

**Kentucky Horse Racing Commission**

Meeting Materials for Regular Meeting

June 20, 2023



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**MINUTES OF THE APRIL 18, 2023, KENTUCKY HORSE RACING COMMISSION SPECIAL MEETING**

Date: April 18, 2023 at 1:30 P.M.

Place: Via Zoom and American Saddlebred Museum, 4083 Iron Works Parkway, Lexington, Kentucky 40511

Members Present: Chairman Jonathan Rabinowitz; Vice-Chairman Frank Jones, Jr.; Commissioner Mike Berry; Commissioner Dr. Naveed Chowhan; Commissioner Dr. Tiffany Daniels; Commissioner Michael Dudgeon; Commissioner Greg Harbut; Commissioner Lesley Howard; Commissioner William L.S. Landes; Commissioner William May; Commissioner Charles O’Connor; Commissioner Catherine Parke; and Commissioner Frank Shoop

Ex-officio Members Present: Secretary Ray Perry and Sarah Cronan on behalf of Secretary Casebier

KHRC Staff Participating/Present: Jamie Eads, Executive Director; Waqas Ahmed, Deputy Executive Director; Jennifer Wolsing, General Counsel; Travers Manley, Deputy General Counsel; Mariah Dietz, Executive Administrative Secretary; Beth Jacobson, Paralegal; Andy Conway, Pari-Mutuel Wagering & Compliance Assistant Director; Drew Conners, Incentives & Development Director; Patricia Cooksey, Presiding Judge; Barbara Borden, Chief State Steward; Dr. Nick Smith, DVM, Chief Racing Veterinarian

| <b><i>AGENDA ITEM</i></b>             | <b><i>TRANSCRIPT PAGE NUMBER(S)</i></b> | <b><i>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</i></b>   | <b><i>ACTION TAKEN</i></b>                           |
|---------------------------------------|---|--|--|
| <b>I. Call to Order and Roll Call</b> | 4 - 5                                   | Chairman Rabinowitz called the meeting of the Kentucky Horse Racing Commission (KHRC) to order and performed the roll call. A quorum was recognized. | No action taken.                                     |
| <b>II. New Business</b>               | 6 – 46<br>6 - 7                         | Chairman Rabinowitz requested a motion from the Commission to approve the proposed minutes of the KHRC Meeting on March 21,                          | Chairman Rabinowitz called for a vote to approve the |

| <b>AGENDA ITEM</b>   | <b>TRANSCRIPT PAGE NUMBER(S)</b> | <b>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</b>  | <b>ACTION TAKEN</b>   |
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| <b>Tab 1: Meeting Minutes from the March 21, 2023 Meeting</b>  |                                  | <p>2023. Motion by Commissioner Landes. Second by Commissioner O'Connor.</p> <p>Executive Director Jamie Eads shared that the minutes were located behind tab number one and approval was recommended by KHRC Staff.</p>   | <p>proposed minutes of the March 21, 2023 meeting as presented. Motion carried with no objections or abstentions.</p>   |
| <b>Tab 2: Approval of the proposed Conditions on Licenses to Conduct Live Horse Racing, Simulcasting, And Pari-Mutuel Wagering</b> | 7 – 9                            | <p>Chairman Rabinowitz requested a motion from the Commission to approve the proposed Conditions on Licenses to Conduct Live Horse Racing, Simulcasting, And Pari-Mutuel Wagering. Motion by Commissioner Landes. Second by Commissioner O'Connor.</p> <p>General Counsel, Jennifer Wolsing, was assigned the floor and explained that the KHRC is responsible for overseeing horse racing and wagering in Kentucky. The KHRC has the ability to impose conditions on the racing associations pursuant to KRS 230.290 (2). Approval was recommended by KHRC staff.</p> | <p>Chairman Rabinowitz called for a vote to approve the proposed Conditions on Licenses to Conduct Live Horse Racing, Simulcasting, And Pari-Mutuel Wagering. Motion carried with no objections or abstentions.</p> |
| <b>Tab 3: Approval of Turfway Park, LLC's Requests to Amend Section R of its 2023 Application to move a</b>                        | 9 - 11                           | <p>Chairman Rabinowitz requested a motion from the Commission to ratify Executive Director Jamie Eads' approvals of Turfway Park, LLC's Requests to Amend Section R of its 2023 Application to move a race date from March 3 to March 15 and the addition of two Super High 5 Pari-Mutuel Pools for the Jeff Ruby Steaks and the</p>   | <p>Chairman Rabinowitz called for a vote to ratify Executive Director Eads' approvals of</p>  |

| <b>AGENDA ITEM</b>  | <b>TRANSCRIPT PAGE NUMBER(S)</b> | <b>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</b>  | <b>ACTION TAKEN</b>   |
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| <p><b>race date from March 3 to March 15 and the addition of two Super High 5 Pari-Mutuel Pools for the Jeff Ruby Steaks and the Bourbonette Oaks stakes races.</b></p> |                                  | <p>Bourbonette Oaks stakes races. Motion by Commissioner Shoop. Second by Commissioner Harbut.</p> <p>Deputy General Counsel, Travers Manley, was assigned the floor and explained that due to deteriorating weather conditions Turfway Park cancelled racing on March 3, 2023 and requested to conduct racing on March 15, 2023. On March 23, 2023 Turfway Park requested the addition of two Super High 5 Pari-Mutuel pools for the Jeff Ruby Steaks and Bourbonette Oaks stakes races. Due to the time constraints, Executive Director Eads approved the date changes and pari-mutuel pools. KHRC staff recommended ratification of Director Eads' approvals.</p> | <p>Turfway Park, LLC's Requests to move a race date from March 3 to March 15 and the addition of two Super High 5 Pari-Mutuel Pools for the Jeff Ruby Steaks and the Bourbonette Oaks stakes races. Motion carried with no objections or abstentions.</p> |
| <p><b>Tab 4: Approval of the proposed amendments to 810 KAR 4:090, Owners.</b></p>  | <p>11 – 14</p>                   | <p>Chairman Rabinowitz requested a motion from the Commission to approve the proposed amendments to 810 KAR 4:090, Owners. Motion by Commissioner Shoop. Second by Commissioner O'Connor.</p> <p>General Counsel, Jennifer Wolsing, was assigned the floor and explained that behind tab four were the proposed amendments to 810 KAR 4:090: Owners. Ms. Wolsing also stated that the Rules Committee and KHRC Chief Steward Barbara Borden recommended approving the regulation as set forth in the memorandum. Approval was recommended by KHRC staff.</p>   | <p>Chairman Rabinowitz called for a vote to approve the proposed amendments to 810 KAR 4:090, Owners. Motion carried with no objections or abstentions.</p>   |

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| <p><b>Tab 5: Approval to ratify emergency regulation 810 KAR 4:020E.</b></p> | <p>14 - 19</p>                   | <p>Chairman Rabinowitz requested a motion from the Commission to ratify Executive Director Jamie Eads' approval of emergency regulation 810 KAR 4:020E. Motion by Commissioner O'Connor. Second by Commissioner Parke.</p> <p>General Counsel, Jennifer Wolsing, was assigned the floor and explained that the administrative regulation was passed on an emergency basis. The regulation established the rules concerning horses in thoroughbred and other flat races. The regulation was promulgated as an emergency before the most recent quarter horse meet. The regulation allows quarter horses to compete wearing horseshoes that have toe grabs. Ratification of Executive Director Eads' approval was recommended by KHRC staff.</p> <p>A representative from Revolutionary Racing, John Marshall, was present and shared a summary of the current status of construction.</p> | <p>Chairman Rabinowitz called for a vote to ratify Executive Director Eads' approval of emergency regulation 810 KAR 4:020E. Motion carried with no objections or abstentions.</p> |
| <p><b>Tab 6: Approve the establishment of 810 KAR 2:100.</b></p>             | <p>19 - 21</p>                   | <p>Chairman Rabinowitz requested a motion from the Commission to approve the establishment of 810 KAR 2:100. Motion by Commissioner Dudgeon. Second by Commissioner O'Connor.</p> <p>KHRC Assistant Director of Pari-Mutuel Wagering and Compliance, Andy Conway, was assigned the floor and presented 810 KAR 2:100. He explained that pursuant to KRS 230.260(15), the KHRC is required to promulgate regulations regarding a self-exclusion list. The regulation establishes a list for individuals to self-identify as problem or compulsive gamblers. Approval was recommended by KHRC staff.</p>   | <p>Chairman Rabinowitz called for a vote to approve the establishment of 810 KAR 2:100. Motion carried with no objections or abstentions.</p>                                      |

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| <b>Tab 7: Ratify Executive Director Jamie Eads' approval of NYRABets and Caesars Racebook Agreement</b>        | 21 - 23                          | <p>Chairman Rabinowitz requested a motion from the Commission to ratify Executive Director Jamie Eads' approval of NYRABets and Caesars Racebook Agreement. Motion by Commissioner Shoop. Second by Commissioner O'Connor.</p> <p>KHRC Assistant Director of Pari-Mutuel Wagering and Compliance, Andy Conway, was assigned the floor and explained that on July 12, 2022, Executive Director Jamie Eads approved the requests for NYRABets to conduct advanced deposit wagering operations with American Wagering, Inc. in business as Caesars Racebook as an affiliate of NYRABets pursuant to 810 KAR 3:040. Approval was recommended by KHRC staff.</p>                      | <p>Chairman Rabinowitz called for a vote to ratify Executive Director Jamie Eads' approval of NYRABets and Caesars Racebook Agreement. Motion carried with no objections or abstentions.</p>        |
| <b>Tab 8: Ratify Executive Director Jamie Eads' approval of TwinSpires and DK Horse's Affiliates Agreement</b> | 23 - 25                          | <p>Chairman Rabinowitz requested a motion from the Commission to ratify Executive Director Jamie Eads' approval of TwinSpires and DK Horse's Affiliates Agreement. Motion by Commissioner Shoop. Second by Commissioner Howard.</p> <p>KHRC Assistant Director of Pari-Mutuel Wagering and Compliance, Andy Conway, was assigned the floor and explained that on March 24, 2023, Executive Director Jamie Eads approved a request from Churchill Downs Technology Initiative Company also known as TwinSpires to conduct advance deposit wagering operations with DK Horse, LLC as TwinSpires' affiliate, pursuant to 810 KAR 3:040. Approval was recommended by KHRC staff.</p> | <p>Chairman Rabinowitz called for a vote to ratify Executive Director Jamie Eads' approval of TwinSpires and DK Horse's Affiliates Agreement. Motion carried with no objections or abstentions.</p> |

| <b>AGENDA ITEM</b>  | <b>TRANSCRIPT PAGE NUMBER(S)</b> | <b>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</b>   | <b>ACTION TAKEN</b>   |
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| <p><b>Tab 9: Approval of 810 KAR 7:060, Kentucky Quarter Horse, Paint Horse, Appaloosa and Arabian Development Fund regulation change</b></p> | <p>25 - 27</p>                   | <p>Chairman Rabinowitz requested a motion from the Commission for approval of 810 KAR 7:060, Kentucky Quarter Horse, Paint Horse, Appaloosa and Arabian Development Fund regulation change. Motion by Commissioner Parke. Second by Commissioner O'Connor.</p> <p>KHRC Director of Incentives and Development, Drew Conners, was assigned the floor and explained that the Kentucky Quarter Horse, Paint Horse, Appaloosa and Arabian Development Fund advisory committee met in March 2023 and approved of the proposed changes. Approval was also recommended by KHRC Staff.</p>  | <p>Chairman Rabinowitz called for a vote to approve 810 KAR 7:060, Kentucky Quarter Horse, Paint Horse, Appaloosa and Arabian Development Fund regulation change. Motion carried with no objections or abstentions.</p> |
| <p><b>Tab 10: Approval of Kentucky Quarter Horse, Paint Horse, Appaloosa and Arabian Development Fund advertising request</b></p>             | <p>27 – 29</p>                   | <p>Chairman Rabinowitz requested a motion from the Commission for approval of the Kentucky Quarter Horse, Paint Horse, Appaloosa and Arabian Development Fund advertising request. Motion by Commissioner Parke. Second by Commissioner Berry.</p> <p>KHRC Director of Incentives and Development, Drew Conners, was assigned the floor and explained that the Kentucky Quarter Horse, Paint Horse, Appaloosa and Arabian Development Fund advisory committee met in March 2023 and approved advertising funds to be used in 2023 and 2024 to promote and educate horsemen about the changes to 810 KAR 7:060. Approval was also recommended by KHRC Staff.</p> | <p>Chairman Rabinowitz called for a vote to approve the Kentucky Quarter Horse, Paint Horse, Appaloosa and Arabian Development Fund advertising request. Motion carried with no</p>                                     |

