**Section 510.260 Option to Declare Horse Ineligible to be Claimed**

At the time of entry into a claiming race, the owner, or the trainer acting under authorization from the owner, may opt to declare a horse ineligible to be claimed provided that:

a) the horse has not been an official starter in a race at any racetrack for a minimum of 120 days since its last race as an official starter;

b) the horse's last race as an official starter was a claiming race in which the horse was eligible to be claimed;

c) the horse is entered for a claiming price equal to or greater than the claiming price at which it last started as an official starter;

d) failure to declare the horse ineligible at the time of entry may not be remedied; and

e) ineligibility to be claimed shall only apply to the first start as an official starter following each 120-day or longer layoff.

(Source: Added at 36 Ill. Reg. 12371, effective July 23, 2012)