

KENTUCKY HORSE RACING COMMISSION
February 15, 2022
AGENDA

Location: Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511

Time: 1:30 pm

I. Call to Order and Roll Call

II. New Business

1. Meeting Minutes from December 14, 2021
2. Kentucky Downs request to send KTDF Funds to Keeneland
3. KTDF Purse Structure Request for Keeneland Spring Meet
4. KTDF Purse Structure Request for Churchill Downs' Spring Meet
5. Backside Improvement Fund Request – Churchill Downs
6. Kentucky Horse Breeders' Incentive Fund: Period VII Applications for Participation in 2022, 2023, 2024
7. Proposed Amendments to 810 KAR 3:020: Licensing of Racing Participants and 3-020-01 (incorporated document)
8. Proposed Amendments to 810 KAR 4:010
9. Proposed Amendments to 810 KAR 4:030
10. Proposed Amendments to 810 KAR 4:050
11. Proposed Amendments to 810 KAR 4:060
12. Ratification of Executive Director Marc Guilfoil's approval of Turfway's request to amend post time and number of races for December 31, 2021
13. Ratification of Executive Director Marc Guilfoil's approval of Turfway's request to amend Section R of its 2022 application to amend race dates/times
14. Partial funding of a grant for a study titled "Pre-race Inflammation in Catastrophically Injured Horses"
15. Keeneland's Proposed 2022 Spring Race Meet Officials and Date Preference System
16. Churchill Downs' Proposed 2022 Spring Race Meet Officials and Date Preference System

17. Reports

- a.** Thoroughbred Rulings
- b.** Standardbred Rulings
- c.** Veterinary Division
- d.** Pari-Mutuel Wagering Division

III. Executive Session

During the meeting on February 15, 2022 the Commission will go into closed session pursuant to KRS 61.810(1) (C) to discuss pending litigation

IV. Other Business

V. Adjournment

KENTUCKY HORSE RACING COMMISSION
MINUTES OF THE MEETING

Date: December 14, 2021 at 1:30 PM

Place: Via video conference from Kentucky Horse Racing Commission, Conference Room, 4063 Iron Works Parkway, Building B, Kentucky Horse Park, Lexington, Kentucky

Members Present: Vice-Chairman Frank Jones, Jr.; Commissioner Kerry T. Cauthen; Commissioner Naveed Chowhan, M.D.; Commissioner Michael F. Dudgeon; Commissioner James D. Gates, Jr.; Commissioner Gregory Harbut; Commissioner Douglas A. Hendrickson; Commissioner Kenneth A. Jackson; Commissioner William L.S. Landes; Commissioner Mark Simendinger; and Commissioner James Edwin Worley

Ex-officio Members Present: Secretary Mike Berry, Tourism, Arts & Heritage Cabinet

KHRC Staff Participating/Present: Marc A. Guilfoil, Executive Director; Jamie Eads, Deputy Executive Director and Director of Division of Incentives and Development; Jennifer Wolsing, General Counsel; Shan Dutta, Deputy General Counsel; Bruce Howard, DVM, Equine Medical Director; Nicholas Smith, DVM, Chief Racing Veterinarian; Barbara Borden, Chief State Steward; Waqas Ahmed, Director, Pari-mutuel Wagering and Compliance; Joanna Ricci, Executive Administrative Secretary

Others Participating: Richard Riedel, Executive Director, Kentucky Racing Health & Welfare Fund

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
I. Call to Order and Roll Call	4 – 5 5	Vice-Chairman Jones called the meeting of the Kentucky Horse Racing Commission (KHRC or Commission) to order and performed the roll call. A quorum was recognized. Prior to addressing Tab 1, Vice-Chairman Jones asked for a moment of silence for those affected by the tornadoes in Western Kentucky and elsewhere.	No action taken.

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
II. New Business Tab 1 Minutes from October 26, 2021	5 – 65 5 – 6	<p>Vice-Chairman Jones requested a motion from the Commission to address the request submitted by the KHRC staff to approve the proposed minutes of the KHRC meeting of October 26, 2021. Motion by Commissioner Simendinger. Second by Commissioner Chowhan.</p> <p>Ms. Eads presented the proposed minutes, as outlined in the agenda materials.</p> <p>Approval of the proposed minutes was recommended by KHRC staff.</p>	<p>Vice-Chairman Jones called for a vote to approve the proposed minutes of the October 26, 2021 KHRC meeting, as presented. Motion carried with no objections or abstentions.</p>
Tab 2 2022 Meeting Schedule and Calendar	6 – 7	<p>Vice-Chairman Jones requested a motion from the Commission to address approval the 2022 meeting schedule and calendar. Motion by Commissioner Cauthen. Second by Commissioner Landes.</p> <p>Ms. Ricci presented the proposed 2022 meeting schedule and calendar, as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Vice-Chairman Jones called for a vote to approve the 2022 meeting schedule and calendar, as presented. Motion carried with no objections or abstentions.</p>
Tab 3 Transfer of Funds to the Kentucky Racing Health & Welfare Fund	7– 14 7 – 13	<p>Vice-Chairman Jones requested a motion from the Commission to address approval of the transfer of funds to the Kentucky Racing Health & Welfare Fund (KRHWF). Motion by Commissioner Hendrickson. Second by Commissioner Simendinger.</p> <p>Prior to her presentation, Ms. Eads invited Executive Director of the KRHWF, Richard Riedel, to present a brief overview of the fund. Mr. Riedel addressed the Commission and answered questions from the Commissioners.</p>	<p>Vice-Chairman Jones called for a vote to approve the proposed transfer of funds from the unclaimed pari-mutuel tickets to the KRHWF, as presented. Motion carried with no objections or abstentions.</p>

<i>AGENDA ITEM</i>	<i>TRANSCRIPT PAGE NUMBER(S)</i>	<i>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	13 – 14	<p>Ms. Eads presented the KRHWF’s request dated October 19, 2021 to transfer funds from the unclaimed pari-mutuel tickets to the KRHWF, as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	
<p>Tab 4 2022 Kentucky Sires Stakes, Commonwealth Series, Mini-Series and KSDF Bonus Purse Distributions</p>	<p>14 – 36</p> <p>15 – 16</p> <p>16 – 36</p>	<p>Vice-Chairman Jones requested a motion from the Commission to address approval of the purse distributions for the 2022 Kentucky Sire Stakes, Commonwealth Series, Mini-Series, and to approve the KSDF bonus contingent upon a statutory amendment of KRS 230.770(4). Motion by Commissioner Worley. Second by Commissioner Chowhan.</p> <p>Ms. Eads presented the proposals as recommended by the Kentucky Standardbred Development Fund/Kentucky Standardbred Breeders’ Incentive Fund Advisory Panel (KSDF/KSBIF Advisory Panel) at its September 24, 2021 meeting, as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff and the KSDF/KSBIF Advisory Committee.</p> <p>Following Ms. Eads presentation, Commissioners engaged in a lengthy discussion in connection with the new Development Fund Program: 50% KSDF Bonus.</p>	<p>Vice-Chairman Jones called for a vote to approve the proposed purse distributions for the 2022 Kentucky Sire Stakes, Commonwealth Series, and Mini-Series, as presented, and recommended by the KSDF/KSBIF Advisory Panel. Motion carried with no objections or abstentions.</p> <p>Vice-Chairman Jones called for a vote to approve the KSDF bonus contingent upon a statutory amendment of KRS 230.770(4), as presented. Following an undistinguishable vote, Vice-Chairman Jones performed a roll call vote. The roll call vote was as follows: Vice-Chairman Jones: Yes Commissioner Cauthen: No Commissioner Chowhan: No Commissioner Dudgeon: No</p>

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
			<p>Commissioner Gates: Yes Commissioner Harbut: No Commissioner Hendrickson: No Commissioner Jackson: No Commissioner Landes: No Commissioner Simendinger: No Commissioner Worley: Yes</p> <p>Motion failed with an 8-3 vote. There were no abstentions.</p>
<p>Tab 5 Kentucky Proud Series (Harness Racing at County Fairs): Release of Uncashed Ticket Money</p>	<p>36 – 38</p>	<p>Vice-Chairman Jones requested a motion from the Commission to address approval of the release of uncashed ticket money for purse distributions at the Kentucky Proud Series. Motion by Commissioner Landes. Second by Commissioner Simendinger.</p> <p>Ms. Eads presented the proposed release of the uncashed ticket money for purse distributions at the Kentucky Proud Series, as outlined in the agenda materials. She noted a calculation error in the amount collected in 2020 uncashed tickets in the agenda materials and stated the correct amount was \$13,648.51, minus any advertising costs or claims.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Vice-Chairman Jones called for a vote to approve the release of uncashed ticket money for purse distributions of the Kentucky Proud Series, as presented and outlined in the agenda materials. Motion carried with no objections or abstentions.</p>
<p>Tab 6 Amendments to 810 KAR 7:050, Section 2(14)c</p>	<p>38 – 39</p>	<p>Vice-Chairman Jones requested a motion from the Commission to address approval of the proposed amendments to 810 KAR 7:050, Section 2(14)(c). Motion by Commissioner Hendrickson. Second by Commissioner Simendinger.</p>	<p>Vice-Chairman Jones called for a vote to approve the proposed amendments to 810 KAR 7:050, Section 2(14)(c), as presented. Motion carried with no objections or abstentions.</p>

<i>AGENDA ITEM</i>	<i>TRANSCRIPT PAGE NUMBER(S)</i>	<i>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
		<p>Ms. Wolsing presented the proposed amendments to 810 KAR 7:050, Section 2(14)(c), as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	
<p>Tab 7 Requested Approval of Totalizator Licenses for 2022</p>	<p>39 – 41</p>	<p>Vice-Chairman Jones requested a motion from the Commission to address approval of the totalizator licenses for 2022. Motion by Commissioner Simendinger. Second by Commissioner Landes.</p> <p>Mr. Ahmed presented the three (3) renewal applications for totalizator licenses for 2022, as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Vice-Chairman Jones called for a vote to approve the totalizator licenses for 2022, as presented. Motion carried with no objections or abstentions.</p>
<p>Tab 8 Requested Approval of Advance Deposit Account Wagering Licenses for 2022</p>	<p>41 – 45</p>	<p>Vice-Chairman Jones requested a motion from the Commission to address approval of the advance deposit account wagering licenses for 2022. Motion by Commissioner Gates. Second by Commissioner Simendinger.</p> <p>Mr. Ahmed presented the eight (8) applications for advance deposit account wagering licenses for 2022, as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Vice-Chairman Jones called for a vote to approve the advance deposit account wagering licenses for 2022, as presented. Motion carried with no objections or abstentions.</p>
<p>Tab 9 License for a Simulcast Facility</p>	<p>45 – 47</p>	<p>Vice-Chairman Jones requested a motion from the Commission to address approval of Churchill Downs Racetrack LLC's request for a renewal license for its simulcast facility located in Louisville, Kentucky, at the Louisville Thoroughbred Society. Motion by Commissioner Landes. Second by Commissioner Simendinger.</p>	<p>Vice-Chairman Jones called for a vote to approve Churchill Downs Racetrack LLC's renewal license for its simulcast facility, as presented. Motion carried</p>

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
		<p>Mr. Ahmed presented Churchill Downs Racetrack LLC's renewal license application filed on September 26, 2021, as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	<p>with no objections or abstentions.</p>
<p>Tab 10 Ratification of Executive Director Approvals of Historical Horse Racing Requests</p>	<p>47 – 48</p>	<p>Vice-Chairman Jones requested a motion from the Commission to address ratification of the Executive Director's conditional approval of certain historical horse racing requests. Motion by Commissioner Cauthen. Second by Commissioner Hendrickson.</p> <p>Mr. Ahmed presented the seven (7) historical horse racing requests submitted by Derby City Gaming, LLC dated July 2, 2021, August 6, 2021, August 11, 2021, September 18, 2021, and October 29, 2021, as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Vice-Chairman Jones called for a vote to ratify the Executive Director's conditional approval of the seven (7) historical horse racing requests, as presented. Motion carried with no objections or abstentions.</p>
<p>Tab 11 Amendment Adding Two Optional Dates for Churchill Downs</p>	<p>48 – 50</p>	<p>Vice-Chairman Jones requested a motion from the Commission to address the approval to add two (2) optional racing dates for Churchill Downs for the September 2022 meet. Motion by Commissioner Landes. Second by Commissioner Simendinger.</p> <p>Mr. Wolsing noted that in Churchill Downs' 2022 license application it requested two (2) optional race dates of September 21 and 28, 2022. Those optional race date requests were inadvertently omitted from the materials that were considered at the regular Commission meeting on October 19, 2021. KHRC staff seeks to amend that oversight and award Churchill Downs those optional race dates.</p>	<p>Vice-Chairman Jones called for a vote to approve the award of the two (2) previously requested optional race dates of September 21 and 28, 2022, as presented. Motion carried with no objections or abstentions.</p>

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
		Approval is recommended by KHRC staff.	
Tab 12 Reports a. Thoroughbred Rulings b. Standardbred Rulings c. Veterinary Division Report d. Pari-Mutuel Wagering Division e. Confidential - Litigation	50– 65 51 51 – 52 52 – 58 61 – 62 56 – 61 62 - 65 56	a. Ms. Borden presented the thoroughbred rulings reports, as outlined in the agenda materials. b. Mr. Guilfoil presented the Standardbred rulings report, as outlined in the agenda materials. c. Dr. Smith presented the veterinary division reports, as outlined in the agenda materials. Dr. Howard addressed questions from Commissioners. Dr. Howard presented the fatality report and d. Mr. Ahmed responded to an inquiry from Commissioner Simendinger regarding why there have been no recent pari-mutuel reports. Mr. Ahmed presented the historical horse racing report and addressed questions from Commissioner. e. Litigation and Regulation report is for informational purposes only.	No action taken. Informational items only.
III. Executive Session Final Order Regarding King v. KHRC, KHRC-21-TB-002	65 – 68 66	Vice-Chairman Jones requested a motion from the Commission to convene in closed session to discuss proposed or pending litigation against or on behalf of the agency as permitted by KRS 61.810(1)(c). Motion by Commissioner Simendinger. Second by Commissioner Landes. <p style="text-align: center;"><u>EXECUTIVE SESSION</u></p>	Vice-Chairman Jones called for a vote to approve convening in closed session. Motion carried with no objections or abstentions.

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
	66 – 68	<p style="text-align: center;"><u>RECONVENED TO OPEN SESSION</u></p> <p>Following the return to open session, Vice-Chairman Jones requested a motion from the Commission to address the KRS 13B appeal, <i>Barry King v. KHRC</i>, Administrative Action No. KHRC-21-TB-002. Motion by Commissioner Landes. Second by Commissioner Hendrickson</p> <p>Ms. Wolsing presented the Hearing Officer’s Recommended Order upholding the stewards’ ruling and the Commission’s Final Order, as outlined in the agenda materials.</p> <p>Approval is recommended by KHRC staff.</p>	Vice-Chairman Jones called for a vote to approve the proposed Final Order regarding <i>Barry King v. KHRC</i> ; Administrative Action No. KHRC-21-OR-002, as presented. Motion carried with no objections or abstentions.
IV. Adjournment	68	<p>Hearing no more business, Vice-Chairman Jones requested a motion to adjourn the December 14, 2021 meeting of the KHRC. Motion by Commissioner Cauthen. Second by Commissioner Simendinger.</p> <p>Meeting adjourned.</p>	Vice-Chairman Jones called for a vote to adjourn the December 14, 2021 meeting of the KHRC. Motion carried with no objections or abstentions.

NOTE: The Agenda materials and any amendments and/or supplements thereto, subject to any applicable exemptions, and the official Transcript are incorporated by reference as if set forth fully herein.



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

TO: ALL COMMISSION MEMBERS
FROM: Jamie H. Eads, Deputy Executive Director, Kentucky Horse Racing Commission
DATE: February 2, 2022
SUBJECT: KTDF PURSE TRANSFER FROM KENTUCKY DOWNS TO KEENELAND

On February 1, 2022, the KTDF Advisory Committee considered the following request from Kentucky Downs to send \$1 million of KTDF Funds to Keeneland for the 2022 Spring Meet.

The KTDF Advisory Committee Members recommend approval.

COMMISSION ACTION

_____ Approve

_____ Defer

_____ Deny

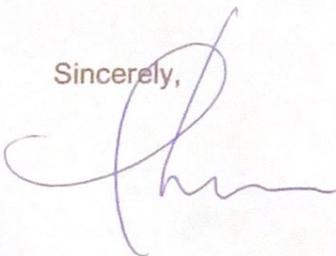
Bill Landes
Chairman
KTDF
4063 Ironworks Pkwy
Lexington, KY 40511

Dear Chairman Landes,

Per our conversation, Kentucky Downs is wishing to continue its support of the Commonwealth's racing circuit by respectfully requesting the KTDF's approval to send \$1 million of KTDF funds to Keeneland for their 2022 Spring meet. Please let me know if you need any further information regarding this transfer of funds.

Thank you in advance for your attention to this matter.

Sincerely,



Ted Nicholson
Vice President of Racing



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

TO: ALL COMMISSION MEMBERS
FROM: Jamie H. Eads, Deputy Executive Director, Kentucky Horse Racing Commission
DATE: February 2, 2022
SUBJECT: KTDF PURSE STRUCTURE – KEENELAND SPRING MEET

On February 1, 2022, the KTDF Advisory Committee considered the following request from Keeneland with its KTDF purse structure for the 2022 Spring Meet.

KHRC staff confirms that at the end of the 2021 Fall Meet, Keeneland had a surplus of \$1,178,059. Keeneland is proposing KTDF purses of approximately \$4,772,000. Projections are based on a payout of 87% of the amount carded, projected daily earnings of \$12,906 along with HHR funds of \$2,450,250 and the Kentucky Downs transfer of \$1,000,000.

Keeneland will pay out KTDF funds through last place and in the event of a dead heat, the KTDF portion of the non-eligible horse reverts to the fund.

The KTDF Advisory Committee Members recommend approval.

COMMISSION ACTION

_____ Approve

_____ Defer

_____ Deny



Keeneland Association, Inc.
4201 Versailles Road
P.O. Box 1690
Lexington, KY 40588-1690
859 254-3412 Tel.
800 456-3412
859 288-4348 Fax
www.keeneland.com

January 24, 2022

KTDF Committee of the
Kentucky Horse Racing Commission
4063 Iron Works Parkway
Lexington, KY 40511

Dear Committee Members:

Keeneland has reviewed our KTDF data and would like to offer approximately \$4,772,000 in KTDF money for our upcoming Spring meet.

1. We are projecting approximate daily earnings of \$12,906 per day, an increase over Spring 2021;
2. We have a surplus of \$1,178,059 following the Fall 2021 race meeting due to the addition of OG funds in the summer of 2021;
3. We are assuming a payout percentage of approximately 87% of the amount carded;
4. We are projecting total KRM and OG earnings of approximately \$2,450,250 plus a KTDF transfer of \$1,000,000;
5. We anticipate that KTDF purses will be approximately 30% of the purses for the races that are eligible for KTDF.

We remain committed to offering competitive purses while also prudently managing our KTDF funds available. To that end we will increase our KTDF purse amounts for Spring 2022 with the goal of maintaining a reasonable KTDF surplus in the future.

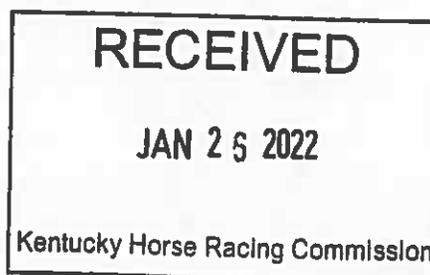
Keeneland will continue to pay out KTDF funds through last place. A table containing the payout percentage by field size is attached. In the event there is a dead heat for finish positions 1 thru 5, the KTDF percentage payout for each position will be aggregated and paid equally to each horse included in the dead heat. If a non-KTDF eligible horse is involved in a dead heat, those funds will revert to the fund.

We will evaluate the earnings and payout percentages several days into our race meet and may need to make adjustments if our actual earnings and payout percentages are significantly different from our assumptions.

Please contact me if you have any questions or need additional information.

Sincerely,

Gatewood Bell
Vice President of Racing





Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
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Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

TO: ALL COMMISSION MEMBERS
FROM: Jamie H. Eads, Deputy Executive Director, Kentucky Horse Racing Commission
DATE: February 2, 2022
SUBJECT: KTDF PURSE STRUCTURE – CHURCHILL DOWNS’ SPRING MEET

On February 1, 2022, the KTDF Advisory Committee considered the following request from Churchill Downs’ with its KTDF purse structure for the 2022 Spring Meet.

KHRC staff confirms that at the end of the 2021 Fall Meet, Churchill had a surplus of \$2,839,196. Churchill Downs is proposing KTDF purses in the range of \$5.1 million to \$5.9 million. Projections are based on a payout of 87% of the amount carded, projected daily earnings of \$191,944. Pursuant to 810 KAR 7:030, section 3, Churchill Downs request includes up to \$150,000 for advertising KTDF during the Spring Meet.

Churchill Downs will pay out KTDF funds through last place and in the event of a dead heat, the KTDF portion of the non-eligible horse reverts to the fund.

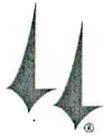
The KTDF Advisory Committee Members recommend approval.

COMMISSION ACTION

_____ Approve

_____ Defer

_____ Deny



CHURCHILL DOWNS

January 28, 2022

KTDF Advisory Committee of the
Kentucky Horse Racing Commission
4063 Iron Works Parkway
Building B
Lexington, Kentucky 40511

Committee Members:

Churchill Downs has reviewed our purses and would like to card KTDF purses in the range of \$5.1 million to \$5.9 million for our upcoming Spring Meet. We have based the range on the following information:

1. At the end of December 2021, Churchill Downs had a surplus balance of \$2,839,196.
2. Our 2022 Spring Meet will consist of 46 racing days running Saturday, April 30th through Monday, July 4th. We are projecting daily earnings of \$191,944 which is \$1,190 or 1% lower than \$193,134 earned in 2021 due to additional race days in 2022. The primary driver is the KTDF earned from pari-mutuel wagering from Derby City Gaming LLC ("Derby City") from the beginning of January 2022 through the end of the Spring Meet.
3. For Spring 2022, we are assuming a KTDF payout percentage of 86.5% with anticipated KTDF disbursements of \$5.1 million which is \$0.5 million higher than the \$4.6 million paid during the Spring 2021 Meet. The primary driver of the increase is the estimated pari-mutuel wagering from Derby City, 5 more days of racing this year, and the expectation of attendees for Derby Week.
4. To encourage participation during the Spring Meet, we are again planning to pay KTDF purses from first to last to all eligible horses.
5. We also propose to utilize up to \$150,000 for advertising as allowed through 810 KAR 7:030, section 3

Please contact either of us should you have any questions or need additional information.

Sincerely,

Ben Huffman
Vice President, Racing & Racing Secretary

Henry Snyder
Director, Finance



January 28, 2022

KTDF Advisory Committee of the Kentucky Horse Racing Commission
 4063 Iron Works Parkway
 Building B
 Lexington, Kentucky 40511

Committee Members:

The following information will be included in Churchill Downs' 2022 Spring Condition Book related to the Kentucky Thoroughbred Development Fund (KTDF).

**CHURCHILL DOWNS RACE TRACK
 KENTUCKY THOROUGHBRED DEVELOPMENT FUND (KTDF)
 ALLOCATION OF FUND BASED ON NUMBER OF STARTERS AND FINISH**

For those horses that are registered and eligible according to the condition listed above, fund monies will be divided as follows: 60% to the winner, 20% to the second, 10% to the third, 5% to the fourth, 3% to the fifth and the remaining 2% to be allocated among sixth through last based on the schedule below.

Finish	Number of Starters										
	5	6	7	8	9	10	11	12	13	14	
1st	60.00%	60.00%	60.00%	60.00%	60.00%	60.00%	60.00%	60.00%	60.00%	60.00%	60.00%
2nd	20.00%	20.00%	20.00%	20.00%	20.00%	20.00%	20.00%	20.00%	20.00%	20.00%	20.00%
3rd	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%
4th	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
5th	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
6th		2.00%	1.00%	0.67%	0.50%	0.40%	0.34%	0.29%	0.25%	0.23%	
7th			1.00%	0.67%	0.50%	0.40%	0.34%	0.29%	0.25%	0.23%	
8th				0.66%	0.50%	0.40%	0.33%	0.29%	0.25%	0.22%	
9th					0.50%	0.40%	0.33%	0.29%	0.25%	0.22%	
10th						0.40%	0.33%	0.28%	0.25%	0.22%	
11th							0.33%	0.28%	0.25%	0.22%	
12th								0.28%	0.25%	0.22%	
13th									0.25%	0.22%	
14th										0.22%	
Total	98.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

Example:

Date	Race	# of Starters	KTDF Offered	Finish										
				1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th
6/25/2017	10	11	\$7,400.00											
KTDF:														
Eligible	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Payout	\$4,440.00	\$1,480.00	\$740.00	\$370.00	\$222.00	\$25.16	\$25.16	\$0.00	\$24.42	\$24.42	\$24.42	\$24.42	\$24.42	\$24.42
			KTDF Reverts											
			\$24.42											



Example: Dead Heat for 2nd between an eligible and non-eligible horse using the above example.

	<u>2nd</u>	<u>3rd</u>	<u>Total</u>	
KTDF:				
Payout	\$1,480.00	\$740.00	\$2,220.00	---> Eligible horse would receive 50% of the Total for 2nd and 3rd pla
	KTDF	KTDF		
	<u>Payout</u>	<u>Reverts</u>		
	\$1,110.00	\$1,110.00		

THE KENTUCKY THOROUGHBRED DEVELOPMENT FUND (KTDF)

Given several years of robust business during calendar years 2019 through 2021, the state-of-the-art historical racing machines at nearby Derby City Gaming has generated \$29.3 million in KTDF for horsemen with Kentucky-sired Kentucky-breds to run for in designated stakes, handicap, allowance, non-claiming maiden races, and allowance optional claiming races with a claiming price of not less than twenty-five thousand dollars (\$25,000) contested at Churchill Downs Racetrack.

Eligible races can be readily recognized in the stakes and condition books by the Kentucky Thoroughbred Development Fund seal, which will appear next to each race in the stakes and condition books.

In accordance with KRS 230.400(5) (d), it is mandatory for a horse to be registered prior to time of entry to be eligible to participate in the distribution of Kentucky Thoroughbred Development Fund monies. Registration is only complete once the application is approved and payment has been received.

All horses of racing age that are both Kentucky-bred and sired by a Kentucky stallion which stood in Kentucky the entire breeding season the year the horse was conceived are eligible to be registered. Owners of horses of racing age are responsible for registering their horses. Stallion owners are responsible for registering their stallions.

Registration applications may be obtained from the official registrar, the Kentucky Thoroughbred Owners and Breeders, by contacting:

Mrs. Jenny McGaughey, Registrar
 Kentucky Thoroughbred Owners and Breeders
 4079 Iron Works Parkway
 Lexington, Kentucky 40511
 Phone: 859-259-1643
 Mobile: 859-361-6002

Registration may be completed online at www.kta-ktob.com. The Horse Identifier can check registration status of a horse.

For those horses that are registered and eligible according to the conditions listed above, fund monies will be divided as follows:

- 60%.....to the winner
- 20%.....to second
- 10%.....to third
- 5%.....to fourth
- 3%.....to fifth



Remaining 2% divided among the starters based on the schedule listed above.

Unearned fund monies revert to the Kentucky Thoroughbred Development Fund. Additionally, if a non-KTDF eligible horse is involved in a dead heat, those funds will revert to the fund.

PLEASE NOTE: ALL KTDF PURSE ALLOTMENTS CONTAINED HEREIN ARE SUBJECT TO KHRC APPROVAL.

If you have any questions or need additional information, please reach out to me or Ben Huffman.

Sincerely,

A handwritten signature in blue ink that reads "Henry Snyder".

Henry Snyder
Director, Finance
Churchill Downs Race Track
700 Central Avenue
Louisville, KY 40208
Office: 502-638-3845
Cell: 502-424-9372
Henry.snyder@kyderby.com

A handwritten signature in blue ink that reads "Ben Huffman".

Ben Huffman
Vice President, Racing & Racing Secretary
Churchill Downs Race Track
700 Central Avenue
Louisville, KY 40208
Office: 502-638-3820
Fax: 800-928-3372
ben.huffman@kyderby.com



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

TO: COMMISSION MEMBERS
FROM: Jamie H. Eads, Deputy Executive Director, KHRC
DATE: February 2, 2022
SUBJ.: **BACKSIDE IMPROVEMENT FUND: CHURCHILL DOWNS RACETRACK**

On January 26, 2022, the KHRC received the following two Backside Improvement Fund requests from Churchill Downs Racetrack.

1. Asphalt repairs at CDRT (estimated \$25,930)
2. Fans in receiving barn at CDRT (estimated \$19,324)
3. Asphalt repairs at TS (estimated \$7,575)
4. Barn roof repair at TS (estimated \$51,768)
5. Replace heating/air units in tack rooms at CDRT and TS (estimated \$46,953)

Total for proposals: \$151,550

KHRC staff confirms the projects meet the statutory requirements of KRS 230.3615 and 810 KAR 7:010 and the funding is available. KHRC staff will inspect the areas again once the projects are complete. All invoices, photographs and communication will remain on file for Commission review.

Staff recommends approval.

COMMISSION ACTION:

_____ Approve

_____ Defer

_____ Deny



CHURCHILL DOWNS

January 28, 2022

Marc A. Guilfoil
Executive Director
Kentucky Horse Racing Commission
4063 Ironworks Parkway, Building B
Lexington, KY 40511
Via e-mail: Marc.Guilfoil@ky.gov

Re: **Request for Approval of Backside Improvement Fund Projects**

Dear Marc,

Churchill Downs Racetrack (CDRT) is requesting to use Backside Improvement Funds for five separate projects at CDRT and Trackside (TS). The following are the projects we are proposing:

- 1) Asphalt repairs at CDRT - \$25,930
- 2) Adding fans to the receiving barn at CDRT - \$19,324
- 3) Asphalt repairs at TS - \$7,575
- 4) Repairing a barn roof at TS - \$51,768
- 5) Replacement heating and air units in tack rooms at both CDRT and TS - \$46,953

Attached are quotes for each of the above mentioned projects.

If approved, CDRT will submit the invoices to the Kentucky Horse Racing Commission for reimbursement after the work has been completed.

Regards,

Mike Ziegler
General Manager & Senior Vice President
Churchill Downs Racetrack
700 Central Ave.
Louisville, KY 40208
Office: (502) 394-1137



6931 Atkins Road, Floyds Knobs, Indiana
Office: 812-944-8942

1/25/2022

Jamie Richardson
(502) 468-0805
Churchill Downs 600 N. Hurstbourne Pkwy #400 Louisville
KY 40222 United States

QT-7604

Project Info:
CHURCHILL
Stable Area Patching 2022
700 Central Ave, Louisville KY

Rep: Griffin Libs

*We are happy to present to you the following proposal for work to be performed.
If you have any questions, please do not hesitate to contact us. Thank you!*

Edge key & overlay large areas

1. The area under consideration for new asphalt surface comprises approx. **12,300** square feet.
2. In order to make sure that new surface meets existing surfaces flush, we will mill existing pavement where it meets concrete aprons, walkways, entrances, etc. to create the smoothest transition possible.
3. All surfaces to be paved will be cleaned of loose materials.
4. In order to make sure that the new surface meets existing surfaces flush, we will raise existing utility lids as needed to create the smoothest transition possible.
5. Apply tack coat.
6. PrePave Leveling: Our firm will level low and depressed areas by installing asphalt as needed to level the surface. This is a very important process that will enable minimization of standing water.
7. Our firm will machine install 1.5 inches of compacted surface asphalt with vibratory steel drum roller.

