

This is an amendment to 15.2.7 NMAC Sections 6 and 12, effective December 19, 2019.

Explanatory Paragraph: In 15.2.7.12NMAC Subsections A through O, Paragraphs (1) through (7) of Subsection P, and Subsections Q through X were not published as there were no changes. Throughout 15.2.7 NMAC, number and rule citations have been changed to conform to correct legislative style.

15.2.7.6 OBJECTIVE: ~~[The objective of Part 7 of Chapter 2 is]~~ To achieve the objectives that all pari mutuel wagering is lawful and licensed; establish procedures for interstate/intrastate simulcasting and interstate common-pool wagering.

[15.2.7.6 NMAC - Rp, 15 NMAC 2.7.6, 3/15/2001; A, 12/19/2019]

15.2.7.12 CALCULATION OF PAYOUTS AND DISTRIBUTION OF POOLS:

P. Pentafecta (Super Hi-5):

(8) Unique winning wager option:

(a) Unique winning wager, as used in this subsection shall be defined as having occurred when there is one and only one winning wager whose combination finished in correct sequence as the first five betting interests based upon the official order of finish and is equal to the minimum allowable wager. In the event that there is more than one winning wager whose combination finished in correct sequence as the first five betting interests, a unique winning wager shall be deemed to not have occurred.

(b) If an association elects to offer the unique winning wager option, the net pentafecta (super hi-5) pool shall be distributed to winning wagers in the following order of precedence, based on the official order of finish:

(1) as a single price pool, including any applicable carryover, to the holder of a unique winning wager whose combination finished in correct sequences as the first five betting interests, but if there is no such unique winning wager, then,

(2) the net pool shall be divided into two separate pools. The major pool of the net pool shall be paid as a carryover into the next regularly scheduled pentafecta (super hi-5). The remaining minor pool shall be paid as a pentafecta (super hi-5) consolation pool, which shall be equally divided among those wager holders who correctly select the first five interests in order, but if there are no such wagers, then

(3) the entire net pool shall be carried over into the next regularly scheduled pentafecta (super hi-5) pool.

(c) The association shall specify the minimum monetary amount of a unique winning wager with prior approval of the Commission.

(d) Prior to the start of the race meet, the association shall specify the percentages for a major and minor pool with prior approval of the commission.

(e) A written request to distribute the pentafecta (super hi-5) pool plus any carryover on a specific date and performance may be submitted by the association to the executive director for approval. The request must be for a specified date no greater than one year from the date the request is submitted. Should the pentafecta (super hi-5) net pool and any applicable carryover be designated for distribution on a specified date and performance in where there is no unique winning wager, the entire pool shall be distributed using the method described in this subsection.

~~[(8)]~~ **(9)** The minimum number of betting interests required to start in a contest in which pentafecta (super hi-5) wagering is offered shall be seven.

~~[(9)]~~ **(10)** Associations electing to offer the net carryover pentafecta or unique payout (super hi-5) pool may, prior to offering the wager designate the jackpot carryover amount at any given percentage of the net pool; the remaining percentages will be the minor pool portion, if any. This elected percentage may not be changed during the performance on which the pentafecta (super hi-5) is conducted in the carryover method.

~~[(10)]~~ **(11)** At the association's discretion, the pentafecta (super hi-5) wager may be discontinued and there will be a final distribution of any jackpot carryover combined with the final net pool of the final pentafecta (super hi-5) race and priced as a single price pool as described in Paragraph (3) of this subsection.

~~[(11)]~~ **(12)** Each association conducting the pentafecta (super hi-5) pool of any type, must notify the wagering public via a statement in the official program ~~[or by prominently displaying on each level of the facility,]~~ a declaration of whether the standard version or the carryover version of the pool is being conducted.

~~[(12)]~~ **(13)** Different methods of conduct of this pool may not be combined for the pentafecta (super hi-5) between intertrack or simulcast wagering hosts and guests.

[15.2.7.12 NMAC - Rp, 15 NMAC 2.7.12, 3/15/2001; A, 3/31/2003; A, 9/15/2003; A, 4/14/2005; A, 7/15/2005; A, 11/30/2005; A, 3/30/2007; A, 6/15/2009; A, 12/1/2010; A, 11/1/2011; A, 1/1/2013; A, 9/15/2014; A, 12/16/2016; A, 5/1/2019; A. 12/19/2019]