

**13:71-27.3 Public notice**

Public notice shall be given at the earliest practicable time if a published race is declared off.

**13:71-27.4 Number of entrants**

If the number of entrants in an overnight race exceeds the number deemed safe and expedient by the judges, the Racing Secretary shall reduce the number of starters to the proper number by lot.

**13:71-27.5 List of eliminated horses**

The Racing Secretary shall keep a list of horses thus eliminated from races, and they are to have precedence in any race of a similar distance and similar conditions for which they may be entered thereafter, when a horse's name appears in the entries and it is also entered for the following day, such entry will be given no consideration on the preferred list. Preference must be claimed at time of entry, and the signed entry must indicate that preference was claimed. The Racing Secretary will adjust no claims which do not comply with this procedure.

**13:71-27.6 Also eligible list**

If the entries in an overnight race exceed the acceptable number, as many as two of those that have not been drawn shall also be listed on the entry sheet as "also eligible" to start. After any horse in the body of the race has been excused at scratch time, the horse moving in from the also eligible list shall assume the post-position of the horse so excused. The owner or trainer of any horse on the also eligible list who does not wish to start shall so notify the Racing Secretary prior to scratch time on the day of the race.

**13:71-27.7 Dissemination of racing information**

The Racing Commission may in its discretion agree not to make available and direct the track associations not to make available to outside sources, information such as the name of the driver, scratches, substitute races, track conditions, morning line information, equipment changes, weight and any other information it may deem advisable, in order to curtail the illegal activities of bookmakers and to prevent other states from using the results of races run in New Jersey as part of such other state's off-track betting scheme.

**13:71-27.8 Odds board**

Each association must maintain an approximate odds board for the purpose of informing the public of the actual wagering on each horse as disclosed by an accurate take-off of the straight pool at the time such odds are posted, and also a final line or flash after the close of wagering, which shall show the final odds on each horse before the finish of the race. (No quotation or line shall exceed a total of 129 percent.)

**13:71-27.9 Lines**

A copy of the opening line and all additional lines of odds, with percentages figured, as well as amounts of money wagered in the straight pool on each horse at the time each additional line of odds is posted, including the final line, shall be furnished and delivered by the association, immediately following each race, to the supervisor of mutuels duly appointed by the Racing Commission, as its representative in the mutuel department, under authority of the racing law.

**13:71-27.10 Payoff prices**

(a) The mutuel manager is held responsible for correctness of all pay-off prices posted on the board.

(b) Before the mutuel department of any race track posts the pay-off prices of any pool for any race, the mutuel manager shall require each of the (calculating sheets) computer printout sheets of such race to be proven by the (calculator) computer and the winners verified. Such proof shall show pay-breaks commission, and added together shall show they equal the total pool.

(c) All pay-slips are to be checked in (calculating sheet) computer printout sheet as to winners and prices before being issued to cashiers, and all board prices are to be rechecked with the (calculator) computer printout sheet before they are released to the public.

**13:71-27.11 Ticket sales**

No ticket may be sold after the totalisator has been locked or wagering has ceased.

**13:71-27.12 Ticket claims**

(a) Any claim by a person that a wrong ticket has been delivered to him must be made before leaving the mutuel ticket window.

(b) No claim shall be considered thereafter and no claim shall be considered for tickets thrown away, lost, changed, destroyed or mutilated beyond identification.

(c) Payment of wages will be made only on presentation of appropriate parimutuel tickets.

Petition for Rulemaking.  
See: 35 N.J.R. 278(b).

**13:71-27.13 Emergencies**

Should any emergency arise in connection with the operation of the pari-mutuel department not covered by this chapter and an immediate decision is necessary, the manager of the pari-mutuel department shall make a good faith effort to contact and consult with the Supervisor of Mutuels prior to making the decision, and render a full report to the Racing Commission.

**13:71-27.14 Advice; horses competing**

The manager of the pari-mutuel department shall be properly and timely advised by the judges, prior to the beginning of wagering on each race, of the horses that will compete in the race.

**13:71-27.15 Post time schedule**

Post time of each race shall be set by the manager of the pari-mutuel department, and shall not be changed after being posted on the odds-board without permission of the judges.

**13:71-27.16 Entry defined**

When two or more horses run in a race, and are coupled because of common ties, they are called an "entry" and a wager on one of them shall be a wager on all of them.