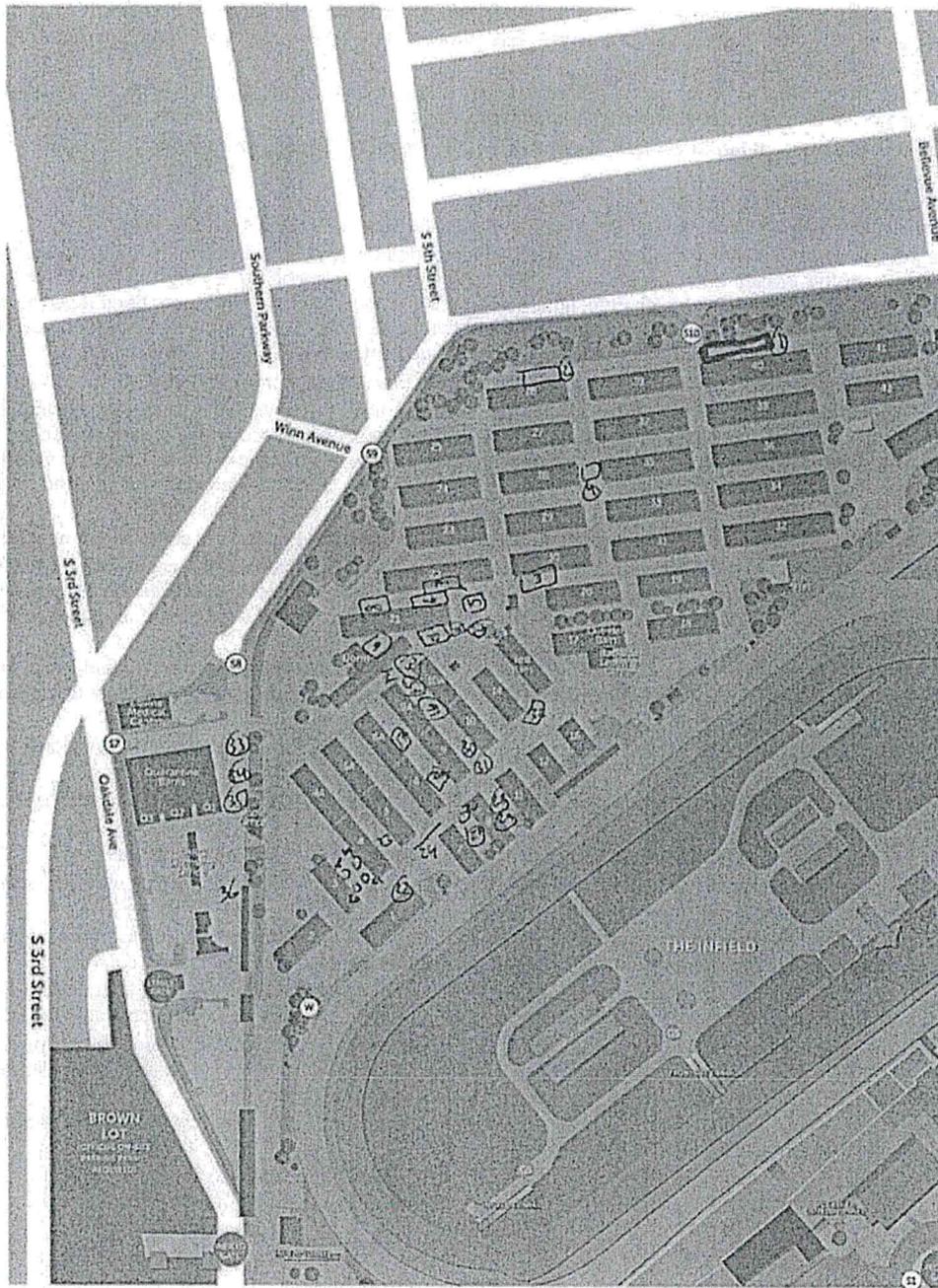
Total Price for this Service: \$19,380.00

2" Milling Repair- Smaller patches

1. The area(s) under consideration comprises approx. **2,100** square feet located.
2. Please review attached map.
3. Our firm will mill / edge key your pavement to the approx. depth of **2** inches.
4. All repairs will be shaped symmetrically where possible.
5. Millings and debris will be removed from job site and hauled to proper recycling facility. Work area will then be swept and cleaned.
6. Then we will install **2** inches of compacted thickness surface asphalt.

Total price for this service: \$6,550.00

CHURCHILL DOWNS FACILITY MAP



Price Breakdown: CHURCHILL



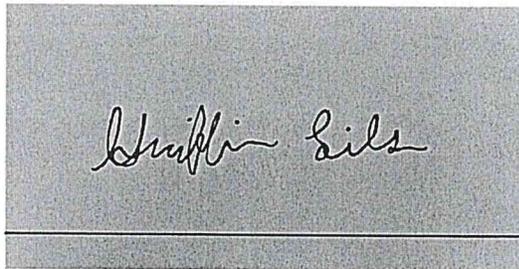
Please find the following breakdown of all services we have provided in this proposal. This proposal originated on 1/25/2022. Quote Number: QT-7604

Item	Description	
1	Edge key & overlay large areas	\$19,380.00
2	2" Milling Repair- Smaller patches	\$6,550.00
Total:		\$25,930.00

Authorization to Proceed & Contract

- 1. By Signing I agree to all contract terms & conditions and scope of work outlined in this proposal.
- 2. I understand that if any additional work is required different than stated in this proposal/contract there will be additional charges.

Date: _____



Jamie Richardson
CHURCHILL
Churchill Downs 600 N. Hurstbourne Pkwy #400
Louisville KY 40222 United States
james.richardson@kyderby.com
C: (502) 468-0805

Griffin Libs
griffin@libspaving.com
C: (812) 786-6464
Libs Paving Company, Inc.
6931 Atkins Road
Floyds Knobs, IN 47119
P: 812-944-8942
F: 812-949-2806
<http://www.libspaving.com>



September 29, 2021

Churchill Downs
700 Central Avenue
Louisville, Kentucky 40208

ATTN: Steve Hargrave

RE: **Power and Switches for Fans in Barns 2, 4A and 17**
(Ref.# RY 087.85)

Henderson Services, LLC proposes to furnish all necessary labor, supervision, materials, tools and equipment for the installation of the work for the above referenced project, as detailed herein, in accordance with discussion with our service representative, for the lump sum price of: **Eleven Thousand Four Hundred Sixty Eight Dollars and No Cents \$11,468.00**

Scope of work:

1. Furnish and install (6) new 20-amp single pole breakers in existing panels.
2. Utilize existing raceways where possible.
3. Furnish and install all necessary conduit, hangers, hardware and wire form panels and existing circuit junction boxes for the new fan receptacles and switches.
4. Furnish and install (16) new GFCI 20-amp receptacles, boxes and covers.
5. Furnish and install (8) two pole single throw switches boxes and covers.
6. Terminate and test for proper voltage.

Exclusions:

The following items are excluded from our base bid:

1. Cost of Performance and Payment Bond, if required.
2. Utility charges and fees for temporary service power consumption during construction and for permanent connection of electrical and/or telephone service.

Clarifications:

- 1) This proposal is based on the work being installed during a standard forty- (40) hour work week, straight time, first shift basis.
- 2) This proposal is based on the pricing of materials at the time of estimate. Because of the volatile commodities market, the pricing of the materials may need to be adjusted to compensate for unforeseen increases if not accepted within thirty-(30) days of the above date.
- 3) All invoices being paid by credit card will be subject to an additional 3% charge on the total cost of the work effort.

We appreciate the opportunity in providing you with this proposal and look forward to working with you. If there are any questions, please feel free to contact me at any time.

Respectfully Yours,
HENDERSON SERVICES, LLC

Rob Yates

Rob Yates
Service Department Manager



Deliver to Churchill
Louisville 40208

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Account for Churchill Down...

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Shop now

Home & Kitchen > Heating, Cooling & Air Quality > Household Fans > Wall-Mounted Fans

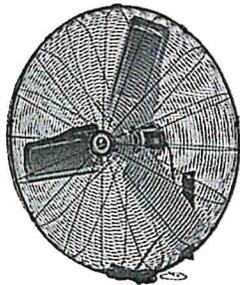
Last purchased Jul 8, 2021.
Item Diameter String: 30 Inches | View order

total 16

Organization restricted

- Admin note: "This item has been restricted by CDI Corp Purchasing. You can order this item but additional approvals will be automatically applied for review. Please provide justification in the Approval Notes section before submitting the order."
- See more admin notes (1)

4136.96



Roll over image to zoom in

TPI Corporation Single Phase Wall Mount Commercial Circulator – 30" Diameter, 120 Volt Exhaust Fan – Ventilation Fans.

Commercial Extractor Fans

Visit the TPI Store

★★★★★ 61 ratings | 11 answered questions

Price: \$258.56

Don't forget to checkout with Pay by Invoice - with no interest or fees.

Item Diameter String: 30 Inches

Electric fan design Exhaust Fan

Power Source Corded Electric

Special Feature Pull_chain

Room Type Kitchen

Recommended Exhausting, Ventilating

See more

About this item

- Durable Industrial Fan: ventilation fan is suitable for workplace environments. Features coated metal finish and 1/4 HP lubricated motor, helps in protecting against environmental hazards, dirt and airborne debris or corrosive fumes. Features three speed settings for airflow rates up to 6,000 cubic feet per minute (CFM)
- Utility: domestic exhaust fan helps in removing bad odor from the interiors. Ideal solution for use in bathrooms,

Share

\$258.56

\$24.17 delivery February 14 - 23. Details

Deliver to Backside - Louisville 40208

Usually ships within 1 to 3 weeks.

Qty: 1

Buying in bulk?

Add to Cart

Secure transaction

Ships from and sold by Northern Tool + Equipment.

Add a Protection Plan:

- 3-Year Protection for \$31.00
- 3-Year Protection for \$42.11
- 4-Year Protection for \$45.11

Add to List

New (5) from \$258.56 + \$24.17 shipping

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TOP SHOWROOM STYLES, DESIGNED FOR ANY BUDGET. SHOP NOW >



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S.W. Louisville Lowe's Open until 9 PM >

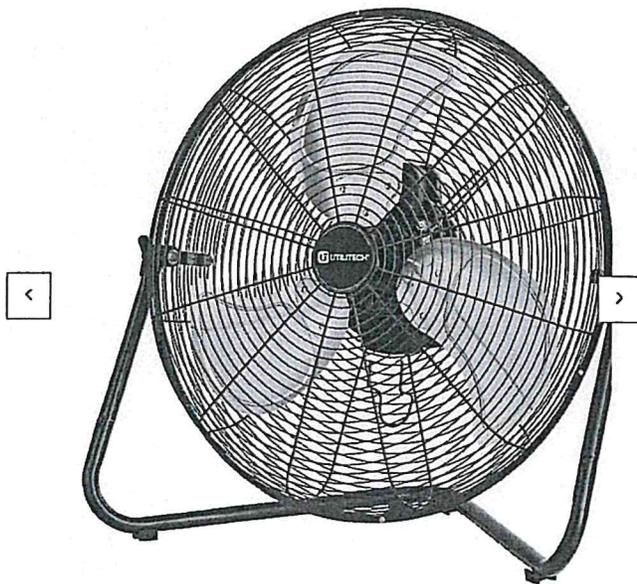
Stalls 62 total



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Item #416724 Model #SFC1-509B

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View available plans & Services

1 +

Qty

Add to Cart



Free Store Pickup
Pickup on Wed, Feb 2 (Est.) at S.W. Louisville Lowe's
11 Nearby at C. Louisville Lowe's (9.6 mi. away)



Free Delivery



Utilitech 20-in 3-Speed Indoor Black/Powder Painting Personal Fan

\$59.99

Add to Cart

Overview

Specifications

Compare

Reviews

Q&A

Product Features

OVERVIEW

Feedback



6931 Atkins Road, Floyds Knobs, Indiana
Office: 812-944-8942

1/25/2022

Jamie Richardson
(502) 468-0805
Churchill Downs 600 N. Hurstbourne Pkwy #400 Louisville
KY 40222 United States

QT-7605

Project Info:

CHURCHILL

Trackside Patching 2022

4520 Poplar Level Rd, Louisville KY

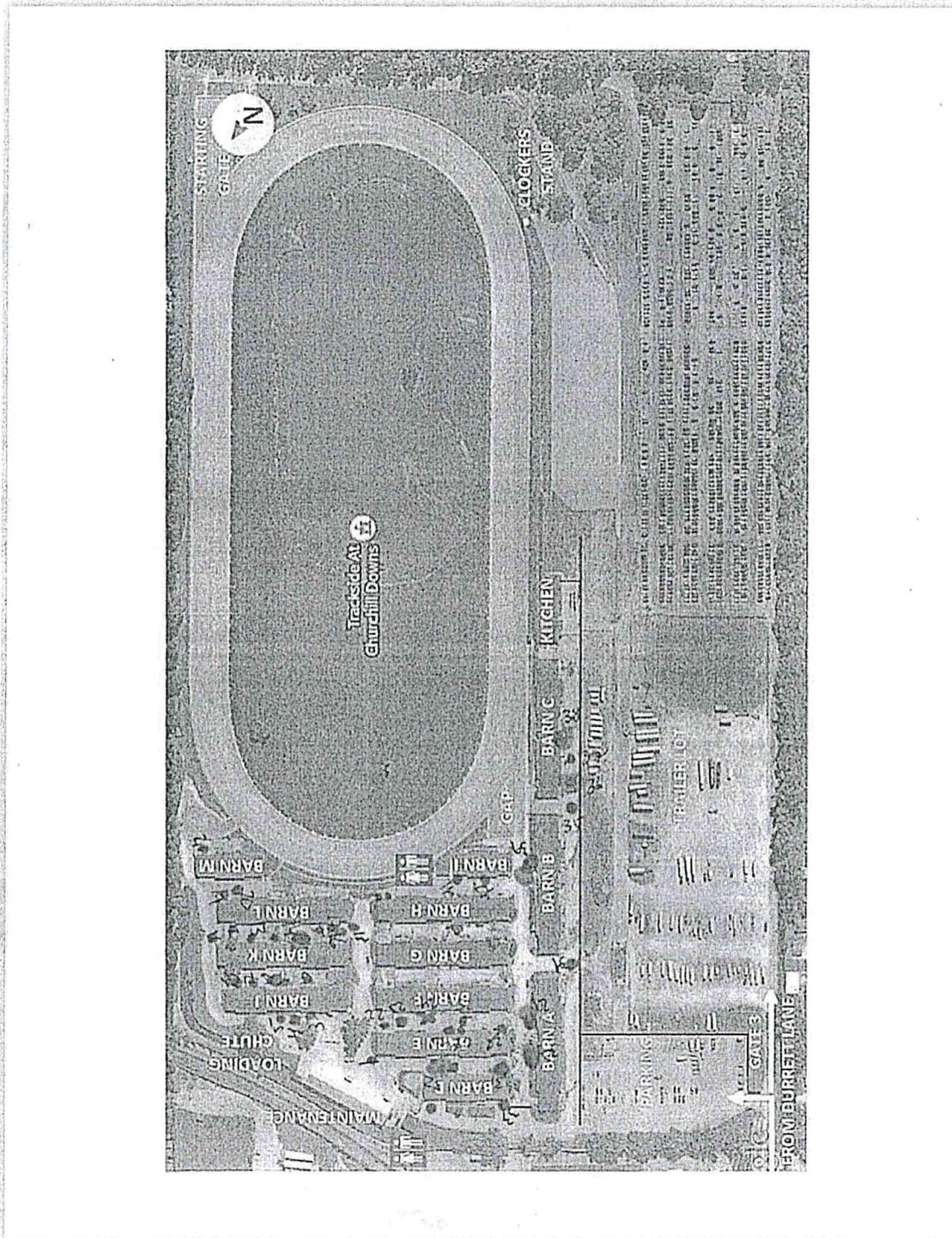
Rep: Griffin Libs

*We are happy to present to you the following proposal for work to be performed.
If you have any questions, please do not hesitate to contact us. Thank you!*

Asphalt Milling Repairs

1. The area(s) under consideration comprises approx. 2,500 square feet located in 39 area(s).
2. Please review attached map.
3. Our firm will mill / edge key your pavement to the approx. depth of 2 inches.
4. All repairs will be shaped symmetrically where possible.
5. Millings and debris will be removed from job site and hauled to proper recycling facility. Work area will then be swept and cleaned.
6. Then we will install 2 inches of compacted thickness surface asphalt.

Total price for this service: \$7,575.00



Price Breakdown: CHURCHILL



Please find the following breakdown of all services we have provided in this proposal. This proposal originated on 1/25/2022. Quote Number: QT-7605

Item	Description	
1	Asphalt Milling Repairs	\$7,575.00
Total:		\$7,575.00

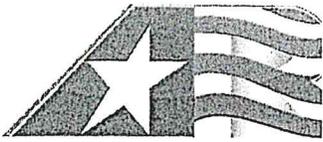
Authorization to Proceed & Contract

1. By Signing I agree to all contract terms & conditions and scope of work outlined in this proposal.
2. I understand that if any additional work is required different than stated in this proposal/contract there will be additional charges.

Date: _____

Jamie Richardson
CHURCHILL
Churchill Downs 600 N. Hurstbourne Pkwy #400
Louisville KY 40222 United States
james.richardson@kyderby.com
C: (502) 468-0805

Griffin Libs
griffin@libspaving.com
C: (812) 786-6464
Libs Paving Company, Inc.
6931 Atkins Road
Floyds Knobs, IN 47119
P: 812-944-8942
F: 812-949-2806
<http://www.libspaving.com>



American Roofing & Metal ()
4610 Roofing R
Louisville, KY 40
.....

Building on Four Generations of Family Experience Since 1914

October 26, 2021

Churchill Downs Inc.
600 N. Hurstbourne Parkway
Louisville, KY. 40222

Attention: Nick Cravens

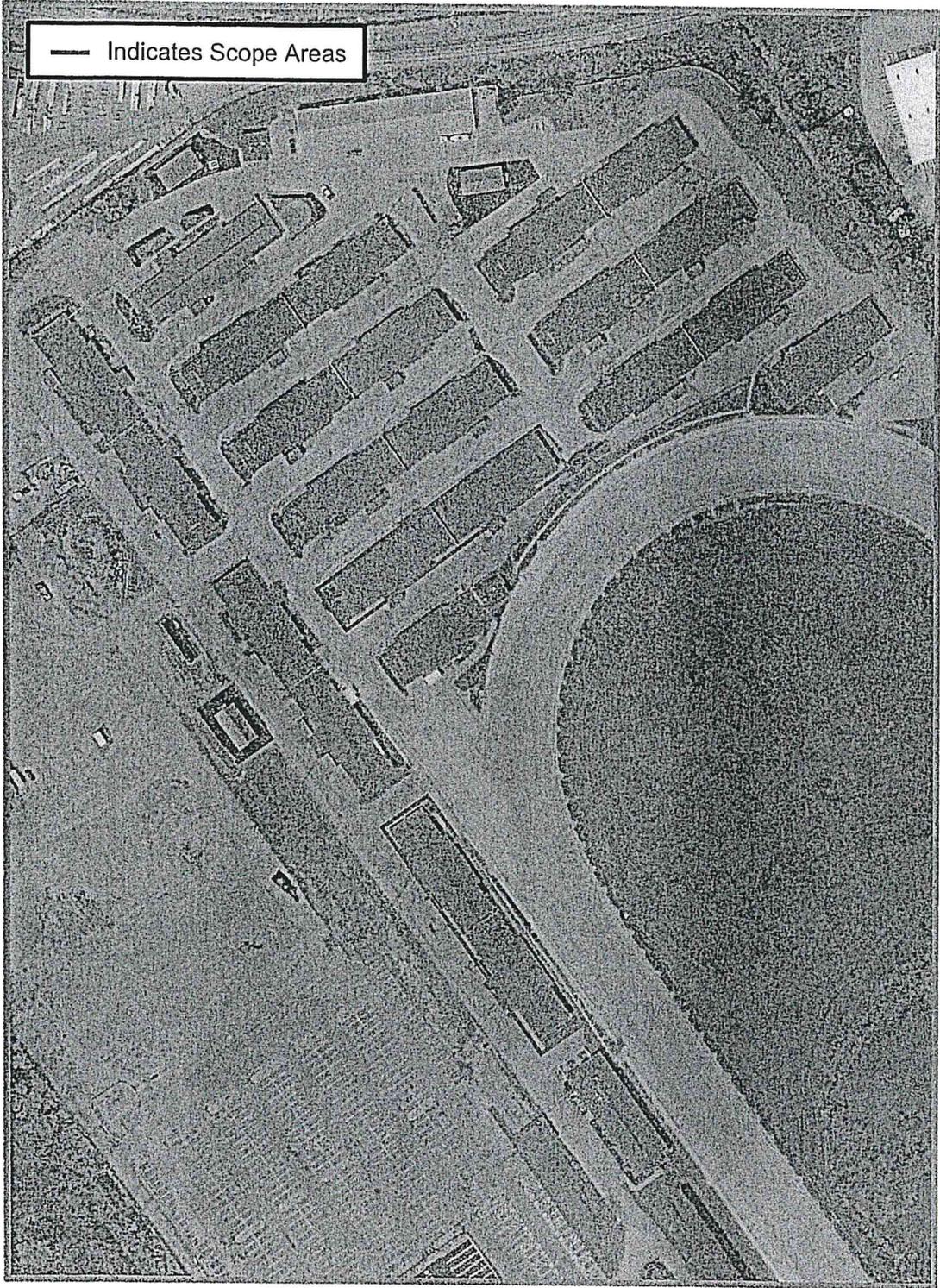
Re: Trackside-1360 Durrett Lane – Re-roof Barn's H & C with Owens Corning Oakridge Dimensional Shingle System.

We propose to supply all needed equipment, materials and labor to accomplish the following:

1. Follow all OSHA rules and guidelines for safety.
2. Remove all roof related materials, and haul away. A dump truck or trailer will remove all materials each day.
3. Install Rhino Synthetic Underlayment over existing roof deck.
4. Install Ice and Water Shield under metal flashings and counter flashings at every roof penetration.
5. Install pre-painted aluminum perimeter metal at eaves and gables.
6. Install Owens Corning Starter Strip at eaves and gables.
7. Install Owens Corning Oakridge Dimensional Shingle System per manufacturer's installation specifications. (*Color choice is to be selected by Nick Cravens*).
8. Fabricate and install aluminum metal flashing at walls. Base flashing will be stepped and will lace between each succeeding course of shingles. Counter flashing will cut into mortar joints and set using anchors and commercial grade urethane sealant.
9. Install retrofit boot flashings over existing vent pipes.
10. Seal and reset all furnaces and stove vents.
11. Remove existing ventilation and install Ridge Vent System in areas where removed.
12. Install Owens Corning Ridge Cap Shingles to all hips and ridges.
13. Clean gutters thoroughly upon completion.
14. Clean up all waste material from the premises on a daily basis.
15. American Roofing will protect all landscaped areas and will protect all outdoor furniture.
16. Magnets will be used to pick up nails both during and after the re-roofing process.
17. Additional safety (*if applicable*) will be in place such as caution tape and cones to protect residents and vehicle traffic.
18. Contractor will guarantee all materials and workmanship to be free of defects for **five (5) years** commencing on the first day contractor starts removing shingles.



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General Notes:

1. Contractor to provide written proof of Workers' compensation and \$1,000,000 liability insurance covering suppliers, employees and subcontractors employed by contractor upon request.
2. Rotten plywood will be replaced at \$2.25 per square foot. (Minimum of 16 square feet per section). Rotten 1x decking will be replaced at \$5.75 per linear foot. (Minimum of 10 feet per section). This does not include anything structural. **(Please initial that you acknowledge this).**
_____ **Initials**
3. No substitute for quality on materials and labor.
4. By signing this contract, the customer indicates that He or She has read and agrees to these conditions and understands this contract is binding and enforceable.
5. Satellite dish (*if applicable*), will need to be re-adjusted to pick up signal. This is the building owner's responsibility.
6. Payment terms: Payment of 30% of the total job cost is expected before the job is started. The remaining balance is expected upon substantial completion. Invoices not paid within the 30 days will be assessed finance charges in the amount of 8% and will accumulate monthly until payment in full, including finance charges, has been received. **(Please initial that you acknowledge this).** _____ **Initials**
7. Pricing does not include interior protection from debris/dust, drywall damage, light fixtures or other items hanging on walls that may fall or damage due to the roofing construction process. We assume no liability for interior contents of the building and recommend taking precautions to protect these items.
8. Bid is good for Ten (10) days.

All the above work as outlined and as stated by Mr. Travis Goetz to be completed for the sum of **\$103,537.00**. This includes all applicable taxes and permits.

Thank you for considering American Roofing & Metal Company, Inc.

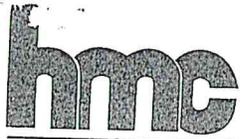
Respectfully,
American Roofing & Metal Company, Inc.

Travis Goetz
Property Management Consultant
Cell (502) 619-9026

Signature Date



AMERICAN ROOFING & METAL
RESIDENTIAL • INDUSTRIAL • COMMERCIAL • INSTITUTIONAL ROOFING & SIDING • SHEET METAL WORK
LOUISVILLE – LEXINGTON - CINCINNATI
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Hussung Mechanical Contractors, Inc.

PLUMBING
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BUILDING
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PROCESS PIPING

6913 Enterprise Drive • Louisville, Kentucky 40214 • (502) 375-3500 • Fax (502) 375-0026

November 15, 2021

Churchill Downs Racetrack
700 Central Avenue
Louisville, KY 40208

Re: Bid Document Attached

Attached is a cost spreadsheet for 22 Cozy Wall Heaters in the amount of \$36,446.20. Also attached is a cost spreadsheet for 14 Cozy Floor Heaters in the amount of \$10,507.38. The total cost for all the units is \$46,953.59.

Sincerely,

Imogene Gravenstretter

Hussung Mechanical Contractors, Inc.

6913 Enterprise Drive

Louisville, KY 40214

Accounts Receivable

2/26/2021 9:35 AM

- AR\Churchill Downs\CD Maint 2021\Bid Cover Letter 2-26-2021.docx

11:\Billing

CHURCHILL DOWNS
 Trakside Tac Rooms
 Cozy Heaters Bid

NAME		HOURS W.E.	HOURS W.E.	HOURS W.E.	HOURS W.E.	HOURS W.E.	TOTAL HOURS	HOURLY RATE	AMOUNT	TRUCK CHARGE PER HOUR	OVERHEAD	PROFIT	TOTAL		
		2/28/21	10/10/21	10/17/21	10/24/21	10/31/21									
COZY 2500 BTU										7.00	0.10	0.15			
Patrick Craven	Regular	77.0	0.0	0.0	0.0	0.0	77.0	69.82	5,376.14	539.00	591.51	976.00	7,482.65		
	Overtime	0.0	0.0	0.0	0.0	0.0	0.0	93.24	0.00	0.00	0.00	0.00	0.00		
	Premium	0.0	0.0	0.0	0.0	0.0	0.0	116.67	0.00	0.00	0.00	0.00	0.00		
COZY Floor Heater	Regular	49.0	0.0	0.0	0.0	0.0	49.0	69.82	3,421.18	343.00	376.42	621.09	4,761.69		
	Overtime	0.0	0.0	0.0	0.0	0.0	0.0	93.24	0.00	0.00	0.00	0.00	0.00		
	Premium	0.0	0.0	0.0	0.0	0.0	0.0	116.67	0.00	0.00	0.00	0.00	0.00		
TOTAL LABOR		0.0	0.0	0.0	0.0	0.0	0.0								
Material									8,797.32	882.00	967.93	1,597.09	12,244.34		
COZY 2500 BTU															
Wall Heaters	Qty. 22	\$1,000.70	each												
Kentucky Sales Tax	Qty. 22	\$60.04	each						21,006.09		2,100.61	3,466.00	26,572.70		
Misc. Material	Qty. 22	\$40.00	each						1,260.00		126.00	207.90	1,593.90		
COZY Floor Heater									630.00		63.00	103.95	796.95		28,963.55
Wall Heaters	14	\$785.70	each												
Kentucky Sales Tax	14	\$47.14	each						4,143.45		414.35	683.67	5,241.46		
Misc. Material	14	\$40.00	each						248.60		24.86	41.02	314.48		
									150.00		15.00	24.75	189.75		5,745.69
TOTAL MATERIAL									27,438.14		2,743.81	4,527.29	34,709.25		
Total									36,235.46		3,711.75	6,124.38	46,953.59		

11/15/2021
 10:51 AM



Andy Beshear
Governor

Ray Perry
Deputy Secretary

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039
KHRC.ky.gov

Kerry B. Harvey
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

TO: ALL COMMISSION MEMBERS
FROM: Jamie Eads, Deputy Executive Director, KHRC
Susan Nash, Program Coordinator, KHRC
DATE: February 3, 2022
SUBJECT: PVII KHBIF APPLICATIONS

On November 1, 2021, the Kentucky Horse Breeders' Incentive Fund (KHBIF) accepted eleven (11) applications for participation in the KHBIF for the calendar years of 2022, 2023, 2024. KHRC staff reviewed the applications and met with the KHBIF Advisory Panel on February 3, 2022. The applications were considered based on the criteria set forth in 810 KAR 7:050. A review of the applications is listed below. The statute and regulation follow this memorandum.

The applications were reviewed using the following criteria:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation
2. Award Distribution Plan
3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky
5. Scoring Body for the events

I. KENTUCKY APPALOOSA OWNERS ASSOCIATION:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: **Divided equally among Regional Shows (25%); Open Shows (25%); Trail (25%) and Futurity (25%) and benefits owner of the horse & stallion owner.**

Note: Committee recommends at least 75% of trail hours are from a timed/judged event.

3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **2,666**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **APHC**

II. KENTUCKY ARABIAN & HALF ARABIAN BREEDERS ALLIANCE:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**



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2. Award Distribution Plan: ***Divided among Point Program; High Point Award Program; KAHABA Bonus Point Program; KAHABA Production Class Program and KAHBA Distance Division. Award benefits owner of the horse (80%), breeder (10%) & stallion nominator (10%).***
3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **2,006**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **KAHBA**

III. KENTUCKY MINIATURE HORSE BREEDERS CLUB:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: ***Points will be calculated by AMHA Rule PA-015 and payouts are based on the number of Open and Amateur points earned. Approved shows held in Kentucky are worth double points.***
3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **5,387**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **AMHA Shows**

IV. KMSHA of KY, Inc.

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: ***Accumulate points by competing in AA National Shows (trail obstacle, western pleasure, driving). Points will only count for the High Point Awards if you participated in at least 3 shows in one category: same horse/rider.***
3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **4931**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **AA National Shows**

V. KENTUCKY PAINT HORSE CLUB:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: ***Points will be earned by competing in APHA Shows, Paint Alternative Competitions and other KPHC recognized events.***
3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **8,344**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **APHA Shows**

VI. KENTUCKY QUARTER HORSE ASSOCIATION, INC.:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: ***Points can be earned at approved AQHA events and are divided 70% to the owner of the horse; 15% to the breeder and 15% to the sire (if eligible).***



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3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **31,151**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **AQHA Shows**

VII. KENTUCKY SADDLEBRED OWNERS AND BREEDERS ASSOCIATION, INC.

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: **Points are earned by participating in ASHBA Sweepstakes Classes & the ASHBA National Futurity at the World's Championship Horse Show in Louisville, Kentucky and divided 70% to the breeder and 30% to the stallion owner.**
3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **8,994**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **American Saddlebred Horse and ASHA**

VIII. KENTUCKY WALKING HORSE BREEDERS INCENTIVE FUND:

6. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
7. Award Distribution Plan: **Points are earned by participating in approved shows in Kentucky. Points are divided foals (60%); mares (25%) stallions (10%)**
8. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **30,318**
9. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
10. Scoring Body for the events: **Shows must be affiliated with International Walking Horse Association, Friends of Sound Horses or The National Walking Horse Association to qualify for points.**

IX. MOUNTAIN PLEASURE HORSE ASSOCIATION:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: **Points can be earned by competing in eligible MPHA affiliated competitive Arena Obstacle Challenge classes. Only points in Open, Novice & Youth are eligible.**
3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **1,071**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **MPHA & Equine Trail Sports**

X. ROCKY MOUNTAIN HORSE KENTUCKY BREEDERS INCENTIVE AFFILIATE:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: **Points can be earned by participating in RMHA sanctioned Show Programs and Trail Obstacle Programs.**



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3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **6,117**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **RMHA Shows, Equine Trail Sports, Extreme Cowboy Assc., Arena Obstacle Challenge, Competitive Trail Challenge**

XI. SOUTH CENTRAL HACKNEY ASSOCIATION:

1. Applicant is a Kentucky affiliate with an IRS 501(c) designation: **Confirmed**
2. Award Distribution Plan: **Points can be earned by participating in one of the ten classes for horses age 0-4 held during the Futurity at the Alexandria Fair and Horse Show.**
3. Number of Horses residing in KY and under the age of 25 and certified by the National Registry or a third party: **1,293**
4. Per KRS 230.804, eligible horses are bred and foaled in Kentucky: **Confirmed**
5. Scoring Body for the events: **SCHA Futurity Show**

Example Award Distribution Plan if approved:

Period VII: Example of award distributions if applicants are approved			
<u>KHBIF Verified Number</u>	<u>Breed</u>	<u>%</u>	<u>\$\$</u>
2,666	<i>Kentucky Appaloosa Owners Association, Inc.</i>	2.61%	\$ 26,088
2,005	<i>Kentucky Arabian & Half Arabian Breeders Alliance</i>	1.96%	\$ 19,620
5,387	<i>Kentucky Miniature Horse Breeders Club</i>	5.27%	\$ 52,715
4,931	<i>Kentucky Mountain Saddle Horse Association of KY</i>	4.83%	\$ 48,253
8,344	<i>Kentucky Paint Horse Club</i>	8.17%	\$ 81,651
31,151	<i>Kentucky Quarter Horse Association</i>	30.48%	\$ 304,831
8,994	<i>Kentucky Saddlebred Owners and Breeders Association</i>	8.80%	\$ 88,012
30,318	<i>Kentucky Walking Horse Breeders Incentive Fund</i>	29.67%	\$ 296,680
1,071	<i>Mountain Pleasure Horse Association</i>	1.05%	\$ 10,480
6,031	<i>Rocky Mountain Horse Association</i>	5.90%	\$ 59,017
1,293	<i>South Central Hackney Association</i>	1.27%	\$ 12,653
102,191		100.00%	\$ 1,000,000

COMMISSION ACTION

_____ Approve

_____ Defer

_____ Deny



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230.804 Kentucky horse breeders incentive fund -- Funding sources -- Distribution of moneys -- Administrative regulations -- Kentucky Horse Racing Commission to administer fund.