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|   |                                  |   | objections or abstentions.   |
| <b>Tab 11: Approval of the 810 KAR 7:030 Kentucky Thoroughbred Development Fund regulation change request</b>   | 29 – 30                          | <p>Chairman Rabinowitz requested a motion from the Commission for approval of the 810 KAR 7:030 Kentucky Thoroughbred Development Fund regulation change request. Motion by Commissioner Dudgeon. Second by Commissioner Landes.</p> <p>KHRC Director of Incentives and Development, Drew Conners, was assigned the floor and explained that the KTDF Advisory committee met on April 5, 2023, and approved of the proposed changes. Approval was also recommended by KHRC Staff.</p>   | Chairman Rabinowitz called for approval of the 810 KAR 7:030 Kentucky Thoroughbred Development Fund regulation change request. Motion carried with no objections or abstentions. |
| <b>Tab 12: Approval of the request to transfer Kentucky Thoroughbred Development Fund monies to Ellis Park.</b> | 30 - 32                          | <p>Chairman Rabinowitz requested a motion from the Commission for approval of the request to transfer Kentucky Thoroughbred Development Fund monies to Ellis Park. Motion by Commissioner O'Connor. Second by Commissioner Parke.</p> <p>KHRC Director of Incentives and Development, Drew Conners, was assigned the floor and explained that the KTDF Advisory committee approved of the transfers to be used at Ellis Park for the 2023 race meet. Kentucky Downs is requesting a transfer of \$1.75 million of KTDF monies and Oak Grove is requesting a transfer of \$1.1 million. Approval was also recommended by KHRC Staff.</p> | Chairman Rabinowitz called for approval of the request to transfer Kentucky Thoroughbred Development Fund monies to Ellis Park. Motion carried with no                           |

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|   |                                  |   | objections or abstentions.   |
| <b>Tab 13: Approval of Ellis Park’s 2023 race meet KTDF purse allotment request.</b>                    | 32 - 33                          | <p>Chairman Rabinowitz requested a motion from the Commission for approval of Ellis Park’s 2023 race meet KTDF purse allotment request. Motion by Commissioner Berry. Second by Commissioner O’Connor.</p> <p>KHRC Director of Incentives and Development, Drew Conners, was assigned the floor and explained that the KTDF advisory committee reviewed Ellis Park’s KTDF purse structure for their upcoming 2023 race meet. The meet consists of 24 racing days and Ellis Park is proposing KTDF purses in the range of \$3.7 to \$4.4 million. Ellis Park will pay out KTDF purses through last place to all KTDF eligible horses. Approval was also recommended by KHRC Staff.</p> | Chairman Rabinowitz called for approval of Ellis Park’s 2023 Race meet KTDF purse allotment request. Motion carried with no objections or abstentions. |
| <b>Tab 14: Approval of Kentucky Downs’ 2023 Race Meet KTDF Purse Allotment and Advertising Requests</b> | 33 – 35                          | <p>Chairman Rabinowitz requested a motion from the Commission for approval of Kentucky Downs’ 2023 Race Meet KTDF Purse Allotment and Advertising Requests. Motion by Commissioner Landes. Second by Commissioner May.</p> <p>KHRC Director of Incentives and Development, Drew Conners, was assigned the floor and explained that at the April 5, 2023 KTDF meeting the purse structure for Kentucky Downs was reviewed. Their race meet will consist of seven racing days. Kentucky Downs will pay out KTDF purses through last place to all eligible horses. The KTDF Advisory committee also approved the purse advertising</p>   | Chairman Rabinowitz called for approval of Kentucky Downs’ 2023 Race Meet KTDF Purse Allotment and Advertising Requests. Motion carried with no        |

| <b>AGENDA ITEM</b>   | <b>TRANSCRIPT PAGE NUMBER(S)</b> | <b>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</b>  | <b>ACTION TAKEN</b>  |
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|  |                                  | that was the same as last year. The KTDF Advisory committee approved these requests and approval was also recommended by KHRC Staff.   | objections or abstentions.   |
| <b>Tab 15: Approval of Churchill Downs' 2023 KTDF Advertising Allotment request</b>  | 35 - 37                          | <p>Chairman Rabinowitz requested a motion from the Commission for approval of Churchill Downs' 2023 KTDF Advertising Allotment request. Motion by Commissioner Shoop. Second by Commissioner Berry.</p> <p>KHRC Director of Incentives and Development, Drew Conners, was assigned the floor and explained that at the April 2023 KTDF Meeting the advertising request from Churchill Downs was considered and approved. Approval was also recommended by KHRC Staff.</p>  | Chairman Rabinowitz called for approval of Churchill Downs' 2023 KTDF Advertising Allotment request. Motion carried with no objections or abstentions. |
| <b>Tab 16: Ratification of Executive Director Jamie Eads' Approval of Churchill Downs' Backside Improvement fund expenditure</b> | 37 - 39                          | <p>Chairman Rabinowitz requested a motion from the Commission for ratification of Executive Director Jamie Eads' approval of Churchill Downs' Backside Improvement fund expenditure. Motion by Commissioner O'Connor. Second by Commissioner Shoop.</p> <p>KHRC Director of Incentives and Development, Drew Conners, was assigned the floor and explained that barn roofs at Churchill Downs needed repair from the windstorms Kentucky experienced in March 2023. Horses were scheduled to arrive at Churchill so there was an immediate need for the repairs and Executive Director Jamie Eads approved of the repairs. KHRC Staff confirmed that this met the requirements of KRS 230.3625 and 810 KAR 7:010 and the funding</p> | Chairman Rabinowitz called for ratification of Executive Director Jamie Eads' approval of Churchill Downs' Backside Improvement fund expenditure.      |

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|  |                                    | is available. Approval was recommended by Kentucky HBPA and the KTA-KTOB. Approval was also recommended by KHRC Staff.  | Motion carried with no objections or abstentions.  |
| <b>Tab 17: Approval of the Kentucky Proud Series' Proposed 2023 Race Meet Officials</b>  | 39 – 41                            | <p>Chairman Rabinowitz requested a motion from the Commission for Approval of the Kentucky Proud Series' Proposed 2023 Race Meet Officials. Motion by Commissioner O'Connor. Second by Commissioner Landes.</p> <p>KHRC Assistant Director of Incentives and Development and Presiding Judge, Patricia Cooksey, was assigned the floor and explained that in letters submitted to the KHRC, the Kentucky County Fair Board requests approval of the rosters for racing officials scheduled to preside over the conduct of racing during the 2023 Kentucky Proud Harness meets on the dates provided at the October 31, 2022 meeting. KHRC Staff recommended approval.</p> | <p>Chairman Rabinowitz called for Approval of the Kentucky Proud Series' Proposed 2023 Race Meet Officials.</p> <p>Motion carried with no objections or abstentions.</p> |
| <p><b>Tab 18: Division Reports:</b></p> <p><b>a. Report A pertains to the Thoroughbred Rulings</b></p> <p><b>b. Standardbred Rulings</b></p> | <p>41 - 46</p> <p>41</p> <p>42</p> | <p>a. Chief State Steward Barbara Borden presented two reports, the first one was a rulings list by category and the second was a summary of the rulings issued for 2023 so far.</p> <p>b. Standardbred rulings were presented by Presiding Judge Patricia Cooksey. All fines have been paid except that of Patricia Brewer; she was suspended and served her suspension, but she has not paid her fine.</p>  | <p>No action taken. Informational items only.</p>  |



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|                           |                                  | <p>Chairman Rabinowitz requested a motion from the Commission to reconvene in open session. Motion by Commissioner Landes. Second by Commissioner Jones.</p> <p style="text-align: center;"><b><u>RECONVENED TO OPEN SESSION</u></b></p>                                 | <p>Chairman Rabinowitz called for a vote for the Commission to reconvene in open session. Motion carried with no objections or abstentions.</p>   |
| <b>IV. Other Business</b> | 48 - 49                          | <p>Chairman Rabinowitz requested a motion from the Commission for approval of the settlement agreement in the matter of James “Jim” Averitt, Jr. vs. KHRC, Administrative Appeal Number KHRC-22-TB-001. Motion by Commissioner Shoop. Second by Commissioner Landes.</p> | <p>Chairman Rabinowitz called for Approval of the settlement agreement in the matter of James “Jim” Averitt, Jr. vs. KHRC, Administrative Appeal Number KHRC-22-TB-001. Motion carried with no objections or abstentions.</p> |

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| V. Adjournment     | 49                               | With no other business, Chairman Rabinowitz requested a motion to adjourn the April 18, 2023 Kentucky Horse Racing Commission Meeting. Motion by Commissioner O'Connor. Second by Commissioner May. Meeting adjourned. | Chairman Rabinowitz called for a vote to adjourn. Motion carried with no objections or abstentions. |

**NOTE:** The meeting 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

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR



**Ray A. Perry**  
SECRETARY

**Jamie Eads**  
EXECUTIVE DIRECTOR

**Jonathan Rabinowitz**  
CHAIRMAN

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

TO: Kentucky Horse Racing Commission  
FROM: Travers Manley, Deputy General Counsel  
DATE: June 22, 2023  
RE: **RATIFICATION OF WKY DEVELOPMENT, LLC'S AMENDMENT OF SECTION R OF ITS 2023 APPLICATION TO CONDUCT LIVE HORSE RACING, SIMULCASTING AND PARI-MUTUEL WAGERING**

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In its application for a license to conduct live horse racing, simulcasting and pari-mutuel wagering, WKY Development, LLC ("Oak Grove") sought and received an award of 2023 race dates, including May 7, 2023, May 30, 2023, and June 6, 2023.

Due to severe weather conditions, Oak Grove canceled racing on May 7, 2023, and requested approval to conduct the originally scheduled race date on May 9, 2023. The Kentucky Harness Association ("KHA") supported the scheduling change.

On May 22, 2023, Oak Grove President and General Manager Darren VanDover requested to conduct the May 30 and June 6 race dates on July 9-10, 2023. Oak Grove stated the purpose of the request was to reduce the number of three-day racing weeks at Oak Grove to better maximize their population of horses and to provide horsemen with another week of racing in Kentucky. The KHA supported the rescheduling of race dates.

Due to the time constraints of both requests, KHRC Executive Director Jamie Eads granted conditional approvals for Oak Grove to conduct racing on May 9, July 9, and July 10, rather than May 7, May 30, and June 6. KHRC staff recommends ratification of Executive Director Eads' approvals.

COMMISSION ACTION

\_\_\_\_\_ Approve  
\_\_\_\_\_ Defer  
\_\_\_\_\_ Deny



May, 8 2023  
Ms. Jamie Eads  
Executive Director  
Kentucky Horse Racing Commission  
4062 Iron Works Parkway  
Lexington, KY 42262

Dear Ms. Eads,

Western Kentucky Development, LLC (Oak Grove Racing, Gaming & Hotel) respectfully requests approval from the Kentucky Horse Racing Commission to amend one race date for the 2023 racing season. We are requesting to move the Sunday, May 7, 2023 racing date to Tuesday, May 9, 2023. Due to the severe weather that prompted the rescheduling of the card from Oak Grove Racing, Gaming and Hotel out of an abundance of caution and for the welfare of participants. As always, Oak Grove Racing and Gaming shall be in compliance with all applicable state and federal laws.

Should you have any questions, do not hesitate to call and thank you for your time in considering this matter.

Very Much Appreciated,

A handwritten signature in black ink that reads "Cara Collins". The signature is written in a cursive, flowing style.

Cara Collins

Racing and Equine Manager

777 Winners Way | Oak Grove, Kentucky 42262  
(270) 713-2517 | (270) 984-4310



May, 8 2023

Ms. Jamie Eads  
Executive Director  
Kentucky Horse Racing Commission  
4062 Iron Works Parkway  
Lexington, KY 42262

Dear Ms. Eads

The Kentucky Harness Association ("KHA") supports the rescheduling of racing from Sunday, May 7, 2023 to Tuesday, May 9, 2023 due to the severe weather. Should you have any questions, do not hesitate to call and thank you for your time in considering this matter.

Sincerely,

A handwritten signature in dark ink that reads "Robert M. Brady". The signature is written in a cursive style.

Robert M. Brady  
President, Kentucky Harness Association



May 22, 2023

Jamie Eads, Executive Director  
Kentucky Horse Racing Commission  
4063 Iron Works Parkway  
Lexington, KY 40511

Dear Jamie,

Oak Grove respectfully requests the Kentucky Horse Racing Commission to grant Oak Grove permission to move two currently approved racing dates to two future racing dates. The current dates that we wish to move are May 30 and June 6. We ask the commission's permission to move those dates to July 9 and July 10.

This movement of dates will reduce the number of three-day racing weeks at Oak Grove which will allow the site to better maximize their current population of horses. This will also provide horsemen with another week of racing in the Commonwealth. There are currently no other Standardbred tracks racing the week of July 9 and July 10, so this would not cause any concerns of overlap with another Kentucky track but further bolster the circuit by limiting the downtime between meetings.

Thank you for your consideration of this request.

A handwritten signature in black ink that reads "Darren VanDover". The signature is fluid and cursive, with the first name "Darren" being more prominent than the last name "VanDover".