**13:71-27.17 "Field" defined**

When the individual horses competing in a race exceed the numbering capacity of the tote, the highest numbered horse within the capacity of the tote and all horses of a higher number shall be grouped together and called the "field" and a wager on one of them shall be a wager on all of them.

**13:71-27.18 Elimination of wagering**

(a) With the approval of the Racing Commission, or its designee, race tracks will be permitted to eliminate place and show wagering on any particular horse or entry in any race. Among the factors to be considered will be the quality of the horse or horses for which the elimination of wagering is sought compared to the quality of the other horses in the race. The request to eliminate place or show wagering shall be made prior to the printing of the program. Once the program is printed, elimination of wagering will not be permitted unless the following occurs:

1. If less than six wagering interests qualify horses to start in a race, the mutuel director shall be permitted to eliminate show wagering on that race.
2. If less than five wagering interests qualify horses to start in a race, the mutuel director shall be permitted to eliminate both place and show wagering on that race.
3. If two or less wagering interests qualify horses to start in a race, the mutuel director shall be permitted to eliminate wagering on that race.

(b) The decision to eliminate wagering in (a)1 through 3 above shall be made prior to the opening of mutuel windows for that day's business unless there is a change in the number of wagering interests qualified to start. If a change in the number of wagering interests qualified to start occurs after wagering has begun, the decision to eliminate wagering shall be made immediately at the time the number of wagering interests qualified to start changes.

(c) New Jersey race tracks may adjust the pari-mutuel pools to eliminate certain forms of wagering on all interstate simulcasts consistent with the pari-mutuel decisions made by the sending track associations in conformance with that state's rules and regulations. Notice of the decision to make adjustments shall be provided to the Racing Commission or its designee prior to accepting wagers on the event.

(d) In all cases where wagering is eliminated, race tracks shall inform the public through notification in the program, advertisements, public address system or any other means available.

Amended by R.1990 d.185, effective April 2, 1990.

See: 21 N.J.R. 3255(a), 22 N.J.R. 1149(b).

Allowed for track associations to bar certain horses from place and show wagering.

**13:71-27.19 Cease wagering**

Wagering shall cease not later than off-time.

**13:71-27.20 Ticket-issuing machines closed**

(a) If, for any reason, the pari-mutuel ticket issuing machines are closed during the wagering on a race before off-time, they shall remain closed until after the race.

(b) Wagering shall cease on that race, and the payoff for that race shall be computed on the sums then wagered in each pool.

(c) In the event the machines are inadvertently closed through some human error, said machines shall be opened only by permission of the stewards.

**13:71-27.21 Name and numbers of horses in gate**

If a horse or horses do not start because of a mechanical malfunction, the judges shall promptly notify the manager of the pari-mutuel department of the same and number of said horse or horses.

**13:71-27.22 Written notice of official placement**

At the end of each race, the placing judge shall advise the manager of the pari-mutuel department in writing of the official placement of the horses; and no payoff shall be made until the receipt of such written notice.

**13:71-27.23 Basis of payoffs**

Whenever the totalisator fails mechanically, or whenever there is a difference in any pool or pools between the sum total of the wagers on the individual horses as compared with the grand total shown by the totalisator, the association shall compute the pay-off to the public on the basis of the larger of the two amounts (i.e., the sum total of the wagers on the individual horses or the grand total as shown by the totalisator.)

**13:71-27.24 Recapitulation of sales**

All monies remaining undistributed following the calculation of all pools shall be paid to the State.

**13:71-27.25 Errors in pay-off figures**

(a) If an error is made in posting the pay-off figures on the public board, it shall be corrected promptly and only the correct amounts shall be used in the pay-off irrespective of the error on the public board.

(b) If because of mechanical failure, it is impossible to promptly correct the posted pay-off, a statement shall be made over the public address system stating the facts and correction.

**13:71-27.26 Overpays or underpays**

Overpays caused by errors of the totalisator shall be paid by the totalisator company.

**13:71-27.27 Mechanical breakdowns**

(a) In the event of an irreparable breakdown of the totalisator, or the ticket issuing machines, or both, during the wagering on a race, the wagering for that race shall be declared closed.

(b) The payoff for that race shall be computed on the sums wagered in each pool up to the time of the breakdown.

