**Section 1413.140 Right to Declare Out**

a) In purse races and overnight handicaps with eight or more interests, owners shall have the right to declare out to that number before the time stipulated by the regulations of the operator on the day of the race. When more than one owner expresses the desire to declare out, the right to declare out shall be determined by lot. Declarations below eight interests may only be made by permission of the Stewards when a note from a licensed veterinarian establishes a medical reason to excuse the horse from the race or when there is a request from the Racing Secretary to fill a different race. The also eligibles shall have the preference to scratch over regularly carded horses.

b) In purse races and overnight handicaps moved off the turf with more than eight interests, owners shall have the right to declare out to that number before the time stipulated by the regulations of the operator on the day of the race. When more than one owner expresses the desire to declare out, the right to declare out shall be determined by lot. Declarations below eight interests may only be made by permission of the Stewards.

c) Horses may be scratched out of stake races not later than 45 minutes before post time of the race.

(Source: Amended at 35 Ill. Reg. 13910, effective July 28, 2011)