- (1) There is hereby created in the State Treasury a trust and revolving fund designated as the "Kentucky horse breeders incentive fund." The fund shall be administered by the Kentucky Horse Racing Commission. For tax periods beginning on or after June 1, 2005, seven percent (7%) of all receipts collected under KRS 139.531(1)(a) from the sales and use tax on the fees paid for breeding a stallion to a mare in Kentucky shall be deposited in the fund together with any other money contributed, appropriated or allocated to the fund from all other sources. The money deposited in the fund is hereby appropriated for the uses set forth in this section. Notwithstanding KRS 45.229, any money remaining in the fund at the close of any calendar year shall not lapse but shall be carried forward to the next calendar year. The fund may also receive additional state appropriations, gifts, grants, and federal funds. All interest earned on money in the fund shall be credited to the fund.
- (2)
 - (a) The Kentucky Horse Racing Commission shall use moneys deposited in the Kentucky horse breeders incentive fund to administer the fund and provide rewards for breeders or owners of horses bred and foaled in Kentucky.
 - (b) The Kentucky Horse Racing Commission shall promulgate administrative regulations establishing the conditions and criteria for the distribution of moneys from the fund.
 - (c) The Department of Revenue may promulgate administrative regulations establishing the procedures necessary to determine the correct allocation of sales tax receipts described in subsection (1) of this section.
 - (d) As soon as practicable after the close of each calendar year, the racing commission shall disburse to breeders of horses moneys in the Kentucky horse breeders incentive fund to be used to promote, enhance, improve, and encourage the further and continued development of the horse industry in Kentucky, under the administrative regulations promulgated pursuant to paragraph (b) of this subsection.

Effective: June 24, 2015

History: Amended 2015 Ky. Acts ch. 47, sec. 4, effective June 24, 2015. -- Amended 2010 Ky. Acts ch. 24, sec. 493, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 234, sec. 2, effective April 22, 2006. -- Created 2005 Ky. Acts ch. 168, sec. 135, effective June 1, 2005.

Legislative Research Commission Note (4/22/2006). 2006 Ky. Acts ch. 234, sec. 4, provides that the Act, which included an amendment to this statute, shall be known as the "2006 Kentucky Equine Competitiveness Act."

810 KAR 7:050. Kentucky Horse Breeders' Incentive Fund.

RELATES TO: KRS 230.225(5)(c), 230.330, 230.804, 15 U.S.C. 1821-1831

STATUTORY AUTHORITY: KRS 230.804(2)(b)

NECESSITY, FUNCTION AND CONFORMITY: KRS. 230.804 establishes the Kentucky Horse Breeders' Incentive Fund. KRS 230.804(2)(b) requires the Kentucky Horse Racing Commission to promulgate administrative regulations establishing the conditions and criteria for the distribution of moneys from the fund. This administrative regulation establishes eligibility standards, administrative practices to enforce the standards, and the procedures for paying incentive awards from the fund.

Section 1. Definitions.

(1) "Applicant" means a Kentucky affiliate representing a breed of horses which is eligible to register with the commission to participate in the Kentucky Horse Breeders' Incentive Fund.

(2) "Award distribution plan" means a plan submitted by a Kentucky affiliate to the commission outlining the procedures by which the Kentucky affiliate will award funds from the Kentucky Horse Breeders' Incentive Fund to incentive winners who are members of the Kentucky affiliate.

(3) "Breed" means a subspecies of horse with particular physical characteristics common to the subspecies which are used in establishing the identity of a horse by a registry recognized by the commission.

(4) "Breeder" means:

(a) A person or persons engaged in the breeding of horses eligible for the Kentucky Horse Breeders' Incentive Fund, as defined by the national association of the Kentucky affiliate recognized by the commission as a participant in the Kentucky Horse Breeders' Incentive Fund program; or

(b) If the national association does not define "breeder", the owner of the dam of a horse when the horse was foaled.

(5) "Closed breed registry" means the restrictions of the official national breed registry recognized by the Kentucky Horse Breeders' Incentive Fund.

(6) "Contest" means a competitive event with an outcome which qualifies the owner of a horse as an incentive winner under a Kentucky affiliate's award distribution plan.

(7) "Incentive winner" means a person whose horse's performance in a contest entitles that person to an award from the Kentucky Horse Breeders' Incentive Fund.

(8) "Kentucky affiliate" means the Kentucky organization that is recognized by a national breed organization representing that particular breed of horse in Kentucky.

(9) "Kentucky Horse Breeders' Incentive Fund" means the trust and revolving fund established by KRS 230.804.

(10) "KHBIF" means the Kentucky Horse Breeders' Incentive Fund.

(11) "Show horse" means a horse that participates in judged exhibition competitions.

Section 2. Registration of Kentucky Affiliate.

(1) Only a Kentucky affiliate may register to participate in the KHBIF.

(2) Kentucky affiliates shall have an Internal Revenue Service 501(c) designation.

(3) To become eligible to receive funds from the KHBIF, a Kentucky affiliate shall register with the commission by:

(a) Filing an "Application for Registration of Kentucky Affiliate with the Kentucky Horse Breeders' Incentive Fund", KHRC Form HB-1, (12/08); and

(b) Filing with the application an award distribution plan to be reviewed and approved by the commission.

(4) A thoroughbred breed shall not be eligible for registration with the KHBIF, unless the thoroughbred breed consists exclusively of show horses.

(5) A standardbred breed shall not be eligible for registration with the KHBIF, unless the standardbred breed consists exclusively of show horses.

(6) The color of a breed of horses shall not be the sole criterion used to define that breed for purposes of registration with the KHBIF.

(7) The commission may establish, under its general jurisdiction, the KHBIF Advisory Committee (the "advisory committee"). If established, the advisory committee shall consist of three (3) members appointed by the chairman of the commission by July 1 of each year. One (1) member shall be recommended to the chairman for appointment by the Kentucky Equine Education Project (KEEP). If KEEP has not recommended a member for appointment by July 1 of a given year, the Chairman of the commission shall make the appointment without the recommendation. At least one (1) member of the advisory committee shall have established knowledge of gaited horses. Each member of the advisory committee shall serve from July 1 through June 30 of the following year. Each member of the advisory committee shall be a resident of Kentucky. Each member of the advisory committee shall serve without compensation, but shall be entitled to reimbursement for all reasonable expenses incurred in the discharge of official business. The advisory committee shall select a chairman from its membership annually.

(8)(a) The advisory committee shall advise and assist the commission in the registration process described in this section. The advisory committee shall make a recommendation of approval or denial to the commission for each applicant based upon the application and compliance with the requirements established in subsection (13) of this section.

(b) The commission shall employ qualified personnel necessary to assist the commission and the advisory committee in carrying out the provisions of this administrative regulation. These personnel shall serve at the pleasure of the commission, and compensation for these personnel shall be fixed by the commission.

(9) After the advisory committee recommends to the commission the approval or denial of an application, the commission shall consider the recommendation and whether or not the requirements of this administrative regulation have been met, and shall:

(a) Approve the application;

(b) Deny the application; or

(c) Defer consideration of the application for a reasonable time for the purpose of conducting further investigation of the application.

(10) Registration shall be effective for three (3) years. The first three (3) year registration period shall consist of the period beginning January 1, 2022, and ending December 31, 2024.

(11) For the first registration period, a Kentucky affiliate shall register with the commission on or prior to November 1, 2021. Any Kentucky affiliate that registered with the commission under any previously effective version of this administrative regulation shall reregister.

(12) For each three (3) year period beginning on or after January 1, 2022, a Kentucky affiliate shall register with the commission on or prior to November 1 of the calendar year immediately preceding January 1 of the first year of the three (3) year registration period.

(13) A Kentucky affiliate shall have until December 31 following the November 1 deadline established in subsections (11) and (12) of this section to revise and update any information previously provided to the commission on or before the November 1 deadline.

(14) The application and the accompanying award distribution plan provided to the commission shall include the following information:

(a) The name of the breed of horse covered by the plan;

(b) The name of the Kentucky affiliate;

(c) A letter from the national breed organization representing the breed certifying that the

Kentucky affiliate is the recognized representative in Kentucky of that breed, and certifying the number of horses twenty-five (25) years of age and younger in the breed residing in Kentucky. If the Kentucky affiliate is the national breed organization, then an independent third party approved by the commission shall certify the number of horses. Optionally, if the Kentucky affiliate demonstrates to the commission that it is unable to obtain an independent third party to certify horse numbers as required in this subsection, the commission may certify horse numbers at a fee of \$120 per hour.

1. For a horse to be included in the certification, the horse shall be the result of parentage verified by DNA verification of either the horse's sire or dam. A three (3) generation pedigree on one (1) side shall be displayed on the certificate of registration, so that the horse, at least one (1) of the horse's parents, and at least (1) set of the horse's grandparents are displayed on the certificate.

2. Each horse shall be registered with only one (1) Kentucky affiliate.

3. The affiliate shall provide the data electronically to the commission and in a format agreeable to the commission;

(d) A letter from the national breed organization representing the breed certifying that the breed has a closed breed registry; and

(e) The award distribution plan pursuant to which awards will be distributed to KHBIF incentive winners who are breeders or owners of horses bred and foaled in Kentucky. The award distribution plan shall specify:

1. The scoring method or point system to be utilized in contests to determine the incentive winner of each contest as certified by the national breed organization;

2. The identity of the scoring person or body that will judge each contest as certified by the national breed organization;

3. The rules of the contests in which the horses of the breed will participate as certified by the national breed organization; and

4. The percentage distribution formula by which the Kentucky affiliate shall grant awards to incentive winners.

(15)(a) The commission shall be recognized and designated as the sole official registrar of the KHBIF for the purposes of registering the application and award distribution plan for each breed in accordance with the terms of this administrative regulation.

(b) The records of each national breed organization shall be used as the official records of the commission for determining the following information:

1. The identity of the Kentucky affiliate representing the breed in Kentucky; and

2. The number of horses of the breed twenty-five (25) years of age and younger registered with the national breed organization and currently residing in Kentucky.

(16) If the information on an application form required under this section is found to be inaccurate, or becomes inaccurate, or changes, the organization identified as the Kentucky affiliate shall promptly notify the commission of the correct information within thirty (30) days of discovering the inaccuracy or the circumstances causing the information to become inaccurate or to change.

Section 3. Timing and Distribution of Awards.

(1) The events eligible for awards from the KHBIF, as set forth in each award distribution plan, shall be those occurring on or after January 1, 2006.

(2) Awards to incentive winners shall be calculated and distributed each year.

(3) The commission, with the cooperation of each Kentucky affiliate shall, after the end of each calendar year, calculate the funds due to each Kentucky affiliate for that year.

(4) The amount allocated to a Kentucky affiliate participating in the KHBIF shall be calculated

by:

(a) Dividing the number of horses of the breed twenty-five (25) years of age and younger and currently residing in Kentucky as certified by the national breed organization pursuant to Section 2(14)(c) of this administrative regulation, by the total number of horses from all Kentucky affiliates certified pursuant to Section 2(14)(c) of this administrative regulation. The number of horses in each case shall be the number of horses recorded on each Kentucky affiliate's application form on the December 31 deadline established in Section 2(13) of this administrative regulation; and

(b) Multiplying the fraction obtained in paragraph (a) by the total amount of money allocated to all Kentucky affiliates during the year.

(5) An award to an incentive winner from the KHBIF shall be determined based on the award distribution plan submitted by the Kentucky affiliate representing the breed to the commission pursuant to Section 2(2)(b) of this administrative regulation.

(6) The commission shall, by March 1 of each year, notify the Kentucky affiliate of the total dollars allocated to that affiliate.

(7) Kentucky affiliate shall, by October 1 of each year, notify the commission of the names of the incentive winners who are entitled to awards for contests held during the previous year. The Kentucky affiliate shall also, by October 1 of each year, notify the commission of the names of the horses registered to that affiliate, and the date of each horse's registration. If a horse is registered with more than one (1) affiliate, the commission shall not count that horse's award, and the funds for that award shall revert back to the KHBIF to be distributed in future awards.

(a) Within thirty (30) calendar days of receiving the names of the incentive winners from the Kentucky affiliate, the commission shall generate claim forms for the appropriate Kentucky affiliate.

(b) The Kentucky affiliate shall provide the claim forms received from the commission to its incentive winners from the previous year.

(c) The Kentucky affiliate shall provide a letter to the commission, which certifies that it has notified all incentive winners of their awards from the previous year. The commission shall not issue an award check for any of that Kentucky affiliate's incentive winners prior to receiving this letter.

(8) After receiving notification of an award, each incentive winner shall return an enclosed claim form for the award that certifies that the incentive winner is entitled to the award and that certifies the incentive winner's taxpayer ID number or Social Security number. The claim form shall be delivered to the commission no later than December 31 of the same year in which the commission notified the incentive winner of the award pursuant to subsection (7) of this section.

(9) The claim form shall be the form "Claim Form of Incentive Winner for Award from the Kentucky Horse Breeders' Incentive Fund", KHRC Form HB-2, (12/06).

(10) Failure to return the claim form required by subsection (8) of this section by December 31 of the year in which the incentive winner was notified of the award pursuant to subsection (7) of this section shall result in forfeiture of the award, and the award money shall lapse to the KHBIF.

(11) An award from the KHBIF shall not be granted to any incentive winner who is not in good standing with the national breed organization or Kentucky affiliate.

Section 4. Semiannual Reports.

(1) A semiannual status report describing a Kentucky affiliate's progress and participation in the award distribution plan shall be filed with the advisory committee by each Kentucky affiliate on or before July 31 and January 31. If that date is on a Saturday, Sunday, or legal holiday, the report shall be due on the first business day thereafter.

- (2) The semiannual report shall also include:
- (a) A list of all stallions presently breeding horses eligible to participate in the fund, and the farm locations on which the stallions stand;
 - (b) A schedule of all state and national contests for that year in which horses eligible to participate in the KHBIF are scheduled to participate;
 - (c) A list of all horses registered with the Kentucky affiliate and the horse's date of registration with that affiliate;
 - (d) A current list of the Kentucky affiliate's board members; and
 - (e) The current contact information of the Kentucky affiliate's preferred contacts.

Section 5. Disputes.

(1) Any dispute between the commission and a Kentucky affiliate or national breed organization arising under this administrative regulation shall be raised by the aggrieved party filing a petition seeking relief with the executive director of the commission, within thirty (30) days of the action or the inaction leading to the dispute, as established in 810 KAR 7:070.

(2) If the executive director and the aggrieved party do not agree on a resolution of the dispute, the executive director shall assign the case to a hearing officer who shall conduct a hearing pursuant to KRS Chapter 13B.

Section 6. Disciplinary Procedures.

(1) Violations, discipline, disputes, and investigation shall take place according to 810 KAR 7:070.

(2) In addition to the procedures established in 810 KAR 7:070, and notwithstanding any contrary provisions of 810 KAR 7:070, the commission may take the following actions, which would be subject to appeal as established in 810 KAR 7:070:

(a) For a violation of 810 KAR 7:070, the commission may bar a Kentucky affiliate or national breed organization from registering for a period of from one (1) to ten (10) years, based on the seriousness of the violation.

(b) For a second or subsequent violation of 810 KAR 7:070, the commission may bar the Kentucky affiliate or national breed organization from eligibility to receive an incentive from the KHBIF for a period of from one (1) to twenty (20) years.

(c) If the evidence available to the commission indicates that an individual who is a member of, or acting on behalf of, a Kentucky affiliate or national breed organization has, without the knowledge or consent of the Kentucky affiliate or national breed organization, violated 810 KAR 7:070, then the commission may condition the continuing registration of the Kentucky affiliate in the KHBIF upon the exclusion of that individual from any further participation in work related to the KHBIF.

Section 7. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Application for Registration of Kentucky Affiliate with the Kentucky Horse Breeders' Incentive Fund", KHRC Form HB-1, (12/08); and

(b) "Claim Form of Incentive Winner for Award from the Kentucky Horse Breeders' Incentive Fund", KHRC Form HB-2, (12/08).

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Horse Racing Commission, 4063 Iron Works Pike, Building B, Lexington, Kentucky 40511, Monday through Friday, 8 a.m. to 4:30 p.m.

(3) This material may also be obtained from the KHRC Web site at www.khrc.ky.gov. (33 Ky.R. 2242; 3201; eff. 5-4-2007; 35 Ky.R. 1914; 2743; eff. 7-6-2009; 47 Ky.R. 867, 1582; eff. 5-

4-2021; Recodified from 811 KAR 2:120, 5-6-2021.)



Andy Beshear
Governor

Public Protection Cabinet
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Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

To: Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Shan Dutta, Deputy General Counsel
Date: February 3, 2022

Re: Proposed amendments to 810 KAR 3:020: Licensing of racing participants and 3-020-01 (incorporated document)

The KHRC Rules Committee and KHRC Chief Steward Barbara Borden recommend amending 810 KAR 3:020 and its incorporated document, 3-020-01, as set forth in your meeting materials.

The major proposed changes to this regulation are as follows:

- 810 KAR 3:020 will be amended to add the category of “stable agent” and state that this new category has a \$50.00 license fee.
- Various practical amendments are made to 3-020-01, including, but not limited to, the inclusion of an applicant number, the year for which the participant is applying for a license, and larger boxes for the applicant’s email address and emergency contacts.
- 3-020-01 is also amended to allow the applicant to clarify whether he or she is a military spouse. KRS 12.357 requires agencies to provide new and renewal licenses to military spouses with no fee. The previous license did not allow applicants to clarify whether they qualify for this benefit.

KHRC staff recommends approval of these proposed revisions.

COMMISSION ACTION:

Approved
 Denied
 Deferred

KHRC 3-020-01 (01/2022)

KENTUCKY HORSE RACING COMMISSION

4063 Iron Works Parkway, Bldg B

Lexington, Kentucky 40511

[Toll free 1-877-4KY RACE (1-877-459-7223)]

Phone: 859-246-2040 Fax: 859-202-3510 [~~859-246-2039~~]

WEBSITE: khrc.ky.gov

EMAIL: khrclicensing@ky.gov

Application Year _____

For KHRC Use only

Applicant # _____

[License # _____]

License Clerk _____

Check # _____ Cash _____

Credit Card _____

Bill Entity _____

Steward/Security Approval (if required) _____

RCI Check _____

Date _____

THOROUGHBRED FEES				STANDARD BRED FEES				
Have you ever had a license in KY? _____ What years? _____				Have you ever had a license in KY? _____ What years? _____ SB-U.S.T.A license # _____ Expires: _____				
<input type="checkbox"/> Association Employee \$25 <input type="checkbox"/> Asst. Trainer \$150 <input type="checkbox"/> Asst. Trainer/Owner \$150 <input type="checkbox"/> Claiming \$150 <input type="checkbox"/> Dental Tech. \$100 <input type="checkbox"/> Exercise Rider \$10 <input type="checkbox"/> Equine Therapist \$50 <input type="checkbox"/> Farm Mgr/Agent \$50 <input type="checkbox"/> Farrier \$100 <input type="checkbox"/> Farrier Apprentice \$50 <input type="checkbox"/> Jockey \$150 <input type="checkbox"/> Jockey Agent \$150 <input type="checkbox"/> Jockey Apprentice \$100	<input type="checkbox"/> Mutuel Employee \$50 <input type="checkbox"/> Owner \$150 <input type="checkbox"/> Owner (temp) \$150 <input type="checkbox"/> Owner/Trainer \$150 <input type="checkbox"/> Racing Dept. Employee \$100 <input type="checkbox"/> Racing Official \$100 <input type="checkbox"/> Special Event \$10 <input type="checkbox"/> Stable Agent \$50 <input type="checkbox"/> Stable Employee \$10 <input type="checkbox"/> Steeplechase Jockey \$150 <input type="checkbox"/> Trainer \$150 <input type="checkbox"/> Vendor \$50 <input type="checkbox"/> Vendor Employee \$25 <input type="checkbox"/> Veterinarian \$150 <input type="checkbox"/> Veterinary Asst. \$50 <input type="checkbox"/> Veterinary Tech. \$50 <u>MILITARY SPOUSE</u> <u>(MILITARY ID REQUIRED)</u>	<input type="checkbox"/> Association Employee \$25 (\$10) <input type="checkbox"/> Asst. Trainer (\$35) <input type="checkbox"/> Asst. Trainer/Owner (\$35) <input type="checkbox"/> Dental Tech \$100 <input type="checkbox"/> Driver \$125 <input type="checkbox"/> Driver/Trainer \$125 <input type="checkbox"/> Equine Therapist \$50 (\$25) <input type="checkbox"/> Farm Mgr/Agent \$50 (\$25) <input type="checkbox"/> Farrier \$100 (\$35) <input type="checkbox"/> Farrier Apprentice \$50 (25) <input type="checkbox"/> Jockey (\$35) <input type="checkbox"/> Jockey Agent (\$35) <input type="checkbox"/> Jockey Apprentice (\$35)	<input type="checkbox"/> Matinee Driver \$125 <input type="checkbox"/> Mutuel Employee \$50 (\$20) <input type="checkbox"/> Owner \$125 (\$35) <input type="checkbox"/> Owner (temp) \$125 (\$35) <input type="checkbox"/> Owner/Driver \$125 <input type="checkbox"/> Owner/Trainer \$125 (\$35) <input type="checkbox"/> Owner/Trainer/Driver \$125 <input type="checkbox"/> Stable Employee \$5 (\$5) <input type="checkbox"/> Trainer \$125 (\$35) <input type="checkbox"/> Racing Dept. Employee \$100 <input type="checkbox"/> Racing Official \$100 (\$35) <input type="checkbox"/> Stable Employee \$5 (\$5) <input type="checkbox"/> Trainer \$125 (\$35) <input type="checkbox"/> Racing Official \$100 (\$35) <input type="checkbox"/> Vendor \$50 (\$25) <input type="checkbox"/> Vendor Employee \$25 (\$25) <input type="checkbox"/> Veterinarian \$125 (\$35) <input type="checkbox"/> Veterinary Asst. \$50 (\$25) <input type="checkbox"/> Veterinary Tech \$50 (\$25)					
Last Name		First Name [Mr. ___ Mrs. ___ Ms. ___ Other ___]		M.I.	Social Security #		Date of Birth	Place of Birth
Mailing Address				City		State		Zip Code
Home Phone ()	Work Phone ()	Cell Phone ()	Sex	Height	Weight	Hair	Eyes	Marital Status
Trainer			Applicant's Email Address			Applicant's Employment Duties (Occupation/Duties)		
Person to notify in case of emergency				Phone Number				

ALL APPLICANTS MUST ANSWER THE FOLLOWING QUESTIONS-ATTACH ADDITIONAL PAGES IF NEEDED FOR EXPLANATIONS

1. Have you been arrested or charged with a crime, other than a traffic violation, in the last 15 years? Yes ____ No ____ If yes, explain _____

2. Are you currently on parole or probation? Yes ____ No ____ If yes, explain _____

3. Have you ever been fined over \$250 by any racing jurisdiction? Yes ____ No ____ If yes, explain _____

4. Have you or your spouse, parent, child, or sibling (including in-laws) ever had a license denied, revoked, suspended, or have a complaint pending in any jurisdiction? Yes ____ No ____ If yes, explain _____

5. Have you ever been ruled off, ejected, or excluded from racing association grounds? Yes ____ No ____ If yes, explain _____

6. Have you ever been issued a license under another name? Yes ____ No ____ If yes, provide other names _____

PLEASE COMPLETE THE BACK PORTION OF THE FORM

OWNERS ONLY – LIST HORSES YOU PLAN TO RACE THIS YEAR. ATTACH LIST OF HORSES IF MORE SPACE IS NEEDED.

HORSE NAME	YOB	TRAINER'S NAME	OWNERSHIP NAME ON REGISTRATION PAPERS	% OWNED	BREED T,S,Q,A

TRAINERS ONLY- Number of horses in training _____ Number of Employees _____ (Attach List of Employees-Required)

Are you obligated to have worker's compensation insurance covering an employee in connection with racing _____
If yes, indicate company name _____ Policy Number _____ Expiration Date _____ Name of policy holder _____

Trainers: **[At the present time I have no full-time employees or part-time employees. I understand my responsibilities under KRS 342, Section 630, and [in the future] if I employ anyone during my license period, I understand that I must obtain worker's compensation insurance and a copy of said certificate will be forwarded to the Kentucky Horse Racing Commission office and will be on file. Failure to comply with this law may result in the revocation of my racing license. Please initial the box to the left of this section indicating that you have read this article and understand.**

Initial Here

ASST. TRAINER ONLY -Name of Trainer you are assistant to _____
Number of horses in your care _____

STABLE EMPLOYEE ONLY: _____ **TRAINER or ASST. TRAINER SIGNATURE REQUIRED**

**VET ASSISTANTS/TECHS/
EQUINE THERAPIST ONLY:** _____ **LICENSED VETERINARIAN SIGNATURE REQUIRED**

EXERCISE RIDER ONLY: _____ **OUTRIDER SIGNATURE REQUIRED**
Exercise riders are not automatically covered by trainers' workers' compensation insurance in case of injury. Ask your trainer about coverage.

ALL APPLICANTS READ AND SIGN AT BOTTOM:

I understand that participation in racing in Kentucky is a privilege and not a right. I agree to comply with all rules, regulations, statutes, and steward's/ judge's directives related to Kentucky racing. I authorize the KHRC or its agents to conduct a background check to determine my fitness to receive a license, which may include access to public, private and confidential information. I release all providers of information, and release all KHRC employees and agents from any liability related to the release of any information requested by KHRC. I agree that my license may be revoked or suspended by the KHRC at any time. I acknowledge that the KHRC has the right to search any location described in KRS 230.260(7) and may seize any medication, drug, substance, paraphernalia, object, or device in violation or suspected violation of KRS Chapter 230 or Title KAR 810. I agree to cooperate with the KHRC during any such investigation and respond correctly to the best of my knowledge if questioned by the KHRC about a racing matter. I certify that the information contained in this application is accurate and complete, and I understand that any material misrepresentation or omission on this application shall subject me to immediate revocation of any issued license, and all other appropriate penalties under the statutes of the Commonwealth of Kentucky. I agree to "out of competition" drug testing on all race horses which I own or train in conformity with Title 810 KAR.

Signature/Date

Only fill out if applying by U.S. Mail, Electronic Mail, or Secure Fax

[ADD \$4.00 FOR CREDIT CARD PROCESSING FEE]

If paying by credit card I authorize KHRC to charge my account for the appropriate license fee plus a \$4.00 processing fee.

Credit card # _____ CVV# _____

Expiration Date _____

Billing address for this card _____

Cardholder's name (as it appears on the card) _____

By my signature, I agree to pay the license fee for this application to KHRC according to my cardholder agreement

_____ Signature _____ Date _____

ALL APPLICANTS READ AND SIGN AT BOTTOM:

I understand that participation in racing in Kentucky is a privilege and not a right. I agree to comply with all rules, regulations, statutes, and steward's/ judge's directives related to Kentucky racing. I authorize the KHRC or its agents to conduct a background check to determine my fitness to receive a license, which may include access to public, private and confidential information. I release all providers of information, and release all KHRC employees and agents from any liability related to the release of any information requested by KHRC. I agree that my license may be revoked or suspended by the KHRC at any time. I acknowledge that the KHRC has the right to search any location described in KRS 230.260(7) and may seize any medication, drug, substance, paraphernalia, object, or device in violation or suspected violation of KRS Chapter 230 or Title KAR 810. I agree to cooperate with the KHRC during any such investigation and respond correctly to the best of my knowledge if questioned by the KHRC about a racing matter. I certify that the information contained in this application is accurate and complete, and I understand that any material misrepresentation or omission on this application shall subject me to immediate revocation of any issued license, and all other appropriate penalties under the statutes of the Commonwealth of Kentucky. I agree to "out of competition" drug testing on all race horses which I own or train in conformity with Title 810 KAR.

Signature/Date



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

To: Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Shan Dutta, Deputy General Counsel
Date: February 3, 2022

Re: Proposed amendment to 810 KAR 4:010: Horses

The KHRC Rules Committee and KHRC Chief Steward Barbara Borden recommend amending 810 KAR 4:010, as set forth in your meeting materials. Specifically, it is proposed that the KHRC should amend Section 10(2) to allow a horse to enter a race even when the horse is on the veterinarian's, stewards', or starter's list, provided the horse has a posted off date on or before the date of the race for which it is being entered.

KHRC staff recommends approval of this proposed revision.

COMMISSION ACTION:

Approved
 Denied
 Deferred

1 PUBLIC PROTECTION CABINET
2 KENTUCKY HORSE RACING COMMISSION
3 (Amendment)

4 810 KAR 4:010. Horses.

5 RELATES TO: KRS 230.215

6 STATUTORY AUTHORITY: KRS 230.215(2), 230.260(8)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) and 230.260(8) authorize the
8 Kentucky Horse Racing Commission (the "commission") to promulgate administrative regulations
9 regulating horse racing in Kentucky. This administrative regulation establishes requirements for
10 the participation of horses in horse race meetings, protects the safety and welfare of the horse,
11 and creates a level playing field for participants thereby protecting the integrity of pari-mutuel
12 wagering.

13 Section 1. Definition.

14 "Electronic registration system" means a software application available online and
15 approved by the commission that allows an association's racing secretary or the secretary's
16 designee, or horse identifier or the identifier's designee, full access to horse and trainer records
17 from all tracks in North America, including current owner information.

18 Section 2. Registration and Identification Required.

19 (1) A horse shall not be entered or raced in Kentucky unless:

1 (a) The horse is duly registered, as applicable, in The Jockey Club breed registry, the
2 American Quarter Horse Association, the Appaloosa Horse Club, the Arabian Horse Association
3 Registry, or the American Paint Horse Association, or their respective successors; and

4 (b)1. The registration certificate, virtual or digital certificate, or racing permit issued by
5 the applicable breed registry for the horse is on file with the racing secretary; or

6 2. The information contained on the registration certificate, virtual or digital certificate,
7 or racing permit is available to the racing secretary through the electronic registration system.

8 (2) The stewards may at any time require presentation of a horse's registration certificate,
9 virtual or digital certificate, or racing permit or other proof of ownership.

10 (3) Upon claim, sale, or any other transfer of ownership, the horse's registration
11 certificate or racing permit shall be given to the new owner, and any virtual or digital certificate
12 shall be transferred to the new owner electronically. The new owner shall report the change in
13 ownership to the stewards.

14 (4) If the electronic registration system fails for any reason, the stewards may require
15 presentation of a horse's registration certificate, virtual or digital certificate, or racing permit
16 prior to a horse being entered or raced in Kentucky.

17 Section 3. Ringers Prohibited.

18 (1) A horse shall not be entered or raced in Kentucky designated by a name other than
19 the name under which the horse is currently registered with the applicable breed registry. If a
20 horse's name is changed with the applicable breed registry, and the horse has raced under its
21 previous name, the horse's former name shall be shown parenthetically in the daily race program
22 the first three (3) times the horse races after the name change.

1 (2) A person shall not cause or permit the correct identity of a horse to be concealed or
2 altered. A person shall not refuse to reveal the correct identity of a horse that he or she owns or
3 is in his or her care to a racing official or member of the regular news media.

4 (3) A horse shall not race in Kentucky unless identified by:

5 (a) A legible lip tattoo number applied by agents of the Thoroughbred Racing and
6 Protective Bureau, or by the comparable authorized organization applicable to the breed of the
7 horse;

8 (b) An electronic horse identification microchip that accurately identifies the horse, is
9 compliant with the international standards ISO 11784, is verified by agents of the Thoroughbred
10 Racing Protective Bureau, or its successor, and is documented in The Jockey Club database or by
11 the comparable authorized organization applicable to the breed of the horse; or

12 (c) With regards to a horse from a foreign jurisdiction participating in a graded stakes race,
13 has otherwise been correctly identified to the stewards' satisfaction.

14 (4) A horse shall not be entered or raced in Kentucky if previously involved in a "ringer"
15 case to the extent that:

16 (a) A person having control of the horse knowingly entered or raced the horse while
17 designated by a name other than the name under which the horse was registered with The Jockey
18 Club; or

19 (b) The person having control of the horse participated in or assisted in the entry or racing
20 of some other horse under the name registered as belonging to the horse in question.