(c) In the event of any totalisator malfunction requiring the totalisator company to purchase any non-issued ticket "lost" in the totalisator computer, the totalisator company shall be permitted to credit losing tickets so purchased to

the extent of winning tickets similarly purchased. The proceeds of such winning tickets which exceed any credit for losing tickets shall revert to the State.

**13:71-27.28 Excused horses; refunds**

In all cases when a horse has been excused by the judges after wagering has started but before off-time all money wagered on the horse so excused shall be deducted from the pool and be refunded.

**13:71-27.29 Horses left at post**

If a horse is left at the post at off-time there shall be no refund, but if one horse or more is prevented from leaving the post at off-time because of any mechanical malfunction, the money wagered on said horse or horses so locked in the gate shall be deducted from the pool and be refunded.

**13:71-27.30 No horse finish race**

If no horse finishes in a race, all money wagered on that race shall be refunded.

**13:71-27.31 Coupled horses**

If two or more horses in a race are coupled on the same mutuel ticket, there shall be no refund unless all of the horses so coupled are excused before off-time, or all of the horses so coupled are locked in the gate. Discretion is, however, vested in the judges to order a refund wherein a part of an entry in a stake, handicap or futurity is excused before off-time where it is in the public interest to do so. In such an instance the remaining part of the entry shall race for the purse only.

(f) Entries shall be allowed in an exacta race. "Fields" are permitted in an exacta race. If two or more horses in an exacta race are listed as "field" on the same totalisator ticket, there shall be no refunds, unless all the horses so listed are excused before off-time.

(g) In exacta races with a coupled entry or mutuel field, the numbers of the first two horses in order of finish as made official shall constitute the winning exacta combination except that where two or more of these horses are part of the same coupled entry or mutuel field, only the best finishing position attained by the coupled entry or mutuel field shall be considered for exacta payoff purposes and the next best finishing horse or horses, not part of the same coupled entry or mutuel field, shall be determined to comprise the winning exacta combination. Should any horse not part of any coupled entry or mutuel field finish in a dead heat for second place with a horse that is part of the same coupled entry or mutuel field as the first-place finishing horse, the winning exacta combination shall consist of the first-place coupled entry or mutual field with said dead heated horse.

Amended by R.1995 d.660, effective December 18, 1995.  
See: 27 N.J.R. 3763(a), 27 N.J.R. 5032(c).

### 13:71-27.47 Daily double

(a) No more than two daily doubles shall be permitted during any single race day. All other forms of this type of wagering are prohibited.

(b) Before off-time of the second half of the daily double there shall be posted on the public board, readable from the stands, the pay-off each combination coupled with the winner of the first half of the daily double.

(c) In the event of a dead heat for the straight pool in the first half of the daily double, or the event of a consolation pool, it shall not be deemed necessary to compute and post the actual pay-off prices on all the various combinations of the daily double before the running of the second half of the double. However, an effort should be made to compute the double prices and to announce them to the public over a loud-speaker system prior to the running of the second half of the double.

(d) The daily double is not a parlay. All tickets on the daily double will be calculated in an entirely separate pool.

(e) The principle of a daily double is in effect a contract by the purchaser of a daily double ticket to pick (select) the winners of each of the two races specified for the daily double.

(f) If the purchaser of a daily double ticket fails to pick the winner of the first half of the daily double, his contract is void, unless circumstances occur as described in (m), (n), (o) and (p) below. If these conditions do not apply, then irrespective of what happens to the horse selected in the

second half of the daily double, there is no refund because the patron has failed to fulfill the first half of the contract which is to pick the winner of the first half of the daily double.

(g) If a horse in the first half of the daily double is excused by the stewards before off-time, all money wagered on any horse or horses so excused shall be deducted from the daily double pool and be refunded to the purchaser or purchasers of tickets on the horse or horses so excused.

(h) In the event a horse is excused in the second half of the daily double after the first race is official, all daily double tickets combining the scratched horse with the actual winner of the first race of the daily double shall be paid a price equivalent to that fraction of the net pool derived by dividing the net pool by the total purchase price of all tickets combining the winner of the first race of the daily double with all horses in the second half of the daily double. The total pay-off of all tickets combining the winner of the first race of the daily double with the scratched horse in the second half of the daily double as determined by the method set forth in this rule shall be deducted from the net daily double pool.

