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TO: Charitable Gaming Licensees  
FROM: Kentucky Horse Racing & Gaming  
DATE: June 23, 2026  
RE: Video Surveillance of EPDs

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On June 16, 2026, Kentucky Horse Racing & Gaming issued a memorandum and FAQs to assist you in preparing to comply with the House Bill 904 requirements beginning July 15, 2026. The purpose of this follow-up correspondence is to provide some additional details regarding how to comply with the new statutory requirement that electronic pulltab devices be “readily visible to the chairperson for monitoring the charitable gaming activity,” under KRS 238.540(11).

Compliance with this requirement may be achieved either by placing all electronic pulltab devices within the natural line of sight of the chairperson for monitoring or by monitoring each machine via video surveillance. Either way, it remains the responsibility of the chairperson, who is responsible for the management and supervision of charitable gaming, to adequately monitor the charitable gaming activity. If you choose to place electronic pulltab devices outside of the natural line of sight of the chairperson and, instead, monitor by video surveillance, you must also comply with the following:

- The video surveillance equipment must be capable of accurate visual monitoring and recording of each electronic pulltab device at all times the device is available to the public;
- The video surveillance equipment must be capable of accurate visual monitoring and recording of any person accessing the device and of displaying the date and time of the events on the recording;
- Recordings of live video surveillance must be retained for a minimum of ninety (90) calendar days;
- The chairperson monitoring the live video surveillance must be on the premises at all times (i.e. off site, remote surveillance monitoring is not permitted);
- Recordings of live video surveillance must be provided to KHRG within twenty-four (24) hours of KHRG’s request; however, KHRG’s Charitable Gaming Compliance Manager may extend the time period to comply upon a showing of good cause;
- The area where live video surveillance footage is being displayed for monitoring should be inaccessible to the public;
- Camera or surveillance outages must be reported to your KHRG compliance officer within twenty-four (24) hours of discovery and reasonable efforts to repair any malfunction of the surveillance system or equipment are required within seventy-two (72) hours;

- In the event of a malfunction of the surveillance system or equipment, the chairperson must maintain a natural line of sight of the devices and charitable gaming activity;
- Recordings of any suspicious activity, such as attempted theft or cheating, must be provided to your KHRG compliance officer within twenty-four (24) hours of discovery; and
- All video surveillance equipment and procedures are subject to review and approval by KHRG.

If you plan to utilize a video surveillance system, please notify your compliance officer as soon as possible. In accordance with 820 KAR 1:057, Section 14(4), costs for video surveillance shall not be considered an allowable charitable gaming expense. If you have additional questions, please contact KHRG's Chief Legal Officer Ashleigh Bailey at [ashleigh.bailey@ky.gov](mailto:ashleigh.bailey@ky.gov).