21 Section 4. Denervng.

1 (1) A horse that has had a chemical, surgical, or thermal neurectomy at or above the
2 fetlock shall not be permitted to race.

3 (2) A horse that has had a palmar or plantar digital neurectomy may be permitted to race
4 if:

5 (a) The neurectomy has been reported by the trainer to the stewards; and

6 (b) The horse has been approved for racing by the commission veterinarian prior to being
7 entered to race.

8 (3) A horse on which a neurectomy has been performed shall have that fact designated
9 on its registration certificate, virtual or digital certificate, racing permit, and entry in the
10 electronic registration system. Responsibility for ensuring that the neurectomy is correctly noted
11 on the horse's registration certificate, virtual or digital certificate, racing permit, and entry in the
12 electronic registration system shall fall:

13 (a) Jointly on the practicing veterinarian who performed the operation and the trainer of
14 the denerved horse if the neurectomy was performed at a location under the commission's
15 jurisdiction; and

16 (b) Solely on the owner of the denerved horse if the neurectomy was performed at a
17 location not under the commission's jurisdiction.

18 (4) If a horse races in violation of this administrative regulation and participates in the
19 purse distribution, then a protest shall not be considered unless submitted in writing to the
20 stewards within forty-eight (48) hours after the race.

21 (5) If a horse races in violation of this administrative regulation and is claimed, then a
22 protest shall not be considered unless the successful claimant submits a protest in writing within

1 forty-eight (48) hours after the race requesting the claim be voided. If the claim is voided, the
2 horse shall be returned to the owner who started the horse in the race, and the claim price shall
3 be returned to the claimant.

4 (6) A list of all derved horses shall be posted in the racing secretary's office.

5 Section 5. Health Certificate Required.

6 (1) A horse shall not be stabled on the grounds of a licensed association or any training
7 center under the jurisdiction of the commission unless a Certificate of Veterinary Inspection is
8 issued by an accredited veterinarian:

9 (a) Not more than ten (10) days prior to the horse's arrival on the grounds; or

10 (b) Within a lesser interval as prescribed by the racing association in consultation with the
11 Kentucky Department of Agriculture.

12 (2) Notice of this requirement shall be included in the stall application of all licensed
13 associations and training centers under the jurisdiction of the commission and all condition books
14 of licensed associations.

15 Section 6. Workouts.

16 A horse shall not be schooled in the paddock or taken onto a track on association grounds
17 for training or workout, other than during normal training hours posted by the association,
18 without special permission of the stewards.

19 Section 7. Thoroughbred Age Restrictions.

20 (1) A maiden six (6) years of age or older that has made five (5) life time starts on the flat
21 shall not be entered or start.

1 (2) A first time starter five (5) years of age or older shall be approved by a commission
2 veterinarian prior to entry.

3 Section 8. Other Age Restrictions.

4 A quarter horse, paint horse, Arabian, or Appaloosa horse six (6) years of age or older
5 shall not be entered or raced in a race restricted to maidens. A horse thirteen (13) years of age
6 or older shall not be entered or raced.

7 Section 9. Fillies and Mares Bred.

8 (1) A filly or mare that has been covered by a stallion shall:

9 (a) Be so reported to the racing secretary prior to being entered in a race; and

10 (b) Not be entered in a claiming race, unless a written release from the stallion owner is
11 attached to the filly's or mare's registration certificate, or otherwise provided to the stewards,
12 indicating that the stallion service fee has been paid or satisfied.

13 (2) A list of all fillies and mares so reported, showing the names of stallions to which they
14 have been bred, shall be posted in the racing secretary's office.

15 (3) A filly or mare in-foal shall not be entered in a race 120 days or more after the date of
16 last cover.

17 Section 10. Serviceable for Racing. A horse shall not be entered or raced that:

18 (1) Is not in serviceable, sound racing condition. The stewards may at any time require a
19 horse on association grounds to be examined by a qualified person;

20 (2) Is posted on a veterinarian's list, stewards' list, or starter's list in any racing jurisdiction,
21 unless the horse on a veterinarian's list, stewards' list, or starter's list has a posted off date on or
22 before the date of the race for which it is being entered;

- 1 (3) Has previously raced, but has made no starts in the last 365 days or more, unless
- 2 approved by a commission veterinarian prior to entry;
- 3 (4) Is suspended in any jurisdiction;
- 4 (5) Has been administered any drug in violation of 810 KAR 8:010;
- 5 (6) Is blind or has seriously impaired vision in both eyes;
- 6 (7) Is not correctly identified to the satisfaction of the stewards; or
- 7 (8) Is owned wholly or in part by or is trained by an ineligible person.

8 Section 11. Equipment.

- 9 (1) Riding crops and blinkers shall be used consistently on a horse while racing.
- 10 (2) Permission to change use of any equipment used on a horse from its previous start
- 11 shall be obtained from the stewards.
- 12 (3) A horse's tongue may be tied down during a race with a clean bandage or gauze.
- 13 (4) A horse's bridle shall not weigh more than two (2) pounds.
- 14 (5) Bits shall be of a metallic alloy base of stainless steel or aluminum and may be encased
- 15 in rubber, plastic, or leather.
- 16 (6) War bridles and bitless bridles shall not be used.
- 17 (7) Bar shoes may be used for racing only with permission of the stewards.
- 18 (8) Any goading device, chain, spurs, electrical or mechanical device, or appliance, except for
- 19 a riding crop, that can be used to alter the speed of a horse shall not be used on a horse in a race
- 20 or workout.

1 (9)(a) Any riding crop shall be subject to inspection and approval by the stewards or the
2 clerk of the scales to ensure conformity with the specifications of paragraphs (c) through (e) of
3 this subsection.

4 (b) Only riding crops meeting the specifications of this subsection, including the
5 mandatory shock absorbing characteristics, may be used in thoroughbred racing and training.

6 (c) A riding crop shall have a:

- 7 1. Maximum weight of eight (8) ounces;
- 8 2. Maximum length, including flap, of thirty (30) inches; and
- 9 3. Minimum diameter of the shaft of three-eighths (3/8) inch.

10 (d)1. The only additional feature that may be attached to the riding crop is a flap that
11 shall have a:

- 12 a. Maximum length from the end of the shaft of one-half (1/2) inch; and
- 13 b. Maximum width of one and six-tenths (1.6) inches, with a minimum width of eight-
14 tenths (0.8) inch;
- 15 2. The flap from the end of the shaft shall not contain any reinforcements or additions;
- 16 3. There shall not be binding within seven (7) inches of the end of the flap;
- 17 4. The contact area of the shaft shall be smooth, with no protrusion or raised surface, and
18 covered by shock absorbing material throughout its circumference; and
- 19 5. The flap shall have similar shock absorbing characteristics to that of the contact
20 area.

21 (e) A riding crop shall not have:

- 22 1. Stingers or projections extending through the hole of a popper; and

1 2. Any metal parts.

2 (10)(a) The following shall not be used on the front shoes of horses while racing or training
3 on any racing surface:

4 1. Horse shoes that have toe grabs;

5 2. Bends;

6 3. Jar calks;

7 4. Stickers; and

8 5. Any other traction device worn on the front shoes of horses.

9 (b) Wear plates with a height no greater than two (2) millimeters may be used on the
10 front shoes of horses while racing or training.

11 (11) Indiscriminate or brutal use on a horse of a riding crop or any other equipment, as
12 determined by the stewards, at any time on the grounds of a licensed racing association or
13 training center under the jurisdiction of the commission shall be prohibited.

14 Section 12. Sex Alteration.

15 Any alteration in the sex of a horse shall be reported by the horse's trainer to the racing
16 secretary and to the appropriate breed registry applicable to the horse. The alteration shall be
17 noted on the horse's registration certificate, racing permit, virtual or digital certificate, or entry
18 in the electronic system.

19 Section 13. Reporting Death of Horse.

20 A licensed racing association or training center under the jurisdiction of the commission
21 shall report the death or euthanization of any horse on its grounds immediately to the chief
22 commission veterinarian.

1 Section 14. Postmortem Examination.

2 A horse that dies or is euthanized on the grounds of a licensed association or training
3 center under the jurisdiction of the commission shall undergo a postmortem examination at the
4 discretion of the commission. If a postmortem examination is conducted:

5 (1) All shoes and equipment on the horse's legs shall be left on the horse;

6 (2) The commission, through its designee:

7 (a) Shall take possession of the horse upon death;

8 (b) Shall, if commission personnel are present, collect and submit for analysis blood,
9 urine, bodily fluids, or other biologic specimens immediately, if possible before euthanization
10 occurs; and

11 (c) Shall coordinate with the owner or owner's licensed authorized agent to determine
12 and address any insurance requirements.

13 (3) The remains of the horse shall not be returned after completion of the postmortem
14 examination.

15 (4) The presence of a prohibited substance in a specimen collected during the
16 postmortem examination may constitute a violation of 810 KAR 8:010.

17 Section 15. Incorporation by Reference.

18 (1) "ISO 11784", 2004 is incorporated by reference.

19 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
20 law, at the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington,
21 Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m.

810 KAR 4:010
READ AND APPROVED:

Jonathan Rabinowitz

Date

Chairman, Kentucky Horse Racing Commission

Ray Perry

Date

Secretary, Public Protection Cabinet

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held at ___ AM on ____, 2022 at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on ____, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Jennifer Wolsing

Title: General Counsel

Address: 4063 Iron Works Parkway, Building B, Lexington, KY 40511

Phone: +1 (859) 246-2040

Fax: +1 (859) 246-2039

Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 810 KAR 4:010
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

(b) The necessity of this administrative regulation:

(c) How this administrative regulation conforms to the content of the authorizing statutes:

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

(b) The necessity of the amendment to this administrative regulation:

(c) How the amendment conforms to the content of the authorizing statutes:

(d) How the amendment will assist in the effective administration of the statutes:

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment:

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities:

(c) As a result of compliance, what benefits will accrue to the entities:

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

(b) On a continuing basis:

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied because this administrative regulation will apply to all similarly situated entities in an equal manner.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 810 KAR 4:010
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Horse Racing Commission will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

(c) How much will it cost to administer this program for the first year?

(d) How much will it cost to administer this program for subsequent years?

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

To: Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Shan Dutta, Deputy General Counsel
Date: February 3, 2022

Re: Proposed amendments to 810 KAR 4:030: Entries, subscriptions, and declarations

The KHRC Rules Committee and KHRC Chief Steward Barbara Borden recommend amending 810 KAR 4:030, as set forth in your meeting materials.

The major proposed changes to this regulation are as follows:

- Section 3: Procedure for Making Entries
 - The current regulation states that a horse that has not started in the past 45 days shall not be permitted to start, unless it has at least one published workout within 20 days of entry at a distance satisfactory to the stewards. The proposed revisions will expand that paragraph to account for horses that have not started in the past 90 days or the past 180 days.
 - Horses that have not started in the past 90 days must have at least two published workouts during the past 90-day period, one of which occurs within 20 days of entry, at a distance satisfactory to the stewards.
 - Horses that have not started in the past 180 days must have at least three published workouts during the 180-day period, one of which occurs within 20 days of entry, at a distance satisfactory to the stewards.
- Section 5: Mutuel Entries
 - The current regulation states that horses entered in the same race and owned by the same owner shall be joined as a mutuel entry. The proposed revision allows for some flexibility by stating that horses owned by the same owner *may* be joined as a mutuel entry.
 - The current regulation states that horses having common ties through ownership shall not start in a purse race to the exclusion of a single entity. The proposed revision expands that requirement to include horses with common ties through ownership *or training*.
 - The current regulation states that, in any race, the racing secretary may uncouple entries having common ties through training to make two separate betting interests.

The proposed revision expands that rule to allow uncoupling to occur in any race, and include horses with common ties through training *or ownership*.

- A trainer entering two horses in a race must indicate a preference for one of the horses.
- Section 8: Number of Starters in a Race
 - The current regulation states that if a purse race includes two horses with common ties through training, the race shall be run if eight or more horses are entered. The proposed revision includes two horses with common ties through training *or ownership*.

KHRC staff recommends approval of this proposed revision.

COMMISSION ACTION:

Approved

Denied

Deferred

1 PUBLIC PROTECTION CABINET

2 KENTUCKY HORSE RACING COMMISSION

3 (Amendment)

4 810 KAR 4:030. Entries, subscriptions, and declarations.

5 RELATES TO: KRS 230.215, 230.240, 230.260, 230.290, 230.310, 230.320

6 STATUTORY AUTHORITY: KRS 230.215(2), 230.260(8)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) authorizes the Kentucky
8 Horse Racing Commission (the "commission") to promulgate administrative regulations
9 prescribing the conditions under which all horse racing is conducted in Kentucky. KRS 230.260(8)
10 grants the commission the authority to regulate conditions under which horse racing shall be
11 conducted in Kentucky. This administrative regulation establishes requirements for entry,
12 subscription, and declaration of horses in order to race.

13 Section 1. Definition. "Subscriber" means an owner who enters a horse into a stakes race
14 and pays the requisite entry fee.

15 Section 2. Entering Required. A horse shall not be qualified to start in any race unless it
16 has been, and continues to be, entered in the race. Entries or subscriptions for any horse, or the
17 transfer of entries or subscriptions for any horse, may be refused or cancelled by the association
18 without notice or reason given.

19 Section 3. Procedure for Making Entries.

1 (1) An entry, subscription, declaration, or scratch shall be filed with the racing secretary
2 and shall not be effective until received by the racing secretary. The racing secretary shall
3 maintain a record of the time of receipt of an entry, subscription, declaration, or scratch for a
4 period of at least one (1) year.

5 (2) An entry shall be made by the owner, the trainer, or an authorized agent of the owner
6 or trainer. An entry shall be in the name of a horse's licensed owner, as completely disclosed and
7 registered with the racing secretary pursuant to subsection (3) of this section.

8 (3) An entry shall be submitted in writing or by telephone to the racing secretary. A
9 telephone entry shall be confirmed promptly in writing if requested by the stewards, the racing
10 secretary, or an assistant to the racing secretary.

11 (4) An entry shall clearly designate the horse entered as reflected by its registration
12 certificate, racing permit, or virtual certificate.

13 (a) A horse shall not race unless registered pursuant to 810 KAR 4:010 or otherwise
14 correctly identified to the satisfaction of the stewards.

15 (b) Establishing the identity of a horse shall be the responsibility of its owner and of any
16 other person required to certify the identity of the horse. A person shall be subject to appropriate
17 disciplinary action under 810 KAR 8:030 for incorrect identification.

18 (5) The entry shall indicate usage of furosemide pursuant to 810 KAR 8:010.

19 (6) An entry shall not be altered after the closing of entries, except to correct an error
20 with permission of the stewards.

21 (7) A horse shall not be entered in two (2) races to be run on the same day.

1 (8)(a) A horse that has not started in the past forty-five (45) days shall not be permitted
2 to start unless it has at least one (1) published workout within twenty (20) days of entry at a
3 distance satisfactory to the stewards. If a horse has performed the requisite workout, but the
4 workout does not appear in the past performances, the horse shall be permitted to start if the
5 stewards determine that the workout failed to be published through no fault of the trainer.

6 (b) A horse that has not started in the past ninety (90) days shall not be permitted to start
7 unless it has at least two (2) published workouts during the past ninety (90) day period, one of
8 which occurs within twenty (20) days of entry at a distance satisfactory to the stewards. If a horse
9 has performed the requisite workouts, but the workouts do not appear in the past performances,
10 the horse shall be permitted to start if the stewards determine that the workout failed to be
11 published through no fault of the trainer.

12 (c) A horse that has not started in the past 180 days shall not be permitted to start unless
13 it has at least three (3) published workouts during the past 180-day period, one (1) of which
14 occurs within twenty (20) days of entry, at a distance satisfactory to the stewards. If a horse has
15 performed the requisite workouts, but the workouts do not appear in the past performances, the
16 horse shall be permitted to start if the stewards determine that the workouts failed to be
17 published through no fault of the trainer.

18 (d)[(b)] A horse starting for the first time shall not be permitted to start unless it has three
19 (3) workouts, one (1) of which is from the starting gate, one (1) of which is within twenty (20)
20 days of entry, and at least one (1) of which is published.

21 (e)[(c)] A workout not appearing in the official program shall be publicly displayed on
22 television monitors, the tote board, and, if available, the bulletin boards where photo finishes

1 are shown at the time when mutuel windows are opened and shall be displayed until the
2 conclusion of the race in which the horse is entered.

3 ~~(f)~~ A horse that has never started shall not be entered until the trainer has produced
4 a document or card issued by the starter indicating that the horse has been adequately trained
5 to race from the starting gate.

6 (9) If the published conditions of the race permit, an association may accept in a turf race
7 an entry designated "main track only." Preference shall apply to all horses drawn into a race,
8 except that horses entered as "main track only" shall be listed as also eligible and be considered
9 only if the race is taken off the turf.

10 (10) A horse shall only be permitted to enter if at the time of entry, the owner, trainer, or
11 an authorized agent of the owner or trainer submits a complete medical record for the horse for
12 the fourteen (14) day period prior to the entry date.

13 Section 4. Limitation as to Spouses.

14 (1) An entry in a race shall not be accepted for a horse owned wholly or in part or trained
15 by a person whose spouse is under license suspension, revocation, or is otherwise ineligible to
16 be licensed, at the time of the entry except as established in subsection (2) of this section.

17 (2) If the license of a jockey has been suspended for a routine riding offense, depending
18 on the severity of the offense, the stewards may waive the application of this section as to the
19 licensed spouse of the suspended jockey.

20 Section 5. Mutuel Entries.

21 (1) More than two (2) horses having common ties through training shall not be entered
22 in a purse race.

1 (2) Horses entered in the same race and owned wholly or in part by the same owner or
2 spouse, may ~~shall~~ be joined as a mutuel entry and single betting interest~~[, except as established~~
3 ~~in subsection (5) of this section].~~

4 (3) More than two (2) horses having common ties through ownership or training shall not
5 be joined as a mutuel entry in a purse race. If making a double entry of horses owned wholly or
6 in part by the same owner or spouse, or having common ties through training, a preference for
7 one (1) of the horses shall be made.

8 (4)(a) Two (2) horses having common ties through ownership or training shall not start in
9 a purse race to the exclusion of a single entry~~[, unless the horses have been uncoupled pursuant~~
10 ~~to subsection (5) of this section].~~

11 (b) In any ~~a purse~~ race, the racing secretary may uncouple entries having common ties
12 through training or ownership to make two (2) separate betting interests.

13 ~~[(5) In any stakes race with added money of \$50,000 or more, the racing secretary may~~
14 ~~uncouple mutuel entries of horses sharing common ties through training or ownership or both.]~~

15 Section 6. Subscriptions.

16 (1) A subscriber to a stakes race may transfer or declare a subscription prior to the closing
17 of entries for the race.

18 (2) Joint subscriptions and entries may be made by any one (1) of the joint owners of a
19 horse. Each owner shall be jointly and severally liable for all payments due.

20 (3) Death of a horse or a mistake in its entry if the horse is eligible shall not release the
21 subscriber or transferee from liability for all stakes fees due. Fees paid in connection with a

1 subscription to a stakes race that is run shall not be refunded, except as otherwise stated in the
2 conditions of the stakes race.

3 (4) Death of a nominator or original subscriber to a stakes race shall not render void any
4 subscription, entry, or right of entry. All rights, privileges, and obligations shall attach to the
5 successor owner, including the legal representatives of the decedent.

6 (5) If a horse is sold privately, sold at public auction, or claimed, stakes engagements for
7 it shall be transferred automatically with the horse to its new owner. If the horse is transferred
8 to a person whose license is suspended, revoked, or is otherwise ineligible to be licensed, the
9 subscription shall be void as of the date of the transfer.

10 (6) All stakes fees paid toward a stakes race shall be allocated to the winner unless
11 otherwise provided by the condition for the stakes race. If a stakes race is cancelled for any
12 reason, all subscription fees paid shall be refunded.

13 Section 7. Closings.

14 (1) Entries for purse races and subscriptions to stakes races shall close at the time
15 designated by the association in previously published conditions for the races.

16 (a) If a race is not split, an entry, subscription, or declaration shall not be accepted after
17 closing time.

18 (b) If a purse race fails to fill, or in an emergency, the racing secretary may extend the
19 closing time, if the approval of a steward has been obtained.

20 (2) Entries that have closed shall be compiled without delay by the racing secretary and
21 shall be posted along with declarations.

22 Section 8. Number of Starters in a Race.

1 (1) The maximum number of starters in any race shall be limited to the number of starting
2 positions afforded by the association starting gate and any extensions approved by the
3 commission as can be positioned across the width of the track at the starting point for the race.
4 The maximum number of starters further shall be limited by the number of horses that, in the
5 opinion of the stewards after considering the safety of the horses and riders and the distance
6 from the start to the first turn, may be afforded a fair and equal start.

7 (2)(a) A maiden, starter, or claiming race shall be run if:

- 8 1. Eight (8) or more horses are entered;
- 9 2. The horses entered represent different betting interests; and
- 10 3. The race is listed in the printed condition book.

11 (b) Except as established in paragraph (c) of this subsection, any other purse race shall be
12 run if:

- 13 1. Six (6) or more horses are entered;
- 14 2. The horses entered represent different betting interests; and
- 15 3. The race is listed in the printed condition book.

16 (c) If a purse race under paragraph (b) of this subsection includes two (2) horses having
17 common ties through training or ownership, the race shall be run if eight (8) or more horses are
18 entered.

19 (3) If a purse race in the printed condition book fails to fill with the minimum number of
20 entries required by subsection (2) of this section, the association may cancel or declare the race
21 off. The names of all horses entered in the race shall be publicly posted in the office of the racing
22 secretary on the date of entry.

1 Section 9. Split or Divided Races.

2 (1) If a race is cancelled or declared off, the association may split any race programmed
3 for the same day that may previously have been closed. Races printed in the condition book shall
4 have preference over substitute and extra races.

5 (2) If a purse race is split, forming two (2) or more separate races, the racing secretary
6 shall give notice of the split not less than fifteen (15) minutes before the races are closed in order
7 to grant time for the making of additional entries to the split races.

8 (3) Division of entries upon the splitting of any race shall be made in accordance with the
9 conditions under which entries and subscriptions were made and the conditions established in
10 paragraphs (a) through (c) of this subsection.

11 (a) Horses originally joined as a mutuel entry may be placed in different divisions of a split
12 race unless the person making the multiple entry, at the time of the entry, indicates the coupling
13 of horses is not to be uncoupled if the race is split.

14 (b) Division of entries in any split stakes race may be made according to age, sex, or both.

15 (c) Entries for any split race not divided by any method provided for in this administrative
16 regulation shall be divided by lot so as to provide a number of betting interests as nearly equal
17 as possible for each division of the split race.

18 Section 10. Post Positions.

19 (1) Post positions for all races shall be determined by lot, except as established in Section
20 11(5) of this administrative regulation. Owners, trainers, and their representatives shall have the
21 opportunity to be present at the drawing.

1 (2) The racing secretary shall assign program numbers for each starter to conform with
2 the post position drawn, except if a race includes two (2) or more horses joined as a single betting
3 interest.

4 Section 11. Also-Eligible List.

5 (1) If the number of entries for a race exceeds the number of horses permitted to start,
6 as established by Section 8 of this administrative regulation, the names of no more than eight (8)
7 horses entered but not drawn into the race as starters shall be posted on the entry sheet as "also-
8 eligible" to start.

9 (2) After a horse has been excused from a race at scratch time, also-eligible horses shall
10 be drawn into the body of the race based on preference. If preference is equal, horses shall be
11 drawn by lot, unless otherwise stipulated in the conditions of the race.

12 (3)(a) An owner or trainer of a horse on the also-eligible list not wishing to start the horse
13 in a race shall notify the racing secretary prior to scratch time for the race. The horse shall forfeit
14 any preference to which it may have been entitled.

15 (b) If there are no scratches in the body of a race, a horse on the also-eligible list not
16 drawn into the race shall retain its previously established preference.

17 (4) A horse on the also-eligible list for a race on the present day that has been drawn into
18 the body of a race on a future race day, shall not be permitted to run in the race on the present
19 day for which it had been listed as also-eligible. This shall not include stakes, handicaps, races at
20 subsequent meets, or races in other jurisdictions.

1 (5) A horse on the also-eligible list shall be assigned a post position by preference. If
2 preference is equal, post positions shall be drawn by lot, unless otherwise stipulated in the
3 published conditions of the race.

4 Section 12. Preferred List.

5 (1) The racing secretary shall maintain a list of horses that were entered but denied an
6 opportunity to race because they were eliminated from a race included in the printed condition
7 book either by overfilling or failure to fill.

8 (2) The racing secretary shall submit, for approval of the commission at least thirty (30)
9 days prior to the opening date of a race meeting, a detailed description of the manner in which
10 preference will be allocated.

11 (3) Preferences shall not be given to a horse otherwise eligible for a race if it is also
12 entered for a race on a future race day. This shall not include stakes and handicaps.

13 Section 13. Arrears. Unless approved by the racing secretary, a horse shall not be entered
14 or raced unless its owner has paid all stakes fees owed.

15 Section 14. Declarations.

16 (1) Declarations shall be made in the same form, time, and procedure as required for the
17 making of entries.

18 (2) Declarations shall be irrevocable.

19 (3) A declaration fee shall not be required by any licensed association.

20 Section 15. Scratches.

21 (1) Scratches shall be irrevocable and shall be permitted under the conditions established
22 in this section.

1 (a) Except as established in paragraph (b) of this subsection, a horse may be scratched
2 from a stakes race for any reason at any time until four (4) hours prior to post time for the race
3 by obtaining approval from the stewards. Upon receiving a scratch from a stakes race, the racing
4 secretary shall promptly notify the stewards and pari-mutuel manager, and shall cause public
5 announcement of the scratch to be made.

6 (b) If a list of also-eligible horses has been drawn, scratches shall be filed at the regular
7 scratch time as posted by the racing secretary. Scratch time may be extended by the stewards at
8 their discretion if warranted. Thereafter, a horse shall not be scratched unless:

- 9 1. A valid physical reason exists; or
- 10 2. The scratch is related to adverse track conditions or change of racing surface.

11 (c) A horse shall not be scratched from a purse race unless:

- 12 1. The approval of the stewards has been obtained; and
- 13 2. Intention to scratch has been filed in writing with the racing secretary or the secretary's
14 assistant at or before scratch time.

15 (2) A scratch of one (1) horse coupled in a mutuel entry in a purse race shall be made at
16 or before scratch time, unless permission is granted by the stewards to allow both horses to
17 remain in the race until a later appointed scratch time.

18 (3) In a purse race, a horse that is physically disabled or sick shall be permitted to be
19 scratched first. If horses representing more than eight (8) betting interests remain in after horses
20 with physical excuses have been scratched, an owner or trainer may scratch horses without
21 physical excuses at scratch time, down to a minimum of eight (8) betting interests. This privilege

1 shall be determined by lot if an excessive number of owners or trainers wish to scratch their
2 horses.

3 (4) A horse that has been scratched or excused from starting by the stewards because of
4 a physical disability or sickness shall be placed on the commission's veterinarian list for six (6)
5 calendar days beginning the day after the horse was scratched or excused.

6 (5) Each association shall keep records and statistics documenting the effect upon field
7 sizes of the six (6) day veterinarian list requirement in subsection (4) of this section. Records and
8 statistics kept pursuant to this section shall be retained by the licensed racing association for at
9 least one (1) year.

10 Section 16. Official Publication Statistics. In determining eligibility, allowances and
11 penalties, the reports, records, and statistics as published in the Daily Racing Form or similar
12 publication as the commission considers appropriate to advise the public and the monthly chart
13 books, or corresponding official publications of any foreign country, shall be considered official,
14 but may be corrected until forty-five (45) minutes prior to post time of the race.

15 Section 17. Examination by Attending Veterinarian.

16 (1) Subject to the exception in subsection (4), a horse shall only be entered if:

17 (a) The horse has been examined by an attending veterinarian licensed by the veterinary
18 regulatory body in the jurisdiction where the examination occurs no more than three (3) days
19 prior to entry;

20 (b) The attending veterinarian certifies in writing that the horse is in serviceable, sound
21 racing condition; and

1 (c) The written certification is provided to the Equine Medical Director or designee no
2 later than the time of entry.

3 (2) The examination required by paragraph (a) of subsection (1) of this section shall
4 include watching the horse jog in hand.

5 (3) If the attending veterinarian who examines the horse prescribes a diagnostic test as
6 part of the evaluation of the horse's soundness, the results of the test shall be provided to the
7 commission's veterinarian no later than one (1) day before the horse is set to start.

8 (4) If a racing secretary contacts a trainer to fill a race, the trainer may enter a horse prior
9 to obtaining the examination and written certification required in this section, if the certification
10 required in this section is provided to the Equine Medical Director or designee on the day that
11 the horse is entered.

810 KAR 4:030
READ AND APPROVED:

Jonathan Rabinowitz

Date

Chairman, Kentucky Horse Racing Commission

Ray Perry

Date

Secretary, Public Protection Cabinet

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held at ___ AM on ____, 2022 at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on ____, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Jennifer Wolsing

Title: General Counsel

Address: 4063 Iron Works Parkway, Building B, Lexington, KY 40511

Phone: +1 (859) 246-2040

Fax: +1 (859) 246-2039

Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 810 KAR 4:030
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the requirements for entries, subscriptions and declarations in thoroughbred and other flat racing. These rules provide an orderly means of determining which horses will be considered eligible to enter a race.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide specific requirements and methods for entries, subscriptions and declarations in thoroughbred and other flat racing.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 230.215(2) and 230.260(8) authorize the commission to promulgate administrative regulations prescribing the conditions under which racing shall be conducted in Kentucky. This administrative regulation prescribes the conditions relating to entries, subscriptions and declarations in thoroughbred and other flat racing.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation sets forth requirements and rules concerning entries, subscriptions and declarations in thoroughbred and other flat racing that enhance the integrity of racing.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment requires that fourteen (14) days of equine medical records be submitted at the time of entry of a horse, and requires that a horse be examined by an attending veterinarian, who must certify that the horse is in sound racing condition before entry.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to add a records-submission requirements that will assist the commission in evaluating horses for soundness prior to a race and to add a requirement that the horse's attending veterinarian certify the horse's soundness, which will help ensure that horses will race safely.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 230.215(2) and 230.260(8) authorize the commission to promulgate administrative regulations prescribing the conditions under which racing shall be conducted in Kentucky. This amendment prescribes additional conditions relating to entries, subscriptions and declarations in thoroughbred and other flat racing.

(d) How the amendment will assist in the effective administration of the statutes: This amendment sets forth requirements and rules concerning entries, subscriptions and declarations in thoroughbred and other flat racing that enhance the integrity and safety of racing.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Kentucky's five (5) licensed thoroughbred race tracks, and all individual participants in horse racing, are potentially affected by this administrative regulation's establishment of fundamental rules pertaining to the conduct of racing. In the year 2017, the commission licensed over 22,000 individuals to participate in horse racing. This number is consistent from year to year.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: Participants in horse racing, and especially owners, trainers, and veterinarians, will be required to adhere to the requirements and rules set forth in this administrative regulation pertaining to entries, subscriptions and declarations in thoroughbred and other flat racing.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: No significant costs are associated with complying with this administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities: Participants in racing will benefit from clearly defined rules that enhance the integrity and safety of racing.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There is no initial administrative cost to implement this administrative regulation.

(b) On a continuing basis: There is no continuing cost to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: No significant funding will be necessary to implement and enforce this administrative regulation. Any minimal costs will be funded from the budget of the Commission.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No additional fees or funding are necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any new fees or increase any current fees to participate.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied because this administrative regulation will apply to all similarly situated entities in an equal manner.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 810 KAR 4:030
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Horse Racing Commission will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 230.215, 230.225, 230.240, 230.260, 230.290, 230.310, 230.320, 230.370.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This administrative regulation will not generate revenue for state or local government for the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This administrative regulation will not generate revenue for state or local government for subsequent years.

(c) How much will it cost to administer this program for the first year? No funds will be required to administer this regulation for the first year.

