



ADMINISTRATIVE RULES OF MONTANA



8.22.3004 CLAIMING

- (1) In claiming races any horse is subject to claim for its entered price by an owner whose horse's papers have been entered in the race office for racing at that meeting or by a licensed authorized agent for the account of such owner, provided however, that no person shall claim his own horse, or cause his horse to be claimed directly or indirectly for his own account.
- (2) No authorized agent, although representing several owners, shall submit more than one claim for any one race.
- (3) When a stable consists of horses owned by more than one person, trained by the same trainer, not more than one claim may be entered on behalf of such stable in any one race.
- (4) A horse which is declared the official winner in a claiming race, and is claimed out of that race, must start for 25% or more than that claiming price for a period of 30 days (excluding the day it was claimed). Any horse which is not declared the official winner of a race, and is claimed from that race, is eligible to start for any price.
- (5) If a horse is claimed it shall not be sold or transferred to anyone wholly or in part, except in a claiming race, for a period of 30 days from the date of claim, nor shall it, unless reclaimed, remain in the same stable or management of its former owner or trainer for a like period.
- (6) A claimed horse shall not race elsewhere until after the close of the meeting at which it was claimed except by permission of the stewards at the meeting where the horse was claimed.
- (7) The claiming price of each horse in a claiming race shall be printed on the program, and all claims for said horse shall be the amount so designated. Should more than one claim be filed for the same horse, the disposition of the horse shall be determined by lot under the direction of one or more of the stewards or their representative.
- (8) All claims must be made in writing, on forms and in envelopes furnished by the race meeting and approved by the board. Both forms and envelopes must be filled out completely and must be sufficiently accurate to identify the claim, otherwise the claim will be void.
- (9) No money shall accompany the claim. Each person desiring to make a claim, must first deposit with the licensee the whole amount of the claim in cash, certified check or money order for which a receipt will be given unless at the time of depositing said claim he shall have such amount to his credit with the licensee.
- (10) In claiming races not more than two horses in the same interest or under the control of the same trainer can start. The foal certificate of a claimed horse must remain in the racing secretary's office until the new owner removes the horse from the track.

- (11) All claims shall be deposited in the claiming box at least 10 minutes before each post time. Any exception to this rule must be made by the Board of Stewards and posted in the racing office before the meet starts.
- (12) No official or other employee of any race meeting shall give any information as to the filing of claims until after the race has been run.
- (13) All claims shall be passed upon by the stewards, or their designated representatives. When a claim has been filed it is irrevocable and at the risk of the claimant.
- (14) A horse claimed shall not be delivered by the original owner to the successful claimant, until authorization shall be given by the stewards, and every horse so claimed shall run in the interest and for the account of the owner who entered it in the race, but title to the claimed horse shall be vested in the successful claimant from the time said horse becomes a starter and said successful claimant shall become the owner of the horse, whether it be alive or dead, sound or unsound, injured during the race or after it.
- (15) The stewards may, at any time, in their discretion, require any person making a claim for a horse in any claiming race, to make affidavit in writing that he is claiming said horse for his own account or as authorized agent, and not for any other person.
- (16) No person shall refuse to deliver to the person legally entitled thereto a horse claimed out of a claiming race. Any horse not delivered to the person legally entitled thereto shall be disqualified from racing until delivery is made.
- (17) No person shall offer, or enter into an agreement, to claim or not to claim, or attempt to prevent another person from claiming any horse in a claiming race; nor shall any person attempt, by intimidation, to prevent anyone from running a horse in any race for which it is entered; nor shall any owner or trainer running horses in any claiming race make any agreement for the protection of each other's horses.
- (18) When a stable has been eliminated by claiming, the owner or representative so affected (if he has not acquired a horse or horses before the close of the meeting) may obtain a certificate from the stewards of the meeting and on presentation of that certificate, the owner or representative shall be entitled to claim during the next 30 racing days at any recognized meeting in this state until he has claimed a horse. Stables eliminated by fire or other hazards may also be permitted to claim this rule at the discretion of the stewards.
- (19) Should any stable registered at a meeting be eliminated by sale or removal from the grounds, the right to claim is void.
- (20) Should the stewards, within 24 hours after the running of a race, be of the opinion that the lease, sale or entry of a horse was not made in good faith, but was made for the purpose of obtaining the privilege of entering a claim, then in such case they may disallow or cancel any such claim and order the return of a horse that may have been delivered and refer the case to the board for further action.
- (21) When a registered quarter horse is claimed the racing secretary shall collect a transfer fee from the claimant, which shall be forwarded to the American Quarter Horse Association, Amarillo, Texas, together with the registration certificate, written report of the race showing the date of the race, and the name and address of the person claiming the horse. Upon receipt of such fee, certificate, and report, the association shall make the transfer without report signed by the registered owner.

- (22) Any registered quarter horse claimed in Montana will be permitted to race for the duration of the meet at which the horse was claimed, with a registration certificate in the name of the prior owner if the transfer attached thereto adequately indicates the present ownership. The registration certificate will be sent to the American Quarter Horse Association at the conclusion of said meet.
- (23) For claiming purposes, a corporation must have an authorized agent. A notarized instrument acceptable to the board must be signed by the president and secretary of the corporation with the corporate seal attached appointing the authorized agent.
- (24) When a horse is claimed, all of its conditions accompany the claim.

Authorizing statute(s): 23-4-104, 23-4-202, MCA

Implementing statute(s): 23-4-104, 23-4-202, MCA

History: Eff. 12/31/72; AMD, Eff. 5/5/74; EMERG, AMD, Eff. 7/3/74; AMD, Eff. 10/5/74; AMD, Eff. 4/4/75; AMD, Eff. 5/6/75; AMD, Eff. 4/4/77; AMD Eff. 8/4/77; EMERG, AMD, 1978 MAR p. 995, Eff. 7/5/78; AMD, 1979 MAR p. 39, Eff. 1/21/79; TRANS, from Dept. of Prof. & Occup. Lic, Ch. 274, L. 1981, Eff. 7/1/81; AMD, 1994 MAR p. 1282, Eff. 5/13/94; AMD, 1996 MAR p. 763, Eff. 3/22/96; TRANS & AMD, from Dept of Commerce, 2002 MAR p. 1500, 5/17/02; AMD, 2010 MAR p. 1992, Eff. 9/10/10; TRANS, from 32.28.804, 2015 MAR p. 2252, Eff. 12/25/15; AMD, Notice No. 2025-89, Eff. 4/26/25.