(i) After off-time, there shall be no refund in either of the above cases, provided for in (g) and (h) above.

(j) For the purpose of figuring the daily double, when horses are locked in the gate they shall be considered as having been excused by the stewards; and (g) and (h) above shall be enforced.

(k) If, for any reason, the first race of a daily double is cancelled and declared "no race", full and complete refund will be made of the daily double pool. If, for any reason, the second race of a daily double is canceled and declared "no race", the daily double pool shall be distributed to the holders of the daily double tickets on the winner of the first race in the same manner as the straight pool of the first race is distributed, except as to the amount of distribution, which shall be controlled by the amount bet in the daily double pool.

(l) Except for the contingencies stated below, the daily double is calculated in the same general manner as the straight pool.

(m) If no ticket is sold combining both winners of the daily double, the net pool shall then be apportioned between those having tickets including the winner of the first race of the daily double and those having tickets including the winner of the last race of the daily double and shall be calculated and distributed as a place pool.

(n) If no ticket is sold including the winner of the first race of the daily double, then the entire net pool will be paid to the holders of tickets which include the winner of the last race of the daily double.

(o) If no ticket is sold including the winner of the last race of the daily double, the entire net pool will be paid to the holders of tickets which include the winner of the first race of the daily double.

(p) If no ticket is sold including a winner of either race of the daily double, then the entire net pool will be paid to the holders of tickets which include the horses finishing second in the two races of the daily double.

(q) If either race of the daily double results in a dead heat, the pay-off will be figured the same as a place pool; that is, first, the regulation commission is deducted, then the total amount wagered on the winning combination is deducted, leaving the profit which is divided equally between holders of the winning combinations.

Amended by R.1991 d.490, effective October 7, 1991.  
See: 23 N.J.R. 2004(a), 23 N.J.R. 3034(a).

In (g), eliminated contradictory language and clarified the proper way to calculate the payoff in a daily double.

Amended by R.1992 d.85, effective February 18, 1992.  
See: 23 N.J.R. 3432(a), 24 N.J.R. 647(c).

Deleted (d); recodified (e)-(r) as (d)-(q).  
Petition for Rulemaking.  
See: 35 N.J.R. 279(a).

### 13:71-27.48 Quiniela

(a) The principle of a quiniela is, in effect, a contract by the purchaser of a quiniela ticket to select the first two horses to finish in a race. The order in which the horses finish is immaterial. The quiniela is not a "parlay" and has no connection with or relation to win, place or show betting, and will be calculated in an entirely separate pool.

(b) Entries shall be allowed in a quiniela race.

(c) In cases of a dead heat between two horses for first place, the combination shall be the winner of the quiniela pool.

(d) In case of a dead heat between two horses for second place, the pool shall be figured as a place pool, the holders of tickets combining the winning horse and the two horses finishing second participating in the payoff.

(e) In the case of a dead heat for second place, and no ticket is sold on one of the two winning combinations, the entire net pool shall be calculated as a win pool and distributed to those holding tickets on the winning combination.

(f) If no ticket is sold on the winning combination of a quiniela pool, the net pool shall be apportioned equally between those having tickets including the horse finishing first and those having tickets including the horse finishing second, in the same manner in which a place pool is calculated.

(g) If no ticket is sold that would require distribution of a quiniela pool to a winner as defined in (a) through (f) above, the association shall make a complete and full refund of the quiniela pool.

(h) In case of a scratch in a quiniela race, the patron holding a ticket on the scratched horse will receive a refund.

### 13:71-27.49 Break to nickel in the event of a minus pool

The minimum parimutuel payoff by any licensee conducting parimutuel wagering shall be \$2.10 on each winning \$2.00 wager. This shall pertain only in the event that there is insufficient money in the net parimutuel pool to return \$2.20 on each \$2.00 wager.

### 13:71-27.50 Trifecta

(a) The trifecta (or other approved name) is a form of parimutuel wagering. Each bettor selects, in order, the first, second and third placed horses in the designated trifecta race. The trifecta pool shall be held entirely separate from all other pools, and is no part of a daily double, exacta or other wagering pool.

(b) Trifecta tickets shall be sold in not less than \$1.00 denominations and only from machines capable of issuing three numbers.

