



# Gaming Commission

354 Broadway, P.O. Box 7500, Schenectady, NY 12301-7500  
[www.gaming.ny.gov](http://www.gaming.ny.gov)

July 2, 2024

Re: **Industry Notification of Adoption of Rulemaking for Thoroughbred Claiming Rules Amendments (9 NYCRR §§ 4038.1, 4038.3 ad 4038.4)**

To Whom It May Concern:

On June 24, 2024, the New York State Gaming Commission adopted regulations governing claiming rules in Thoroughbred racing (amendment of sections 4038.1, 4038.3 and 4038.4 of Title 9 of NYCRR). The full text of the rules can be found in the February 7, 2024 *State Register*.

The new rules will allow claimants who have raced on a circuit within 120 days, which will increase the number of owners qualified to make claims.

In addition, the new rules will allow the stewards to extend a certificate of eligibility to claim for 30 additional days if the certificate holder had entered a claim but had lost a disposition by lot when there were multiple claimants.

The new rules will also reduce the requisite waiting period in which a claimed horse may not start in a claiming race, providing owners a greater opportunity to start a horse for the price at which the horse had been claimed, given the owners would be able to gain access to races that had already been written in the track's condition book.

The new rules will extend the prohibition of a claimed horse from running outside New York from 30 days to 60 days, which will mitigate entry shortages that have been experienced at New York tracks. There is an exception for horses claimed at Finger Lakes Racetrack toward the end of the Finger Lakes racing season, in which case the prohibition will be limited to 30 days from the end of the Finger Lakes racing season.

Please be advised, the regulations will become effective upon publication in the *State Register* on July 10, 2024.

Very truly yours,

A handwritten signature in blue ink that reads "Kristen M. Buckley".

Kristen M. Buckley  
Acting Secretary