

7892.0150 PURSES.

Subpart 1. **Purse may be redistributed.** Upon receipt of a positive laboratory report, the stewards shall direct that no undistributed purse money won by the horse tested may be awarded pending final determination of the matter. The stewards shall order distributed purse money returned, and it must be returned. If it is determined finally that a violation of chapter 7890 has occurred, the purse money won by the horse involved may be forfeited and redistributed among the other horses in the race according to their order of finish. No forfeiture and redistribution shall affect the distribution of pari-mutuel pools. Distribution of purse money prior to issuance of a laboratory report shall not be deemed a determination that chapter 7890 has not been violated.

Subp. 2. **Determination of purse redistribution.** In determining whether or not to redistribute a purse, the commission or stewards shall consider the following factors:

A. inherent severity of the conduct as indicated by the potential harm to person, property, or the integrity of racing;

B. culpability of the violator;

C. frequency of the violator's failure to comply with law or rule;

D. actual harm caused to person, property, or the integrity of racing;

E. ineligible horse;

F. ineligible owner;

G. improper underweight carried in race and not discovered prior to official;

H. fraud; and

I. any other factors related to the seriousness of violations which the commission or stewards deem crucial to the determination as long as the same factors are considered with regard to all violators. The commission or stewards, in making a determination, shall consider both the number of factors applicable to a violation and the degree to which each applies.

Statutory Authority: *MS s 240.23; 240.24*

History: *9 SR 2527; 10 SR 2161; 16 SR 2684*

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