(c) Races in which trifecta pools shall be conducted shall be approved by the Commission and shall be clearly designated in the program.

(d) The design of trifecta tickets shall be clearly and immediately distinguishable from other parimutuel tickets.

(e) If a horse is scratched or declared a nonstarter, no further trifecta tickets may be issued designating such horse and all trifecta tickets previously issued designating such horse shall be refunded and the money deducted from the gross pool.

(f) Rules concerning failure to select a winning combination, short finishes include:

1. If there is a failure to select, in order, the first three horses, payoff shall be made on trifecta tickets selecting the first two horses, in order with all others; failure to select the first two horses, payoff to trifecta tickets selecting the winner and third place horse with any and all other horses; failure to select any of the foregoing orders of finish, payoff shall be made to trifecta tickets selecting the winner to win with all other horses; failure to select the winner to win, payment shall be made to holders of tickets on the second and third place finishers with any and all others.

2. If less than three horses finish, payoff shall be made on tickets selecting the actual finishing horses in order, ignoring the balance of the selection.

(g) Coupled entries and fields are prohibited in trifecta races without the prior approval of the Racing Commission. The Commission, in considering whether to grant such

approval, shall consider the number of wagering interests in the race and whether its approval would be consistent with the best interests of the sport and the wagering public.

1. Method 1. Pick(N) with carry-over: The net Pick(N) pool and carry-over, if any, shall be distributed as a single price pool to those who selected the first place finisher in each of the Pick(N) contests, based on the official order of finish. If there are no such wagers, then 25 percent of the net pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick(N) races; and the remaining 75 percent of the net pool shall be added to the carry-over.

2. Method 2. Pick(N) with minor pool and carry over: The major share of the net Pick(N) pool (75 percent) and the carry-over, if any, shall be distributed to those who selected the first-place finisher in each of the Pick(N) contests, based on the official order of finish. The minor share of the net Pick(N) pool (25 percent) shall be distributed to those who selected the first-place finisher in the second greatest number of Pick(N) contests based on the official order of finish. If there are no such wagers selecting the first-place finisher of all Pick(N) contests, the minor share of the net Pick(N) pool (25 percent) shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick(N) contests based on the official order of finish and the major share (75 percent) shall be added to the carry-over.

(d) If there is a dead heat for first in any of the Pick(N) contests involving contestants representing the same betting interest, the Pick(N) pool shall be distributed as if no dead heat occurred. If there is a dead heat for first in any of the Pick(N) contests involving contestants representing two or more betting interests, the Pick(N) pool shall be distributed as a single price pool with each winning wager receiving an equal share of the net Pick(N) pool.

(e) The Pick(N) pool shall be held entirely separate from all other pools and is not a parlay and is not part of a daily double, exacta, trifecta or other wagering pool.

(f) Pick(N) tickets shall be sold in not less than \$1.00 denominations and only from machines capable of issuing four or more numbers.

(g) Those horses constituting an entry or a field as defined within the rules of the Commission shall race in any Pick(N) race as a single wagering interest for the purpose of Pick(N) pari-mutuel pool calculations and payments to the public. A scratch after wagering has begun on any part of an entry or mutuel field in such a race shall be of no effect with respect to the status of such entry or field as a viable wagering interest.

(h) At any time after wagering begins on a Pick(N) pool should a horse, entire betting entry or mutuel field be scratched or declared a non-starter in any Pick(N) race, no further tickets selecting such horse betting entry or mutuel field shall be issued, and wagers upon such horse betting

entry or mutuel field, for purposes of the Pick(N) pool, shall be deemed wagers upon the horse, betting entry or mutuel field upon which the most money has been wagered in the win pool at the close of win pool betting for such race. In the event of a money tie, the tied horse, betting entry or mutuel field with the most inside post position shall be designated.

(i) The Pick(N) pool shall not be cancelled based upon the number of race cancellations or races being declared no contest, unless the following is true, in which case all Pick(N) wagers for the individual performance shall be refunded:

1. Three or more races of a Pick 4 or Pick 5 are cancelled or declared no contest;
2. Four or more races of a Pick 6 or Pick 7 are cancelled or declared no contest;
3. Five or more races of a Pick 8 or Pick 9 are cancelled or declared no contest;
4. Six or more races of a Pick 10 or Pick 11 or more races are cancelled or declared no contest.