Darren VanDover

Oak Grove President & General Manager

777 Winners Way | Oak Grove, Kentucky 42262  
(270) 713-2517 | (270) 984-4310



May 25, 2023

Ms. Jamie Eads  
Executive Director  
Kentucky Horse Racing Commission  
4062 Iron Works Parkway  
Lexington, KY 42262

Dear Director Eads:

The Kentucky Harness Association ("KHA") supports the rescheduling of the racing dates of May 30 and June 6 and to July 9 and July 10. Should you have any questions, do not hesitate to call. Thank you for your time in considering this matter.

Sincerely,

*Robert M. Brady*  
Robert M. Brady  
President, Kentucky Harness Association



**Andy Beshear**  
GOVERNOR

**Ray A. Perry**  
SECRETARY

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

**Jamie Eads**  
EXECUTIVE DIRECTOR

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**Jonathan Rabinowitz**  
CHAIRMAN

TO: Kentucky Horse Racing Commission  
FROM: Travers Manley, Deputy General Counsel  
DATE: June 22, 2023

RE: **LEXINGTON TROTS BREEDERS ASSOCIATION, LLC’S REQUEST TO AMEND SECTION S OF ITS 2023 APPLICATION TO CONDUCT LIVE HORSE RACING, SIMULCASTING AND PARI-MUTUEL WAGERING**

In its application for a license to conduct live horse racing, simulcasting, and pari-mutuel wagering, Lexington Trots Breeders Association, LLC (“Red Mile”) provided descriptions of the size and location of its paddock area and the facilities available and arrangements for equine drug testing. On May 31, 2023, Red Mile requested approval from the Kentucky Horse Racing Commission (“KHRC”) of the proposed plans for construction of a three-race paddock prior to the upcoming 2023 season. With the letter requesting approval, Vice President of Racing Operations Gabe Prewitt enclosed a copy of the construction site plan, which would result in an amendment to Section S of Red Mile’s license application.

On June 7, 2023, KHRC Executive Director Jamie Eads, Equine Medical Director Dr. Bruce Howard, Associate Judge Patricia Cooksey, and Veterinary Technician Patricia Ludwig met with Mr. Prewitt and Red Mile’s President and Chief Executive Officer Joe Costa to discuss the plan, which includes construction of test barn facilities near the paddock. The KHRC team reviewed the plans in detail and Dr. Howard and Ms. Ludwig spent considerable time reviewing the test barn facilities to ensure they would be equipped with all necessities.

KHRC staff is satisfied with, and encouraged by, the construction plan of the paddock and test barn facilities and recommends approval of the amendment to Red Mile’s license application.

COMMISSION ACTION

\_\_\_\_\_ Approve

\_\_\_\_\_ Defer

\_\_\_\_\_ Deny



Lexington Trots Breeders Association, llc

May 31, 2023

Mr. Jonathan Rabinowitz, Chair  
Kentucky Horse Racing Commission  
4063 Iron Works Parkway, Building B  
Lexington, Kentucky 40511

Dear Mr. Rabinowitz,

We are requesting approval for the following items in the upcoming June commission meeting:

- List of proposed Racing Officials for upcoming 2023 season (revised)
- List of wagering options with takeout for upcoming 2023 season (revised)
- Proposed plans for construction of new 3-race paddock prior to upcoming 2023 season

Supporting documentation for each request is attached. If you have further questions, feel free to contact me at your convenience.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gabe Prewitt', is written over the typed name.

Gabe Prewitt  
VP of Racing Operations

Cc: Joe Costa  
Shannon Cobb  
Jamie H. Eads

Lexington Trots Breeders Assn., llc \* 1101 Winbak Way \* Lexington, KY 40504  
Phone: (859)255-0752 \* Fax: (859)231-0217

L1.0

LAYOUT

RED MILE GAMING & RACING  
1101 WESTERN WAY  
REDFORD, KY  
SITE PLAN





**Andy Beshear**  
GOVERNOR

**Ray A. Perry**  
SECRETARY

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

**Jamie Eads**  
EXECUTIVE DIRECTOR

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**Jonathan Rabinowitz**  
CHAIRMAN

TO: Kentucky Horse Racing Commission

FROM: Jennifer Wolsing, General Counsel

DATE: June 22, 2023

RE: **RATIFICATION OF CHURCHILL DOWNS RACETRACK, LLC'S REQUEST TO AMEND AND CONDUCT RACE DATES AT ELLIS ENTERTAINMENT, LLC**

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In its application for a License to Conduct Live Horse Racing, Simulcasting, and Pari-mutuel Wagering, Churchill Downs Racetrack, LLC ("Churchill Downs") sought and received an award of 2023 race dates, including certain dates ranging from Saturday, June 10 through Monday, July 3, 2023.

On June 2, 2023, Churchill Downs requested permission to perform the following:

1. Temporarily suspend its Spring Meet on Sunday, June 4, 2023;
2. Cancel racing for dates originally awarded for June 7-9, 2023, and July 3, 2023; and
3. Conduct the remainder of its Spring Meet at another suitable track, specifically Ellis Entertainment, LLC d/b/a Ellis Park;

This request was made pursuant to a recommendation of the Horse Racing Safety Authority ("HISA") and Churchill Downs' commitment to best racing practices. This request is supported by the Kentucky Horsemen's Benevolent and Protective Association ("KHBPA"), the Kentucky Thoroughbred Association, and the Kentucky Thoroughbred Owners and Breeders ("KTA/KTOB"). Kentucky Horse Racing Commission staff has reviewed the request and has determined that KRS 230.300(11) allows for a change in the location for racing under these circumstances, if the alternate track consents to this change.

Due to the time constraints of both requests and pursuant to KRS 230.300(11), KHRC Executive Director Jamie Eads granted conditional approval of Churchill Downs' request, subject to consent by Ellis Park and subsequent ratification by the commission.

On June 9, 2023, Ellis Park provided consent to provide its track as the alternate location to host the remainder of Churchill Downs' Spring Meet.

The KHRC staff recommends ratification of Executive Director Eads' conditional approval of Churchill Downs' request.

COMMISSION ACTION

\_\_\_\_\_ Ratify

\_\_\_\_\_ Defer

\_\_\_\_\_ Deny



June 2, 2023

Ms. Jamie Eads  
Executive Director  
Kentucky Horse Racing Commission  
Via E-Mail: [Jamie.Eads@ky.gov](mailto:Jamie.Eads@ky.gov)

Dear Jamie:

Churchill Downs Race Track formally requests permission from the Kentucky Horse Racing Commission (KHRC) to cease racing the spring meet at Churchill Downs Race Track effective Sunday, June 4<sup>th</sup> and commence racing at Ellis Park on June 10. The intent is to run the remainder of this race meet at Ellis Park, culminating on Sunday, July 2<sup>nd</sup>.

The plan is to race Thursdays through Sundays after the first weekend, in which we will run only Saturday, June 10<sup>th</sup> and Sunday, June 11<sup>th</sup>.

We appreciate the support of the KHRC through these challenging times.

Yours truly,

A handwritten signature in blue ink, appearing to read "Mike Ziegler".

Mike Ziegler



June 9, 2023

Ms. Jamie Eads  
Executive Director  
Kentucky Horse Racing Commission  
4063 Ironworks Parkway, Building B  
Lexington, KY 40511  
[jamie.eads@khrc.ky.gov](mailto:jamie.eads@khrc.ky.gov)  
(859) 246-2040

Re: **Ellis Park Consent to Race Dates Allocated to Churchill Downs**

Dear Ms. Eads,

Ellis Park Racetrack formally consents to operate and race dates allocated to Churchill Downs Racetrack beginning June 10, 2023 and ceasing July 2, 2023.

The specific dates upon which Ellis Park will operate are:

Saturday, June 10  
Sunday, June 11  
Thursday, June 15  
Friday, June 16  
Saturday, June 17  
Sunday, June 18  
Thursday, June 22  
Friday, June 23  
Saturday, June 24  
Sunday, June 25  
Thursday, June 29  
Friday, June 30  
Saturday, July 1  
Sunday, July 2

Feel free to contact me with any questions.

Regards,

Matthew Pressley  
General Manager  
Ellis Park Racetrack  
3300 US Highway 41 N  
Henderson, KY 42420  
Mobile: (812) 559-1412

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Natanya Nieman, D.V.M.  
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Dermot Ryan  
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R. Eric Waldman

4079 Iron Works Parkway  
Lexington, KY 40511-8512 USA  
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June 9, 2023

Jon Rabinowitz, Chairman  
Kentucky Horse Racing Commission  
4063 Iron Works Parkway  
Lexington, KY 40511 USA

Dear Chairman Rabinowitz:

Pursuant to KRS 230.377, the Kentucky Thoroughbred Owners & Breeders, Inc. approves the transfer of live race dates normally run at Churchill Downs Racetrack (CDRT) to Ellis Park, in Henderson, Kentucky, beginning on Saturday, June 10, and ending on Sunday, July 2.

Our approval is contingent upon the KHRC approving the request. Furthermore, we are in favor of additional or optional days within the June 10 - July 2 footprint, i.e. additional days of the week of live racing, should CDRT and Ellis Park's management deem feasible and safe.

Sincerely,

  
Chauncey Morris  
Executive Director

Cc: Messrs. Mike Anderson & Mike Ziegler

# Kentucky Horsemen's Benevolent and Protective Association, Inc.



**Rick Hiles**  
President

**Frank L. Jones Jr.**  
Vice President

**Dale Romans**  
2nd Vice President

**OWNER**  
**DIRECTORS:**  
William "Buff" Bradley  
Michael J. Bruder  
Mark C. Bacon  
Travis Foley

**Owner Director**  
**1st Alternate:**  
James "Jim" Williams

June 8, 2023

Jamie Eads  
Executive Director  
Kentucky Horse Racing Commission  
4063 Ironworks Parkway  
Building B  
Lexington, KY 40511

Jamie,

The Kentucky HBPA approves Churchill Downs' request to terminate the 2023 Spring Meet early, effective June 4, 2023. Furthermore, we approve Ellis Park's request to host the remainder of the Churchill Downs 2023 Spring Meet.

Ellis Park is to begin racing June 10 and 11, 2023, and continue racing Thursday through Sunday until the conclusion of the Churchill Downs Spring Meet on July 2, 2023.

Sincerely,

Joe Clabes  
Interim Executive Director  
Kentucky HBPA

**Joe Clabes**  
Executive Director

**Sara Toomey**  
Executive Assistant

**John Griffith**  
Treasurer

**TRAINER**  
**DIRECTORS:**  
Norman Casse  
Jason Barkley  
John A. Hancock  
Bentley Combs

**Trainer Director**  
**1st Alternate:**  
R.C. Sturgeon

**Andy Beshear**  
GOVERNOR

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR



**Ray A. Perry**  
SECRETARY

**Jamie Eads**  
EXECUTIVE DIRECTOR

**Jonathan Rabinowitz**  
CHAIRMAN

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing Commission**  
4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**TO:** Kentucky Horse Racing Commission, Rules Committee  
**FROM:** Jennifer Wolsing, General Counsel  
**DATE:** June 22, 2023  
**RE:** **PROPOSED AMENDMENTS TO 810 KAR 2:020, 2:070, 4:001, 4:010, 4:030, AND 4:040**

---

In advance of the Spring 2024 Quarter Horse meet, KHRC staff recommends amending certain regulations to accommodate the unique needs of Quarter Horse racing.

**810 KAR 2:020: Thoroughbred and flat racing officials**

- Amend Section 7. Timer so that Quarter Horses shall be timed from a standing start at the time the starter dispatches the field and the starting gate opens. This type of start contrasts with Thoroughbreds, who have a running start and Standardbreds, who have a rolling start.

**810 KAR 2:070: Thoroughbreds and other flat racing associations**

- Amend Section 6. Distance Pole Markings so that Quarter Horses have a distance pole at 1,000 yards with red and blue stripes.
- Amend Section 33. Two (2) Year Old Races so that Quarter Horse conditions for two-year-olds shall not be offered prior to March 1 of the corresponding year.

**810 KAR 4:001: Definitions for 810 KAR Chapter 4**

- Amend Section 1. Definitions to add a definition for "flipping halter." A "flipping halter" is a halter used in the starting gate to prevent a horse from flipping. This type of halter is only used in Quarter Horse races.

**810 KAR 4:010: Horses**

- Amend Section 11. Equipment to allow Quarter Horses to wear toe grab horse shoes during races. This amendment will make our current emergency regulation into an ordinary regulation.

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

- Amend Section 3. Procedure for Making Entries to state that:

- The minimum acceptable published workout time for a Quarter Horse is 220 yards at 14.00 seconds.
- Quarter Horses that have never raced around the turn shall have completed at least one workout at 660 yards or further, within 30 days prior to entry in a race.
- Quarter Horses that have previously started in a race around the turn, but have not started in such a race within 60 days, shall complete at least one workout at 660 yards or further within 30 days prior to entry.
- Quarter Horses shall submit negative hair samples as a condition of entry, at the owners' expense. Also, all Quarter Horses shall submit to out-of-competition testing.
- Amend Section 11. Also-Eligible List to state that Quarter Horses who gain a position in the race from the AE List shall take the outside post position in the order drawn from the AE List.

