together with the amount of the respective holdings of each stockholder and a statement as to whether or not said stock is paid in full. This statement shall also designate an authorized agent, or agents of said corporation and be signed by the president of the corporation, attested to by its secretary and have the corporate seal attached. Furthermore this statement shall also contain an affidavit signed under oath by the president and secretary of the corporation that no officer, director or shareholder of the corporation is at that time under suspension by the division or disqualified to be licensed as a greyhound owner by the executive director. The division in its sole discretion may require all officers, directors or shareholders of a corporation registered hereunder to apply and qualify for a greyhound owner's occupational license.

(f) **Transfer of stock, changes in officers and directors.** Any transfer of stock of such corporation or change in the officers or directors shall be reported promptly in writing to the division.

(Adopted effective October 3, 2001)

**Sec. 12-574-F62. Licensing**

**(a) Licenses issued by the board.**

(1) Association License. Any person or business organization who, in Connecticut, shall operate off-track betting, greyhound racing or jai alai shall obtain an association license from the board.

(2) Association affiliate license. Any affiliate of an association licensee shall obtain an association affiliate license from the board.

(3) Licensure. The board shall issue licenses pursuant to Chapter 226 of the Connecticut General Statutes.

**(b) Licenses issued by the division.**

(1) Totalizator license. Any person or business organization that shall provide totalizator equipment or services to the off-track betting system or at an off-track betting facility, or a facility in conjunction with a racing or jai alai meet shall obtain a totalizator license from the executive director.

(2) Concessionaire license. Any person or business organization that shall operate any concession at an off-track betting, racing or jai alai facility shall obtain a concessionaire license from the executive director.

(3) Totalizator and concessionaire affiliate license. Any affiliate of a totalizator or concessionaire licensee shall obtain the appropriate totalizator or concessionaire license from the executive director.

(4) Occupational license. The following persons connected with association, concessionaire, totalizator, or affiliate (either board or division licensed) licensees shall obtain occupational licenses from the executive director:

(A) All employees involved in pari-mutuel operations in the state;

(B) All officers, directors, partners, trustees, or owners whether located in or out of the state; and

(C) Any stockholder, key executive, agent, or other person who in the judgement of the executive director shall exercise control in or over any such above licenses.

(5) Licensure. The executive director shall issue licenses pursuant to chapter 226 of the Connecticut General Statutes. No license granted by the executive director shall be effective for longer than a period to be determined by the division.

**(c) Temporary licenses.** Notwithstanding anything to the contrary in the administrative regulations of the division, the executive director or designee may issue temporary occupational licenses subject to the following conditions:

(1) Temporary licenses shall not be issued for a period greater than seven (7) days, however, they may be renewed for good cause;

(2) Before a temporary license may be issued, an application for license must be filed with the division;

(3) A temporary license may be revoked or suspended without cause upon notice to the temporary licensee; and

(4) A temporary license shall not be valid unless a preliminary security clearance is obtained before the issuance of the temporary license.

**(d) Durational licenses.** Notwithstanding anything to the contrary in the administrative regulations of the division, where the circumstances require, and where the executive director determines that it shall be in the best interest of the state of Connecticut and the legalized gambling industry, the executive director in his discretion may issue durational totalizator, concessionaire, vendor and occupational licenses subject to the following conditions:

(1) Durational licenses shall not be issued for a period greater than ninety 90 days, however, they may be renewed for good cause; and

(2) Before a durational license may be issued, an application for license must be filed, and the application must be processed in the same manner as an ordinary license application.

(e) **Limitation on outstanding licenses.** In the interest of the public safety and convenience either the board or the executive director may in their discretion limit the number of outstanding licenses in a particular category.

(f) **Conditional licenses.** The power to license includes the power to attach reasonable conditions to the grant of a license. Where the board or executive director finds that it shall be in the best interests of the state of Connecticut, of the public safety and convenience, and of the legalized gambling industry, the board or the executive director may attach reasonable conditions to a license which they are authorized to grant. A conditional license may be issued pending final action on a license application. Such a license becomes automatically void upon disapproval of the application.