(d) How much will it cost to administer this program for subsequent years? No funds will be required to administer this regulation for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

To: Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Shan Dutta, Deputy General Counsel
Date: February 3, 2022

Re: Proposed amendments to 810 KAR 4:050: Claiming races

The KHRC Rules Committee and KHRC Chief Steward Barbara Borden recommend amending 810 KAR 4:050, as set forth in your meeting materials. The major proposed changes to this regulation are as follows:

- A licensed owner must have made a start within the last 30 days at a Kentucky track in order to be eligible to claim a horse.
- An authorized agent may act on behalf of an owner who meets the above criteria in order to claim a horse.
- A claiming license holder can also claim a horse. However, a claiming license is valid only for the claim of one horse.
- An owner may only claim one horse from a single race. A trainer may claim as many as two horses from a single race, but only if the horses are claimed for different owners.
- A claimed horse shall not race outside of Kentucky for 30 days from the date of the end of the meet during which the horse was claimed. If approved, this would be a change from the current regulation, which states that a horse can race outside of Kentucky after the close of entries for closing day of the meet.
- A claimed horse shall not be sold or transferred within 60 days after the day it was claimed, except in another claiming race. This is a change from the current regulation, which has a 30-day time period.
- After the race has been run, a claimed horse shall be delivered to the test barn (or detention barn) for post-race inspection. When the horse passes KHRC veterinary inspection, it will be delivered to the successful claimant and leaves the test barn. The funds for the horse will be available when the horse passes inspection and is delivered to the successful claimant.

KHRC staff recommends approval of this proposed revision.

COMMISSION ACTION:

Approved

Denied

Deferred

1 PUBLIC PROTECTION CABINET

2 KENTUCKY HORSE RACING COMMISSION

3 (Amendment)

4 810 KAR 4:050. Claiming races.

5 RELATES TO: KRS 230.215, 230.260

6 STATUTORY AUTHORITY: KRS 230.215(2), 230.260(8)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) and 230.260(8) authorize the
8 Kentucky Horse Racing Commission to promulgate administrative regulations prescribing the
9 conditions under which racing shall be conducted in Kentucky. This administrative regulation
10 prescribes conditions for claiming races.

11 Section 1. (1) In claiming races, a horse shall be subject to claim for its entered price by:

12 (a) A licensed owner or owners who are in good standing and have made a start within
13 the last thirty (30) days at a racetrack within the Commonwealth of Kentucky. The
14 aforementioned criteria applies to all owners within a partnership seeking to make a claim;

15 (b) An authorized agent acting on behalf of a qualified owner based on the criteria set
16 forth in Section 1(a);

17 (c) A claiming license holder. The procedure for obtaining a claiming license shall be
18 established in paragraphs 1. and 6. of this subsection. All claiming licenses are subject to approval
19 of the stewards.

1 ~~[a licensed owner in good standing, an authorized agent, or by the holder of a claiming license.~~
2 ~~The procedure for obtaining a claiming license shall be as established in paragraphs (a) and (b) of~~
3 ~~this subsection and subsection(2) of this section.]~~

4 1.[(a)] An applicant shall, at least fifteen (15) days prior to entering a claim, submit:

5 a.[1.] An application for a claiming license;

6 b.[2.] A financial statement;

7 c.[3.] To a background check, if requested by the commission;

8 d.[4.] The name of a licensed trainer, or person eligible to be licensed as a trainer, who
9 will assume care and responsibility for the horse claimed; and

10 e.[5.] The requisite fee for a claiming license.

11 2.[(b)] A[The] claiming license is only[shall be] valid for the claim of one (1)
12 horse.[remainder of the calendar year].

13 (2) Authorized agent.

14 (a) An agent shall claim only for the account of those for whom he or she is licensed as
15 agent.

16 (b) The name of the authorized agent and the name of the owner for whom the claim is
17 being made shall appear on the Claim Blank.

18 (3)(a) A person shall not claim his or her own horse or cause his or her own horse to be
19 claimed, directly or indirectly, for his or her own account.

20 (b) A claimed horse shall not remain in the same stable or under the care or management
21 of the owner or trainer from whom it is claimed.

1 (4)(a) An owner may only claim one (1) horse from a single race. A trainer may claim a
2 maximum of two (2) horses from a single race if the horses are claimed for different owners[A
3 ~~person shall not claim more than three (3) horses from a race].~~

4 (b) Multiple claims submitted by the same owner, authorized agent, or trainer for a single
5 horse shall not be permitted and shall be void.

6 (5)(a) A claimed horse shall not race outside the Commonwealth of Kentucky for a period
7 of thirty (30) days from the date of the end of the meet during which the horse was claimed.
8 However, a horse may run in a sweepstakes elsewhere for which the horse was nominated by its
9 former owner or trainer, and if permission is granted by the stewards. The stewards may grant
10 permission for a claimed horse to enter and start at an overlapping or conflicting meeting in
11 Kentucky.

12 **(b)** A claimed horse shall not run for thirty (30) days after being claimed in a race in which
13 the determining eligibility price is less than twenty-five (25) percent more than the price for
14 which the horse was claimed.

15 **(c)**~~(b)~~ The day following the day the horse is claimed shall be the first day for purposes
16 of the thirty (30) day period;

17 **(d)**~~(c)~~ The claimed horse shall be entitled to enter as necessary to permit it to start on
18 the 31st calendar day following the claim.

19 **(e)**~~(d)~~ This subsection shall not apply to starter handicaps in which the weight to be
20 carried is assigned by the handicapper, and starter allowance races.

1 (6)~~[(a)]~~ A horse claimed in a claiming race shall not be sold or transferred, wholly or in
2 part, within sixty (60)~~[thirty (30)]~~ days after the day it was claimed, except in another claiming
3 race.

4 ~~[(b) Unless the stewards grant permission for a claimed horse to enter and start at an
5 overlapping or conflicting meeting in Kentucky, a horse shall not race elsewhere until the close
6 of entries of the meeting at which it was claimed.]~~

7 (7)(a) A claim shall be:

- 8 1. Made on commission Claim Blank;
- 9 2. Sealed in a Claim Blank Envelope; and
- 10 3. Deposited in the association's claim box.

11 (b) The Claim Blank form and envelope shall be filled out completely and accurately.

12 (8)(a) Claims shall be deposited in the claim box at least fifteen (15) minutes before post
13 time of the race from which the claim is being made.

14 (b) Money or its equivalent shall not be put in the claim box.

15 (c) A claim shall be valid if the claimant at the time of filing the claim has a credit balance
16 in his or her account with the horseman's bookkeeper of not less than the amount of the claim,
17 plus the Kentucky sales tax.

18 (9) The stewards, or their designated representative, shall:

19 (a) Open the claim envelopes for each race as soon as the horses leave the paddock in~~[en]~~
20 route to the post; and

21 (b) Check with the horseman's bookkeeper to ascertain whether or not the proper credit
22 balance has been established with the association.

1 (10) If more than one (1) valid claim is filed for the same horse, title to the horse shall be
2 determined by lot under the supervision of the stewards or their designated representative.

3 (11)(a) After the race has been run, a horse that has been claimed shall be delivered to
4 the detention barn for post-race veterinary inspection. Upon passing of the inspection, the horse
5 will be delivered to the successful claimant at the detention barn.

6 (b) The claimant shall present written authorization for the claim from the racing
7 secretary.

8 [~~(c) After written authorization has been presented, horses that are sent to the detention~~
9 ~~area for post race testing shall be delivered.~~

10 ~~(d) Other horses shall be delivered in the paddock.]~~

11 (c)~~(e)~~ A person shall not refuse to deliver a horse claimed out of a claiming race to the
12 person legally entitled to the horse.

13 (d)~~(f)~~ If the owner of a horse that has been claimed refuses to deliver the horse to the
14 claimant, the horse shall be disqualified from further racing until delivery is made.

15 (12)(a) A claim shall be irrevocable.

16 (b) Title to a claimed horse shall be vested in the successful claimant from the time the
17 horse is a starter, and the funds shall be transferred to the account of the previous owner, with
18 the funds [~~immediately~~] available upon passing of the inspection and delivery of the horse to the
19 successful claimant at the detention barn~~[for future claiming transactions].~~

20 (c) The stewards shall void the claim and return title to the horse to the original owner if:

21 1. The horse suffers a fatality during the running of the race or dies or is euthanized before
22 leaving the track; or

1 2. The commission veterinarian determines the horse will be placed on the Veterinarian's
2 List as bled, unsound, or lame before the horse is released to the successful claimant.

3 (d) The stewards shall not void the claim if, prior to the race in which the horse is claimed,
4 the claimant indicates on the claim blank that he or she elects to claim the horse regardless of
5 whether or not the commission veterinarian determines the horse will be placed on the
6 Veterinarian's List as bled, unsound, or lame.

7 (e) A claimed horse shall run in the interest of and for the account of the owner from whom
8 it is claimed.

9 (13)(a) A person shall not:

- 10 1. Enter or offer to enter into an agreement to claim or not to claim; or
11 2. Attempt or offer to attempt to prevent another person from claiming any horse in a
12 claiming race.

13 (b) A person shall not attempt by intimidation to prevent anyone from running a horse in
14 a claiming race.

15 (c) An owner or trainer shall not make an agreement with another owner or trainer for
16 the protection of each other's horse in a claiming race.

17 (14)(a) A claim that does not comply with the provisions of this administrative regulation
18 shall be void.

19 (b) The stewards shall be the judges of the validity of a claim.

20 (15) A person holding a lien of any kind against a horse entered in a claiming race shall
21 record the lien with the racing secretary or horseman's bookkeeper at least thirty (30) minutes
22 before post time for that race. If none is so recorded, it shall be presumed that none exists.

1 (16) The engagements of a claimed horse pass automatically with the horse to the
2 claimant.

3 (17) Notwithstanding any designation of sex or age appearing on the racing program or
4 in any racing publication, the claimant of a horse shall be solely responsible for determining the
5 age or sex of the horse claimed.

6 (18)(a) A claimed horse not otherwise selected by the stewards for post-race testing shall
7 be subjected to post-race testing in blood for the presence of substances regulated by 810 KAR
8 Chapter 8. The results of the test shall be reported to the chief state steward.

9 (b) If a test is positive for a substance associated with a Class A, B, or C penalty or for a
10 TCO2 violation, the claim may be voided at the option of the claimant and the claimant shall be
11 entitled to return of all sums paid for the claimed horse and of all expenses incurred after the
12 date of the claim.

13 (c) While awaiting test results, a claimant shall:

- 14 1. Exercise due care in maintaining and boarding a claimed horse; and
- 15 2. Not materially alter a claimed horse.

16 Section 2. Incorporation by Reference.

17 (1) The following material is incorporated by reference:

- 18 (a) Claim Blank", 11/2018; and
- 19 (b) "Claim Blank Envelope", 11/2018.

20 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
21 law, at Kentucky Horse Racing Commission, 4063 Iron Works Pike, Building B, Lexington Kentucky
22 40511, Monday through Friday, 8 a.m. to 4:30 p.m.

810 KAR 4:050
READ AND APPROVED:

Jonathan Rabinowitz

Date

Chairman, Kentucky Horse Racing Commission

Ray Perry

Date

Secretary, Public Protection Cabinet

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held at ___ AM on ____, 2022 at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on ____, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Jennifer Wolsing

Title: General Counsel

Address: 4063 Iron Works Parkway, Building B, Lexington, KY 40511

Phone: +1 (859) 246-2040

Fax: +1 (859) 246-2039

Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 810 KAR 4:050
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

(b) The necessity of this administrative regulation:

(c) How this administrative regulation conforms to the content of the authorizing statutes:

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

(b) The necessity of the amendment to this administrative regulation:

(c) How the amendment conforms to the content of the authorizing statutes:

(d) How the amendment will assist in the effective administration of the statutes:

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment:

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities:

(c) As a result of compliance, what benefits will accrue to the entities:

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

(b) On a continuing basis:

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied because this administrative regulation will apply to all similarly situated entities in an equal manner.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 810 KAR 4:050
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Horse Racing Commission will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

(c) How much will it cost to administer this program for the first year?

(d) How much will it cost to administer this program for subsequent years?

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

To: Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Shan Dutta, Deputy General Counsel
Date: February 3, 2022

Re: Proposed amendments to 810 KAR 4:060: Objections and complaints

The KHRC Rules Committee and KHRC Chief Steward Barbara Borden recommend amending 810 KAR 4:060, as set forth in your meeting materials.

The major proposed changes to this regulation are as follows:

- If a coupled horse commits a foul during a race, the current regulation's language may be interpreted to require the stewards to include any horses coupled with an offending horse in the penalization. This included, but was not limited to, disqualification, changes to order of placement, and voiding a track record. The proposed revision deletes the reference to the coupled horse in the list of sanctions.
- Additionally, the proposed regulation clearly states that if a horse deliberately interfered in the order of finish for the benefit of another horse with common ties through ownership or training, then both horses may be penalized.

KHRC staff recommends approval of this proposed revision.

COMMISSION ACTION:

Approved
 Denied
 Deferred

1 PUBLIC PROTECTION CABINET

2 KENTUCKY HORSE RACING COMMISSION

3 (Amendment)

4 810 KAR 4:060. Objections and complaints.

5 RELATES TO: KRS 230.215, 230.260

6 STATUTORY AUTHORITY: KRS 230.215(2), 230.260(8)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) and 230.260(8) authorize the
8 Kentucky Horse Racing Commission to promulgate administrative regulations prescribing
9 conditions under which racing is conducted in Kentucky. This administrative regulation
10 establishes the requirements and procedures for lodging objections and complaints.

11 Section 1. Persons Eligible to Lodge Objections or Complaints.

12 (1) Except as established by subsection (2) of this section, an objection or complaint
13 against a horse or jockey entered in a race shall be received only if lodged:

14 (a) In accordance with Sections 2 and 3 of this administrative regulation; and

15 (b) By the owner or authorized agent of the owner, the trainer, or the jockey of another
16 horse engaged in the same race and whose horse suffered or could suffer by the alleged violation
17 of KAR Title[Titles] 810[~~or 811~~].

18 (2) An inquiry may also be made by a racing official.

19 Section 2. Procedures for Objections and Complaints.

1 (1) An objection as to interference or a foul occurring during the running of the race shall
2 be lodged with the stewards orally or by telephone. All other objections or complaints shall be
3 made in writing and be signed by the complainant.

4 (2) An objection or complaint lodged during a race meeting shall be addressed to the
5 stewards. An objection or complaint lodged after the termination of a race meeting shall be
6 addressed to the commission at the commission's general office.

7 (3) An objection or complaint once lodged shall not be withdrawn without permission of
8 the stewards.

9 Section 3. Time for Lodging Objections or Complaints.

10 (1) Except as established by subsection (2) of this section, an objection or complaint based
11 on one (1) of the following violations of KAR Title 810 shall be lodged by an aggrieved person
12 within the time prescribed:

13 (a) At least one (1) hour before post time of the race, if the objection or complaint is based
14 on incorrect weight allowance claimed for a horse entered to race;

15 (b) Before the race has been posted as official on the infield results board, if the objection
16 or complaint is based on interference by a horse, improper course run by a horse, foul riding by
17 a jockey, or any other matter occurring during and incident to the running of the race;

18 (c) Not later than one (1) year from the date the race was run, if the objection or complaint
19 is based on fraudulent or willful misstatement in an entry under which a horse has run;

20 (d) Not later than forty-eight (48) hours after post time of the race, if the objection or
21 complaint involves the claim of a horse or a violation of 810 KAR 4:010, Section 4; and

1 (e) Within one (1) week after post time of the race, if the objection or complaint is based
2 on any other violation of KAR Title 810.

3 (2) A steward may declare a horse ineligible or disqualified at any time.

4 Section 4. Final Determination of Objections to Acts in Race.

5 (1) The stewards shall:

6 (a) Make all findings of fact as to all matters occurring during and incident to the running
7 of a race;

8 (b) Determine all objections and inquiries based on interference by a horse, improper
9 course run by a horse, foul riding by a jockey, and all other matters occurring during and incident
10 to the running of a race; and

11 (c) Determine the extent of disqualification, if any, of horses in a race for a foul committed
12 during the race.

13 (2) Findings of fact and determination shall be final and shall not be subject to appeal.

14 (3) In determining the extent of disqualification, the stewards shall consider the
15 seriousness and circumstances of the incident and may:

16 (a) Disqualify and place the offending horse~~[, and any horses coupled with it as an entry,]~~
17 behind any horse that may have suffered by reason of the foul;

18 (b) Disqualify and declare the offending horse~~[, and any horses coupled with it as an~~
19 ~~entry,]~~ unplaced;

20 (c) Disqualify the offending horse~~[, and any horses coupled with it as an entry,]~~ from
21 participation in all or any part of the purse;

1 (d) Declare void a track record set or equaled by a disqualified horse~~[, or any horses~~
2 ~~coupled with it as an entry];~~

3 (e) Affirm the placing judges' order of finish and suspend the jockey if, in the stewards'
4 opinion, the foul riding had no effect on the order of finish; or

5 (f) Disqualify the offending horse and not suspend the jockey if, in the stewards' opinion,
6 the interference to another horse in a race was not the result of an intentional foul or careless
7 riding on the part of the jockey.

8 (g) If, in the opinion of the stewards, the order of finish of the race was affected by
9 deliberate interference that was for the benefit of another horse with common ties through
10 ownership or training, both horses may be subject to the penalties in (3)(a), (b), (c), and (d).

11 Section 5. Dispute of a Race after Declared Official for Pari-mutuel Payoff. If the result of
12 a race is placed in dispute by the lodging of an objection or complaint or by discovery of an alleged
13 violation of KAR Title[Titles] 810[~~or 811~~] after the race has been declared official for pari-mutuel
14 payoff, the procedures established in this section shall apply pending final determination of the
15 disputed race.

16 (1) The purse money and trophy to which the horse objected to may have been entitled
17 shall be withheld and placed in escrow by the association until final adjudication of the dispute,
18 except the stewards may order any portion of the purse money to be distributed if the
19 distribution would not be affected by the determination of the dispute.

20 (2) If purse money or trophy has been awarded to an owner prior to the lodging of an
21 objection or discovery of an alleged violation of KAR Title[Titles] 810[~~or 811~~] that places the outcome
22 of a race in dispute, the money or trophy shall be returned immediately to the association on order

1 of the stewards. Upon final adjudication of the dispute, the person deemed to be entitled to the
2 purse money or trophy shall be entitled to an order of recovery from any person or association
3 holding the same.

4 (3) The horse that crossed the finish line first and any other horse that may become the
5 winner of a disputed race shall be considered winners of that race until the matter is finally
6 adjudicated.

7 Section 6. Determination of a Disputed Race. The stewards shall determine an objection,
8 complaint, or alleged violation of KAR Title[Titles] 810[~~or 811~~] lodged or discovered after a race
9 has been declared official for pari-mutuel payoff and shall issue a ruling. If the stewards find that
10 a requirement of KAR Title[Titles] 810[~~or 811~~] was violated, the stewards may penalize the
11 persons responsible, disqualify any horses in the disputed race, and award the purse money and
12 trophy in accordance with any resulting revised order of finish in the disputed race.

13 Section 7. Revised Order of Finish after Race Declared Official for Pari-mutuel Payoff. If a
14 horse is disqualified after a race has been declared official for pari-mutuel payoff and causes
15 revision of the order of finish in the race:

16 (1) The pari-mutuel payoff shall not be affected in any way; and

17 (2) The stewards shall ensure that appropriate corrections are made in official records
18 for the race and in racing statistics as might pertain to the respective horses, jockeys, trainers,
19 owners, breeders, sires, dams, and broodmare sires, by reporting the corrections to the racing
20 secretary and to the Daily Racing Form.

21 Section 8. Complaints Against Officials. A complaint or protest by a licensee based on a
22 decision or act of a racing official other than the stewards, or concerning any matter that may occur

1 on association grounds not provided for by Sections 4 and 5 of this administrative regulation, shall
2 be made in writing, signed by the complainant, and submitted to the stewards. A complaint or
3 protest by a person based on a decision, act, or conduct of the stewards shall be submitted to the
4 commission as established by 810 KAR 9:010.

810 KAR 4:060
READ AND APPROVED:

Jonathan Rabinowitz

Date

Chairman, Kentucky Horse Racing Commission

Ray Perry

Date

Secretary, Public Protection Cabinet

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held at ___ AM on ____, 2022 at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on ____, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Jennifer Wolsing

Title: General Counsel

Address: 4063 Iron Works Parkway, Building B, Lexington, KY 40511

Phone: +1 (859) 246-2040

Fax: +1 (859) 246-2039

Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 810 KAR 4:060
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

(b) The necessity of this administrative regulation:

(c) How this administrative regulation conforms to the content of the authorizing statutes:

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

(b) The necessity of the amendment to this administrative regulation:

(c) How the amendment conforms to the content of the authorizing statutes:

(d) How the amendment will assist in the effective administration of the statutes:

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment:

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities:

(c) As a result of compliance, what benefits will accrue to the entities:

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

(b) On a continuing basis:

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied because this administrative regulation will apply to all similarly situated entities in an equal manner.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 810 KAR 4:060
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Horse Racing Commission will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

(c) How much will it cost to administer this program for the first year?

(d) How much will it cost to administer this program for subsequent years?

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

To: Commissioners, Kentucky Horse Racing Commission

From: Jennifer Wolsing, General Counsel
Shan Dutta, Deputy General Counsel

Date: February 4, 2022

Re: Ratification of Executive Director Marc Guilfoil's approval of Turfway's request to amend post time and number of races for December 31, 2021

On December 28, 2021, KHRC received the following request from Turfway Park to race during the day on Friday, December 31, 2021, and add two additional races to the card (10 total). This request was supported by the Kentucky Horsemen's Benevolent & Protection Association.

Pursuant to KRS 230.230(1), KHRC Executive Director Marc Guilfoil granted conditional approval and the Commission is asked to ratify this approval.

COMMISSION ACTION:

_____ Approve

_____ Deny

_____ Defer



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

To: Commissioners, Kentucky Horse Racing Commission

From: Jennifer Wolsing, General Counsel
Shan Dutta, Deputy General Counsel

Date: February 4, 2022

Re: Ratification of Executive Director Marc Guilfoil's approval of Turfway's request to amend Section R of its 2022 application to amend race dates/times

In its application for a 2022 license, Turfway Park sought and received an award of numerous racing dates in February 2022. Due to inclement weather and freezing temperatures, Turfway has lost six (6) racing dates. To make up for some of the lost race dates, Turfway will add races through the week of February 12 and 13.

In addition, Turfway formally requested to add a make-up date on Wednesday, February 16, 2022. Turfway's request does not change any host track status. In addition, Turfway received consent from the Kentucky Thoroughbred Owners & Breeders, Inc., as well as the Kentucky Horsemen's Benevolent and Protective Association. This request was approved by KHRC Executive Director Marc Guilfoil, due to the need for a speedy approval to allow Turfway to prepare for its new race date. Turfway Park seeks ratification of that decision.

The Commission may approve shifted race dates.

Per our review of Kentucky statutes and regulations, nothing prohibits the Commission from approving an association to add one (1) awarded race date. This request presents a clear application of KRS 230.300(5), which allows the Commission to award additional racing dates to make up for dates cancelled due to "reason of flood, fire, *inclement weather*, or other natural disaster or emergency." (emphasis added)

The concern that drives the statutory time limit on awarding race dates—"to prevent ongoing battles for dates," 1978-79 Ky. Op. Att'y Gen. 2-538 (1979)—is not present here. Keeneland has already been awarded live racing dates in February 2022. In addition, the proposed amendment is supported by Marty Maline, the Executive Director for the Kentucky Horsemen's Benevolent and Protective Association.



Andy Beshear
Governor

Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

The KHRC staff recommends ratification of Executive Director Marc Guilfoil's approval of an additional racing date for Turfway Park.

COMMISSION ACTION:

_____ Approve
_____ Deny
_____ Defer



ANDY BESHEAR
GOVERNOR

RAY A. PERRY
SECRETARY

JONATHAN RABINOWITZ
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

PUBLIC PROTECTION CABINET
KENTUCKY HORSE RACING COMMISSION
ESTABLISHED 1906
4063 IRON WORKS PKWY., BLDG. B
LEXINGTON, KENTUCKY 40511
TELEPHONE: (859) 246-2040 FAX: (859) 246-2039
WEBSITE: [HTTP://KHRC.KY.GOV](http://KHRC.KY.GOV)

TO: Kentucky Horse Racing Commission members

FROM: Bruce A. Howard DVM

DATE: February 15, 2022

SUBJECT: Partial funding of a grant for a study titled “Pre-race Inflammation in Catastrophically Injured Horses”.

The EDRC has funded two stages of a study performed by Dr. Allen Page DVM, PhD, of the University of Kentucky to identify novel mRNA targets in horses. These targets are thought to identify “at risk” horses in the racing population.

The last stage of this research requires the collection of pre-race samples from approximately 15,000 horses to validate the predictor value of the mRNA targets.

This stage is very costly to perform, and Dr. Page has received commitments from several groups to partially fund this study. He has submitted a request to the EDRC to fund up to \$40,000 to help in completion of the project.

The EDRC at its February 4, 2022 meeting discussed this matter and voted to fund up to \$40,000 of this study.

The KHRC staff would recommend that the KHRC approve the EDRC funding of this project.

KHRC Action:

_____ **Approve**

_____ **Defer**

_____ **Deny**





Andy Beshear
Governor

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Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

TO: KENTUCKY HORSE RACING COMMISSION

FROM: Barbara Borden, Chief State Steward

DATE: February 4, 2022

**RE: KEENELAND'S PROPOSED 2022 SPRING RACE MEET OFFICIALS
AND DATE PREFERENCE SYSTEM**

By letter sent January 28, 2022, Ashley Whalen, Director of Racing Administration at Keeneland, requests approval of the attached roster of Racing Officials and Date Preference System for their spring race meet. Please be advised all Stewards have been accredited by ROAP (Racing Officials Accreditation Program) and all officials will be licensed by the meet opening.

Approval is recommended.

COMMISSION ACTION:

_____ Approve

_____ Defer

_____ Deny



Keeneland Association, Inc.
4201 Versailles Road
P.O. Box 1690
Lexington, KY 40588-1690
859 254-3412 Tel.
800 456-3412
859 288-4348 Fax
www.keeneland.com

January 28, 2022

Mr. Marc A. Guilfoil
Executive Director
Kentucky Horse Racing Commission
4063 Iron Works Pkwy., Bldg. B
Lexington, KY 40511

Dear Marc:

With the approval of the Kentucky Horse Racing Commission, the officials for the 2022 Spring Meeting at Keeneland will be as follows:

Vice President of Racing	Gatewood Bell
Association Steward	Ronald Herbstreit
Racing Secretary	David Ben Huffman
Director of Racing Administration	Ashley Whalen
Assistant Racing Secretary	Tiffany Bourque
Stakes Coordinator	Baley Hare
Starter	Jeff Powell
Paddock Judge	David Wedlake
Assistant Paddock Judge	Tyler Picklesimer
Entry Clerks & Patrol/Placing Judges	James F. Ewalt, Beth Bungert, Ron Tomlinson, Stuart Slagle, Scott Jones, Timothy Day
Clerk of Scales	Javier Torres
Horse Identifier	Melinda Vest
Assistant Identifier	TBD
Timer	TrackMaster
Program Coordinator	Jori Gorski
Jockey's Room Custodian	Charlie Woods
Clocker	Chris Crowe, Dave Norton, Gary Reckner
Claims Clerk	Ron Tomlinson
Outriders	Scott Cole, Robin Riesenbeck, Colby Lavergne, Sam Hackler
Horsemen's Bookkeeper	Ryan Oakman
Track Superintendent	Jim Pendergest
Director of Wagering	Jim Goodman
Director of Security	Phil Gardner
Paddock Blacksmith	Arthur S. Tearl
Announcer	Kurt Becker
Stable Manager	Wayne Mogge

Post time will be 1:00 p.m. each day with the exception of Saturday, April 9 and Friday, April 29, when the first post will be 12:30 p.m. We will hold eight to eleven live races for the Keeneland Sprint Meet. Keeneland will continue to utilize a date preference system and the following entry schedule:

<i>Race Date</i>	<i>Entry Day</i>
Friday*	Sunday
Saturday	Wednesday
Sunday	Thursday
Wednesday	Friday
Thursday	Saturday

**Exceptions*

Friday, April 8	Tuesday, April 5
Friday, April 22	Tuesday, April 19

Thank you for your consideration.

Sincerely,



Ashley Whalen
Director of Racing Administration

KEENELAND DATE PREFERENCE SYSTEM

The Date System of preference will be used at Keeneland Association as described below:

Foal Certificates and Digital Foal Certificates are no longer required to be on file in the racing office to enter or start at Keeneland Association; however, foal certificates and digital foal certificates must be on file to obtain a preference date and to get a horse tattooed.

TO RECEIVE A ZERO (O) DATE, foal certificates and digital foal certificates must be on file with the Horse Identifier by Monday, April 4, 2022.

Preference by condition eligibility then by:

1. In over-filled races, preference will be given to horses in order of their assigned preference dates, earliest date first. Horses having identical dates will be chosen by lot, however, where entry and running dates are the same, the horse with the entry date will have preference.
2. All horses intended for racing at Keeneland Association will be assigned a preference date. Dates assigned will be of two types:

E-Date

This date will correspond to:

- a. The day on which a horse's foal papers/digital foal papers and name tag are submitted to the identifier (the earliest date being the day when entries are first taken for the meeting).
- b. The day on which a horse is first entered if his papers are not on file with the identifier.
- c. To qualify for the latter E-Date, a horse must have been excluded from a race which appears on the overnight or he must have been entered in a condition book race which failed to fill through insufficient entries.

R-Date

This date will correspond to:

- a. The day of a horse's most recent race at Keeneland Association.
 - b. An R-Date will also be assigned to a horse which scratches (provided the foal papers are on file with the identifier).
3. A horse retains his R-Date until he receives a newer R-Date. No horse with an established R-Date may receive an E-Date. A horse whose papers or digital papers are removed from the identifier's office will lose his date and must subsequently re-establish a date in order to receive preference. A horse with an E-Date cannot receive a newer E-Date. Horses starting at another racetrack will forfeit any date they may have at Keeneland Association.
 4. Preference dates will consist of two categories: Dirt (D) and Turf (T). Preference dates are good for any type of race or distance.
 5. A horse that runs in a race, which has been taken off the Turf will retain its Turf date and establish a Dirt R-Date. A scratched horse will receive an R-Date from the date scratched for both Turf and Dirt.
 6. When a race is taken off the Turf, Main Track Only (MTO) horses will receive an R-Date if they run or scratch. If the race remains on the Turf, MTO horses will retain their previous date.
 7. Horses on the Also-Eligible list shall be permitted to draw into races in order listed. A horse entered as MTO shall be listed as an Also-Eligible. If the race remains on the Turf, a horse listed as MTO shall not be permitted to draw into the race.
 8. No E-Date will be assigned to the second choice of an unsplit same-owner entry.
 9. A horse which has been placed on a list (veterinarian, steward, starter or paddock judge) will lose their date and be assigned an R-Date corresponding to the day removed from list.
 10. A horse which is a scheduled starter in a canceled race will not receive an R-Date for that race but will retain its previous date.
 11. Stakes and handicap races are not subject to date preference.

12. Preference dates are transferred through change of ownership and changes in trainer after the proper transfer procedure have been completed through the Steward's office and delivered to the Racing Secretary's Office.
13. Date preference rules will not supersede KHRC rules regarding preference, eligibility or scratches.
14. Winners will be preferred in all non-maiden races.

Condition Preference

- Horses are preferred by their available conditions in all allowance races beginning with Graded stake winners (Grade I-II-III), open stakes winners through their allowance conditions providing the horse has finished 1st, 2nd, 3rd or 4th for \$40,000 or more since starting for less than \$40,000. In allowance/optional claiming races a horse's preference cannot exceed the condition of the race. Starter races for less than \$25,000 will not be preferred.
- No entry will be received except upon the condition that all disputes, claims and objections arising out of the racing or with respect to the interpretation of the conditions of any race shall be decided by the officers of the association, or those whom they may appoint and their decision upon all points shall be final.
- No entry shall be accepted from any stable not provided with a trainer's license.

Main Track Only Entries

- Entries will be accepted in turf races (excluding stakes) for Main Track Only (MTO) horses.
- Trainers must declare the horse as MTO at the time of entry.
- A horse entered as MTO shall be listed as Also-Eligible.
- In an over-filled turf race, Keeneland reserves the right to designate two Main Track Only (MTO) positions on the Also-Eligible List. Also-Eligibles (including MTO) shall be assigned a post position by preference. If preference is equal, post positions shall be drawn by lot, unless otherwise stipulated in the published conditions of the race.
- If the race remains on the turf, a horse listed as MTO shall not be permitted to draw into the race. When a race is removed from the turf, MTO horses will lose any date they have if they run or scratch. If the race remains on the turf, MTO horses will retain their previous date.



Andy Beshear
Governor

**Public Protection Cabinet
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Telephone: (859) 246-2040
Fax: (859) 246-2039**

Ray A. Perry
Secretary

Marc Guilfoil
Executive Director

Jonathan Rabinowitz
Chairman

TO: KENTUCKY HORSE RACING COMMISSION

FROM: Barbara Borden, Chief State Steward

DATE: February 4, 2022

**RE: CHURCHILL DOWNS' PROPOSED 2022 SPRING RACE MEET
OFFICIALS AND DATE PREFERENCE SYSTEM**

By letter sent January 28, 2022, Ben Huffman, Racing Secretary at Churchill Downs, requests approval of the attached roster of Racing Officials and Date Preference System for their spring race meet. Please be advised all Stewards have been accredited by ROAP (Racing Officials Accreditation Program) and all officials will be licensed by the meet opening.