810 KAR 4:040: Running of the race.

- Amend Section 10. Horses Left at Post to state that:
  - Permit the use of a flipping halter in Quarter Horse races only, subject to the discretion of the trainer, track management, and the starter.
  - Require that the use of a flipping halter shall be noted at time of entry and in the official program.
  - State that if a door at the front of the starting gate failed to open properly or timely due to a horse equipped with a flipping halter, then the Quarter Horse Stewards shall rule the horse to be a starter and eligible for race placement and purse earnings, and there shall not be a pari-mutuel refund.
- Amend Section 12 to state that:
  - A Quarter Horse straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts.
  - During the running of time trials, should a horse be disqualified for interference, it will receive the time of the horse it is immediately placed behind, plus one one-thousandth (0.001) second, and shall be eligible to qualify for a final or consolation race based upon the assigned time.

These suggested amendments have been approved by the Janet Vanbebber, Director of Racing at the American Quarter Horse Association ("AQHA"). These amendments are recommended by the KHRC staff.

COMMITTEE ACTION

\_\_\_\_\_ Approve

\_\_\_\_\_ Defer

\_\_\_\_\_ Deny

Kentucky Administrative Regulations

Title 810. Public Protection Cabinet - Kentucky Horse Racing Commission

Chapter 2. General

810 Ky. Admin. Regs. 2:020

810 KAR 2:020. Thoroughbred and flat racing officials

Currentness

RELATES TO: [KRS 230.215](#), [230.240](#), [230.260](#)

STATUTORY AUTHORITY: [KRS 230.215\(2\)](#), [230.260\(8\)](#)

NECESSITY, FUNCTION, AND CONFORMITY: [KRS 230.215\(2\)](#) and [230.260\(8\)](#) authorize the Kentucky Horse Racing Commission (the “commission”) to promulgate administrative regulations prescribing conditions under which all horse racing is conducted in Kentucky. This administrative regulation establishes the qualifications, duties, powers, and responsibilities of racing officials.

Section 1. Racing Officials.

(1) Racing officials at a thoroughbred or other flat race meeting shall include:

- (a) Steward;
- (b) Racing secretary;
- (c) Assistant racing secretary;
- (d) Clerk of scales;
- (e) Paddock judge;
- (f) Starter;
- (g) Placing judge;
- (h) Timer;

(i) Identifier;

(j) Veterinarian;

(k) Assistant starter;

(l) Jockey room custodian;

(m) Jockey room employee;

(n) Valet; and

(o) Outrider.

(2) Persons appointed by the association to serve as racing officials during a race meeting shall:

(a) First be approved by the commission;

(b) Serve only so long as approved by the commission; and

(c) Be under the supervision of the stewards.

(3) While serving as a racing official, a person shall not:

(a) Indirectly or directly, own a beneficial interest in:

1. A horse of the breed in which the person is engaged as a racing official; or

2. An association under his or her supervision;

(b) Cause to be bought or sold, for himself or another, a horse under his or her supervision;

(c) Buy or sell, for himself or another, a right to, or contract with, a jockey or apprentice jockey under his or her supervision;

(d) Wager on a race under his or her supervision;

(e) Write or solicit horse insurance; or

(f) Have a monetary interest in a business which seeks the patronage of horsemen or racing associations.

(4) A racing official serving in the capacity of steward, placing judge, clerk of scales, starter, or horse identifier shall take and satisfactorily pass an optical examination within one (1) year prior to the race meeting at which he or she serves. The examination shall show corrected twenty-twenty (20-20) vision and an ability to distinguish colors correctly.

(5) A racing official who desires to leave his or her employment during the race meeting shall notify the stewards; if a vacancy occurs among racing officials other than stewards, the association shall promptly appoint a successor, subject to approval of the commission. If the association does not appoint a successor in time to permit the orderly conduct of racing, then the stewards shall immediately appoint a temporary successor.

(6) A racing official shall not officiate in multiple capacities on any one (1) race. The stewards may, in case of emergency, approve a racing official to serve in more than one (1) capacity until such time as an additional official can be appointed by the association and approved by the commission.

Section 2. Racing Secretary. The racing secretary shall be responsible for:

(1) The programming of races during the race meeting;

(2) Compiling and publishing condition books;

(3) Assigning weights for handicap races;

(4) Receiving entries, subscriptions, declarations, and scratches;

(5) Safekeeping of registration certificates, virtual or digital certificates, and racing permits for horses, recording information required on the certificates and permits, and returning the certificates and permits to owners at the conclusion of the race meeting;

(6) Maintaining a record of stakes fees received, arrears, jockeys' fees, purchase money in claiming races, and other monies received incident to the race meeting, and making available payment to those persons entitled thereto within fourteen (14) days after the conclusion of the race meeting;

- (7) Supervision of the horsemen's bookkeeper's handling of the "horseman's account";
- (8) Daily posting of entries for the benefit of the public as soon as possible after entries have been closed and declarations have been made;
- (9) Assigning stall applicants stabling as he or she may deem proper after consultation with the stewards, and maintaining a record of arrival and departure of all horses stabled on association grounds; and
- (10) Publishing the official daily program, and ensuring that it contains accurate information of the following:
- (a) Sequence of races to be run and post time for the first race;
  - (b) Purse, conditions, and distance for each race, and current track record for the distance;
  - (c) The full name of licensed owners of each horse, indicated as lessee if applicable, and description of racing colors to be carried;
  - (d) The full name of the trainer and the jockey named for each horse together with the weight to be carried;
  - (e) Notices that:
    - 1. Jockeys will carry approximately three (3) pounds more than the published weight to account for safety helmets and safety vests that are not included in required weighing out procedures; and
    - 2. Upon approval of the stewards, a jockey may be allowed up to three (3) pounds additional clothing and equipment for inclement weather or track conditions;
  - (f) The saddle cloth number or designation for each horse, and the post position for each horse, if there is a variance with the saddle cloth designation;
  - (g) Identification of each horse by name, color, sex, age, sire, and dam; and
  - (h) Other information as may be requested from time to time by the association or the commission including changes of equipment, use of permitted race day medications, and wagering types available.

Section 3. Clerk of Scales. The clerk of scales shall be responsible for:

- (1) The security, regulation, and control of the jockeys' room, its equipment, and the determination of which personnel are permitted access;
- (2) Weighing out a jockey no later than fifteen (15) minutes prior to the race in which the jockey is scheduled to ride and recording all overweights, which shall immediately be posted and announced to the public before each race;
- (3) Weighing in a jockey immediately after the finish of each race in which the jockey rode and promptly notifying the stewards whether a jockey weighed in underweight;
- (4) Safekeeping of all racing colors;
- (5) Reporting all color changes or jockey changes from that listed in the official daily program and causing the changes to be posted and announced to the public before each race;
- (6) Supervision of all valets and the issuance of numbered saddle cloths and equipment for each horse;
- (7) Ensuring accuracy of the scales and periodic tests of them;
- (8) Submitting to the racing secretary at the close of each racing day a statement of weight carried in each race by each jockey, noting overweight, if any; and
- (9) Immediately transmitting all complaints, protests, objections, or disputes submitted to the clerk of scales to the stewards, and if the stewards are unavailable, to the commission.

Section 4. Paddock Judge. The paddock judge shall have general supervision of the paddock and shall be responsible for:

- (1) Assembling the horses and jockeys in the paddock no later than fifteen (15) minutes before the scheduled post time for each race;
- (2) Maintaining a written record of all equipment for each horse saddled, inspecting all the equipment, and reporting any changes in the equipment to the stewards;
- (3) Inspecting the bandages of each horse. The paddock judge may order the bandages removed or replaced;

(4) Paddock schooling of horses approved for schooling by the stewards; and

(5) Ensuring that the saddling of horses is orderly, open to public view and free from interference, and ensuring that horses are mounted at the same time and leave the paddock for the post in proper sequence.

#### Section 5. Starter.

(1) The starter shall be responsible for the fair and equal start of horses in a race at the scheduled starting time by means of a starting gate and bell, or other device activated by his or her signal.

(2) So far as practical, the starter shall cause horses to be loaded in order of post position, except the starter may in his or her discretion load an unruly or fractious horse out of order or may start the unruly or fractious horse on the outside of the starting gate and one (1) length behind the starting line. With permission of the stewards, a race may be started without a starting gate. The starter may employ as many assistant starters as needed and shall daily change the gate position of each assistant starter without notice to the assistant starters until the field for the first race comes upon the track.

(3) A horse shall not be permitted to start in a race unless approval is given by the starter. The starter shall maintain a schooling list that shall be posted in the racing secretary's office listing the names of horses ineligible to start due to inadequate training at leaving the gate. Horses shall be schooled under the supervision of the starter or his or her assistants.

(4) The starter shall:

(a) Have constant radio or telephone communication with the stewards from the time the horses leave the paddock until the field is sent away;

(b) Report to the stewards any disobedience of his or her orders or attempts to take unfair advantage at the starting gate and recommend penalties for offenders.

(5) An assistant starter shall not handle a horse until instructed to do so by the starter.

(6) A starter or assistant starter shall not:

(a) Accept a gratuity or payment other than his regular salary, directly or indirectly, for services in starting a race;

(b) Wager on a race; or

(c) Strike a jockey or use abusive language to a jockey.

(7) The starter shall maintain a written record showing the names of starters during the day and the names of the assistant starters who handled each horse. This record shall be made available to the stewards upon request.

#### Section 6. Placing Judges.

(1) Three (3) placing judges shall occupy a stand directly above the finish line during the running of each race. The placing judges shall:

(a) Take special note of racing colors and distinguishing equipment carried by each horse;

(b) Determine the order of the horses as they cross the finish line by consideration of the respective noses of the horses; and

(c) Cause the numbers of the first four (4) horses to cross the finish line to be posted on the result board. The numbers of additional horses shall be posted in their correct order of finish if necessitated by an exotic wager.

(2) A photo finish camera approved by the commission shall be used as an aid by the placing judges in determining the order of the horses as they cross the finish line. Placing judges may request a photo to assist in determining margins of less than a half-length (1/2).

#### Section 7. Timer.

(1) The timer shall occupy a stand directly above the finish line during the running of each race to record the official time.

(2) The timer shall:

(a) Record the fractional time of leading horses during each race and the final time of the first horse to cross the finish line; and

(b) Maintain a written record of fractional and final times of each race and have them available for inspection by the stewards or commission on request.

(3) The timer may use an electrical or mechanical timing device approved by the commission as an aid in determining the official time of each race.

**(4) Quarter Horses shall be timed from a standing start at the time the starter dispatches the field and the starting gate opens.**

Section 8. Horse Identifier.

(1) The commission may employ a horse identifier who shall be responsible for the proper identification of all horses entered to be raced.

(2) The horse identifier may accompany the commission veterinarian on the prerace examination of all starters.

(3) The horse identifier shall:

(a) Certify that each starter in the paddock matches its registration certificate, virtual or digital certificate, or racing permit by examining the horse's:

1. Sex, age, color, markings, and lip tattoo or microchip; and
2. Photographs as an aid in identification.

(b) Notify the paddock judge and the stewards if he or she has any doubt as to the identity of a horse entered to be raced;

(c) Be responsible for the safekeeping and return to owners at the conclusion of the race, the following:

1. Registration certificates, virtual or digital certificates, or racing permits; and
2. Racing permits for horses; and

(d) Record information from registration certificates, virtual or digital certificates, and racing permits.

**Credits**

(45 Ky.R. 1868, 3079; eff. 5-31-2019; 47 Ky.R. 1271; eff. 7-6-2021.)

Current with amendments included in the Administrative Register of Kentucky, Volume 49, Number 11, dated May 1, 2023. Some sections may be more current, see credits for details.

810 KAR 2:020, 810 KY ADC 2:020



Kentucky Administrative Regulations

Title 810. Public Protection Cabinet - Kentucky Horse Racing Commission

Chapter 2. General

810 Ky. Admin. Regs. 2:070

810 KAR 2:070. Thoroughbred and other flat racing associations

Currentness

RELATES TO: [KRS 230.215\(2\)](#), [230.260\(8\)](#)

STATUTORY AUTHORITY: [KRS 230.215\(2\)](#), [230.260\(8\)](#)

NECESSITY, FUNCTION, AND CONFORMITY: [KRS 230.215\(2\)](#) and [230.260\(8\)](#) authorize the commission to promulgate administrative regulations establishing conditions governing horse racing. This administrative regulation establishes requirements for thoroughbred and other flat racing associations.

Section 1. Maintenance of Grounds, Facilities and Uniform Track.

(1) The grounds and facilities, of an association shall be maintained in a manner that provides for the:

- (a) Comfort and safety of patrons, employees, and other persons whose business requires their attendance; and
- (b) Health and safety of horses that are stabled, exercised, or entered to race at the association.