(g) **Liability insurance.** Any association authorized to conduct any pari-mutuel activity including any OTB facility operator authorized to operate an off-track betting facility shall indemnify and save harmless the state of Connecticut against any actions, claims, and demands of whatever kind or nature which the state may sustain or incur by reason or in consequence of issuing such license. Before any license shall be issued the association and any OTB facility operator shall deposit with the division a comprehensive liability insurance policy. The insurance shall be under terms and in an amount approved by the board and the division and provide coverage for such contingencies, hazards, and liabilities as the board and division may reasonably require. Said insurance shall be kept in force by an association and any OTB facility operator at all times during the duration of the license, and shall be subject to annual review by the division. The policy shall name the state of Connecticut as additional insured.

(h) **Surety.**

(1) An association which is granted a license to conduct any pari-mutuel activity shall give to the state of Connecticut before said license is issued surety in amount sufficient to cover such possible damages as the board or the division shall determine might result from embezzlement, fraud, theft, forgery, misrepresentation, falsification of pari-mutuel records and operations, and for all taxes, fines, fees, revenues or other monies which may be due or which under statute may revert to the state from pari-mutuel operations or otherwise from the association.

(2) Surety shall be in a form approved by the board and the division and may include bonds, pledged securities, restricted accounts or other approved devices. Furthermore such surety shall be kept by an association year round and will be subject to annual review.

(i) **Pari-mutuel taxes.** All pari-mutuel taxes imposed shall be due and payable by the close of the next banking day after each day's pari-mutuel activity. If any such tax is not paid when due, the executive director may impose a delinquency assessment plus interest in accordance with section 12-575 of the Connecticut General Statutes. Failure to pay any such delinquent tax on demand may be considered cause for revocation of the association license.

(Adopted effective October 3, 2001)

## **Sec. 12-574-F63. Occupational badges and licenses**

(a) **Employee identification.** All employees of the mutuel department shall wear license badges for easy identification by the public. All badges shall be worn at

least chest high and shall not be obscured from public view by the bearer's clothing, hair or objects, nor shall they be defaced.

(b) **Employee must be licensed.** An association conducting any pari-mutuel activity shall not permit any persons as specified under section 12-574-F62(b)(4) of the Regulations of Connecticut State Agencies to operate at its facility unless said person has received a license from the division pursuant to division rules of licensing and disclosure.

(c) **Badges:**

(1) The division as it deems necessary shall require occupational licensees to obtain a badge at the expense of the association or the concessionaire, vendor, totalizator, or affiliate licensee. Such badges shall be displayed or carried upon such licensee as required by the division;

(2) The association and any OTB facility operator shall file a list of persons and specific duties of such persons not licensed as occupational licensees who must enter the grounds of a facility for reasons connected with the operation of such facility. In such instances, the association and any OTB facility operator shall provide nontransferable temporary badges to individuals on such lists who are approved by the division;

(3) A non-transferable temporary badge may be issued by an association or OTB facility operator, upon approval of the director of security. These badges must be surrendered by the bearer on leaving the premises, on the day of issue. Users of such badges must sign a register prior to entering the grounds showing the purpose of the visit to the facility;

(4) All badges issued by the division, association or OTB facility operator, subject to division approval, remain the property of the division and, upon request, shall be returned to the division, association or OTB facility operator;

(5) The division, in its discretion, may provide temporary badges to facilitate operations when an occupational licensee does not have such badge in his possession for a given performance;

(6) No licensee shall permit any other person to use his badge or license.

(d) **Surrender of badge.** Each badge issued shall be returned to the division upon termination of the employee or the suspension or revocation of the license.

(e) **Qualification for license.** If the division shall find that the financial responsibility, experience, character and general fitness of the applicant are such that the participation of such person shall be consistent with the public interest, convenience or necessity and with the best interests of OTB, racing or jai alai generally, in conformity with the purposes of chapter 226 of the Connecticut General Statutes, it shall thereupon grant a license. If the division shall find that the applicant fails to meet any of said conditions, it shall not grant such license and it shall notify the applicant of the denial.

(f) **Suspension - revocations.** If the division shall find that the financial responsibility, character and general fitness of the licensee are such that the continued participation of such person will not be consistent with the public interest, convenience or necessity, and with the best interests of jai alai or greyhound racing generally, in conformity with the purposes of chapter 226 of the Connecticut General Statutes it shall thereupon revoke or suspend said license.

