**Section 1413.140 Right to Declare Out**

a) In purse races and overnight handicaps with nine or more interests, trainers 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 trainer expresses the desire to declare out, the right to declare out shall be determined by lot. Declarations below nine interests may only be made by permission of the stewards when a note from a veterinarian licensed under the Veterinary Medicine and Surgery Practice Act of 2004 [225 ILCS 115] 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 other horses eligible for the race shall have the preference to scratch over regularly carded horses. Trainer declarations will only be considered following the time at which the removal of horses from a race has been received by stewards from veterinarians for veterinary related scratches.

b) In purse races and overnight handicaps moved off the turf with more than nine interests, trainers 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 trainer expresses the desire to declare out, the right to declare out shall be determined by lot. Declarations below nine 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 48 Ill. Reg. 18280, effective December 12, 2024)