(2) The grounds and facilities of an association shall be:

- (a) Neat and clean;
- (b) Painted; and
- (c) In good repair.

(3) An association shall have implements adequate to maintain a uniform track, weather conditions permitting.

Section 2. Results Boards, Totalizators Required. An association shall provide and maintain mechanically operated totalizators and electronic boards that show odds, results, and other race information in plain view of patrons.

### Section 3. Starting Gate.

- (1) An association shall provide and maintain a working starting gate on every day horses are permitted to exercise on its racing strip.
- (2) An association shall have in attendance one (1) or more persons qualified to keep the starting gates in good working order whenever the gates are in use.
- (3) An association shall provide for periodic inspections of the starting gates.

### Section 4. Stabling.

- (1) An association barn and stall shall be:
  - (a) Constructed of fire-resistant material;
  - (b) Clean, sanitary, and equipped for adequate drainage; and
  - (c) Maintained in good repair.
- (2) (a) Prior to the opening of a race meeting, the commission shall submit to the racing secretary a list of locations of approved off-track stabling facilities from which horses shall be permitted to race.
  - (b) The locations shall be considered association grounds.

### Section 5. Stands for Officials.

- (1) An association shall provide and maintain stands commanding an uninterrupted view of the entire racing strip for racing officials.
- (2) The stands and their locations shall be approved by the commission.
- (3) The floor of patrol judge stands shall be at least six (6) feet higher than the track rail.

## Section 6. Distance Pole Markings.

(1) A thoroughbred or other flat racing association shall have:

(a) Red and white quarter poles;

(b) Green and white eighth poles; and

(c) Black and white 16th poles.

(2) Permanent markers shall be located at each standard Arabian, quarter horse, paint horse, and appaloosa distance as applicable. Distance pole markers and permanent markers shall be located where they can be seen clearly from the stewards' stand. Each post shall be identified by color as follows: 220 yds., white; 250 yds., blue; 300 yds., yellow; 330 yds., green; 350 yds., red; 400 yds., black; 440 yds., orange; 550 yds., blue and white stripe; 660 yds., yellow and white stripes; 770 yds., green and white stripes; ~~and~~ 870 yds., red and white stripes; **1,000 yds., red and blue stripes.** In addition, for appaloosa races, markers shall be located at six (6) and six and one-half (6 1/2) furlongs to be painted yellow and white and orange and white, respectively.

## Section 7. Lighting.

(1) An association shall provide and maintain flood lights that provide adequate illumination in the stable area and parking area.

(2) If an association conducts night racing, it shall provide adequate track lighting.

## Section 8. Facilities for Stable Employees.

(1) An association shall provide and maintain in good repair adequate living quarters and conveniently located sanitary facilities that shall include showers, toilets, and wash basins for stable employees.

(2) Personnel shall not be permitted to sleep in a stall or barn loft.

## Section 9. Facilities for Jockeys.

(1) An association shall provide and maintain adequate facilities for jockeys scheduled to ride each day.

(2) The facilities shall include accommodations for rest and recreation of jockeys on racing days, showers, toilets, wash basins, mirrors, arrangements for safekeeping of apparel and personal effects, and snack bar.

#### Section 10. Facilities for Commission.

(1) An association shall provide adequate office space for the commission on its grounds.

(2) To assist in the conduct of official business, an association shall provide the following to the commission:

(a) A season box, marked "Kentucky Horse Racing Commission" of six (6) to eight (8) seats; and

(b) A number of parking places sufficient for the commission and commission staff.

(3) An association shall honor for access to preferred parking facilities and other areas on its grounds a commission or Association of Racing Commissioners International ring, lapel button, or automobile emblem.

Section 11. Sanitary Facilities for Patrons. An association shall, on every racing day, provide sanitary toilets and wash rooms, and free drinking water adequate for the number of patrons and persons having business at the association that comply with applicable statutes, administrative regulations, codes, or ordinances.

#### Section 12. Manure Removal.

(1) An association shall provide and maintain manure pits of the size and construction adequate to handle refuse from stalls.

(2) The contents of the manure pits shall be removed from the stable area as promptly as is possible.

#### Section 13. Photo Finish Cameras.

(1) An association shall provide and maintain at the finish line two (2) photo finish cameras for photographing the finish of races.

(2) One (1) of the photo finish cameras shall be held in reserve. The photo finish photographer shall promptly furnish to the stewards and placing judges the number of prints of finishes requested.

(3) An association shall maintain a one (1) year file of all photo finishes.

#### Section 14. Race Replays.

(1) During a race meeting, an association shall provide and maintain personnel and equipment necessary to record and produce race replays that clearly record each race from start to finish.

(2) Projection or viewing equipment shall be adequate to permit simultaneous showing of head-on and side-angle views of the running of each race.

(3) (a) A race replay shall be:

1. Retained and secured by an association for at least one (1) year; and

2. Made available to the commission and stewards upon demand.

(b) Upon order of the stewards, a visual record of a race that has raised a question, dispute, or controversy shall be filed with the commission.

(4) Race replays shall be made available:

(a) For viewing at the track by licensees who owned, trained, or rode a horse in the race requested to be viewed;  
and

(b) To members of the press.

#### Section 15. Ambulances.

(1) An association shall provide and maintain at least one (1) human ambulance and one (1) horse-ambulance whenever horses are permitted to exercise or race.

(2) An ambulance shall be:

(a) Equipped;

(b) Manned;

(c) Ready for immediate duty; and

(d) Located at an entrance to the racing strip.

Section 16. (1) Except as provided by subsection (2) of this section, an association shall equip and maintain a first aid facility that is:

(a) Equipped with at least two (2) beds; and

(b) Attended by a licensed physician and registered nurse during race hours.

(2) An association shall not be required to maintain a first aid facility, if the association has an ambulance on standby on its premises during racing hours which:

(a) Can transport an injured individual to a fully-equipped hospital emergency room in five minutes or less; and

(b) Is manned by a certified paramedic and certified emergency medical technician.

(3) A paramedic provided pursuant to subsection (2) of this section shall be equipped with:

(a) Heart monitor and defibrillator;

(b) Cellular phone; and

(c) Airways intubation equipment.

Section 17. Track Kitchen. An association shall provide a track kitchen within the stable area, maintained in a clean and sanitary manner that complies with applicable statutes, administrative regulations, codes, or ordinances, at all times horses are stabled on association grounds.

Section 18. Communication System. An association shall install and maintain in good working service a communication system between the stewards' stand and:

(1) Outriders;

(2) Pari-mutuel department;

(3) Starting gate;

(4) Public address announcer; and

(5) Clerk of the scales.

#### Section 19. Fire Prevention.

(1) An association shall have a fire prevention and suppression program.

(2) The commission shall not approve the commencement of a race meeting unless, within fifteen (15) days before commencement of the race meeting, the state or local fire marshal:

(a) Has inspected the association; and

(b) Certified that the association plant and stable area meets fire safety requirements.

(3) An association shall maintain a firefighting unit of trained personnel that has high-expansion foam fire extinguishers and other equipment required by the local fire inspection authority.

(4) An association shall prohibit:

(a) Smoking in stalls, under shed rows, and in feed rooms;

(b) Open fires and oil or gas lamps in the stable area; and

(c) Locking of stalls occupied by horses.

#### Section 20. Association Security.

(1) An association shall provide and maintain security services, night and day, on and about association grounds.

(2) An association shall furnish to the stewards a report on any disturbances or disorderly conduct committed by a person on association grounds.

(3) An association shall exclude from association grounds a person designated to be denied access by order of the commission or stewards.

(4) An association shall implement security measures to protect a horse on association grounds from being injured by being frightened or tampered with.

(5) An association shall exclude from the paddock area, race strip, and winner's entrance a person who:

(a) Does not have an immediate connection with the horses entered; and

(b) Is not a commission member, racing official, or accredited member of the news media.

#### Section 21. Vendors and Suppliers.

(1) A vendor shall comply with procedures and requirements established by an association.

(2) An association shall not attempt to control or monopolize sales to owners, trainers, or stable employees.

(3) An association shall not grant an exclusive concession to a vendor of feed, racing supplies, or racing services.

(4) A vendor of horse feeds or medications shall file with the commission veterinarian a list of products that he or she proposes to sell, including a new preparation or medication.

(5) An association shall not permit the sale of an alcoholic beverage except beer within the stable area.

#### Section 22. Ejection or Exclusion From Association Grounds.

(1) An association shall for probable cause eject or exclude from association grounds a person:

(a) Believed to be engaged in:

1. A bookmaking activity;

2. Solicitation of bets; or

3. Touting;

(b) Who as a business or for compensation, either directly or indirectly:

1. Accepted anything of value to be wagered, transmitted, or delivered for wager to a parimutuel wagering enterprise; or

2. Participated in the transaction; or

(c) Who attempted to use tax exempt admissions credentials not issued to him by the association.

(2) An association shall eject or exclude from its stable area a person who is not:

(a) Licensed to conduct an activity that requires his presence in the stable area;

(b) An accredited member of the news media;

(c) A guest of a licensed owner or trainer accompanied by the owner or trainer; or

(d) Accompanied by, and under the control and supervision of a:

1. Racing official;

2. Association security guard; or

3. Association public relations department representative.

(3) (a) A report of an ejection or exclusion from association grounds shall be made immediately to the stewards, judges, and commission director of security.

(b) A report shall state the:

1. Name of person ejected or excluded;
2. Reasons for the ejection or exclusion; and
3. Facts relating to the ejection or exclusion.

Section 23. Ownership of Associations. An association shall file with the commission a revised list of persons whose identity is required by [810 KAR 3:010](#) immediately upon transfer of a beneficial interest or control in the association.

Section 24. Plan of Association Grounds.

(1) An association shall file with the commission maps and plans of association grounds, showing:

- (a) Structures;
- (b) Piping;
- (c) Fire hydrants;
- (d) Fixed equipment;
- (e) Racing strip, noting elevation as filled, drained, and gapped; and
- (f) Composition of track base and cushion.

(2) An association shall file revised maps or plans of association grounds upon any material change.

Section 25. Attendance and Badge List Reports; Tax Exempt Credentials.

(1) An association shall file with the commission a copy of the form required by [KRS 137.180](#) and [138.480](#), "Race Track Pari-mutuel and Admissions Report," Revenue Form 73A100.

(2) A tax exempt admission credential shall not be transferable.

Section 26. Financial Report. Within sixty (60) days after the close of its fiscal year, an association shall file:

(1) Three (3) copies of its balance sheet; and

(2) A comparison to the prior year.

Section 27. Horseman's Account and Horseman's Bookkeeper.

(1) An association shall maintain a bank account that shall:

(a) Be separate from its other accounts;

(b) Be titled "horsemen's account" and

(c) Contain sufficient funds to pay money owing to horsemen for:

1. Purses;

2. Stakes;

3. Rewards;

4. Claims; and

5. Deposits.

(2) Withdrawals from the horsemen's account shall be subject to audit by the commission at any time.

(3) (a) For all races, purse money shall be available to earners after the result of the race in which the money was earned has been declared official and:

1. For race dates where all samples are reported by the commission laboratory as passed at the screening level, within twenty-four (24) hours after receipt of the report by the commission; or

2. For race dates where one (1) or more sample is reported by the commission laboratory as suspicious at the screening level, within twenty-four (24) hours after receipt of the final report by the commission.

(b) If a horse is disqualified and an appeal has been filed, purse money shall be available to other participants entitled to purse money in the amount they would have earned had a horse not been disqualified. The purse money to which the disqualified participant would be entitled shall be held in escrow by the association until final adjudication of a dispute over which persons are entitled to money.

(4) (a) Except for jockey fees, a deduction from purse money shall not be made, unless the deduction has been requested in writing by the:

1. Person to whom purse money is payable; or

2. Authorized representative of the person to whom purse money is payable.

(b) Whether or not a deduction request is made, at the close of a race meeting, the horsemen's bookkeeper in charge of the horsemen's account shall mail to an owner a duplicate of each record of a deposit, withdrawal, or transfer of funds that affects his racing account.

(5) The horsemen's bookkeeper in charge of the horsemen's account shall be bonded.

#### Section 28. Outriders.

(1) An association shall employ at least two (2) outriders.

(2) An outrider shall:

(a) Escort starters to the post;

(b) Assist in the returning of horses to the unsaddling area;

(c) Only lead a horse that has demonstrated unruliness; and

(d) Assist in the control of a horse that might cause injury to a jockey or others.

(3) Whenever horses are permitted on the racing strip for exercising or racing, an outrider shall be:

- (a) Present on the racing strip;
- (b) Mounted; and
- (c) Ready to assist in the:
  - 1. Control of an unruly horse; or
  - 2. Recapture of a loose horse.

Section 29. Safety Equipment.

(1) A person mounted on a horse or stable pony at a location under the jurisdiction of the commission shall wear a properly secured safety helmet at all times. If requested by a commission official, the person shall provide sufficient evidence that his helmet has a tag, stamp, or similar identifying marker indicating that it meets one of the following safety standards:

- (a) ASTM International Standard, ASTM F1163-04a;
- (b) British Standards, BS EN 1384:1997 or PAS 015:1999; or
- (c) Australian/New Zealand Standard, AS/NZS 3838:2006.