(g) **Unlicensed activity forbidden.** No person requiring a license from the division shall carry on any activity whatsoever upon the premises of an association unless and until he has been so duly licensed except that any such person with the consent of the division representative may so act pending action on the application duly

filed and with the exceptions specified in section 12-574-F12(b)(1) of the Regulations of Connecticut State Agencies. Any person who employs anyone in contravention of these regulations may be fined or suspended.

(h) **Examination of licenses.** All persons who have been issued a license by the division shall keep such license in his possession subject to the examination by the division or its duly authorized representatives or officials of the association, at any time they may deem necessary or proper.

(Adopted effective October 3, 2001)

#### **Sec. 12-574-F64. Accounting system**

(a) **Scope.** This particular section of these regulations shall apply only to association, concessionaire, vendor and their affiliate licensees. When the term licensee is used herein, unless otherwise specified, it shall be deemed to include only those licensees. The division on its own, or upon appropriate application may exempt a licensee from any of the provisions of this section. The burden of proving that an exemption should be granted rests solely with the licensee.

(b) **Generally.** Pursuant to section 12-574(k) of the Connecticut General Statutes, the executive director may require that each licensee establish and maintain an accounting system, which will, at a minimum, provide for proper, accurate, complete and timely record keeping and recording of all assets, liabilities, equities, obligations, receipts, revenues, disbursements and expenses of such licensee, subject to the executive director's approval. Such system shall provide for not only accountability and an adequate system of internal control, but shall be established on or reconcilable to an accrual basis to permit preparation of financial statements in conformity with generally accepted accounting principles. Any subsequent revisions shall be subject to division approval.

(c) **Uniform reporting.** Each licensee shall establish a basic set of books and chart of accounts which shall permit reporting in conformity with the uniform reporting system schedules and reporting requirements as established by the division for disclosure, licensing and interim and fiscal year financial reporting. Any subsequent material deviation from such uniform standards must be submitted to and approved by the division prior to implementation. Such submission to the division shall list the type of books maintained and provide the account code numbers and account names by type of account.

(d) **Organizational charts.** Each licensee shall establish an organizational chart which shall indicate the lines of authority, responsibility and control for each operation of the licensee. Such chart shall provide the name and the titles of key managers and supervisory personnel including their assistants and a brief description of their responsibility and authority. Such organizational chart shall be filed prior to the first day of operation with the division and shall be updated annually thereafter and promptly for any termination of an individual or reorganization of responsibilities, authority or control. Such termination or reorganization must be reported together with pertinent details to the division.

(e) **Inventory.** The accounting system utilized by licensees shall include detailed information regarding purchase of goods for sale, inventory of goods held for sale and goods sold. Such system shall indicate the unit of measure, the unit cost of items purchased and sold or in inventory, and shall provide adequate control and traceability without reconstruction of detailed records.

(f) **Maintenance & storage of records.**

(1) Each licensee shall provide for the timely processing and recording of data as required by the division and shall insure the accuracy of the accounts, ledgers, reports and schedules as maintained.

(2) Each licensee shall provide for adequate storage and safeguarding of financial and related records for five (5) years. Such records, including original source documents must be maintained in Connecticut unless the licensee is an out-of-state affiliate or unless prior written permission or exemption has been granted by the division. The division may, after audit or in the case of superfluous records, permit the destruction of records before the expiration of this 5 year period. Should the division require the retention of records beyond five years, it shall secure such records and provide for their storage. The division shall be notified of the disposition of any of the records held in excess of five (5) years by the licensees.

(g) **Access, inspection and monitoring of the accounting system.** The division or its duly authorized representatives and the Department of Revenue Services or its agents are authorized:

(1) To enter upon the premises of any licensee for the purpose of inspecting, examining or testing any and all files and books and records and for the purpose of monitoring cashiers, pari-mutuel clerks and other persons handling money or records on said premises; and

(2) to monitor and test the internal control system of all phases of the cash flow, revenue and expenditures. The division and the Department of Revenue Services and such agents are to be provided with total cooperation and such written information in a timely manner as may be requested from each licensee including, but not limited to, representation letters (contingent liability letter from licensee's legal counsel and a management representation letter) to the division auditors for accounting years under division audit. In addition, each licensee shall cooperate in making available to the division all records and information generated from consulting with or examinations by third-party firms which materially impact the financial operation of a facility or licensee.