Approval is recommended.

COMMISSION ACTION:

_____ Approve

_____ Defer

_____ Deny



January 28, 2022

Mr. Marc Guilfoil
Executive Director
Kentucky Horse Racing Commission
4063 Iron Works Parkway
Lexington, KY 40511

Dear Mr. Guilfoil,

As required by the regulations set forth by the Kentucky Horse Racing Commission, attached is the list of officials for the 2022 Churchill Downs Spring Meet, along with the date preference rules, which will be used during this meet, for approval by the Kentucky Horse Racing Commission.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ben Huffman". The signature is enclosed in a simple, hand-drawn rectangular box.

D. Ben Huffman
Racing Secretary

Enclosure

CHURCHILL DOWNS LIST OF OFFICIALS FOR THE 2022 SPRING MEET

ASSOCIATION STEWARD:	Tyler Picklesimer
RACING SECRETARY:	Ben Huffman
ASST. RACING SECRETARY/STAKES COORDINATOR	Dan Bork
HORSE IDENTIFIER:	Melinda Vest
ASST. HORSE IDENTIFIER:	Tim Day
CLERK OF SALES:	Javier Torres
JOCKEY ROOM CUSTODIAN:	Charlie Woods
CLAIMS CLERK:	Beth Bungert
PROGRAM COORDINATOR:	Tiffany Bourque
HORSEMEN'S BOOKKEEPER:	Carol Renn
STARTER:	Scott Jordan
OUTRIDERS:	Greg Blasi Lee Lockwood Shane Hoodenpyle
SR. DIRECTOR SECURITY AND SAFETY:	Josh Ball
DIRECTOR OF MUTUELS:	Matt Bonar
TIMER:	American Teletimer
CLOCKER:	Peter Vestal
ENTRY CLERKS, PADDOCK AND PLACING JUDGES:	Steve Obrekaitis Jorie Gorski Baley Hare Stuart Slagle Allison DeLuca Steve Penrod Tim Day
ANNOUNCER:	Travis Stone
STALL MANAGER:	Steve Hargrave

DATE PREFERENCE SYSTEM

The Date System of preference will be used at Churchill Downs as described below:

Foal Certificates and digital foal certificates no longer are required to be on file in the racing office to enter or start at Churchill Downs; however, foal certificates and digital foal certificates must be on file to obtain a preference date and to get a horse tattooed.

Each day's overnight will list the dates of horses in and on the also-eligible list to enable trainers to see what dates are getting horses in over-filled races.

1. In over-filled races, preference will be given to horses in order of their assigned preference dates, earliest date first. Horses having identical dates will be chosen by lot, however, where entry and running dates are the same, the horse with the entry date will have preference.
2. All horses intended for racing at Churchill Downs will be assigned a preference date. Dates assigned will be of two types:
3. **FOR A ZERO DATE** foal papers and digital foal papers must be turned in to the identifier by Saturday, April 30

E-Date

This date will correspond to:

- a) The day on which a horse's foal papers and nametag and digital foal papers are submitted to the identifier (the earliest date being the day when entries are first taken for the meeting).
- b) The day on which a horse is first entered if his papers or digital foal papers are not on file with the identifier.

To qualify for the latter E-date, a horse must have been excluded from a race which appears on the overnight or he must have been entered in a condition book race which failed to fill through insufficient entries.

R-Date

This date will correspond to the day of a horse's most recent race at Churchill Downs. An R-Date will also be assigned to a horse which scratches.

4. A horse retains his R-Date until he receives a newer R-Date. No horse with an established R-Date may receive an E-Date. A horse whose papers or digital papers are removed from the identifier's office will lose his date and must subsequently re-establish a date in order to receive preference. A horse with an E-Date cannot receive a newer E-Date. Horses starting at another race track will forfeit any date they may have at Churchill Downs.
5. Preference dates will consist of two categories: Dirt (D) and Turf (T). Preference dates are good for any type of race or distance.
6. A horse that runs in a race, which has been taken off the turf will retain its turf date. A scratched horse will receive an R-date from the date scratched.
7. When a race is taken off the turf, dirt preferred horses will receive an R-Date if they run or scratch. If the race remains on the turf, dirt preferred horses will retain their previous date.
8. Horses on the Also-Eligible list shall be permitted to draw into races in order of their dates, earliest dates first, (Exception: when a race is removed from the turf. Dirt Preferred also-eligibles will have first preference to draw into the race in

- order of their date preference. If the race remains on the turf they will have no preference.)
9. No E-Date will be assigned to the second choice of an unsplit same-owner entry.
 10. A horse which has been placed on a list (veterinarian, steward, starter or paddock judge) will lose their date and be assigned an R-Date corresponding to the day removed from list..
 11. A horse which is a scheduled starter in a cancelled race will not receive an R-Date for that race but will retain its previous date.
 12. The draw of stakes and handicap race is not subject to date preference.
 13. Preference dates are transferred through change of ownership and changes in trainer after the proper transfer procedure have been completed through the Steward's office and delivered to the Racing Secretary's office.
 14. Date preference rules will not supersede KHRA rules regarding preference, eligibility or scratches.
 15. Winners will be preferred in all non maiden races.

CONDITION PREFERENCE

Horses are preferred by their available conditions in all allowance races beginning with Graded Stakes winners (Grade I-II-III), providing the horse has finished 1st, 2nd, 3rd or 4th for conditions providing the horses has finished 1st, 2nd, 3rd, or 4th for \$40,000 or more since starting for less than \$40,000. In allowance/optional claiming races a horse's preference cannot exceed the condition of the race. Starter races for less than \$25,000 will not be preferred.

WINNERS ARE PREFERRED IN ALL NON MAIDEN RACES.

Also-Eligibles

If there are any scratches in a race with also-eligibles, the also-eligible horses will be permitted to move into the race in the order listed on the overnight.

810 KAR 4:010. HORSES

The stewards may at any time require presentation of a horse's registration certificate, virtual certificate, or racing permit or other proof of ownership.

Upon claim, sale or any other transfer of ownership, the horse's registration certificate or racing permit shall be given to the new owner, and any virtual certificate shall be transferred to the new owner electronically. The new owner shall report the change in ownership to the stewards.

2021 THOROUGHBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG CLASS	PENALTY OR ACTION	FINE	STATUS
21-0096	12/11/2021	12/5/2021	Gerardo Corrales	Careless riding		Suspended 3 days December 23, December 26 and December 30, 2021		APPEALED
21-0097	12/11/2021	11/26/2021	Shane T. Meyers	Violated claiming regulation		Fined	\$ 500	Paid
21-0098	12/11/2021	11/26/2021	Christi L. Esposito	Violated claiming regulation		Fined	\$ 500	Paid
21-0099	12/11/2021	11/26/2021	Bonnie L. Rogoff	Violated claiming regulation		Fined	\$ 500	Paid
21-0100	12/23/2021	10/15/2021	Albert M. Stall, Jr.	Flunixin #489916	C	Fined	\$ 500	Paid
21-0101	12/23/2021	10/15/2021	Paul C. Varga (owner)	Flunixin #489916	C	In Good Spirits disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed

2021 TB RULINGS LIST BY CATEGORY (Through December 31, 2021)

MEDICATION VIOLATIONS

<u>Medication Class</u>	<u>Total</u>	<u>Fines</u>	<u>Suspensions</u>	<u>Disqualifications</u>	<u>Appeals</u>	<u>Explanations</u>
Class A	0	0	0	0	0	
Class B	9	4	4	9	5	Levamisole (5) -Trainer penalties VACATED (All horses DQ'd), 3-Hydroxylicloaine, HEPS, Meloxicam
Class C	11	11	0	11	0	Betamethasone, Dexamethasone, Phenylbutazone, Tranexamic Acid, Naproxen, Flunixin
Class D	0	0	0	0	0	
NSAIDS	0	0	0	0	0	
Multiple NSAIDS	0	0	0	0	0	
OOC	1	0	0	0	0	Clenbuterol-failure to report treatment by trainer - warning letter
TCO2	<u>0</u>	0	0	0	0	
Subtotal	21	\$8,500	(after \$2,500 VACATED)			

NON-MEDICATION VIOLATIONS

Jockey Violations

Careless Riding	18	0	18	0	1	Routine riding offenses
Overly Aggressive Riding	0	0	0	0	0	
Other Disciplinary Violations	8	7	1	0	0	Inadvertently struck rival with crop, failure to fulfill riding engagements, misuse of riding crop, formal ejection from Ellis Park
Subtotal	<u>26</u>	\$1,650				

Other Licensee Violations

Misc. violations by licensees	13	13	0	0	0	Violated claiming regulation, Failure to report correct gender, Failure to report veterinary treatment, Violated scratch regulation
Disorderly conduct and formal ejections	13	5	8	0	0	Destruction of property, entered restricted area, physical and emotional impairment, physical altercation, falsification of license application, abusive language to commission employee, possession of contraband
Suspended for non payment of fines	0	0	0	0	0	
Subtotal	<u>26</u>	\$13,500				

Other Rulings Issued	28	0	0	0	0	The remaining 28 rulings that have been issued in 2021 are for information only and include purse redistributions, penalty applied after withdrawal of appeal, licensee restored to good standing, written protest denied, license rescinded without prejudice
TOTAL 2021 RULINGS	<u>101</u>	\$23,650	(after \$2,500 VACATED)			

2022 THOROUGHBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG CLASS	PENALTY OR ACTION	FINE	STATUS
22-0001	1/9/2022	1/7/2022	Joseph S. Rocco, Jr.	careless riding		Suspended 3 days January 16, 21 and 22, 2022		Suspension served
22-0002	1/14/2022	11/14/2019	Joe Sharp	KHRC declassified Levamisole in 2015		Previously assessed penalties to Sharp are vacated		All records updated
22-0003	1/25/2022	4/28/2021	Wesley A. Ward	Metformin #E418071	B	Suspended 30 days, 15 to be served January 26 through February 9, 2022 (inclusive). (Remaining 15 days stayed pending no further medication violation in 365 days)	\$ 500	Current suspension Fine Not Paid
22-0004	1/25/2022	4/28/2021	Gatewood Bell (owner)	Metformin #E418071	B	Averly Jane disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed

2022 TB RULINGS LIST BY CATEGORY (Through February 4, 2022)

MEDICATION VIOLATIONS

<u>Medication Class</u>	<u>Total</u>	<u>Fines</u>	<u>Suspensions</u>	<u>Disqualifications</u>	<u>Appeals</u>	<u>Explanations</u>
Class A	0	0	0	0	0	
Class B	1	1	1	1	0	Metformin
Class C	0	0	0	0	0	
Class D	0	0	0	0	0	
NSAIDS	0	0	0	0	0	
Multiple NSAIDS	0	0	0	0	0	
TCO2	<u>0</u>	0	0	0	0	
Subtotal	1	\$500				

NON-MEDICATION VIOLATIONS

Jockey Violations

Careless Riding	1	0	1	0	0	Routine riding offense
Overly Aggressive Riding	0	0	0	0	0	
Other Disciplinary Violations	0	0	0	0	0	
Subtotal	<u>1</u>					

Other Licensee Violations

Misc. violations by licensees	0	0	0	0	0	
Disorderly conduct and formal ejections	0	0	0	0	0	
Suspended for non payment of fines	0	0	0	0	0	
Subtotal	<u>0</u>					

Other Rulings Issued	2	0	0	0	0	The remaining 2 rulings that have been issued in 2022 are for information only and include previously assessed penalties vacated and purse redistribution.
TOTAL 2022 RULINGS	<u>4</u>	<u>\$500</u>				

2021 STANDARDBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG PENALTY CLASS	FINE OR WRITTEN WARNING	STATUS	PAID	Suspension (days)	COMMENTS
J2021-001	1/22/2021	10/11/2020	Ervin M. Miller	Medication /Drug Violation - Naproxen	C	\$500		paid		Disqualified to last place, purse return ordered
J2021-002	1/22/2021	11/23/2020	Hollis A. Kendrick	Medication /Drug Violation - Dexamethasone	C	\$500		paid		Disqualified to last place, purse return ordered
J2021-003	7/17/2021	7/6/2021	Stephen K. White	Misuse of whip		\$100		paid		First 2021 Offense
J2021-004	7/17/2021	7/13/2021	Randy D. Crisler	Misuse of whip		\$100		paid		First 2021 Offense
J2021-005	7/17/2021	7/13/2021	James E. Stiltner II	Misuse of whip		\$100		paid		First 2021 Offense
J2021-006	7/19/2021	7/11/2021	Jeremy C. Bobbitt	Interference		\$100		paid		Finished 2nd Placed 8th
J2021-007	7/24/2021	7/11/2021	Tyler G. Shehan	Misuse of whip		\$100		paid		First 2021 Offense
J2021-008	7/24/2021	7/12/2021	Tyler G. Shehan	Misuse of whip		\$200		paid		Second 2021 Offense
J2021-009	7/24/2021	7/12/2021	Tyler G. Shehan	Misuse of whip		\$300		paid		Third 2021 Offense
J2021-010	7/24/2021	7/19/2021	Tyler G. Shehan	Misuse of whip			suspended		7/24/2021-7/27/2021	Fourth 2021 Offense
J2021-011	7/25/2021	7/20/2021	Charles M. Conrad	Misuse of whip		\$200		paid		First 2021 Offense
J2021-012	8/7/2021	8/2/2021	James E. Stiltner II	Misuse of whip		\$200		paid		Second 2021 Offense
J2021-013	8/22/2021	8/8/2021	Mattias Melander	Interference		\$200		paid		Finished 1st place 2nd
J2021-014	8/23/2021	8/23/2021	Domenico Cecere	Late driver change		\$100		paid		
J2021-015	8/23/2021	8/22/2021	Marcus Melander	Late driver change		\$100		paid		
J2021-016	8/23/2021	8/22/2021	Jeremy C. Bobbitt	Late driver change		\$150		paid		
J2021-017	8/23/2021	8/16/2021	Chris Page	Failure to drive as programmed		\$400		paid		8 races
J2021-018	9/13/2021	9/5/2021	Domenico Cecere	Failure to drive as programmed		\$50		paid		
J2021-019	9/7/2021	8/15/2021	Yannick Gingras	Failure to drive as programmed		\$100		paid		

2021 STANDARDBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG PENALTY CLASS	FINE OR WRITTEN WARNING	STATUS	PAID	Suspension (days)	COMMENTS
J2021-020	9/13/2021	8/15/2021	David Miller	Failure to drive as programmed		\$100		paid		
J2021-021	9/13/2021	8/30/2021	Domenico Cecere	Failure to drive as programmed		\$50		paid		
J2021-022	9/13/2021	9/6/2021	Mark E. Evers	Failure to drive as programmed		\$50		paid		
J2021-023	9/13/2021	8/24/2021	Todd McCarthy	Failure to drive as programmed		\$50		paid		
J2021-024	9/13/2021	9/6/2021	David Miller	Failure to drive as programmed		\$150		paid		
J2021-025	10/26/2021	10/24/2021	Cordarius Stewart	Misuse of whip		\$100		paid		
J2021-026	11/13/2021	8/1/2021	Bret M. Schwartz	Medication / Drug Medroxyprogesterone	C	\$500	suspended	not paid	12/1/2021 - 12/15/2021	Horse disqualified and placed to 7th, purse redistribution
J2021-027	11/15/2021	11/14/2021	David L. Caperton	Driving			suspended		11/18/2021 - 11/22/2021	
J2021-028	11/15/2021	11/8/2021	Gerald Longo	Driving			suspended		11/18/2021 - 11/22/2021	
J2021-029	12/17/2021	8/23/2021	Andrew John McCarthy	Failed breathalyzer test		\$2,500	suspended	paid	12/12/2021 - 3/11/2022	Conduct detrimental to the best interest of horse racing

KHRC Veterinary Report

Turfway Park Holiday Meet 2021

Total Starts	1309
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Post Race Samples	299
tCO ₂	143
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Veterinary Scratches	25
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Pre-Race	17
On-Track	8
Soundness related	4
Gate/paddock Injury	4
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KHRC Veterinary List	36
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Scratches	25
Race Injuries/post race lame/test barn lame	6
EIPH	5
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Claimed horses	94
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Voided Claims	3
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Ambulance Runs	7
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Racing Fatalities	2
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Musculo-skeletal	2
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Training Fatalities	2
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Musculo-skeletal	1
Sudden Death	1

TESTING SUMMARY-2020

BREED	Number of Race Starts	Total Number of Horses Sampled/Tested Post-Race	Post-Race Testing		Pre-Race TCO ₂ Testing (blood)	Out-of-Competition Testing (blood)	Post-work Testing (blood)	Post-injury Testing (blood)
			Blood only samples	Paired (blood & urine) Samples				
TB	13,872	Sampled: 3,351 +Claimed: 362 Total: 3,713 1 per 3.7 starts Tested: 3,188 1 per 4.6 starts	Collected: 47 +Claimed: 362 Total: 409 Tested: 41 +Claimed: 362 Total: 403 Retained: 6	Collected: 3,304 Tested: 2,785 Retained: 519 99% paired-sample collection rate	2,326	320	184	53
STD	4,317	Sampled: 680 1 per 6.35 starts Tested: 680 1 per 6.35 starts	Collected: 130 (67 Fair samples) Tested: 130 Retained: 0	Collected: 550 Tested: 550 Retained: 0 88.5% paired-sample collection rate	450	1	0	0
TOTAL	18,189	Sampled: 4,393 1 per 4.1 starts Tested: 3,868 1 per 4.7 starts	Collected: 539 Tested: 533 Retained: 6	Collected: 3,854 Tested: 3,335 Retained: 519	2,776	321	184	53

2020 DRUG TESTING RESULTS

STANDARD BRED

Substance	Penalty	Frequency
(none)	A	0
(none)	B	0
Hydrocortisone succinate	C	1
Metocarbamol	C	1
Medroxyprogesterone	C	1
Naproxen	C	1
Dexamethasone	C	1
Flunixin	NSAID	5

STD total ROF	10
Total Race Starts	4,317
1 Violation per:	432 starts

THOROUGHBRED

Substance	Penalty	Frequency
(none)	A	0
Ethamsylate	B	1
Gabapentin	B	1
Clenbuterol	B	1
Methocarbamol	C	2
Betamethasone	C	3
Dexamethasone	C	2
Ranitidine	D	1
Omeprazole	D	1
Ketoprofen	NSAID	1
Phenylbutazone	NSAID	5

TB Total ROF	18
Total Race Starts	13,872
1 Violation per:	771 starts

TOTAL	19,912	Sampled: 5196 1 per 3.8starts Tested: 4,748 1 per 4.2 starts	Collected: 721 Tested: 719 Retained: 2	Collected: 4,476 Tested: 4,027 Retained: 449	2,974	346	302	55
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2021 DRUG TESTING RESULTS

STANDARD BRED

Substance	Penalty	Frequency
(none)	A	0
(none)	B	0
Medroxyprogesterone	C	1

STD total ROF	1
Total Race Starts	5,236
1 Violation per:	5,236 starts

THOROUGHBRED

Substance	Penalty	Frequency
D-methamphetamine	A	1
Lidocaine	B	1
Gabapentin	B	1
Clenbuterol	B	1
Metformin	B	2
Medroxyprogesterone	B	1
Meloxicam	B	2
2-(1-hydroxyethyl) promazine sulfoxide	B	1
Betamethasone	C	1
Dexamethasone	C	2
Naproxen	C	1
Tranexamic Acid	C	2
Flunixin	NSAID	1
Phenylbutazone	NSAID	2

TB Total ROF	19
Total Race Starts	14,676
1 Violation per:	772 starts

Occurrence of Thoroughbred race-related fatalities in Kentucky 2007 to present

Year	Category Non-musculoskeletal: EIPH, Sudden Death, Racing Accident	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Starts (Equibase)	Fatalities per 1,000 starts
2007	Musculoskeletal	2	1	5	2	4	3	4	2	2	3	4	5	37	23,180	1.60
	Non-musculoskeletal	0	0	0	0	0	0	0	0	0	1	0	0	1		0.04
	TOTAL	2	1	5	2	4	3	4	2	2	4	4	5	38		1.64
2008	Musculoskeletal	3	0	4	2	3	2	2	2	3	2	4	8	35	22,278	1.57
	Non-musculoskeletal	0	0	0	0	0	0	0	0	0	0	0	0	0		0.00
	TOTAL	3	0	4	2	3	2	2	2	3	2	4	8	35		1.57
2009	Musculoskeletal	3	5	1	2	4	1	2	4	3	3	2	3	33	20,142	1.64
	Non-musculoskeletal	0	0	0	0	0	0	0	0	0	0	0	0	0		0.00
	TOTAL	3	5	1	2	4	1	2	4	3	3	2	3	33		1.64
2010	Musculoskeletal	2	1	2	0	0	2	4	2	1	3	7	1	25	18,167	1.38
	Non-musculoskeletal	0	0	1	1	0	0	0	0	0	0	0	0	2		0.11
	TOTAL	2	1	3	1	0	2	4	2	1	3	7	1	27		1.49
2011	Musculoskeletal	2	2	1	1	2	5	1	3	2	5	3	1	28	18,258	1.53
	Non-musculoskeletal	0	0	0	0	0	0	0	0	1	0	0	0	1		0.05
	TOTAL	2	2	1	1	2	5	1	3	3	5	3	1	29		1.59
2012	Musculoskeletal	0	0	1	2	9	2	0	2	0	3	5	3	27	17,513	1.54
	Non-musculoskeletal	0	0	0	0	0	0	0	0	0	1	0	0	1		0.06
	TOTAL	0	0	1	2	9	2	0	2	0	4	5	3	28		1.60

Year	Category Non-musculoskeletal: EIPH, Sudden Death, Racing Accident	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Starts (Equibase)	Fatalities per 1,000 starts
2013	Musculoskeletal	2	2	0	0	1	2	2	5	3	1	1	3	22	16,242	1.35
	Non-musculoskeletal	0	0	0	0	0	0	0	0	1	0	0	0	1		0.06
	TOTAL	2	2	0	0	1	2	1	5	4	1	1	3	23		1.42
2014	Musculoskeletal	2	2	0	0	3	0	1	1	1	3	3	0	16	14,460	1.11
	Non-musculoskeletal	0	0	0	0	0	0	0	0	0	0	0	0	0		0.00
	TOTAL	2	2	0	0	3	0	1	1	1	3	3	0	16		1.11
2015	Musculoskeletal	3	1	1	0	3	2	1	1	3	3	2	1	21	15,514	1.35
	Non-musculoskeletal	0	0	0	0	0	1	0	1	0	0	0	0	2		0.13
	TOTAL	3	1	1	0	3	3	1	2	3	3	3	1	23		1.48
2016	Musculoskeletal	0	2	0	4	4	3	1	0	1	2	5	1	23	16,495	1.39
	Non-musculoskeletal	0	0	0	0	0	2	1	0	0	0	0	0	3		0.18
	TOTAL	0	2	0	4	4	5	2	0	1	2	5	1	26		1.58
2017	Musculoskeletal	1	2	1	2	1	3	0	1	2	3	2	0	18	15,032	1.20
	Non-musculoskeletal	0	0	0	0	0	2	0	0	0	0	0	0	2		0.13
	TOTAL	1	2	1	2	1	5	0	1	2	3	2	0	20		1.33
2018	Musculoskeletal	2	1	0	4	3	1	6	0	7	1	3	4	32	15,049	2.13
	Non-musculoskeletal	0	0	1	0	1	0	0	1	0	0	1	0	4		0.27
	TOTAL	2	1	1	4	4	1	6	1	7	1	4	4	36		2.39
2019	Musculoskeletal	0	1	1	4	1	0	0	1	1	5	2	3	19	15,456	1.23
	Non-musculoskeletal	0	0	0	0	0	2	0	1	0	0	0	0	3		0.19
	TOTAL	0	1	1	4	1	2	0	2	1	5	2	3	22		1.42

Kentucky Pari-Mutuel Excise Tax and BIF by Source, FYTD 2022

December-2021

Racetrack/ADW	Thoroughbred Development Fund		Standardbred Development Fund		QH/Other Development Fund		Equine Industry Program		Equine Drug Program		Higher Education Program		Backside Improvement *		ADW Host Track Allocation		ADW Purse Allocation		Kentucky General Fund		Total Excise Tax FYTD			
	% of Fund		% of Fund		% of Fund		% of Fund		% of Fund		% of Fund		% of Fund		% of Fund		% of Fund		% of Fund		% of Fund			
	FYTD	Total	FYTD	Total	FYTD	Total	FYTD	Total	FYTD	Total	FYTD	Total	FYTD	Total	FYTD	Total	FYTD	Total	FYTD	Total	FYTD	Total		
Live	\$ 218,039	1.0%	\$ 12,821	0.2%			\$ 60,195	8.2%	\$ 30,097	7.7%	\$ 30,097	7.7%	\$ 145,358	100.0%			\$ 102,778	0.5%	\$ 599,385	1.2%				
Churchill Downs	\$ 68,236	0.3%					\$ 18,197	2.5%	\$ 9,098	2.3%	\$ 9,098	2.3%	\$ 45,490	31.3%			\$ 31,844	0.1%	\$ 181,963	0.4%				
ECL (Corbin)			\$ 2,068	0.0%			\$ 331	0.0%	\$ 165	0.0%	\$ 165	0.0%					\$ 165	0.0%	\$ 2,894	0.0%				
Ellis Park	\$ 22,250	0.1%					\$ 5,933	0.8%	\$ 2,967	0.8%	\$ 2,967	0.8%	\$ 14,833	10.2%			\$ 10,383	0.0%	\$ 59,333	0.1%				
Keeneland	\$ 113,717	0.5%					\$ 30,324	4.2%	\$ 15,162	3.9%	\$ 15,162	3.9%	\$ 75,811	52.2%			\$ 53,068	0.2%	\$ 303,244	0.6%				
Kentucky Downs	\$ 11,935	0.1%					\$ 3,183	0.4%	\$ 1,591	0.4%	\$ 1,591	0.4%	\$ 7,957	5.5%			\$ 5,570	0.0%	\$ 31,827	0.1%				
Oak Grove			\$ 1,194	0.0%			\$ 191	0.0%	\$ 96	0.0%	\$ 96	0.0%					\$ 96	0.0%	\$ 1,673	0.0%				
The Red Mile			\$ 9,559	0.2%			\$ 1,529	0.2%	\$ 765	0.2%	\$ 765	0.2%					\$ 765	0.0%	\$ 13,383	0.0%				
Turfway Park	\$ 1,901	0.0%					\$ 507	0.1%	\$ 253	0.1%	\$ 253	0.1%	\$ 1,267	0.9%			\$ 887	0.0%	\$ 5,068	0.0%				
Simulcast	\$ 753,181	3.6%	\$ 23,613	0.5%	\$ 4,715	100%	\$ 19,539	2.7%	\$ 39,074	10.0%	\$ 39,074	10.0%					\$ 293,067	1.3%	\$ 1,172,263	2.3%				
Churchill Downs	\$ 204,968	1.0%	\$ 1,862	0.0%	\$ 689	14.6%	\$ 5,188	0.7%	\$ 10,376	2.7%	\$ 10,376	2.7%							\$ 77,820	0.4%	\$ 311,279	0.6%		
ECL (Corbin)																								
Ellis Park	\$ 106,562	0.5%	\$ 10,256	0.2%	\$ 397	8.4%	\$ 2,929	0.4%	\$ 5,862	1.5%	\$ 5,862	1.5%							\$ 43,957	0.2%	\$ 175,825	0.3%		
Keeneland	\$ 274,112	1.3%			\$ 673	14.3%	\$ 6,869	0.9%	\$ 13,738	3.5%	\$ 13,738	3.5%							\$ 103,043	0.5%	\$ 412,173	0.8%		
Kentucky Downs	\$ 107,690	0.5%	\$ 10,177	0.2%	\$ 2,167	46.0%	\$ 3,004	0.4%	\$ 6,001	1.5%	\$ 6,001	1.5%							\$ 45,013	0.2%	\$ 180,053	0.4%		
Oak Grove	\$ -	0.0%	\$ -																					
The Red Mile																								
Turfway Park	\$ 59,849	0.3%	\$ 1,318	0.0%	\$ 789	16.7%	\$ 1,549	0.2%	\$ 3,097	0.8%	\$ 3,097	0.8%							\$ 23,234	0.1%	\$ 92,933	0.2%		
ADW															\$ 373,866	100.0%	\$ 373,866	100.0%	\$ 131,956	0.6%	\$ 879,688	1.7%		
Amwest															\$ 2,446	0.7%	\$ 2,446	0.7%	\$ 864	0.0%	\$ 5,756	0.0%		
eBet															\$ 996	0.3%	\$ 996	0.3%	\$ 352	0.0%	\$ 2,344	0.0%		
Lien Games															\$ 557	0.1%	\$ 557	0.1%	\$ 198	0.0%	\$ 1,312	0.0%		
NYRA															\$ 11,588	3.1%	\$ 11,588	3.1%	\$ 4,090	0.0%	\$ 27,266	0.1%		
TVG															\$ 112,246	30.0%	\$ 112,246	30.0%	\$ 39,616	0.2%	\$ 264,108	0.5%		
TwinSpires															\$ 197,903	52.9%	\$ 197,903	52.9%	\$ 69,849	0.3%	\$ 465,655	0.9%		
Watch and Wager															\$ 959	0.3%	\$ 959	0.3%	\$ 339	0.0%	\$ 2,257	0.0%		
XpressBet															\$ 47,171	12.6%	\$ 47,171	12.6%	\$ 16,648	0.1%	\$ 110,990	0.2%		
HHR	\$ 20,124,279	95.4%	\$ 5,103,101	99.3%			\$ 650,001	89.1%	\$ 320,000	82.2%	\$ 320,000	82.2%							\$ 21,385,830	97.6%	\$ 47,903,211	94.8%		
Derby City Gaming	\$ 7,431,687	35.2%					\$ 204,303	28.0%	\$ 100,580	25.8%	\$ 100,580	25.8%							\$ 7,026,225	32.1%	\$ 14,863,375	29.4%		
ECL- Bowling Green	\$ 41,890	0.2%					\$ -	0.0%	\$ -	0.0%	\$ -	0.0%							\$ 41,890	0.2%	\$ 83,780	0.2%		
Ellis Park	\$ 819,409	3.9%					\$ 22,782	3.1%	\$ 11,216	2.9%	\$ 11,216	2.9%							\$ 774,195	3.5%	\$ 1,638,818	3.2%		
Keeneland/Red Mile	\$ 1,328,745	6.3%	\$ 1,771,659	34.5%			\$ 70,536	9.7%	\$ 34,725	8.9%	\$ 34,725	8.9%							\$ 2,074,587	9.5%	\$ 5,314,977	10.5%		
Kentucky Downs	\$ 7,129,292	33.8%					\$ 191,848	26.3%	\$ 94,448	24.3%	\$ 94,448	24.3%							\$ 6,748,549	30.8%	\$ 14,258,585	28.2%		
Newport Racing	\$ 874,675	4.1%					\$ 23,623	3.2%	\$ 11,630	3.0%	\$ 11,630	3.0%							\$ 827,793	3.8%	\$ 1,749,351	3.5%		
Oak Grove	\$ 2,498,581	11.8%	\$ 3,331,442	64.8%			\$ 136,909	18.8%	\$ 67,401	17.3%	\$ 67,401	17.3%							\$ 3,892,591	17.8%	\$ 9,994,325	19.8%		
Grand Total	\$ 21,095,499	100.0%	\$ 5,139,535	100.0%	\$ 4,715	100%	\$ 729,735	100.0%	\$ 389,171	100.0%	\$ 389,171	100.0%	\$ 145,358	100.0%	\$ 373,866	100.0%	\$ 373,866	100.0%	\$ 21,913,631	100.0%	\$ 50,554,547	100.0%		

* The Backside Improvement Fund is funded by 0.5% of Live Handle, separately from the Excise Tax, for Live Thoroughbred Racing conducted by associations per KRS 230.3615.