(2) A person mounted on a horse or stable pony on a location under the jurisdiction of the commission, assistant starters, and a person handling a horse in a starting gate shall wear a safety vest at all times. If requested by a commission official, the person shall provide sufficient evidence that his safety vest has a tag, stamp, or similar identifying marker indicating that it meets or exceeds one (1) of the following safety standards:

- (a) British Equestrian Trade Association (BETA):2000 Level 1;
- (b) Euro Norm (EN) 13158:2000 Level 1;
- (c) ASTM International Standard, ASTM F2681-08;
- (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3; or

(e) Australian Racing Board (ARB) Standard 1.1998.

Section 30. Valets.

(1) An association shall employ a number of licensed valets sufficient to attend each rider on a day's racing program.

(2) A valet shall be under the immediate supervision and control of the clerk of scales.

(3) A rider shall not employ a valet or be attended by a person other than the valet assigned to him by the clerk of scales.

(4) A valet shall:

(a) Be responsible for the care and cleaning up of the apparel and equipment of his assigned rider;

(b) Ensure his rider has the proper equipment and colors for a race;

(c) Present the proper equipment and attend the saddling of his rider's mount; and

(d) Attend the weighing out of his rider.

(5) A valet or other jockey room attendant shall not place a wager, directly or indirectly, on races run while he serves as a valet for himself or another.

(6) An association shall provide uniform attire for all valets that shall be worn whenever they perform their duties within public view.

Section 31. Minimum Purse and Stakes Values.

(1) An association shall not program or run any race for which the purse is less than \$2,000 in cash, without special permission of the commission.

(2) An association shall not program or run a stakes race for which the added value is less than \$10,000 in cash added by the association to stakes fees paid by owners.

(3) The minimum cash amounts paid by the association shall be exclusive of:

(a) Nomination;

(b) Eligibility;

(c) Entrance;

(d) Starting fees;

(e) Cash awards;

(f) Premiums;

(g) Prizes; or

(h) Objects of value.

Section 32. Maximum Number of Races. An association shall not program or run more than nine (9) races on a racing day without permission of the commission.

Section 33. Two (2) Year Old Races.

(1) Beginning on March 1 of each year, an association shall program in the conditions book at least four (4) two (2) year old races each week.

(2) Quarter horse race conditions for two-year-olds shall not be offered in the condition book prior to March 1 of that corresponding year.

Section 34. (1) (a) Exculpatory clauses. Stall applications, entry forms, condition books, and other agreements between persons or entities licensed by the Kentucky Horse Racing Commission regarding the stabling of horses, the racing of horses, the training of horses, or other activities at tracks owned or operated by licensed associations, and conditions of racing established by licensed associations, shall not contain provisions that absolve or hold harmless a licensee from liability, or limit the liability of a licensee, for loss, loss of use, injury, or damage caused or contributed to by the acts or omissions of any licensee, its agents, or employees, except for:

1. Ordinary negligence that causes or contributes to loss, injury, or damage to horses while on the premises of a licensed association; and

2. Ordinary negligence that causes or contributes to personal injury or property damage, including loss, loss of use, injury, or damage to horses arising from the use of grass fields or gallops owned or controlled by the licensed association.

(b) Subject to the exception in paragraph (a) of this subsection, licensees participating in the stabling of horses, the racing of horses, the training of horses, and related activities at tracks owned or operated by licensed associations shall be responsible for their own acts and omissions and those of their agents and employees to the same extent as provided by law. A licensee shall not attempt to limit liability of a person or entity for gross negligence or intentional wrongdoing.

(2) Constructive notice to and consent of licensees. Persons licensed by the Kentucky Horse Racing Commission shall be deemed, as a condition of licensure, to have notice of and to have consented to exculpatory provisions, which comply with the limitations set forth in this administrative regulation, included in agreements between licensees and in conditions of racing established by a licensed association. Exculpatory provisions that exceed the limitations set forth in this administrative regulation shall be void and unenforceable in their entirety.

(3) Model provision. The following provision shall be deemed to comply with the limitations set forth in this administrative regulation: All Kentucky Horse Racing Commission licensees, including but not limited to the host association, owners, trainers, jockeys, and grooms (“licensees”, participating in stabling, racing, training, and related activities at (name of licensed association) recognize that hazards and risks inherent in these activities may cause the injury or death of horses. Therefore, in consideration of participating in stabling, racing, training, and related activities at (name of licensed association), all licensees assume the risks of, and release, hold harmless, and covenant not to sue other participating licensees for:

(a) Ordinary negligence that causes or contributes to loss, loss of use, injury, or damage to horses while on the premises of (name of licensed association); and

(b) Ordinary negligence that causes or contributes to personal injury or property damage, including but not limited to loss, loss of use, injury, or damage to horses arising from the use of grass fields or gallops owned or controlled by (name of licensed association), whether arising from alleged acts or omissions of a licensee, its agents, or employees, the condition of the premises of (name of licensed association), or any other cause. Except as provided above, all licensees participating in racing, training, and related activities at (name of licensed association) shall be responsible for their own acts and omissions and those of their agents and employees to the same extent as provided by law.

#### **Credits**

(45 Ky.R. 1881, 3088; eff. 5-31-2019.)

Current with amendments included in the Administrative Register of Kentucky, Volume 49, Number 11, dated May 1, 2023. Some sections may be more current, see credits for details.

810 KAR 2:070, 810 KY ADC 2:070

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Kentucky Administrative Regulations

Title 810. Public Protection Cabinet - Kentucky Horse Racing Commission

Chapter 4. Flat and Steeplechase Racing

810 Ky. Admin. Regs. 4:001

810 KAR 4:001. Definitions for 810 KAR Chapter 4

Currentness

RELATES TO: KRS Chapter 230

STATUTORY AUTHORITY: [KRS 230.215](#), [230.260\(8\)](#)

NECESSITY, FUNCTION, AND CONFORMITY: [KRS 230.215\(2\)](#) authorizes the Kentucky Horse Racing Commission to regulate conditions under which thoroughbred racing shall be conducted in Kentucky. [KRS 230.260\(8\)](#) authorizes the commission to prescribe necessary and reasonable administrative regulations and conditions under which horse racing at a horse race meeting shall be conducted in Kentucky. This administrative regulation defines the terms used in 810 KAR Chapter 4.

Section 1. Definitions.

- (1) “Added money” means the amount of money, exclusive of trophy, added into a stakes race by an association, a sponsor, a state-bred program, or other fund, and that is in addition to stakes fees paid by subscribers.
- (2) “Age” means the number of years since a horse was foaled, reckoned as if the horse was foaled on January 1 of the year in which the horse was foaled.
- (3) “Allowance race” means a race in which contestants receive weight allowance based on performance or winnings as stipulated in the conditions of the race.
- (4) “Also eligible” means in flat racing an eligible horse, properly entered, which is not drawn for inclusion in a race, but which becomes eligible according to preference or lot if another horse is scratched prior to the scratch time deadline.
- (5) “Appeal” means a request for the commission to investigate, consider, and review any decision or ruling of a steward or official of a meeting.
- (6) “Arrears” means all sums due by a licensee as reflected by his or her account with the horsemen's bookkeeper, including subscriptions, jockey fees, forfeitures, and any default incident to KAR Title 810.

(7) “Association” is defined by [KRS 230.210](#).

(8) “Authorized agent” means in flat racing any person currently licensed as an agent for a licensed owner, jockey, or jockey apprentice by virtue of notarized appointment of agency filed with the commission.

(9) “Calendar days” means consecutive days counted irrespective of number of racing days.

(10) “Claiming race” means a race in which ownership of a horse participating in the race may be transferred in conformity with [810 KAR 4:050](#).

(11) “Closing” means the time published by the association after which entries for a race are not accepted by the racing secretary.

(12) “Coggins test” means a blood test used to determine if a horse is positive for Equine Infectious Anemia.

(13) “Commission” is defined by [810 KAR 6:001](#).

(14) “Conditions” means qualifications that determine a horse's eligibility to be entered in a race.

(15) “Coupled entry” means two (2) or more horses in a race that are treated as a single betting interest for pari-mutuel wagering purposes.

(16) “Day” means any twenty-four (24) hour period beginning at 12:01 a.m. and ending at midnight.

(17) “Declaration” means in flat racing the withdrawal of a horse entered in a race prior to time of closing of entries for the race in conformance with [810 KAR 4:030](#).

(18) “Directive” means an official order issued by the commission or the executive director.

(19) “Disciplinary action” means action taken by the stewards or the commission for a violation of KRS Chapter 230 or KAR Title 810 and can include:

(a) Refusal to issue or renew a license;

(b) Revocation or suspension of a license;

- (c) Imposition of probationary conditions on a license;
- (d) Issuance of a written reprimand or admonishment;
- (e) Imposition of fines or penalties;
- (f) Denial of purse money;
- (g) Forfeiture of purse money; or
- (h) Any combination of paragraphs (a) through (g) of this subsection.

(20) “Disqualification” means a ruling of the stewards or the commission revising the order of finish of a race.

(21) “Draw” means the process of determining post positions by lot.

(22) “Entry” means the act of nominating a horse for a race in conformance with KAR Title 810.

(23) “Equipment” means in flat racing accoutrements other than ordinary saddle, girth, pad, saddle cloth, and bridle carried by a horse, and includes riding crop, blinkers, tongue strap, muzzle, hood, noseband, bit, shadow roll, martingale, breast plate, bandages, boots, and racing plates or shoes.

(24) “Field” or “mutuel field” means a single betting interest, which is not a mutuel entry, involving more than one (1) horse.

(25) “Flipping halter” means a halter used in the starting gate to help prevent a horse from flipping, which is used in Quarter Horse races only.

(26) [(25)] “Forfeit” means money due by a licensee because of an error, fault, neglect of duty, breach of contract, or alternative ruling of the stewards or the commission.

(26) “Foul” means any action by any jockey that tends to hinder another jockey or any horse in the proper running of the race.

(27) “Handicap race” means in flat racing a race in which the weights to be carried by the horses are assigned by the association handicapper with the intent of equalizing the chances of winning for all horses entered in the race.

(28) "Horse" means any equine irrespective of age or sex designation and registered for racing with the applicable breed registry.

(29) "Ineligible" means a horse or person not qualified under Title 810 KAR or conditions of a race to participate in a specified racing activity.

(30) "Inquiry" means an investigation by the stewards of a contest prior to declaring the result of the contest official.

(31) "Jockey" means a rider currently licensed to ride in races as a jockey, apprentice jockey, amateur jockey, or a provisional jockey permitted by the stewards to ride in three (3) races prior to applying for a license.

(32) "Lessee" means a licensed owner whose interest in a horse is a leasehold.

(33) "Licensee" means an individual, firm, association, partnership, corporation, trustee, or legal representative that has been duly issued a currently valid license to participate in racing in the Commonwealth.

(34) "Maiden" means in flat racing, a horse that has never won a race at a recognized meeting in any country.

(35) "Meeting" means the entire period of consecutive days, exclusive of dark days, granted by the commission to a licensed association for the conduct of live horse racing that:

(a) Begins at 10 a.m. of the first racing day; and

(b) Extends through a period ending one (1) hour after the last scheduled race of the last day.

(36) "Month" means calendar month.

(37) "Mutuel entry" means a single betting interest involving two (2) or more horses entered in the same race and joined for pari-mutuel purposes because of common ties as to ownership or training so that a wager on one (1) horse joined in a mutuel entry is a wager on all horses joined in the same mutuel entry.

(38) "Nominator" means the person in whose name a horse is entered for a stakes race.

(39) "Objection" means a verbal claim of foul in a race lodged by the horse's jockey, trainer, or owner before the race is declared official.

- (40) “Official order of finish” means the order of finish of the horses in a contest as declared official by the stewards.
- (41) “Official time” means the elapsed time from the moment the first horse crosses the timing beam until the first horse crosses the finish line.
- (42) “Owner” means any person who holds, in whole or in part, any right, title, or interest in a horse, or any lessee of a horse, who has been duly issued a currently valid owner's license as a person responsible for the horse.
- (43) “Pari-mutuel wagering”, “mutuel wagering”, or “pari-mutuel system of wagering” is defined by [KRS 230.210](#).
- (44) “Post” means the starting point of a race.
- (45) “Post position” means the relative place assigned to each horse, numbered from the inner rail across the track at the starting line, from which each horse is to start a race.
- (46) “Post time” means the advertised moment scheduled for the arrival of all horses at the starting point for a race.
- (47) “Protest” means a written objection charging that a horse is ineligible to race, alleging improper entry procedures, or citing any act of an owner, trainer, or official prohibited by rules, which, if true, would exclude that horse or jockey from racing.
- (48) “Purse” means the gross cash portion of the prize for which a race is run.
- (49) “Purse race” means any race for which entries close at a time designated by the racing secretary, and for which owners of horses entered are not required by its conditions to contribute money toward its purse.
- (50) “Race” means a running contest between horses, ridden by jockeys at a recognized meeting, during regular racing hours, for a prize.
- (51) “Race day” means any period of twenty-four (24) hours beginning at 12:01 a.m. and ending at midnight in which live racing is conducted by an association.
- (52) “Racing official” means a racing commission member, commission staff, as duties require, and all association racing department employees, as duties require.