(j) If, on the last day on which the system of wagering is conducted at a race meeting, no bettor selects the winning horse in those designated races, the total amount of the pool which exists on that day in connection with those races shall be paid to the bettor or bettors who selected the largest number of winning horses in those races.

(k) If, for any reason, the Pick(N) carry-over cannot be paid out on the last scheduled day of a race meeting, the carry-over shall be deposited in an interest bearing account approved by the Commission. The Pick(N) carry-over plus accrued interest shall then be added to the net Pick(N) pool on a race date determined by the Commission.

(l) An association, with the written approval of the Commission, may contribute funds to the net Pick(N) pool or the carry-over pool.

(m) Should circumstances occur which are not foreseen in this section, questions arising thereby shall be resolved with general pari-mutuel practice. Decisions regarding distribution of Pick(N) pools will be final.

Amended by R.1993 d.514, effective October 18, 1993.  
See: 25 N.J.R. 3705(a), 25 N.J.R. 4752(b).

### 13:71-27.57 Cancellations

(a) Cancellations of mutuel tickets are prohibited on wagers purchased on the current race once the patron has left the window on all types of wagers where odds or probable payouts are displayed to the public.

(b) Mutuel clerks shall be permitted to cancel current race mutuel tickets during the delay period provided it is the last transaction before the bell sounds signaling the end of

wagering. If it is determined by the Executive Director of the Racing Commission or his or her designee that mutuel clerks are abusing this cancellation privilege, they will be subject to fine and/or suspension.

(c) No cancellation of mutuel tickets is permitted after the delay period.

(d) Cancellation of all advance wagers is permitted up until the race immediately preceding the advance wager becomes official.

(e) Mutuel clerks are permitted to cancel mutuel tickets purchased at self-service terminals provided they are advance wagers or wagers where odds or probable payouts are not displayed to the public.

New Rule, R.1991 d.541, effective November 4, 1991.  
See: 23 N.J.R. 2268(b), 23 N.J.R. 3342(a).

### 13:71-27.58 Expiration of mutuel tickets

All mutuel tickets shall expire six months and one day from the date of issue (that is, tickets purchased on January 1 will expire at the close of business of July 1).

New Rule, R.1991 d.541, effective November 4, 1991.  
See: 23 N.J.R. 2268(b), 23 N.J.R. 3342(a).  
Amended by R.2002 d.348, effective November 4, 2002.  
See: 33 N.J.R. 3627(a), 34 N.J.R. 3782(b).

Deleted "and vouchers" following "tickets" throughout.

### 13:71-27.59 Superfecta

(a) The superfecta (or other approved name) is a form of pari-mutuel wagering where each bettor selects, in order, the first, second, third and fourth placed horses in the designated superfecta race. The superfecta pool shall be held entirely separate from all other pools, and is not part of a daily double, exacta or other wagering pool.

(b) Superfecta tickets shall be sold in not less than \$1.00 denominations.

(c) Races in which superfecta pools shall be conducted shall be approved by the Commission and shall be clearly designated in the program.

(d) If a horse is scratched or declared a non-starter, no further superfecta tickets may be issued designating such horse and all superfecta tickets previously issued designating such horse shall be refunded and the money deducted from the gross pool.

(e) Where a field in a superfecta race is less than seven at wagering time, said race shall not be run as a superfecta. A late scratch after wagering starts will not affect the superfecta.

(f) The net superfecta pool shall be distributed to winning wagers in the following precedence, based on the official order of finish:

1. As a single price pool to those whose combination finished in correct sequence as the first four different betting interests; but if there are no such wagers, then:

2. As a single pool to those whose combination included, in correct sequence the first three different betting interests; but if there are no such wagers, then:

3. As a single price pool to those whose combination included, in correct sequence, the first two different betting interests; but if there are no such wagers, then:

4. As a single price pool to those whose combination correctly selected the first place betting interest only: but if there are no such wagers, then:

5. The entire pool of superfecta wagers shall be refunded for that contest.

(g) If less than four different betting interests finish the race and the contest is declared official, payoffs will be made based upon the order of finish of those betting interests completing the race. Balance of any selection beyond the number of different betting interests completing the race shall be ignored.