Kentucky Live and Simulcast Wagering Report December 2021

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	18	13	38.5%	160	148	8.1%
On Track Handle	\$ 264,165	\$ 144,858	82.4%	\$ 30,097,507	\$ 9,075,048	231.7%
Less: Return to the Public	\$ 174,974	\$ 115,901	51.0%	\$ 22,900,192	\$ 7,266,379	215.2%
Less: Breakage	\$ 1,508	\$ 776	94.4%	\$ 218,903	\$ 52,989	313.1%
Gross Commission	<u>\$ 87,684</u>	<u>\$ 28,181</u>	<u>211.1%</u>	<u>\$ 6,978,412</u>	<u>\$ 1,755,680</u>	<u>297.5%</u>
TB Development Fund	\$ 1,901	\$ 1,086	75.0%	\$ 218,039	\$ 61,923	252.1%
SB Development Fund	\$ 133	\$ -		\$ 12,821	\$ 10,233	25.3%
Equine Industry Program	\$ 528	\$ 290	82.4%	\$ 60,195	\$ 18,150	231.7%
Equine Drug Research	\$ 264	\$ 145	82.4%	\$ 30,098	\$ 9,075	231.7%
Higher Education Fund	\$ 264	\$ 145	82.4%	\$ 30,098	\$ 9,075	231.7%
Ky General Fund	\$ 898	\$ 507	77.1%	\$ 102,777	\$ 29,716	245.9%
Total Kentucky Excise Tax (1.5%) (Note 1)	<u>\$ 3,989</u>	<u>\$ 2,173</u>	<u>83.6%</u>	<u>\$ 454,027</u>	<u>\$ 138,172</u>	<u>228.6%</u>
Backside Improvement Fund (Note 1)	\$ 1,267	\$ 724	75.0%	\$ 145,359	\$ 41,282	252.1%
Net Commission	\$ 82,427	\$ 25,284	226.0%	\$ 6,379,026	\$ 1,576,226	304.7%
Off Track Handle From:						
Other Kentucky Tracks	\$ 552,511	\$ 342,654	61.2%	\$ 5,340,817	\$ 1,600,262	233.7%
Kentucky ADW's	\$ 16,646,920	\$ 2,482,437	570.6%	\$ 225,829,931	\$ 63,808,245	253.9%
Kentucky Simulcast Facility (non-taxable)	\$ 17,437	\$ -		\$ 126,651	\$ -	
Other Sources (non-taxable)	\$ 22,936,021	\$ 29,304,086	-21.7%	\$ 278,969,357	\$ 639,886,684	-56.4%
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	<u>\$ 40,417,054</u>	<u>\$ 32,274,035</u>	<u>25.2%</u>	<u>\$ 540,364,262</u>	<u>\$ 714,370,238</u>	<u>-24.4%</u>
Average Daily Handle - On Track	\$ 14,676	\$ 11,143	31.7%	\$ 188,109	\$ 61,318	206.8%
Average Daily Handle - All Sources	\$ 2,245,392	\$ 2,482,618	-9.6%	\$ 3,377,277	\$ 4,826,826	-30.0%

Simulcast						
Handle by Breed						
Thoroughbred	\$ 4,834,576	\$ 3,725,433	29.8%	\$ 38,348,603	\$ 31,613,075	21.3%
Standardbred	\$ 1,619,440	\$ 1,648,070	-1.7%	\$ 11,411,611	\$ 11,603,747	-1.7%
Qtr/Arabian	\$ 67,555	\$ 43,864	54.0%	\$ 322,764	\$ 292,665	10.3%
Total Handle	<u>\$ 6,521,570</u>	<u>\$ 5,417,367</u>	<u>20.4%</u>	<u>\$ 50,082,979</u>	<u>\$ 43,509,487</u>	<u>15.1%</u>
TB Development Fund	\$ 95,053	\$ 73,026	30.2%	\$ 753,180	\$ 625,742	20.4%
SB Development Fund	\$ 3,297	\$ 2,115	55.9%	\$ 23,612	\$ 22,053	7.1%
QH Development Fund	\$ 905	\$ 523	73.2%	\$ 4,714	\$ 4,282	10.1%
Equine Industry Program*	\$ 2,481	\$ 1,892	31.2%	\$ 19,538	\$ 16,302	19.8%
Equine Drug Research	\$ 4,963	\$ 3,783	31.2%	\$ 39,075	\$ 32,604	19.8%
Higher Education Fund	\$ 4,963	\$ 3,783	31.2%	\$ 39,075	\$ 32,604	19.8%
Ky General Fund	\$ 37,221	\$ 28,374	31.2%	\$ 293,065	\$ 244,529	19.8%
Total Kentucky Excise Tax	<u>\$ 148,882</u>	<u>\$ 113,496</u>	<u>31.2%</u>	<u>\$ 1,172,259</u>	<u>\$ 978,115</u>	<u>19.8%</u>

Note 1: The Backside Improvement Fund is funded by 0.5% of Live Handle, separately from the Excise Tax, for Live Thoroughbred Racing conducted by associations per KRS 230.3615.

* Rate is .05% for Simulcast only

Monthly Track Report - Churchill Downs

December 2021

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	0	0		33	38	-13.2%
On Track Handle	\$ -	\$ -		\$ 9,098,136	\$ 3,626,053	150.9%
Less: Return to the Public	\$ -	\$ -		\$ 6,788,156	\$ 2,897,629	134.3%
Less: Breakage	\$ -	\$ -		\$ 70,758	\$ 24,202	192.4%
Gross Commission	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 2,239,222</u>	<u>\$ 704,222</u>	218.0%
TB Development Fund	\$ -	\$ -		\$ 68,236	\$ 27,195	150.9%
Equine Industry Program	\$ -	\$ -		\$ 18,196	\$ 7,252	
Equine Drug Research	\$ -	\$ -		\$ 9,098	\$ 3,626	150.9%
Higher Education Fund	\$ -	\$ -		\$ 9,098	\$ 3,626	150.9%
Ky General Fund	\$ -	\$ -		\$ 31,843	\$ 12,691	150.9%
Total Kentucky Excise Tax (1.5%) (Note 1)	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 136,472</u>	<u>\$ 54,391</u>	150.9%
Backside Improvement Fund (Note 1)	\$ -	\$ -		\$ 45,491	\$ 18,130	150.9%
Net Commission	\$ -	\$ -		\$ 2,057,259	\$ 631,701	225.7%
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ 1,629,176	\$ 2,703,204	-39.7%
Kentucky ADW's	\$ -	\$ -		\$ 81,528,335	\$ 35,550,786	129.3%
Kentucky Simulcast Facility (non-taxable)	\$ 17,437	\$ -		\$ 126,651	\$ -	
Other Sources (non-taxable)	\$ -	\$ -		\$ 89,488,219	\$ 301,963,190	-70.4%
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 181,743,866</u>	<u>\$ 343,843,233</u>	-47.1%
Average Daily Handle - On Track				\$ 275,701	\$ 95,422	188.9%
Average Daily Handle - All Sources				\$ 5,507,390	\$ 9,048,506	-39.1%

Simulcast						
Handle by Breed						
Thoroughbred	\$ 1,338,805	\$ 963,271	39.0%	\$ 10,248,417	\$ 3,614,049	183.6%
Standardbred	\$ 28,182	\$ 11,799	138.8%	\$ 93,127	\$ 21,946	324.3%
Qtr/Arabian	\$ 5,306	\$ 1,598		\$ 34,428	\$ 2,439	1311.6%
Total Handle	<u>\$ 1,372,292</u>	<u>\$ 976,669</u>	40.5%	<u>\$ 10,375,972</u>	<u>\$ 3,638,434</u>	185.2%
TB Development Fund	\$ 26,776	\$ 19,265	39.0%	\$ 204,968	\$ 72,281	183.6%
SB Development Fund	\$ 564	\$ 236	138.8%	\$ 1,863	\$ 439	324.3%
QH Development Fund	\$ 106	\$ 32		\$ 689	\$ 49	1311.6%
Equine Industry Program*	\$ 686	\$ 488	40.5%	\$ 5,188	\$ 1,819	185.2%
Equine Drug Research	\$ 1,372	\$ 977	40.5%	\$ 10,376	\$ 3,638	185.2%
Higher Education Fund	\$ 1,372	\$ 977	40.5%	\$ 10,376	\$ 3,638	185.2%
Ky General Fund	\$ 10,292	\$ 7,325	40.5%	\$ 77,820	\$ 27,288	185.2%
Total Kentucky Excise Tax (3%)	<u>\$ 41,169</u>	<u>\$ 29,300</u>	40.5%	<u>\$ 311,279</u>	<u>\$ 109,153</u>	185.2%

Note 1: The Backside Improvement Fund is funded by 0.5% of Live Handle, separately from the Excise Tax, for Live Thoroughbred Racing conducted by associations per KRS 230.3615.

* Rate is .05% for Simulcast only

Monthly Track Report - ECL Corbin

December 2021

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	0	0		12	0	
On Track Handle	\$ -	\$ -		\$ 165,407	\$ -	
Less: Return to the Public	\$ -	\$ -		\$ 128,681	\$ -	
Less: Breakage	\$ -	\$ -		\$ 195	\$ -	
Gross Commission	\$ -	\$ -		\$ 36,531	\$ -	
SB Development Fund	\$ -	\$ -		\$ 2,068	\$ -	
Equine Industry Program	\$ -	\$ -		\$ 331	\$ -	
Equine Drug Research	\$ -	\$ -		\$ 165	\$ -	
Higher Education Fund	\$ -	\$ -		\$ 165	\$ -	
Ky General Fund	\$ -	\$ -		\$ 165	\$ -	
Total Kentucky Excise Tax (1.75%)	\$ -	\$ -		\$ 2,895	\$ -	
Net Commission	\$ -	\$ -		\$ 33,636	\$ -	
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ 174,877	\$ -	
Kentucky ADW's	\$ -	\$ -		\$ 447,328	\$ -	
Other Sources (non-taxable) (Non-Ky Tracks, OTB's, Other ADW's)	\$ -	\$ -		\$ 683,761	\$ -	
All Sources Handle	\$ -	\$ -		\$ 1,471,373	\$ -	
Average Daily Handle - On Track				\$ 13,784		
Average Daily Handle - All Sources				\$ 122,614		

Simulcast						
Handle by Breed						
Thoroughbred	\$ -	\$ -		\$ -	\$ -	
Standardbred	\$ -	\$ -		\$ -	\$ -	
Qtr/Arabian	\$ -	\$ -		\$ -	\$ -	
Total Handle	\$ -	\$ -		\$ -	\$ -	
TB Development Fund						
SB Development Fund						
QH Development Fund						ONLY TAXED ON LIVE RACING (per KRS 138.510)
Equine Industry Program						
Equine Drug Research						
Higher Education Fund						
Ky General Fund						
Total Kentucky Excise Tax						

**Monthly Track Report - Ellis Park
December 2021**

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	0	0		29	25	16.0%
On Track Handle	\$ -	\$ -		\$ 2,966,666	\$ 1,000,965	196.4%
Less: Return to the Public	\$ -	\$ -		\$ 2,205,657	\$ 796,412	176.9%
Less: Breakage	\$ -	\$ -		\$ 25,511	\$ 8,359	205.2%
Gross Commission	\$ -	\$ -		\$ 735,498	\$ 196,195	274.9%
TB Development Fund	\$ -	\$ -		\$ 22,250	\$ 7,507	196.4%
Equine Industry Program	\$ -	\$ -		\$ 5,933	\$ 2,002	196.4%
Equine Drug Research	\$ -	\$ -		\$ 2,967	\$ 1,001	196.4%
Higher Education Fund	\$ -	\$ -		\$ 2,967	\$ 1,001	196.4%
Ky General Fund	\$ -	\$ -		\$ 10,383	\$ 3,503	196.4%
Total Kentucky Excise Tax (1.5%) (Note 1)	\$ -	\$ -		\$ 44,500	\$ 15,014	196.4%
Backside Improvement Fund (Note 1)	\$ -	\$ -		\$ 14,833	\$ 5,005	196.4%
Net Commission	\$ -	\$ -		\$ 676,164	\$ 176,175	283.8%
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ 1,003,489	\$ 532,769	88.4%
Kentucky ADW's	\$ -	\$ -		\$ 20,760,266	\$ 4,074,802	409.5%
Other Sources (non-taxable) (Non-Ky Tracks, OTB's, Other ADW's)	\$ -	\$ -		\$ 26,603,375	\$ 42,409,100	-37.3%
All Sources Handle	\$ -	\$ -		\$ 51,333,795	\$ 48,017,636	6.9%
Average Daily Handle - On Track				\$ 102,299	\$ 40,039	155.5%
Average Daily Handle - All Sources				\$ 1,770,131	\$ 1,920,705	-7.8%

Simulcast						
Handle by Breed						
Thoroughbred	\$ 681,724	\$ 585,372	16.5%	\$ 5,328,170	\$ 5,289,660	0.7%
Standardbred	\$ 60,439	\$ 47,879	26.2%	\$ 512,746	\$ 616,913	-16.9%
Qtr/Arabian	\$ 2,720	\$ 674	304%	\$ 19,880	\$ 16,280	22.1%
Total Handle	\$ 744,883	\$ 633,924	17.5%	\$ 5,860,796	\$ 5,922,853	-1.0%
TB Development Fund	\$ 13,634	\$ 11,707	16.5%	\$ 106,563	\$ 105,793	0.7%
SB Development Fund	\$ 1,209	\$ 958	26.2%	\$ 10,255	\$ 12,338	-16.9%
QH Development Fund	\$ 54	\$ 13	303.8%	\$ 398	\$ 326	22.1%
Equine Industry Program*	\$ 372	\$ 317	17.5%	\$ 2,930	\$ 2,961	-1.0%
Equine Drug Research	\$ 745	\$ 634	17.5%	\$ 5,861	\$ 5,923	-1.0%
Higher Education Fund	\$ 745	\$ 634	17.5%	\$ 5,861	\$ 5,923	-1.0%
Ky General Fund	\$ 5,587	\$ 4,754	17.5%	\$ 43,956	\$ 44,421	-1.0%
Total Kentucky Excise Tax (3%)	\$ 22,346	\$ 19,018	17.5%	\$ 175,824	\$ 177,686	-1.0%

Note 1: The Backside Improvement Fund is funded by 0.5% of Live Handle, separately from the Excise Tax, for Live Thoroughbred Racing conducted by associations per KRS 230.3615.

* Rate is .05% for Simulcast only

Monthly Track Report - Keeneland
December 2021

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	0	0		17	22	-22.7%
On Track Handle	\$ -	\$ -		\$ 15,162,221	\$ 3,152,200	381.0%
Less: Return to the Public	\$ -	\$ -		\$ 11,649,088	\$ 2,549,822	356.9%
Less: Breakage	\$ -	\$ -		\$ 111,932	\$ 20,348	450.1%
Gross Commission	\$ -	\$ -		\$ 3,401,201	\$ 582,030	484.4%
TB Development Fund	\$ -	\$ -		\$ 113,717	\$ 23,641	381.0%
Equine Industry Program	\$ -	\$ -		\$ 30,324	\$ 6,304	381.0%
Equine Drug Research	\$ -	\$ -		\$ 15,162	\$ 3,152	381.0%
Higher Education Fund	\$ -	\$ -		\$ 15,162	\$ 3,152	381.0%
Ky General Fund	\$ -	\$ -		\$ 53,068	\$ 11,033	381.0%
Total Kentucky Excise Tax (1.5%) (Note 1)	\$ -	\$ -		\$ 227,433	\$ 47,283	381.0%
Backside Improvement Fund (Note 1)	\$ -	\$ -		\$ 75,811	\$ 15,761	381.0%
Net Commission	\$ -	\$ -		\$ 3,097,957	\$ 518,986	496.9%
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ 1,187,512	\$ 1,041,783	14.0%
Kentucky ADW's	\$ -	\$ -		\$ 69,174,718	\$ 17,248,408	301.0%
Other Sources (non-taxable) (Non-Ky Tracks, OTB's, Other ADW's)	\$ -	\$ -		\$ 95,484,521	\$ 190,086,649	-49.8%
All Sources Handle	\$ -	\$ -		\$ 181,008,972	\$ 211,529,040	-14.4%
Average Daily Handle - On Track				\$ 891,895	\$ 143,282	522.5%
Average Daily Handle - All Sources				\$ 10,647,587	\$ 9,614,956	10.7%
Simulcast						
Handle by Breed						
Thoroughbred	\$ 1,592,287	\$ 1,339,712	18.9%	\$ 13,705,551	\$ 16,276,173	-15.8%
Standardbred						
Qtr/Arabian	\$ 4,691	\$ 1,156	305.8%	\$ 33,608	\$ 40,852	-17.7%
Total Handle	\$ 1,596,978	\$ 1,340,868	19.1%	\$ 13,739,159	\$ 16,317,025	-15.8%
TB Development Fund	\$ 31,846	\$ 26,794	18.9%	\$ 274,111	\$ 325,523	-15.8%
SB Development Fund						
QH Development Fund	\$ 94	\$ 23	305.8%	\$ 672	\$ 817	-17.7%
Equine Industry Program*	\$ 798	\$ 670	19.1%	\$ 6,870	\$ 8,159	-15.8%
Equine Drug Research	\$ 1,597	\$ 1,341	19.1%	\$ 13,739	\$ 16,317	-15.8%
Higher Education Fund	\$ 1,597	\$ 1,341	19.1%	\$ 13,739	\$ 16,317	-15.8%
Ky General Fund	\$ 11,977	\$ 10,057	19.1%	\$ 103,044	\$ 122,378	-15.8%
Total Kentucky Excise Tax (3%)	\$ 47,909	\$ 40,226	19.1%	\$ 412,175	\$ 489,511	-15.8%

Note 1: The Backside Improvement Fund is funded by 0.5% of Live Handle, separately from the Excise Tax, for Live Thoroughbred Racing conducted by associations per KRS 230.3615.

* Rate is .05% for Simulcast only

Monthly Track Report - Kentucky Downs

December 2021

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	0	0		6	6	0.0%
On Track Handle	\$ -	\$ -		\$ 1,591,345	\$ 332,301	378.9%
Less: Return to the Public	\$ -	\$ -		\$ 1,305,875	\$ 273,475	377.5%
Less: Breakage	\$ -	\$ -		\$ 9,711	\$ 1,706	469.2%
Gross Commission	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 275,759</u>	<u>\$ 57,120</u>	<u>382.8%</u>
TB Development Fund	\$ -	\$ -		\$ 11,935	\$ 2,492	378.9%
Equine Industry Program	\$ -	\$ -		\$ 3,183	\$ 665	
Equine Drug Research	\$ -	\$ -		\$ 1,591	\$ 332	378.9%
Higher Education Fund	\$ -	\$ -		\$ 1,591	\$ 332	378.9%
Ky General Fund	\$ -	\$ -		\$ 5,570	\$ 1,163	378.9%
Total Kentucky Excise Tax (1.5%) (Note 1)	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 23,870</u>	<u>\$ 4,985</u>	<u>378.9%</u>
Backside Improvement Fund (Note 1)	\$ -	\$ -		\$ 7,957	\$ 1,662	378.9%
Net Commission	\$ -	\$ -		\$ 243,932	\$ 50,474	383.3%
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ 706,876	\$ 271,022	160.8%
Kentucky ADW's	\$ -	\$ -		\$ 34,554,562	\$ 3,451,557	901.1%
Other Sources (non-taxable) (Non-Ky Tracks, OTB's, Other ADW's)	\$ -	\$ -		\$ 37,235,751	\$ 55,773,563	-33.2%
All Sources Handle	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 74,088,533</u>	<u>\$ 59,828,443</u>	<u>23.8%</u>
Average Daily Handle - On Track				\$ 265,224	\$ 55,384	378.9%
Average Daily Handle - All Sources				\$ 12,348,089	\$ 9,971,407	23.8%
Simulcast						
Handle by Breed						
Thoroughbred	\$ 733,188	\$ 470,063	56.0%	\$ 5,384,462	\$ 4,859,194	10.8%
Standardbred	\$ 55,841	\$ 46,059	21.2%	\$ 508,833	\$ 463,042	9.9%
Qtr/Arabian	\$ 20,392	\$ 12,656	61.1%	\$ 108,339	\$ 134,442	-19.4%
Total Handle	<u>\$ 809,421</u>	<u>\$ 528,777</u>	<u>53.1%</u>	<u>\$ 6,001,633</u>	<u>\$ 5,456,678</u>	<u>10.0%</u>
TB Development Fund	\$ 14,664	\$ 9,401	56.0%	\$ 107,689	\$ 97,184	10.8%
SB Development Fund	\$ 1,117	\$ 921	21.2%	\$ 10,177	\$ 9,261	9.9%
QH Development Fund	\$ 408	\$ 253	61.1%	\$ 2,167	\$ 2,689	-19.4%
Equine Industry Program*	\$ 405	\$ 264	53.1%	\$ 3,001	\$ 2,728	10.0%
Equine Drug Research	\$ 809	\$ 529	53.1%	\$ 6,002	\$ 5,457	10.0%
Higher Education Fund	\$ 809	\$ 529	53.1%	\$ 6,002	\$ 5,457	10.0%
Ky General Fund	\$ 6,071	\$ 3,966	53.1%	\$ 45,012	\$ 40,925	10.0%
Total Kentucky Excise Tax (3%)	<u>\$ 24,283</u>	<u>\$ 15,863</u>	<u>53.1%</u>	<u>\$ 180,049</u>	<u>\$ 163,700</u>	<u>10.0%</u>

Note 1: The Backside Improvement Fund is funded by 0.5% of Live Handle, separately from the Excise Tax, for Live Thoroughbred Racing conducted by associations per KRS 230.3615.

* Rate is .05% for Simulcast only

Monthly Track Report - Oak Grove

December 2021

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	2	0		20	14	42.9%
On Track Handle	\$ 10,677	\$ -		\$ 95,564	\$ 62,569	52.7%
Less: Return to the Public	\$ 7,887	\$ -		\$ 66,264	\$ 48,692	36.1%
Less: Breakage	\$ 108	\$ -		\$ 832	\$ 479	73.8%
Gross Commission	\$ 2,682	\$ -		\$ 28,469	\$ 13,398	112.5%
SB Development Fund	\$ 133	\$ -		\$ 1,195	\$ 782	52.7%
Equine Industry Program	\$ 21	\$ -		\$ 191	\$ 125	
Equine Drug Research	\$ 11	\$ -		\$ 96	\$ 63	52.7%
Higher Education Fund	\$ 11	\$ -		\$ 96	\$ 63	52.7%
Ky General Fund	\$ 11	\$ -		\$ 96	\$ 63	52.7%
Total Kentucky Excise Tax (1.75%)	\$ 187	\$ -		\$ 1,672	\$ 1,095	52.7%
Net Commission	\$ 2,495	\$ -		\$ 26,797	\$ 12,303	117.8%
Off Track Handle From:						
Other Kentucky Tracks	\$ 2,433	\$ -		\$ 37,495	\$ 34,003	10.3%
Kentucky ADW's	\$ 47,258	\$ -		\$ 558,030	\$ 33,396	1570.9%
Other Sources (non-taxable) (Non-Ky Tracks, OTB's, Other ADW's)	\$ 114,673	\$ -		\$ 1,167,061	\$ 1,084,726	7.6%
All Sources Handle	\$ 175,041	\$ -		\$ 1,858,151	\$ 1,214,694	53.0%
Average Daily Handle - On Track	\$ 5,339			\$ 4,778	\$ 4,469	6.9%
Average Daily Handle - All Sources	\$ 87,520			\$ 92,908	\$ 86,764	7.1%
Simulcast						
Handle by Breed						
Thoroughbred	\$ 81,928	\$ 74,111	10.5%	\$ 689,585	\$ 325,979	111.5%
Standardbred	\$ 22,465	\$ 15,339	46.5%	\$ 140,930	\$ 60,025	134.8%
Qtr/Arabian	\$ 2,666	\$ 2,073	28.6%	\$ 22,602	\$ 8,821	156.2%
Total Handle	\$ 107,059	\$ 91,523	17.0%	\$ 853,117	\$ 394,824	116.1%
TB Development Fund						
SB Development Fund						
QH Development Fund						ONLY TAXED ON LIVE RACING (per KRS 138.510)
Equine Industry Program						
Equine Drug Research						
Higher Education Fund						
Ky General Fund						
Total Kentucky Excise Tax						

Monthly Track Report - The Red Mile

December 2021

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	0	0		27	30	-10.0%
On Track Handle	\$ -	\$ -		\$ 764,679	\$ 756,104	1.1%
Less: Return to the Public	\$ -	\$ -		\$ 589,385	\$ 584,448	0.8%
Less: Breakage	\$ -	\$ -		\$ (1,436)	\$ (2,879)	-50.1%
Gross Commission	\$ -	\$ -		\$ 176,730	\$ 174,535	1.3%
SB Development Fund	\$ -	\$ -		\$ 9,558	\$ 9,451	1.1%
Equine Industry Program	\$ -	\$ -		\$ 1,529	\$ 1,512	
Equine Drug Research	\$ -	\$ -		\$ 765	\$ 756	1.1%
Higher Education Fund	\$ -	\$ -		\$ 765	\$ 756	1.1%
Ky General Fund	\$ -	\$ -		\$ 765	\$ 756	1.1%
Total Kentucky Excise Tax (1.75%)	\$ -	\$ -		\$ 13,382	\$ 13,232	1.1%
Net Commission	\$ -	\$ -		\$ 163,348	\$ 161,303	1.3%
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ 51,315	\$ 37,080	38.4%
Kentucky ADW's	\$ -	\$ -		\$ 2,207,030	\$ 211,311	944.4%
Other Sources (non-taxable) (Non-Ky Tracks, OTB's, Other ADW's)	\$ -	\$ -		\$ 5,485,321	\$ 9,989,466	-45.1%
All Sources Handle	\$ -	\$ -		\$ 8,508,344	\$ 10,993,960	-22.6%
Average Daily Handle - On Track				\$ 28,321	\$ 25,203	12.4%
Average Daily Handle - All Sources				\$ 315,124	\$ 366,465	-14.0%
Simulcast						
Handle by Breed						
Thoroughbred	\$ -	\$ -		\$ -	\$ -	
Standardbred	\$ 1,432,137	\$ 1,526,995	-6.2%	\$ 10,090,078	\$ 10,441,063	-3.4%
Qtr/Arabian	\$ 19,636	\$ 15,661	25.4%	\$ 64,473	\$ 69,761	-7.6%
Total Handle	\$ 1,451,773	\$ 1,542,657	-5.9%	\$ 10,154,551	\$ 10,510,824	-3.4%
TB Development Fund						
SB Development Fund						
QH Development Fund						ONLY TAXED ON LIVE RACING (per KRS 138.510)
Equine Industry Program						
Equine Drug Research						
Higher Education Fund						
Ky General Fund						
Total Kentucky Excise Tax						

**Monthly Track Report - Turfway Park
December 2021**

Live Racing						
	Dec-21	Dec-20	% Change	FYTD - 2022	FYTD - 2021	% Change
Race Dates	16	13	23.1%	16	13	23.1%
On Track Handle	\$ 253,488	\$ 144,858	75.0%	\$ 253,488	\$ 144,858	75.0%
Less: Return to the Public	\$ 167,086	\$ 115,901	44.2%	\$ 167,086	\$ 115,901	44.2%
Less: Breakage	\$ 1,400	\$ 776	80.5%	\$ 1,400	\$ 776	80.5%
Gross Commission	<u>\$ 85,002</u>	<u>\$ 28,181</u>	<u>201.6%</u>	<u>\$ 85,002</u>	<u>\$ 28,181</u>	<u>201.6%</u>
TB Development Fund	\$ 1,901	\$ 1,086	75.0%	\$ 1,901	\$ 1,086	75.0%
Equine Industry Program	\$ 507	\$ 290	75.0%	\$ 507	\$ 290	75.0%
Equine Drug Research	\$ 253	\$ 145	75.0%	\$ 253	\$ 145	75.0%
Higher Education Fund	\$ 253	\$ 145	75.0%	\$ 253	\$ 145	75.0%
Ky General Fund	\$ 887	\$ 507	75.0%	\$ 887	\$ 507	75.0%
Total Kentucky Excise Tax (1.5%) (Note 1)	<u>\$ 3,802</u>	<u>\$ 2,173</u>	<u>75.0%</u>	<u>\$ 3,802</u>	<u>\$ 2,173</u>	<u>75.0%</u>
Backside Improvement Fund (Note 1)	\$ 1,267	\$ 724	75.0%	\$ 1,267	\$ 724	75.0%
Net Commission	\$ 79,932	\$ 25,284	216.1%	\$ 79,932	\$ 25,284	216.1%
Off Track Handle From:						
Other Kentucky Tracks	\$ 550,078	\$ 342,654	60.5%	\$ 550,078	\$ 342,654	60.5%
Kentucky ADW's	\$ 16,599,662	\$ 2,482,437	568.7%	\$ 16,599,662	\$ 2,482,437	568.7%
Other Sources (non-taxable) (Non-Ky Tracks, OTB's, Other ADW's)	\$ 22,821,348	\$ 29,304,086	-22.1%	\$ 22,821,348	\$ 29,304,086	-22.1%
All Sources Handle	<u>\$ 40,224,576</u>	<u>\$ 32,274,035</u>		<u>\$ 40,224,576</u>	<u>\$ 32,274,035</u>	
Average Daily Handle - On Track	\$ 15,843	\$ 11,143	42.2%	\$ 15,843	\$ 11,143	42.2%
Average Daily Handle - All Sources	\$ 2,514,036	\$ 2,482,618	1.3%	\$ 2,514,036	\$ 2,482,618	1.3%
Simulcast						
Handle by Breed						
Thoroughbred	\$ 406,644	\$ 292,905	38.8%	\$ 2,992,420	\$ 1,248,020	139.8%
Standardbred	\$ 20,377	\$ -		\$ 65,897	\$ 759	8587.8%
Qtr/Arabian	\$ 12,144	\$ 10,046	20.9%	\$ 39,434	\$ 20,070	96.5%
Total Handle	<u>\$ 439,165</u>	<u>\$ 302,950</u>	<u>45.0%</u>	<u>\$ 3,097,751</u>	<u>\$ 1,268,849</u>	<u>144.1%</u>
TB Development Fund	\$ 8,133	\$ 5,858	38.8%	\$ 59,848	\$ 24,960	139.8%
SB Development Fund	\$ 408	\$ -		\$ 1,318	\$ 15	8587.8%
QH Development Fund	\$ 243	\$ 201		\$ 789	\$ 401	
Equine Industry Program*	\$ 220	\$ 151	45.0%	\$ 1,549	\$ 634	144.1%
Equine Drug Research	\$ 439	\$ 303	45.0%	\$ 3,098	\$ 1,269	144.1%
Higher Education Fund	\$ 439	\$ 303	45.0%	\$ 3,098	\$ 1,269	144.1%
Ky General Fund	\$ 3,294	\$ 2,272	45.0%	\$ 23,233	\$ 9,516	144.1%
Total Kentucky Excise Tax (3%)	<u>\$ 13,175</u>	<u>\$ 9,089</u>	<u>45.0%</u>	<u>\$ 92,933</u>	<u>\$ 38,065</u>	<u>144.1%</u>

Note 1: The Backside Improvement Fund is funded by 0.5% of Live Handle, separately from the Excise Tax, for Live Thoroughbred Racing conducted by associations per KRS 230.3615.