(Adopted effective October 3, 2001)

### **Sec. 12-574-F65. Pari-mutuel accounting, reporting and control**

(a) **Totalizator.** Pursuant to section 12-575(b) of the Connecticut General Statutes, use of a computerized electronic totalizator system to conduct pari-mutuel wagering shall be subject to the approval of the executive director. In addition, the executive director may require the association licensee to submit information on the daily operation of the system as he deems necessary for administration including records of all wagering transactions.

#### **(b) Requirements and control.**

(1) **System.** The totalizator equipment selected for use shall automatically register the wagers made on each race track program number by pool, wager location and performance and print and issue a ticket representing each such wager. Such system shall ensure that all pari-mutuel tickets sold contain the same information as entered in the computer memory files. Such system must also have the capability of accounting for the aggregated wagering for each type of pool and determining odds and calculating pay-offs by program number for independent pools and common pool wagering. For the purposes of telephone betting, the totalizator equipment selected for use shall be capable of accounting for all wagering and other transactions which may affect customer accounts.

(2) **Internal control.** The association and totalizator licensee(s) shall maintain a system of internal control subject to the approval of the division to monitor and

restrict data access and provide property control over on-site hardware. Prior to the first day of operation in a calendar year, the association and totalizator licensee(s) shall submit to the division a plan of control to include the types of control in place and the procedures for the detection of unauthorized data access and misuse of wagering information and hardware. Revisions to the plan of control shall be reported to the division as they are initiated.

(3) Reports. The association and totalizator licensee shall submit to the division a listing of all reports, analyses or summaries which the totalizator equipment being utilized is capable of generating both "on-line" and "off-line" and shall provide the division with a listing of designated individuals who have access to such on line print-outs, and the number of copies, the date or time and proposed usage of such print-outs. In addition, a log shall be maintained for off-line print-outs or information detailing the time, date, type of report, number of copies, distribution of copies and the names of individuals requesting such print-outs. The extraction of any and all information from the system shall be restricted to designated association, totalizator and division personnel all of whom will have been previously authorized by the division.

(A) It shall be the totalizator licensee's responsibility to ensure that an accurate record is maintained and the division is informed of all data access. Line-printer-generated reports for ticket issuing machines (TIM) and console logs shall be made available to the division upon request or as designated.

(4) Testing requirements. Not less than seven (7) days in advance of the first day of operation or prior to any modification of the system, the totalizator licensee shall certify to the division that the totalizator equipment to be utilized has been tested and is operating correctly. The division shall have the right to test the totalizator system as needed and as determined by the division at reasonable times and upon reasonable notice, and the association and totalizator licensee(s) shall make the system accessible and available to the division for adequate testing prior to the first day of operation. If required by the division, the association or totalizator licensee shall make pari-mutuel tellers or computer system operators available during totalizator system tests to perform teller or computer operations. In addition, the totalizator licensee shall test the equipment prior to the opening of wagering each day. Said test and certification thereof shall be made in a manner as directed by the division and shall be conducted to determine and ensure the proper functioning and operation of the equipment or systems utilized. In addition to the provisions of section 12-574-F9(s) of the Regulations of Connecticut State Agencies any malfunction, its effect on operations, and the remedial steps taken to correct such malfunction and the procedures established to prevent recurrence thereof shall be reported to the division at the time of occurrence and on a daily basis until such malfunction is corrected.

(c) **Inventory.** Prior to the first day of operation, the totalizator licensee shall provide the division with an inventory listing by location within the facility of its TIM's and hardware including tapes, discs or other storage media. Any changes in the inventory (either in number or location) of TIM's or consoles shall be reported to the division immediately with an explanation of such change.

(d) **Advance wagering.** Every association permitted to conduct advance wagering of any type shall, at the conclusion of each type of advance wagering program, and prior to the start and at the end of each performance, prepare and submit to the division a report of wagering by each performance of the amounts wagered by race or game, pool and program number. A report showing each location's sales, refunds,

cashes and cancels by TIM for those TIMs in operation during such advance wagering program shall also be submitted.