(53) “Recognized meeting” means any meeting with regularly scheduled live horse races, licensed by and conducted under administrative regulations promulgated by a governmental regulatory body, and conducted with the applicable breed registry.

(54) “Registration certificate” means the document, racing permit, or virtual certificate issued by the appropriate breed registry identifying the horse for racing.

(55) “Result” means the part of the official order of finish in a race used to determine the pari-mutuel payoff of pari-mutuel pools.

(56) “Rulings” means all determinations, decisions, or orders of the stewards or of the commission duly issued in writing and posted.

(57) “Scratch” means the withdrawal of a horse entered for a race after the time of closing of entries for the race.

(58) “Scratch time” means the time set by the racing secretary as a deadline for horsemen to indicate their desire to scratch out of a race.

(59) “Specimen” means a sample of blood, urine, or other biologic sample taken or drawn from a horse for chemical testing.

(60) “Stakes” mean all fees paid by subscribers to an added-money or stakes race for nominating, eligibility, entrance, or starting, as required by the conditions of the race, with the fees to be included in the purse.

(61) “Stakes race” means a race that closes more than seventy-two (72) hours in advance of its running and for which subscribers contribute money towards its purse

(62) “Starter” means either:

(a) An official who dispatches the horses from the starting gate; or

(b) A horse in a race when the starting gate doors open in front of it at the moment the starter dispatches the horses for the race.

(63) “Steward” means a duly appointed racing official with powers and duties established in [810 KAR 2:040](#) serving at a current meeting in the Commonwealth.

(64) “Subscription” means nomination or entry of a horse in a stakes race.

(65) “Suspended” means withdrawal of racing privileges by the stewards or commission.

(66) “Thoroughbred racing” is defined by [KRS 230.210](#).

(67) “Tote” or “tote board” means the totalizator.

(68) “Unplaced” means a horse that finishes a race outside the pari-mutuel payoff.

(69) “Walkover” means a race in which the only starter or all starters represent single ownership.

(70) “Weigh in” means in flat racing the presentation of a jockey to the clerk of scales for weighing after a race.

(71) “Weigh out” means in flat racing the presentation of a jockey to the clerk of scales for weighing prior to a race.

#### **Credits**

(45 Ky.R. 1912, 2720, 3111; eff. 5-31-2019; Amended on an emergency basis effective February 25, 2021; 47 Ky.R. 2130, 48 Ky.R. 355; eff. 8-12-2021.)

Current with amendments included in the Administrative Register of Kentucky, Volume 49, Number 11, dated May 1, 2023. Some sections may be more current, see credits for details.

810 KAR 4:001, 810 KY ADC 4:001

810 KAR 4:010. Horses.

RELATES TO: KRS 230.215

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

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

Section 1. Definition. "Electronic registration system" means a software application available online and approved by the commission that allows an association's racing secretary or the secretary's designee, or horse identifier or the identifier's designee, full access to horse and trainer records from all tracks in North America, including current owner information.

Section 2. Registration and Identification Required.

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

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

(b)

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

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

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

(3) 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 or digital certificate shall be transferred to the new owner electronically. The new owner shall report the change in ownership to the stewards.

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

### Section 3. Ringers Prohibited.

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

(3) times the horse races after the name change.

(2) A person shall not cause or permit the correct identity of a horse to be concealed or altered.

A person shall not refuse to reveal the correct identity of a horse that he or she owns or is in his or her care to a racing official or member of the regular news media.

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

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

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

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

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

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

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

Section 4. Denervng.

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

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

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

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

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

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

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

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

(5) If a horse races in violation of this administrative regulation and is claimed, then a protest shall not be considered unless the successful claimant submits a protest in writing within forty-eight (48) hours after the race requesting the claim be voided. If the claim is voided, the horse shall be returned to the owner who started the horse in the race, and the claim price shall be returned to the claimant.

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

#### Section 5. Health Certificate Required.

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

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

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

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

Section 6. Workouts. A horse shall not be schooled in the paddock or taken onto a track on association grounds for training or workout, other than during normal training hours posted by the association, without special permission of the stewards.

#### Section 7. Thoroughbred Age Restrictions.

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

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

Section 8. Other Age Restrictions. A quarter horse, paint horse, Arabian, or Appaloosa horse six (6) years of age or older shall not be entered or raced in a race restricted to maidens. A horse thirteen (13) years of age or older shall not be entered or raced.

Section 9. Fillies and Mares Bred.

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

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

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

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

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

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

- (1) Is not in serviceable, sound racing condition. The stewards may at any time require a horse on association grounds to be examined by a qualified person;
- (2) Is posted on a veterinarian's list, stewards' list, or starter's list in any racing jurisdiction, unless the horse on a veterinarian's list, stewards' list, or starter's list has a posted off date on or before the date of the race for which it is being entered;
- (3) Has previously raced, but has made no starts in the last 365 days or more, unless approved by a commission veterinarian prior to entry;
- (4) Is suspended in any jurisdiction;
- (5) Has been administered any drug in violation of 810 KAR 8:010;
- (6) Is blind or has seriously impaired vision in both eyes;
- (7) Is not correctly identified to the satisfaction of the stewards; or
- (8) Is owned wholly or in part by or is trained by an ineligible person.

#### Section 11. Equipment.

- (1) Riding crops and blinkers shall be used consistently on a horse while racing.
- (2) Permission to change use of any equipment used on a horse from its previous start shall be obtained from the stewards.
- (3) A horse's tongue may be tied down during a race with a clean bandage or gauze.
- (4) A horse's bridle shall not weigh more than two (2) pounds.

(5) Bits shall be of a metallic alloy base of stainless steel or aluminum and may be encased in rubber, plastic, or leather.

(6) War bridles and bitless bridles shall not be used.

(7) Bar shoes may be used for racing only with permission of the stewards.

(8) Any goading device, chain, spurs, electrical or mechanical device, or appliance, except for a riding crop, that can be used to alter the speed of a horse shall not be used on a horse in a race or workout.

(9)

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

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

(c) A riding crop shall have a:

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

(d)

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

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

(e) A riding crop shall not have:

1. Stingers or projections extending through the hole of a popper; and
2. Any metal parts.

(10)

(a) Except as set forth in paragraph (c) of this subsection, the [The] following shall not be used on the front shoes of horses while racing or training on any racing surface:

1. Horse shoes that have toe grabs;
2. Bends;
3. Jar calks;
4. Stickers; and

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

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

(c) Front horse shoes on Quarter Horses may have a toe grab that measures up to four (4) millimeters from the ground surface side of the shoe. Hind horse shoes on Quarter Horses may have a toe grab, that measures up to one-quarter (1/4) inch from the ground surface side of the shoe.

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

Section 12. Sex Alteration. Any alteration in the sex of a horse shall be reported by the horse's trainer to the racing secretary and to the appropriate breed registry applicable to the horse. The alteration shall be noted on the horse's registration certificate, racing permit, virtual or digital certificate, or entry in the electronic system.

Section 13. Reporting Death of Horse. A licensed racing association or training center under the jurisdiction of the commission shall report the death or euthanization of any horse on its grounds immediately to the chief commission veterinarian.

Section 14. Postmortem Examination. A horse that dies or is euthanized on the grounds of a licensed association or training center under the jurisdiction of the commission shall undergo a

postmortem examination at the discretion of the commission. If a postmortem examination is conducted:

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

(2) The commission, through its designee:

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

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

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

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

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

Section 15. Incorporation by Reference.

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

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

International Organization for Standardization (“ISO”) website at the following URL:

<https://www.iso.org/standard/38799.html>.

810 KAR 4:010E

READ AND APPROVED

Jonathan Rabinowitz

Date

Chair, 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 on \_\_\_\_\_, 2023 at 9:00 a.m. EST at the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington, KY 40511 via Zoom. 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 cancelled. 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 p.m. EST on [REDACTED], 2023. 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: Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington, Kentucky 40511

Phone: (859) 246-2040

Fax: (859) 246-2039

Email: [jennifer.wolsing@ky.gov](mailto:jennifer.wolsing@ky.gov)

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

810 KAR 4:010

Contact Person: Jennifer Wolsing

Phone: (859) 246-2040

Email: [jennifer.wolsing@ky.gov](mailto:jennifer.wolsing@ky.gov)

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the rules concerning horses in thoroughbred and other flat racing.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide specific rules concerning the health and safety of horses 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 the health and safety of horses 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 the health and safety of horses 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: This amendment will allow Quarter Horses to wear toe grab horses shoes, while participating in the April 2023 Sandy Ridge meet at the Red Mile.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to preserve the health and safety of the human and equine athletes participating in the April 2023 Sandy Ridge meet at the Red Mile, by providing the horses with sufficient traction to safely exit the starting gate.

(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 regulating horse racing in Kentucky and this amendment involves when a horse may be entered or raced in Kentucky.

(d) How the amendment will assist in the effective administration of the statutes: This amendment provides additional conditions in which a horse may be entered or raced in Kentucky, thereby continuing with the commission's legislative purpose of providing specific rules concerning the health and safety of horses in thoroughbred and other flat racing.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Kentucky's 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 question (3) 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 that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Participants in horse racing, and especially owners, trainers, veterinarians, and jockeys, will be required to adhere to the requirements and rules set forth in this administrative regulation pertaining to the health and safety of horses in thoroughbred and other flat racing. In particular, Quarter Horse owners and trainers may voluntarily choose to allow their horses to compete with toe grab horse shoes.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No significant costs are associated with complying with this administrative regulation. Outfitting one's horse in toe grab horse shoes is voluntary.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Participants in racing will benefit from clearly defined rules concerning the health and safety of horses that enhance the integrity of racing. Moreover, Quarter Horses participating in the April 2023 meet will be able to compete more safely.

(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 establishes any fees or directly or indirectly increases 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

Regulation: 810 KAR 4:010

Contact Person: Jennifer Wolsing

Phone: +1 (859) 246-2040

Email: [jennifer.wolsing@ky.gov](mailto: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? There will be no cost to administer this regulation for the first year.

(d) How much will it cost to administer this program for subsequent years? There will be no cost 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.

Revenues (+/-): Neutral.

Expenditures (+/-): Neutral.

Other Explanation: N/A

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect. There will be no effect on the expenditures and cost savings of regulated entities for the period that this emergency regulation will be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year? Regulated entities will have no defined cost savings for the period that this emergency regulation will be in effect. However, regulated entities with horses entered in the 2023 Sandy Ridge meet would arguably save veterinary costs because their Quarter Horses will have a safer experience.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? Regulated entities will have no defined cost savings for the period that this emergency regulation will be in effect. However, regulated entities with horses entered in the 2023 Sandy Ridge meet would arguably save veterinary costs because their Quarter Horses will have a safer experience.

(c) How much will it cost the regulated entities for the first year? Regulated entities will not face any costs due to this emergency regulations, for the period that this emergency regulation will be in effect.

(d) How much will it cost the regulated entities for subsequent years? Regulated entities will not face any costs due to this emergency regulations, for the period that this emergency regulation will be in effect.

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

Cost Savings (+/-): \$0.00

Expenditures (+/-): \$0.00

Other Explanation: N/A

(5) Explain whether this administrative regulation will have a major economic impact, as defined below. "Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]: This regulation will not have a major economic impact, because it will not generate any negative economic impact on state government, local government, or regulated entities.



Kentucky Administrative Regulations

Title 810. Public Protection Cabinet - Kentucky Horse Racing Commission

Chapter 4. Flat and Steeplechase Racing

810 Ky. Admin. Regs. 4:030

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

Currentness

RELATES TO: [KRS 230.215](#), [230.240](#), [230.260](#), [230.290](#), [230.310](#), [230.320](#)

STATUTORY AUTHORITY: [KRS 230.215\(2\)](#), [230.260\(8\)](#)

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

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

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

Section 3. Procedure for Making Entries.

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) A workout not appearing in the official program shall be publicly displayed on television monitors, the tote board, and, if available, the bulletin boards where photo finishes are shown at the time when mutuel windows are opened and shall be displayed until the conclusion of the race in which the horse is entered.

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

(g) A minimum acceptable published workout time for a Quarter Horse is 220 yards at 14.00 seconds.

(h) Quarter Horses that have never raced around the turn shall have completed at least one (1) workout at 660 yards or further within thirty (30) days prior to entry.

(i) Quarter Horses that have previously started in a race around the turn, but have not started in such a race within sixty (60) days, shall complete at least one (1) workout at 660 yards or further within thirty (30) days prior to entry.