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

1. Contestants representing four or more different betting interests, all of the wagering combinations selecting the four betting interests which correspond with any of the betting interests involved in the dead heat shall share in a profit split.

2. Contestants representing three different betting interests, all of the wagering combinations selecting the three dead-heated different betting interests, irrespective of order, along with the fourth place different interest shall share in a profit split.

3. Contestants representing two different betting interests, both of the wagering combinations selecting the two dead-heated different betting interests, irrespective of order, along with the third place and fourth place different betting interest shall share in profit split.

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

1. Contestants representing three or more different betting interests, all of the wagering combinations correctly selecting the winner combined with any of the three different betting interests involved in the dead heat for second shall share in a profit split.

2. Contestants representing two different betting interests, all of the wagering combinations correctly selecting the winner, the two dead-heated different betting interests, irrespective of order, and the fourth place betting interest shall share in a profit split.

(j) If there is a dead heat for third, all wagering combinations correctly selecting the first two finishers, in correct sequence, along with any two of the different betting interests involved in the dead heat for third shall share in a profit split.

(k) If there is a dead heat for fourth, all wagering combinations correctly selecting the first three different finishers, in correct sequence, along with any of the different betting interests involved in the dead heat for fourth shall share in a profit split.

New Rule, R.1994 d.91, effective February 22, 1994.  
See: 25 N.J.R. 5451(a), 26 N.J.R. 1107(b).  
Petition for Rulemaking.  
See: 34 N.J.R. 3655(b), 3995(a).  
Petition for Rulemaking.  
See: 35 N.J.R. 279(b).

**13:71-27.60 Distribution of funds derived from casino simulcasting in lieu of N.J.S.A. 5:12-203g(2)**

(a) Pursuant to N.J.S.A. 5:12-204, the formula contained in N.J.S.A. 5:12-203g(2) is superseded and revised as set forth in this section to harness races, and as set forth in N.J.A.C. 13:70-29.62 as to running races. Of that amount remaining after the deduction of the amounts under subsections a, b, c, d, e, f and paragraph g(1) of N.J.S.A. 5:12-203, 43 percent shall be paid to the New Jersey Racing Commission and shall be distributed, in the following year, as provided herein, to New Jersey racetracks for payment as purse money and for programs designed to aid horsemen and horsemen's organizations as provided in section 46a(4) of P.L. 1940, c.17 (N.J.S.A. 5:5-66), section 2d of P.L. 1984, c.236 (N.J.S.A. 5:5-66.1), section 5a(2) of P.L. 1982, c.201 (N.J.S.A. 5:5-98), or section 7f(1)(b) of P.L. 1971, c.137 (N.J.S.A. 5:10-7). This money shall be distributed in accord with the percentages set forth in (b) and (c) below, using the

formula set forth in (d) below. Where a New Jersey permitholder conducts both running races and harness races, this section shall be applicable to the permitholder's harness races and N.J.A.C. 13:70-29.62 shall be applicable to the permitholder's running races.

(b) Of the monies referred to in (a) above, and pursuant to N.J.A.C. 13:70-29.62, 60 percent of the total shall be distributed to permitholders conducting running races and 40 percent of the total shall be distributed to racetracks conducting harness races for 1998 and 1999.

(c) Following 1999, of the monies referred to in (a) above, and pursuant to N.J.A.C. 13:70-29.62, 50 percent of the total shall be distributed to permitholders conducting running races and 50 percent of the total shall be distributed to racetracks conducting harness races.

(d) The formula upon which the monies referred to in (a) above is to be distributed to the New Jersey racetracks conducting harness races, under either (b) or (c) above, whichever is applicable, shall be as follows:

$$A/B = C/D$$

where:

A = the total amount distributed by each racetrack conducting harness racing, pursuant to section 46a(4) of P.L. 1940, c.17 (N.J.S.A. 5:5-66), section 2d of P.L. 1984, c.236 (N.J.S.A. 5:5-66.1), section 5a(2) of P.L. 1982, c.201 (N.J.S.A. 5:5-98), or section 7f(1)(b) of P.L. 1971, c.137 (N.J.S.A. 5:10-7), during the preceding calendar year, plus any additional amounts paid out by each racetrack for overnight purses during the preceding calendar year from the permitholders' share of the pari-mutuel pool;