(e) **Internal control system storage media.** The licensee shall be required to provide storage media that shall be a compatible interface to the division's computer systems. The storage media shall contain all transactions generated by the computer system during a given program by facility. These transactions shall include, but not be limited to: cashes, cancels, sells with bet detail information, draws, returns, stop betting, W2-g, pools, prices, account wagering, if applicable, terminal initialization and control transactions including signons and signoffs, system and terminal error messages, time stamps, all teller activity, new or next customer indicators, keyboard or reader indicators, race results, scratches, dead heat indicators, facility performance number identifiers, pool closed indicators, pool cleared indicators and all transactions with transaction status included. Should the licensee have a voucher processing capability, the licensee shall provide the same detail for all voucher transactions. The licensee shall provide this information to the division as soon as possible after the close of a program, and in any case no later than the following day. The storage media shall be accompanied by a printout of the licensee's system console messages or console log. The licensee shall also provide to the division complete system documentation including, but not limited to, a detailed description of all transactions appearing on the storage media, along with a complete description of all fields in a transaction including bet types, error code breakouts, current/future indicators and runner maps. If the division encounters any errors in the processing of the storage media, the licensee shall make available, at no cost to the division, replacement storage media. The division shall make copies of the storage media and shall return the original storage media to the licensee. The recycling period for the storage media shall be subject to the prior written approval of the division.

(f) **Hardware and software modification.** Prior to hardware or software changes, system documentation describing the hardware or software modification(s) and test data on storage media simulating the change(s), shall be provided before patches, upgrades or other changes are to be installed and shall not be installed into production by the vendor without the division's prior written approval. Acceptance testing shall be performed by the division in accordance with the provisions of subsection (b)(4) of this section and after receipt of certification from the totalizator licensee as required therein, and written acceptance obtained from the division prior to being placed in production. If the change is minor in nature, a written waiver of the test may be obtained prior to being placed in production. The association, in addition to any other regulatory remedies available to the division, shall compensate division for all expenses (including personnel costs) the division incurs due to the association's failure to comply with this provision.

(g) **Software patching.** Software patching that is performed in order to resume operation after system failure shall be allowed without prior written notice, however, the association shall notify the division in writing within one (1) working day of such patching.

(h) **Emergency repairs.** The division shall conditionally approve emergency repairs in the event of an emergency requiring immediate action or repairs resulting from reasonably unforeseen circumstances or acts of God and the totalizator system shall be ordered restored to its former state. A report detailing the revision, change or alteration shall be delivered to the executive director within two business days of implementation for final division approval. This report shall be in addition to the notification requirements as found under section 12-574-F9(s) of the Regulations

of Connecticut State Agencies. If emergency repairs do not result in revisions, changes or alterations, no report shall be required to be submitted to the executive director.

(i) **Payout schedule.** The association or totalizator licensee shall prepare and submit to the division at the conclusion of each race or game a schedule detailing the pool distribution of the pari-mutuel handle for the race or game just ended and a schedule showing the amounts wagered by pool and program number per race or game for the races or games yet to be conducted. Such pool distribution or pay-out schedule by program number and by pool shall be based upon the stop betting printouts (available prior to the start of the race or games).

(j) **Cash transactions.** The association and totalizator licensee shall provide the division with access to a listing of sellers and cashiers (or combination) to include the employee name, employee number, assignment window for each race or game and a summary of all cash transactions (by race or game) while on duty. Such listing shall be available to the division at the close of each session. Furthermore, the licensees shall provide the division with a reconciliation of all pari-mutuel cash activities between mutuel employees and the money room bank. In addition, a listing or print-out of all cashed or canceled tickets by race or game, pool and program number shall be compiled and shall be submitted to the division after each session.

(k) **Distribution of handle.** The association and totalizator licensee shall be responsible for their accounting of the pari-mutuel handle for each session in order to assure compliance with the provisions of section 12-575 of the Connecticut General Statutes. The association shall certify the accuracy of the distribution of the handle as represented in summary forms provided by the division. The state's share (tax plus one-half of the positive breakage) of the pari-mutuel handle of a performance shall be paid over to the state in the method or manner directed by the division no later than the close of banking hours the next banking day following the session.

(l) **Manual computations.** The mutuel manager and the association shall maintain an adequate number of written copies of procedures for manual computation or verification of pay-outs for the various pools. If any manual computation or verification is used, exact copies of all such records and sheets shall be provided by totalizator and the association to the division as soon as possible after each game or race and prior to the posting of the official payouts.

(Adopted effective October 3, 2001)