* Rate is .05% for Simulcast only

Kentucky Resident Advance Deposit Wagering Report for December 2021

AmWest Entertainment

	<u>% of Total</u>	<u>Dec-21</u>	<u>Dec-20</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2022</u>	<u>FYTD-2021</u>	<u>% Change</u>
Total In-State Handle	0.00%	\$ -	\$ -		0.29%	\$ 117,453	\$ 97,505	20.5%
Total Out-of State Handle	0.66%	\$ 117,530	\$ 87,314	34.6%	0.76%	\$ 1,033,913	\$ 665,207	55.4%
Total Handle (TH)	0.58%	\$ 117,530	\$ 87,314	34.6%	0.65%	\$ 1,151,366	\$ 762,712	51.0%
Host Track (42.5% Allocation)		\$ 250	\$ 186	34.6%	\$ 2,447	\$ 1,621	51.0%	
Purse (42.5% Allocation)		\$ 250	\$ 186	34.6%	\$ 2,447	\$ 1,621	51.0%	
KY General Fund (15% Allocation)		\$ 88	\$ 65	34.6%	\$ 864	\$ 572	51.0%	
Total KY Excise Tax (.5% of TH)		\$ 588	\$ 437	34.6%	\$ 5,757	\$ 3,814	51.0%	

eBet

	<u>% of Total</u>	<u>Dec-21</u>	<u>Dec-20</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2022</u>	<u>FYTD-2021</u>	<u>% Change</u>
Total In-State Handle	0.34%	\$ 8,718	\$ 3,085	182.6%	0.10%	\$ 41,867	\$ 39,939	4.8%
Total Out-of State Handle	0.41%	\$ 71,991	\$ 48,585	48.2%	0.31%	\$ 426,699	\$ 393,473	8.4%
Total Handle (TH)	0.40%	\$ 80,709	\$ 51,669	56.2%	0.27%	\$ 468,565	\$ 433,412	8.1%
Host Track (42.5% Allocation)		\$ 172	\$ 110	56.2%	\$ 996	\$ 921	8.1%	
Purse (42.5% Allocation)		\$ 172	\$ 110	56.2%	\$ 996	\$ 921	8.1%	
KY General Fund (15% Allocation)		\$ 61	\$ 39	56.2%	\$ 351	\$ 325	8.1%	
Total KY Excise Tax (.5% of TH)		\$ 404	\$ 258	56.2%	\$ 2,343	\$ 2,167	8.1%	

Lien Games

	<u>% of Total</u>	<u>Dec-21</u>	<u>Dec-20</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2022</u>	<u>FYTD-2021</u>	<u>% Change</u>
Total In-State Handle	0.00%	\$ -	\$ -		0.03%	\$ 10,907	\$ 13,812	-21.0%
Total Out-of State Handle	0.31%	\$ 54,724	\$ 16,076	240.4%	0.19%	\$ 251,658	\$ 133,391	88.7%
Total Handle (TH)	0.27%	\$ 54,724	\$ 16,076	240.4%	0.15%	\$ 262,565	\$ 147,203	78.4%
Host Track (42.5% Allocation)		\$ 116	\$ 34	240.4%	\$ 558	\$ 313	78.4%	
Purse (42.5% Allocation)		\$ 116	\$ 34	240.4%	\$ 558	\$ 313	78.4%	
KY General Fund (15% Allocation)		\$ 41	\$ 12	240.4%	\$ 197	\$ 110	78.4%	
Total KY Excise Tax (.5% of TH)		\$ 274	\$ 80	240.4%	\$ 1,313	\$ 736	78.4%	

Kentucky Resident Advance Deposit Wagering Report for December 2021 (Cont)

NYRAbets	% of Total	Dec-21	Dec-20	% Change	% of Total	FYTD-2022	FYTD-2021	% Change
Total In-State Handle	2.95%	\$ 74,950	\$ 71,702	4.5%	2.34%	\$ 945,646	\$ 1,863,510	-49.3%
Total Out-of State Handle	3.02%	\$ 535,682	\$ 576,494	-7.1%	3.32%	\$ 4,506,990	\$ 4,294,055	5.0%
Total Handle (TH)	3.01%	\$ 610,632	\$ 648,196	-5.8%	3.10%	\$ 5,452,636	\$ 6,157,566	-11.4%
Host Track (42.5% Allocation)		\$ 1,298	\$ 1,377	-5.8%		\$ 11,587	\$ 13,085	-11.4%
Purse (42.5% Allocation)		\$ 1,298	\$ 1,377	-5.8%		\$ 11,587	\$ 13,085	-11.4%
KY General Fund (15% Allocation)		\$ 458	\$ 486	-5.8%		\$ 4,089	\$ 4,618	-11.4%
Total KY Excise Tax (.5% of TH)		\$ 3,053	\$ 3,241	-5.8%		\$ 27,263	\$ 30,788	-11.4%

TVG	% of Total	Dec-21	Dec-20	% Change	% of Total	FYTD-2022	FYTD-2021	% Change
Total In-State Handle	28.23%	\$ 716,464	\$ 734,558	-2.5%	23.88%	\$ 9,638,625	\$ 19,861,070	-51.5%
Total Out-of State Handle	30.77%	\$ 5,455,065	\$ 6,778,928	-19.5%	31.85%	\$ 43,182,668	\$ 52,824,663	-18.3%
Total Handle (TH)	30.45%	\$ 6,171,530	\$ 7,513,487	-17.9%	30.02%	\$ 52,821,293	\$ 72,685,733	-27.3%
Host Track (42.5% Allocation)		\$ 13,115	\$ 15,966	-17.9%		\$ 112,245	\$ 154,457	-27.3%
Purse (42.5% Allocation)		\$ 13,115	\$ 15,966	-17.9%		\$ 112,245	\$ 154,457	-27.3%
KY General Fund (15% Allocation)		\$ 4,629	\$ 5,635	-17.9%		\$ 39,616	\$ 54,514	-27.3%
Total KY Excise Tax (.5% of TH)		\$ 30,858	\$ 37,567	-17.9%		\$ 264,106	\$ 363,429	-27.3%

TwinSpires	% of Total	Dec-21	Dec-20	% Change	% of Total	FYTD-2022	FYTD-2021	% Change
Total In-State Handle	60.91%	\$ 1,546,018	\$ 1,496,201	3.3%	59.98%	\$ 24,209,945	\$ 43,399,405	-44.2%
Total Out-of State Handle	51.71%	\$ 9,165,885	\$ 9,209,141	-0.5%	50.84%	\$ 68,921,170	\$ 72,477,452	-4.9%
Total Handle (TH)	52.86%	\$ 10,711,903	\$ 10,705,342	0.1%	52.93%	\$ 93,131,115	\$ 115,876,857	-19.6%
Host Track (42.5% Allocation)		\$ 22,763	\$ 22,749	0.1%		\$ 197,904	\$ 246,238	-19.6%
Purse (42.5% Allocation)		\$ 22,763	\$ 22,749	0.1%		\$ 197,904	\$ 246,238	-19.6%
KY General Fund (15% Allocation)		\$ 8,034	\$ 8,029	0.1%		\$ 69,848	\$ 86,908	-19.6%
Total KY Excise Tax (.5% of TH)		\$ 53,560	\$ 53,527	0.1%		\$ 465,656	\$ 579,384	-19.6%

Kentucky Resident Advance Deposit Wagering Report for December 2021 (Cont)

Watch and Wager	% of Total	Dec-21	Dec-20	% Change	% of Total	FYTD-2022	FYTD-2021	% Change
Total In-State Handle	0.76%	\$ 19,165	\$ 1,414	1255.2%	0.21%	\$ 84,995	\$ 32,518	161.4%
Total Out-of State Handle	0.32%	\$ 56,567	\$ 21,678	160.9%	0.27%	\$ 366,673	\$ 145,104	152.7%
Total Handle (TH)	0.37%	\$ 75,732	\$ 23,092	228.0%	0.26%	\$ 451,668	\$ 177,621	154.3%
Host Track (42.5% Allocation)		\$ 161	\$ 49	228.0%		\$ 960	\$ 377	154.3%
Purse (42.5% Allocation)		\$ 161	\$ 49	228.0%		\$ 960	\$ 377	154.3%
KY General Fund (15% Allocation)		\$ 57	\$ 17	228.0%		\$ 339	\$ 133	154.3%
Total KY Excise Tax (.5% of TH)		\$ 379	\$ 115	228.0%		\$ 2,258	\$ 888	154.3%

Xpressbet	% of Total	Dec-21	Dec-20	% Change	% of Total	FYTD-2022	FYTD-2021	% Change
Total In-State Handle	6.81%	\$ 172,915	\$ 174,932	-1.2%	13.16%	\$ 5,311,072	\$ 7,705,717	-31.1%
Total Out-of State Handle	12.80%	\$ 2,269,249	\$ 2,434,554	-6.8%	12.46%	\$ 16,886,651	\$ 15,426,477	9.5%
Total Handle (TH)	12.05%	\$ 2,442,164	\$ 2,609,485	-6.4%	12.62%	\$ 22,197,722	\$ 23,132,194	-4.0%
Host Track (42.5% Allocation)		\$ 5,190	\$ 5,545	-6.4%		\$ 47,170	\$ 49,156	-4.0%
Purse (42.5% Allocation)		\$ 5,190	\$ 5,545	-6.4%		\$ 47,170	\$ 49,156	-4.0%
KY General Fund (15% Allocation)		\$ 1,832	\$ 1,957	-6.4%		\$ 16,648	\$ 17,349	-4.0%
Total KY Excise Tax (.5% of TH)		\$ 12,211	\$ 13,047	-6.4%		\$ 110,989	\$ 115,661	-4.0%

Kentucky Historical Horse Racing Report for December, 2021

	December -21	December - 20	% Change	FYTD - 2022	FYTD - 2021	% Change
Total Handle	\$ 556,455,643	\$ 309,849,087	79.6%	\$ 3,193,547,474	\$ 1,805,914,978	76.8%
Less: Returned to Public	\$ 507,178,568	\$ 281,519,682	80.2%	\$ 2,913,783,584	\$ 1,645,693,640	77.1%
Less: Breakage	\$ 65,063	\$ 63,892		\$ 428,737	\$ 453,019	
Less: Change in Pools (Note 6)	\$ 973,574	\$ 1,423,053		\$ 1,722,850	\$ 4,152,527	
Gross Commission	<u>\$ 48,238,438</u>	<u>\$ 26,842,460</u>	79.7%	<u>\$ 277,612,303</u>	<u>\$ 155,615,791</u>	78.4%
TB Development Fund (Note 1)	\$ 3,516,015	\$ 1,744,036	101.6%	\$ 20,124,280	\$ 11,116,365	81.0%
SB Development Fund (Note 2)	\$ 876,537	\$ 773,109	13.4%	\$ 5,103,102	\$ 3,237,330	57.6%
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 650,000	\$ 650,000	0.0%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 320,000	\$ 320,000	0.0%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 320,000	\$ 320,000	0.0%
Kentucky General Fund (Note 5)	\$ 3,954,283	\$ 2,130,591	85.6%	\$ 21,385,831	\$ 11,445,030	86.9%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 8,346,835</u>	<u>\$ 4,647,736</u>	79.6%	<u>\$ 47,903,212</u>	<u>\$ 27,088,725</u>	76.8%
% of Gross Commission	17.3%	17.3%		17.3%	17.4%	
Net Commission + Breakage	\$ 39,956,666	\$ 22,258,616	79.5%	\$ 230,137,828	\$ 128,980,086	78.4%
% of Total Handle	7.18%	7.18%		7.21%	7.14%	
Number of HHR Terminals	5,591	3,625	54.2%	5,171	3,544	45.9%
Average Daily Handle	\$ 17,950,182	\$ 9,995,132	79.6%	\$ 17,356,236	\$ 9,814,755	76.8%
Handle/Day/Terminal	\$ 3,211	\$ 2,757	16.4%	\$ 3,357	\$ 2,769	21.2%
Gross Commission / Day /Terminal	\$ 278	\$ 239	16.5%	\$ 292	\$ 239	22.3%
	December -21	November - 21	% Change	Since Inception		
Total Handle	\$ 556,455,643	\$ 507,733,217	9.6%	Total Handle	\$ 15,831,245,193	
Total Kentucky Excise Tax	\$ 8,346,835	\$ 7,615,998	9.6%	Total Kentucky Excise Tax	\$ 237,468,678	
Average Daily Handle	\$ 17,950,182	\$ 16,924,441	6.1%	Total KY General Fund	\$ 100,122,159	

Note 1: Thoroughbred Development Fund receives .75% of TH at KD, EP, NR and DCG. The rate applies to half of the TH at KRM and OG.

Note 2: The Standardbred Development Fund receives 1.0% of half of the TH at KRM and OG.

Note 3: EIP Fund receives .2% of the TH with a fiscal year cap of \$650,000.

Note 4: EDR and HEF Funds each receive .1% of the TH with a fiscal year cap of \$320,000.

Note 5: Kentucky General Fund receives 1.5% of TH less Notes 1,2,3 and 4.

Note 6: Represents the net change in all wagering pools.

Kentucky Downs-Bowling Green Historical Horse Racing Report for December, 2021

		December -21	December - 20	% Change	FYTD - 2022	FYTD - 2021	% Change
Total Handle	(Note 7)	\$ 5,585,381			\$ 5,585,381		
Less: Returned to Public		\$ 5,007,886			\$ 5,007,886		
Less: Breakage		\$ 130			\$ 130		
Less: Change in Pools (Note 6)		\$ 53,278			\$ 53,278		
Gross Commission		<u>\$ 524,086</u>			<u>\$ 524,086</u>		
TB Development Fund (Note 1)		\$ 41,890			\$ 41,890		
SB Development Fund (Note 2)							
Equine Industry Program (Note 3)		\$ -			\$ -		
Equine Drug Research (Note 4)		\$ -			\$ -		
Higher Education Fund (Note 4)		\$ -			\$ -		
Kentucky General Fund (Note 5)		\$ 41,890			\$ 41,890		
Total KY Excise Tax (1.5% of Total Handle)		<u>\$ 83,781</u>			<u>\$ 83,781</u>		
% of Gross Commission		16.0%			16.0%		
Net Commission + Breakage		\$ 440,436	\$ -		\$ 440,436	\$ -	
% of Total Handle		7.89%			7.89%		
<hr/>							
Number of HHR Terminals		450			450		
Average Daily Handle		\$ 1,396,345			\$ 1,396,345		
Handle/Day/Terminal		\$ 3,103			\$ 3,103		
Gross Commission / Day /Terminal		\$ 291			\$ 291		
<hr/>							
		December -21	November - 21	% Change	Since Inception (December 28, 2021)		
Total Handle		\$ 5,585,381			Total Handle	\$ 5,585,381	
Total Kentucky Excise Tax		\$ 83,781			Total Kentucky Excise Tax	\$ 83,781	
Average Daily Handle		\$ 1,396,345			Total KY General Fund	\$ 41,890	

Note 1: Thoroughbred Development Fund receives .75% of TH at KD, EP, NR and DCG. The rate applies to half of the TH at KRM and OG.

Note 2: The Standardbred Development Fund receives 1.0% of half of the TH at KRM and OG.

Note 3: EIP Fund receives .2% of the TH with a fiscal year cap of \$650,000.

Note 4: EDR and HEF Funds each receive .1% of the TH with a fiscal year cap of \$320,000.

Note 5: Kentucky General Fund receives 1.5% of TH less Notes 1,2,3 and 4.

Note 6: Represents the net change in all wagering pools.

Note 7: Reflects 4 days of operations.

Derby City Gaming Historical Horse Racing Report for December, 2021

	December -21	December - 20	% Change	FYTD - 2022	FYTD - 2021	% Change
Total Handle	\$ 174,604,354	\$ 94,677,450	84.4%	\$ 990,891,726	\$ 595,780,947	66.3%
Less: Returned to Public	\$ 158,989,771	\$ 86,173,221	84.5%	\$ 901,723,991	\$ 541,692,157	66.5%
Less: Breakage	\$ -	\$ -		\$ -	\$ -	
Less: Change in Pools (Note 6)	\$ 178,145	\$ 86,508		\$ 710,251	\$ 917,587	
Gross Commission	<u>\$ 15,436,437</u>	<u>\$ 8,417,721</u>	83.4%	<u>\$ 88,457,484</u>	<u>\$ 53,171,203</u>	66.4%
TB Development Fund (Note 1)	\$ 1,309,533	\$ 710,081	84.4%	\$ 7,431,688	\$ 4,468,357	66.3%
SB Development Fund (Note 2)						
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 204,303	\$ 250,499	-18.4%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 100,580	\$ 123,322	-18.4%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 100,580	\$ 123,322	-18.4%
Kentucky General Fund (Note 5)	\$ 1,309,533	\$ 710,081	84.4%	\$ 7,026,225	\$ 3,971,213	76.9%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 2,619,065</u>	<u>\$ 1,420,162</u>	84.4%	<u>\$ 14,863,376</u>	<u>\$ 8,936,714</u>	66.3%
% of Gross Commission	17.0%	16.9%		16.8%	16.8%	
Net Commission + Breakage	\$ 12,817,372	\$ 6,997,559	83.2%	\$ 73,594,108	\$ 44,234,488	66.4%
% of Total Handle	7.34%	7.39%		7.43%	7.42%	
Number of HHR Terminals	1,112	653	70.3%	1,021	700	45.8%
Average Daily Handle	\$ 5,632,399	\$ 3,054,111	84.4%	\$ 5,385,281	\$ 3,237,940	66.3%
Handle/Day/Terminal	\$ 5,065	\$ 4,677	8.3%	\$ 4,843	\$ 4,959	-2.3%
Gross Commission / Day /Terminal	\$ 448	\$ 416	7.7%	\$ 432	\$ 443	-2.3%

	December -21	November - 21	% Change	Since Inception (September 10, 2018)	
Total Handle	\$ 174,604,354	\$ 160,093,499	9.06%	Total Handle	\$ 4,079,335,618
Total Kentucky Excise Tax	\$ 2,619,065	\$ 2,401,402	9.06%	Total Kentucky Excise Tax	\$ 61,190,034
Average Daily Handle	\$ 5,632,399	\$ 5,336,450	5.55%	Total KY General Fund	\$ 29,049,568

Note 1: Thoroughbred Development Fund receives .75% of TH at KD, EP, NR and DCG. The rate applies to half of the TH at KRM and OG.

Note 2: The Standardbred Development Fund receives 1.0% of half of the TH at KRM and OG.

Note 3: EIP Fund receives .2% of the TH with a fiscal year cap of \$650,000.

Note 4: EDR and HEF Funds each receive .1% of the TH with a fiscal year cap of \$320,000.

Note 5: Kentucky General Fund receives 1.5% of TH less Notes 1,2,3 and 4.

Note 6: Represents the net change in all wagering pools.

Ellis Park Historical Horse Racing Report for December, 2021

	December -21	December - 20	% Change	FYTD - 2022	FYTD - 2021	% Change
Total Handle	\$ 17,545,213	\$ 14,822,861	18.4%	\$ 109,254,364	\$ 104,339,437	4.7%
Less: Returned to Public	\$ 16,107,931	\$ 13,502,173	19.3%	\$ 99,678,020	\$ 95,112,041	4.8%
Less: Breakage	\$ 2,726	\$ 2,020		\$ 15,527	\$ 11,684	
Less: Change in Pools (Note 6)	\$ (75,304)	\$ 46,172		\$ 143,560	\$ 179,747	
Gross Commission	<u>\$ 1,509,859</u>	<u>\$ 1,272,495</u>	18.7%	<u>\$ 9,417,257</u>	<u>\$ 9,035,966</u>	4.2%
TB Development Fund (Note 1)	\$ 131,589	\$ 111,171	18.4%	\$ 819,408	\$ 782,546	4.7%
SB Development Fund (Note 2)						
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 22,782	\$ 46,371	-50.9%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 11,216	\$ 22,829	-50.9%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 11,216	\$ 22,829	-50.9%
Kentucky General Fund (Note 5)	\$ 131,589	\$ 111,171	18.4%	\$ 774,194	\$ 690,518	12.1%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 263,178</u>	<u>\$ 222,343</u>	18.4%	<u>\$ 1,638,815</u>	<u>\$ 1,565,092</u>	4.7%
% of Gross Commission	17.4%	17.5%		17.4%	17.3%	
Net Commission + Breakage	\$ 1,249,407	\$ 1,052,173	18.7%	\$ 7,793,969	\$ 7,482,558	4.2%
% of Total Handle	7.12%	7.10%		7.13%	7.17%	
Number of HHR Terminals	318	197	61.4%	317	183	73.0%
Average Daily Handle	\$ 565,975	\$ 478,157	18.4%	\$ 593,774	\$ 567,062	4.7%
Handle/Day/Terminal	\$ 1,780	\$ 2,427	-26.7%	\$ 1,867	\$ 2,878	-35.1%
Gross Commission / Day /Terminal	\$ 153	\$ 208	-26.5%	\$ 161	\$ 249	-35.4%
	December -21	November - 21	% Change	<u>Since Inception (August 31, 2012)</u>		
Total Handle	\$ 17,545,213	\$ 16,603,409	5.7%	Total Handle	\$ 855,955,171	
Total Kentucky Excise Tax	\$ 263,178	\$ 249,051	5.7%	Total Kentucky Excise Tax	\$ 12,839,328	
Average Daily Handle	\$ 565,975	\$ 553,447	2.3%	Total KY General Fund	\$ 5,363,223	

Note 1: Thoroughbred Development Fund receives .75% of TH at KD, EP, NR and DCG. The rate applies to half of the TH at KRM and OG.

Note 2: The Standardbred Development Fund receives 1.0% of half of the TH at KRM and OG.

Note 3: EIP Fund receives .2% of the TH with a fiscal year cap of \$650,000.

Note 4: EDR and HEF Funds each receive .1% of the TH with a fiscal year cap of \$320,000.

Note 5: Kentucky General Fund receives 1.5% of TH less Notes 1,2,3 and 4.

Note 6: Represents the net change in all wagering pools.

Kentucky Downs Historical Horse Racing Report for December, 2021

	December -21	December - 20	% Change	FYTD - 2022	FYTD - 2021	% Change
Total Handle	\$ 160,697,550	\$ 90,296,587	78.0%	\$ 950,572,157	\$ 611,505,027	55.4%
Less: Returned to Public	\$ 146,872,637	\$ 81,913,372	79.3%	\$ 869,661,552	\$ 559,128,106	55.5%
Less: Breakage	\$ 10,467	\$ 16,287		\$ 84,388	\$ 108,142	
Less: Change in Pools (Note 6)	\$ 299,598	\$ 560,231		\$ 416,810	\$ 346,429	
Gross Commission	<u>\$ 13,514,848</u>	<u>\$ 7,806,697</u>	73.1%	<u>\$ 80,409,407</u>	<u>\$ 51,922,348</u>	54.9%
TB Development Fund (Note 1)	\$ 1,205,232	\$ 677,224	78.0%	\$ 7,129,291	\$ 4,586,288	55.4%
SB Development Fund (Note 2)						
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 191,848	\$ 246,916	-22.3%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 94,448	\$ 121,559	-22.3%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 94,448	\$ 121,559	-22.3%
Kentucky General Fund (Note 5)	\$ 1,205,232	\$ 677,224	78.0%	\$ 6,748,548	\$ 4,096,253	64.7%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 2,410,463</u>	<u>\$ 1,354,449</u>	78.0%	<u>\$ 14,258,582</u>	<u>\$ 9,172,575</u>	55.4%
% of Gross Commission	17.8%	17.3%		17.7%	17.7%	
Net Commission + Breakage	\$ 11,114,852	\$ 6,468,535	71.8%	\$ 66,235,213	\$ 42,857,915	54.5%
% of Total Handle	6.92%	7.16%		6.97%	7.01%	
Number of HHR Terminals	1,055	1022	3.2%	1,055	797	32.4%
Average Daily Handle	\$ 5,183,792	\$ 2,912,793	78.0%	\$ 5,166,153	\$ 3,323,397	55.4%
Handle/Day/Terminal	\$ 4,914	\$ 2,850	72.4%	\$ 4,897	\$ 3,252	50.6%
Gross Commission / Day /Terminal	\$ 413	\$ 246	67.7%	\$ 414	\$ 276	50.0%
	December -21	November - 21	% Change	Since Inception (September 1, 2011)		
Total Handle	\$ 160,697,550	\$ 153,498,607	4.7%	Total Handle	\$ 6,920,851,091	
Total Kentucky Excise Tax	\$ 2,410,463	\$ 2,302,479	4.7%	Total Kentucky Excise Tax	\$ 103,812,766	
Average Daily Handle	\$ 5,183,792	\$ 5,116,620	1.3%	Total KY General Fund	\$ 43,384,520	

Note 1: Thoroughbred Development Fund receives .75% of TH at KD, EP, NR and DCG. The rate applies to half of the TH at KRM and OG.

Note 2: The Standardbred Development Fund receives 1.0% of half of the TH at KRM and OG.

Note 3: EIP Fund receives .2% of the TH with a fiscal year cap of \$650,000.

Note 4: EDR and HEF Funds each receive .1% of the TH with a fiscal year cap of \$320,000.

Note 5: Kentucky General Fund receives 1.5% of TH less Notes 1,2,3 and 4.

Note 6: Represents the net change in all wagering pools.

KRM Historical Horse Racing Report for December, 2021

	December -21	December - 20	% Change	FYTD - 2022	FYTD - 2021	% Change
Total Handle	\$ 58,954,214	\$ 39,568,442	49.0%	\$ 354,331,923	\$ 259,068,148	36.8%
Less: Returned to Public	\$ 53,787,874	\$ 36,157,967	48.8%	\$ 325,038,917	\$ 236,918,920	37.2%
Less: Breakage	\$ 51,739	\$ 45,584		\$ 328,693	\$ 333,194	
Less: Change in Pools (Note 6)	\$ 208,974	\$ 313,530		\$ (77,253)	\$ 1,443,480	
Gross Commission	<u>\$ 4,905,627</u>	<u>\$ 3,051,360</u>	60.8%	<u>\$ 29,041,566</u>	<u>\$ 20,372,555</u>	42.6%
TB Development Fund (Note 1)	\$ 221,078	\$ 148,382	49.0%	\$ 1,328,745	\$ 971,506	36.8%
SB Development Fund (Note 2)	\$ 294,771	\$ 197,842	49.0%	\$ 1,771,660	\$ 1,295,341	36.8%
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 70,536	\$ 106,214	-33.6%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 34,725	\$ 52,290	-33.6%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 34,725	\$ 52,290	-33.6%
Kentucky General Fund (Note 5)	\$ 368,464	\$ 247,303	49.0%	\$ 2,074,588	\$ 1,408,382	47.3%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 884,313</u>	<u>\$ 593,527</u>	49.0%	<u>\$ 5,314,979</u>	<u>\$ 3,886,022</u>	36.8%
% of Gross Commission	18.0%	19.5%		18.3%	19.1%	
Net Commission + Breakage	\$ 4,073,053	\$ 2,503,417	62.7%	\$ 24,055,280	\$ 16,819,727	43.0%
% of Total Handle	6.91%	6.33%		6.79%	6.49%	
Number of HHR Terminals	894	473	89.0%	890	459	93.8%
Average Daily Handle	\$ 1,965,140	\$ 1,318,948	49.0%	\$ 1,936,240	\$ 1,415,673	36.8%
Handle/Day/Terminal	\$ 2,198	\$ 2,788	-21.2%	\$ 2,166	\$ 2,993	-27.6%
Gross Commission / Day /Terminal	\$ 183	\$ 215	-14.9%	\$ 178	\$ 235	-24.6%
	December -21	November - 21	% Change	Since Inception (September 8, 2015)		
Total Handle	\$ 58,954,214	\$ 55,784,843	5.7%	Total Handle	\$ 2,307,953,083	
Total Kentucky Excise Tax	\$ 884,313	\$ 836,773	5.7%	Total Kentucky Excise Tax	\$ 34,619,296	
Average Daily Handle	\$ 1,965,140	\$ 1,859,495	5.7%	Total KY General Fund	\$ 12,649,520	

Note 1: Thoroughbred Development Fund receives .75% of TH at KD, EP, NR and DCG. The rate applies to half of the TH at KRM and OG.

Note 2: The Standardbred Development Fund receives 1.0% of half of the TH at KRM and OG.

Note 3: EIP Fund receives .2% of the TH with a fiscal year cap of \$650,000.

Note 4: EDR and HEF Funds each receive .1% of the TH with a fiscal year cap of \$320,000.

Note 5: Kentucky General Fund receives 1.5% of TH less Notes 1,2,3 and 4.

Note 6: Represents the net change in all wagering pools.

Newport Racing and Gaming Historical Horse Racing Report for December, 2021

	December -21	December - 20	% Change	FYTD - 2022	FYTD - 2021	% Change
Total Handle	\$ 22,715,760	\$ 12,957,038	75.3%	\$ 116,623,448	\$ 41,022,482	184.3%
Less: Returned to Public	\$ 20,682,870	\$ 11,617,009	78.0%	\$ 105,442,804	\$ 36,801,573	186.5%
Less: Breakage	\$ -	\$ -		\$ -	\$ -	
Less: Change in Pools (Note 6)	\$ (66,973)	\$ 112,548		\$ 325,886	\$ 312,667	
Gross Commission	<u>\$ 2,099,863</u>	<u>\$ 1,227,480</u>	71.1%	<u>\$ 10,854,757</u>	<u>\$ 3,908,242</u>	177.7%
TB Development Fund (Note 1)	\$ 170,368	\$ 97,178	75.3%	\$ 874,676	\$ 307,669	184.3%
SB Development Fund (Note 2)						
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 23,623	\$ -	
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 11,630	\$ -	
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 11,630	\$ -	
Kentucky General Fund (Note 5)	\$ 170,368	\$ 97,178	75.3%	\$ 827,794	\$ 307,669	169.1%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 340,736</u>	<u>\$ 194,356</u>	75.3%	<u>\$ 1,749,352</u>	<u>\$ 615,337</u>	184.3%
% of Gross Commission	16.2%	15.8%		16.1%	15.7%	
Net Commission + Breakage	\$ 1,759,127	\$ 1,033,125	70.3%	\$ 9,105,406	\$ 3,292,905	176.5%
% of Total Handle	7.74%	7.97%		7.81%	8.03%	
Number of HHR Terminals	499	300	66.3%	205	440	-53.3%
Average Daily Handle	\$ 732,766	\$ 417,969	75.3%	\$ 633,823	\$ 445,897	42.1%
Handle/Day/Terminal	\$ 1,468	\$ 1,393	5.4%	\$ 1,270	\$ 1,486	-14.5%
Gross Commission / Day /Terminal	\$ 136	\$ 132	2.8%	\$ 118	\$ 142	-16.5%
	December -21	November - 21	% Change	<u>Since Inception (September 30, 2020)</u>		
Total Handle	\$ 22,715,760	\$ 17,766,066	27.9%	Total Handle	\$ 270,133,329	
Total Kentucky Excise Tax	\$ 340,736	\$ 266,491	27.9%	Total Kentucky Excise Tax	\$ 4,052,000	
Average Daily Handle	\$ 732,766	\$ 592,202	23.7%	Total KY General Fund	\$ 1,979,118	

Note 1: Thoroughbred Development Fund receives .75% of TH at KD, EP, NR and DCG. The rate applies to half of the TH at KRM and OG.

Note 2: The Standardbred Development Fund receives 1.0% of half of the TH at KRM and OG.

Note 3: EIP Fund receives .2% of the TH with a fiscal year cap of \$650,000.

Note 4: EDR and HEF Funds each receive .1% of the TH with a fiscal year cap of \$320,000.

Note 5: Kentucky General Fund receives 1.5% of TH less Notes 1,2,3 and 4.

Note 6: Represents the net change in all wagering pools.

Oak Grove Historical Horse Racing Report for December, 2021

	December -21	December - 20	% Change	FYTD - 2022	FYTD - 2021	% Change
Total Handle	\$ 116,353,172	\$ 57,526,708	102.3%	\$ 666,288,474	\$ 194,198,937	243.1%
Less: Returned to Public	\$ 105,729,598	\$ 52,155,939	102.7%	\$ 607,230,412	\$ 176,040,843	244.9%
Less: Breakage	\$ -	\$ -		\$ -	\$ -	
Less: Change in Pools (Note 6)	\$ 375,857	\$ 304,062		\$ 150,318	\$ 952,617	
Gross Commission	<u>\$ 10,247,717</u>	<u>\$ 5,066,707</u>	102.3%	<u>\$ 58,907,745</u>	<u>\$ 17,205,477</u>	242.4%
TB Development Fund (Note 1)	\$ 436,324	\$ -		\$ 2,498,582	\$ -	
SB Development Fund (Note 2)	\$ 581,766	\$ 575,267	1.1%	\$ 3,331,442	\$ 1,941,989	71.5%
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 136,909	\$ -	
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 67,401	\$ -	
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 67,401	\$ -	
Kentucky General Fund (Note 5)	\$ 727,207	\$ 287,634	152.8%	\$ 3,892,592	\$ 970,995	300.9%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 1,745,298</u>	<u>\$ 862,901</u>	102.3%	<u>\$ 9,994,327</u>	<u>\$ 2,912,984</u>	243.1%
% of Gross Commission	17.0%	17.0%		17.0%	16.9%	
Net Commission + Breakage	\$ 8,502,420	\$ 4,203,807	102.3%	\$ 48,913,418	\$ 14,292,493	242.2%
% of Total Handle	7.31%	7.31%		7.34%	7.36%	
Number of HHR Terminals	1,263	980	28.9%	1,232	965	27.7%
Average Daily Handle	\$ 3,753,328	\$ 1,855,700	102.3%	\$ 3,621,133	\$ 1,832,065	97.7%
Handle/Day/Terminal	\$ 2,972	\$ 1,894	56.9%	\$ 2,867	\$ 1,869	53.4%
Gross Commission / Day /Terminal	\$ 262	\$ 167	56.9%	\$ 253	\$ 166	53.0%
	December -21	November - 21	% Change	Since Inception (September 16, 2020)		
Total Handle	\$ 116,353,172	\$ 103,986,793	11.9%	Total Handle	\$ 1,397,016,901	
Total Kentucky Excise Tax	\$ 1,745,298	\$ 1,559,802	11.9%	Total Kentucky Excise Tax	\$ 20,955,254	
Average Daily Handle	\$ 3,753,328	\$ 3,466,226	8.3%	Total KY General Fund	\$ 7,696,212	

Note 1: Thoroughbred Development Fund receives .75% of TH at KD, EP, NR and DCG. The rate applies to half of the TH at KRM and OG.

Note 2: The Standardbred Development Fund receives 1.0% of half of the TH at KRM and OG.

Note 3: EIP Fund receives .2% of the TH with a fiscal year cap of \$650,000.

Note 4: EDR and HEF Funds each receive .1% of the TH with a fiscal year cap of \$320,000.

Note 5: Kentucky General Fund receives 1.5% of TH less Notes 1,2,3 and 4.

Note 6: Represents the net change in all wagering pools.