

## NEW JERSEY RACING COMMISSION

Horse Racing

Handicapping Contests

Adopted Amendment: N.J.A.C. 13:70-29.63

Proposed: November 18, 2002 at 34 N.J.R. 3924(a).

Adopted: April 28, 2003 by the New Jersey Racing Commission, Frank Zanzuccki, Executive Director

Filed: April 28, 2003 as R.2003 d.211, without change,

Authority: N.J.S.A. 5:5-30

Effective Date: May 19, 2003

Expiration Date: December 22, 2004

Summary of Public Comment and Agency Response:

No comments were received.

### Federal Standards Statement

A Federal standards analysis is not required because the rules of racing are dictated by State Statute, N.J.S.A. 5:5-22 et seq., and the adopted new rule is not subject to any Federal requirements.

Full text of the adopted new rule follows:

13:70-29.63 Handicapping contests

(a) Notwithstanding any other provision of law to the contrary, a permit holder, casino simulcasting licensee or a combination thereof may operate a handicapping contest at which the participants may be charged an entry fee. The contest must be conducted in accordance with the provisions of this rule.

(b) The operator of a handicapping contest shall distribute all of the entry fees as prizes to the winners of the contest. Nothing in this section shall preclude an operator from providing additional prizes or promotions.

(c) Operators must apply to and receive the approval of the New Jersey Racing Commission to conduct a handicapping contest in New Jersey. The operators must secure the Commission's written approval of the rules and the payment of prizes prior to the acceptance of any entry fees regarding said contest.

(d) The horse races that are the subject of the handicapping contest must be races on

which the operator of the contest is authorized to conduct wagering.

(e) The operator of a handicapping contest must apply to the Racing Commission for approval of each and every contest.

(f) An entrant must personally place all wagers. No person shall directly or indirectly act as a transmitter, intermediary, or agent in placing wagers for the entrant.

(g) Winners of wagers where taxes apply are solely responsible for the reporting, signing and deductions made to the appropriate State or Federal tax agencies.

(h) Employees or their families of the venue conducting a handicapping contest are not eligible to participate in any tournament.

(i) Denominations of wagers and types of pools wagered must be agreed to in contract form between the contest venue and the racetracks participating in a handicapping contest.

(j) Racetracks, for the purpose of this section, are defined as both in and out-of-State.

(k) All track rulings are official in the event of scratches and disqualifications.