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

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

(11) Quarter Horses shall submit negative hair samples as a condition of entry. In addition, all Quarter Horses shall submit to out-of-competition testing governed by 810 KAR 8:040.

#### Section 4. Limitation as to Spouses.

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

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

#### Section 5. Mutuel Entries.

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

(2) Horses entered in the same race and owned wholly or in part by the same owner or spouse, may be joined as a mutuel entry and single betting interest.

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

(4) (a) Two (2) horses having common ties through ownership or training shall not start in a purse race to the exclusion of a single entry.

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

#### Section 6. Subscriptions.

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

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

(3) Death of a horse or a mistake in its entry if the horse is eligible shall not release the subscriber or transferee from liability for all stakes fees due. Fees paid in connection with a subscription to a stakes race that is run shall not be refunded, except as otherwise stated in the conditions of the stakes race.

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

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

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

#### Section 7. Closings.

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

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

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

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

#### Section 8. Number of Starters in a Race.

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

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

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

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

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

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

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

#### Section 9. Split or Divided Races.

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

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

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

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

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

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

#### Section 10. Post Positions.

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

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

#### Section 11. Also-Eligible List.

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

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

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

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

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

(5) A horse on the also-eligible list 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.

(6) Quarter Horses that gain a position in the race from the also eligible list shall take the outside post position in the order drawn from the also eligible list.

## Section 12. Preferred List.

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

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

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

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

Section 14. Declarations.

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

(2) Declarations shall be irrevocable.

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

Section 15. Scratches.

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

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

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

1. A valid physical reason exists; or

2. The scratch is related to adverse track conditions or change of racing surface.

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

1. The approval of the stewards has been obtained; and

2. Intention to scratch has been filed in writing with the racing secretary or the secretary's assistant at or before scratch time.

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

(3) In a purse race, a horse that is physically disabled or sick shall be permitted to be scratched first. If horses representing more than eight (8) betting interests remain in after horses with physical excuses have been scratched, an owner or trainer may scratch horses without physical excuses at scratch time, down to a minimum of eight (8) betting interests. This privilege shall be determined by lot if an excessive number of owners or trainers wish to scratch their horses.

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

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

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

Section 17. Examination by Attending Veterinarian.

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

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

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

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

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

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

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

**Credits**

(45 Ky.R. 1919; 3116; eff. 5-31-2019; 46 Ky.R. 2522; 2973; 47 Ky.R. 69; eff. 8-25-2020; 47 Ky.R. 1277; eff. 7-6-2021; 48 Ky.R. 2629; eff. 10-4-2022.)

Current with amendments included in the Administrative Register of Kentucky, Volume 49, Number 11, dated May 1, 2023. Some sections may be more current, see credits for details.

810 KAR 4:030, 810 KY ADC 4:030

Kentucky Administrative Regulations

Title 810. Public Protection Cabinet - Kentucky Horse Racing Commission

Chapter 4. Flat and Steeplechase Racing

810 Ky. Admin. Regs. 4:040

810 KAR 4:040. Running of the race

Currentness

RELATES TO: [KRS 230.215\(2\)](#), [230.260\(1\)](#)

STATUTORY AUTHORITY: [KRS 230.215\(2\)](#), [230.260\(8\)](#)

NECESSITY, FUNCTION, AND CONFORMITY: [KRS 230.215\(2\)](#) and [230.260\(8\)](#) authorize the Kentucky Horse Racing Commission to promulgate administrative regulations prescribing the conditions under which racing shall be conducted in Kentucky. This administrative regulation sets forth the standards and requirements governing the running of a horse race.

Section 1. Post Time. Post time for the first race on each racing day shall be approved by the commission. Post time for subsequent races on the same program shall be fixed by the pari-mutuels manager. No race shall start after 11:55 p.m.

Section 2. Horses in paddock not to be touched. Only the following persons may touch a horse while in the paddock:

- (1) Licensed owner;
- (2) Licensed trainer;
- (3) Authorized stable personnel;
- (4) Paddock judge;
- (5) Horse identifier;
- (6) Assigned valet;
- (7) Steward;

(8) Farrier;

(9) Outrider; or

(10) Jockey.

Section 3. Trainer Responsibility. The trainer shall be responsible for:

(1) Arrival in the paddock, at the time prescribed by the paddock judge, of each horse entered;

(2) Supervising the saddling of each horse entered; and

(3) Providing his or her assistant trainer or another licensed trainer to serve as a substitute if absent from a track where the trainer's horses are participating in races.

Section 4. Withdrawal of a Horse. A horse whose starting is mandatory shall run the course, except that the stewards may order the withdrawal of a horse at any time up to the actual start of a race.

Section 5. Walkover. If at the time for saddling, only one (1) horse, or horses owned by only one (1) stable, will be weighed out, the horse or horses of single ownership shall be ridden past the stewards' stand, go to the post, and then move over the course before determination of the winner.

Section 6. Parade to the Post; Time.

(1) All horses shall parade and carry their declared weight from the paddock to the starting post.

(a) The parade shall pass the stewards' stand.

(b) After passing the stewards' stand once, horses may break formation and canter, warm up, or go as they please to the post.

(c) With the permission of the stewards, a horse may be excused from parading with the other horses.

(2) The parade to the post shall not exceed twelve (12) minutes from the time the field enters upon the track, except in cases of unavoidable delay.

(3) If a jockey is thrown on the way to the post:

(a) The jockey shall remount at the point at which thrown; or

(b) If the jockey is so injured as to require a substitute jockey, the horse shall be returned to the paddock where the horse shall be remounted by a substitute jockey.

Section 7. Lead Pony. A horse may be led to the post by a lead pony. Lead ponies may be excluded from the paddock or walking ring, at the discretion of the stewards.

Section 8. Control of Horses and Jockeys by Starter. Horses and jockeys shall be under the control of the starter from the moment they enter the track until the race is started.

(1) The starter may grant a delay if an injury occurs to any jockey or if a jockey's equipment malfunctions. During the delay, the stewards may require all jockeys to dismount.

(2) The starter shall unload the horses in the gate when instructed by the stewards if:

(a) A horse breaks through the gate or unseats its jockey after any of the field is loaded in the starting gate; and

(b) The horse is not immediately taken in hand by the outrider and brought back for reloading.

(3) The starter shall reload the horses in their proper order upon order of the stewards.

(4) The starter shall report all causes of delay to the stewards.

(5) A person other than the jockey, starter, or assistant starter shall not strike a horse or attempt, by shouting or other means, to assist the horse in getting a start.

Section 9. Starting Gate. Races on the flat shall use a starting gate approved by the commission unless exempted by the stewards. Exempted races shall not start until the assistant starter has dropped the flag in answer to the starter.

Section 10. Horses Left at Post.

(1) If a door at the front of the starting gate fails to open properly and timely when the starter dispatches the field, or if a horse has inadvertently not been loaded in the starting gate when the field is dispatched, thereby causing the horse to be left at the post, the starter shall immediately report the circumstance to the stewards who shall:

(a) Immediately post the “inquiry” sign;

(b) Advise the public to hold all pari-mutuel tickets; and

(c) Determine, after consulting with the starter and viewing the race replay, whether or not the horse was precluded from obtaining a fair start.

(2) If the stewards determine that the horse was precluded from obtaining a fair start, the stewards shall rule the horse a nonstarter and shall order money wagered on the horse deducted from the pari-mutuel pool and refunded to holders of pari-mutuel tickets on the horse, unless the horse ruled a nonstarter is part of a pari-mutuel entry and another horse in the entry is not left at the post, in which case there shall not be a pari-mutuel refund.

(3) Stakes fees for a ruled nonstarter shall be refunded to the owner.

(4) The starter may, in his or her discretion, place an unruly or fractious horse on the outside of the starting gate and one (1) length behind the starting line. If the horse so stationed outside the starting gate by the starter dwells or refuses to break with the field and is thereby left at the post, there shall not be a refund of pari-mutuel wagers on the horse nor refund of stakes fees paid for the horse.

(5) The use of a flipping halter as safety equipment may be permitted in Quarter Horse races only, at a trainer’s discretion, if approved by track management and the starter. The use of a flipping halter shall be noted at time of entry and in the official program.

(6) If the Stewards in a Quarter Horse race determine that a door at the front of the starting gate failed to open properly or timely due to a horse equipped with a flipping halter:

(a) The Stewards shall rule the horse to be a starter and eligible for race placement and purse earnings; and

(b) There shall not be a pari-mutuel refund.

Section 11. Horses Failing to Finish. Any horse that starts in a race but does not cross the finish line or is not ridden across the finish line by the jockey with whom it starts the race shall be declared unplaced and shall receive no portion of the purse money.

Section 12. Fouls.

(1) A leading horse if clear is entitled to any part of the track.

(2) If a leading horse or any other horse in a race swerves or is ridden to either side so as to interfere with, intimidate, or impede any other horse or jockey, or to cause the same result, this action shall be deemed a foul.

(3) If a jockey strikes another horse or jockey, it is a foul.

(4) If, in the opinion of the stewards, a foul alters the finish of a race, an offending horse may be disqualified by the stewards.

(5) In a Quarter Horse straightaway race, every horse shall maintain position as nearly as possible in the lane in which the horse starts.

(6) If a horse is disqualified for interference during the running of Quarter Horse time trials, the disqualified horse shall receive the time of the horse it is immediately placed behind, plus one one-thousandth second. The disqualified horse shall be eligible to qualify for a final or consolation race based upon the assigned time.

#### Section 13. Stewards to Determine Foul Riding.

(1) A jockey shall make a best effort to control and guide his or her mount in such a way as not to cause a foul.

(2) The stewards shall take cognizance of riding that results in a foul, irrespective of whether or not an objection is lodged.

(3) If, in the opinion of the stewards, a foul is committed as a result of a jockey not making a best effort to control and guide his or her mount to avoid a foul, whether or not intentionally or through carelessness or incompetence, the jockey may be penalized at the discretion of the stewards.

#### Section 14. Horses to be Ridden Out.

(1) Every horse in every race shall be ridden so as to win or finish as near as possible to first and demonstrate the best and fastest performance of which it is capable at the time, while in compliance with Section 15 of this administrative regulation.

(2) A horse shall not be eased up without adequate cause, even if it has no apparent chance to earn a portion of the purse money.

(3) A jockey who unnecessarily causes a horse to shorten stride may be penalized at the discretion of the stewards.

(4) Stewards shall take cognizance of any marked reversal of form of a horse and shall conduct inquiries of the licensed owner, licensed trainer, and all other persons connected with the horse.

(5) If the stewards find that the horse was deliberately restrained or impeded in any way or by any means so as not to win or finish as near as possible to first, any person found to have contributed to that circumstance may be penalized at the discretion of the stewards.

#### Section 15. Use of Riding Crops.

(1) Although the use of a riding crop is not required, a jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

(2) In any race in which a jockey will ride without a riding crop, an announcement of that fact shall be made over the public address system.

(3) An electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than a riding crop approved by the stewards pursuant to [810 KAR 4:010](#), Section 11 shall not be possessed by anyone, or applied by anyone to a horse at any time at a location under the jurisdiction of the racing commission.

(4) A riding crop shall not be used on a two (2) year-old horse in races before April 1 of each year.

#### (5) Allowable Uses of a Riding Crop.

(a) The riding crop may be used at any time, without penalty, if, in the opinion of the stewards, the riding crop is used to avoid a dangerous situation or preserve the safety of other riders or horses in a race.

(b) If necessary during a race, a riding crop may be used in a backhanded or underhanded fashion from the 3/8 pole to the finish line. This use shall not be counted toward the use of the crop six (6) times in the overhand fashion, as allowed in subsection (6) of this section. The use of the crop shall not rise above the rider's helmet at any point.

(c) A riding crop may also be used if:

1. The horse is tapped on the shoulder with the crop in the down position while both hands are holding onto the reins and both hands are touching the neck of the horse; and

2. The crop is shown or waved without contact with the horse and the horse is given time to respond before the horse is struck.

(6) A riding crop may be used to make contact with a horse to maintain focus and concentration, to control the horse for safety of the horse and rider, or to encourage a horse, with the following exceptions:

(a) Use of the crop in any manner, other than underhanded or backhanded as established in subsection (5)(b) of this section, or tapping on the shoulder as established in subsection (5)(c) of this section, resulting in more than six (6) times in the overhand manner;

(b) Use of the crop and making contact with the horse more than two (2) successive strikes without allowing the horse a chance to respond;

(c) Use of the crop with the rider's wrist above helmet height;

(d) Use of the crop on the head, flanks, or on any other part of its body other than the shoulders or hindquarters;

(e) Use of the crop during the post parade or after the finish of the race except if necessary to control the horse;

(f) Excessive or brutal use of the crop causing injury to the horse;

(g) Use of the crop causing welts or breaks in the skin;

(h) Use of the crop if the horse is clearly out of the race or has obtained its maximum placing; and

(i) Use of the crop even though the horse is showing no response.

(7) A riding crop shall not be used to strike another person.

(8) After the race, a horse shall be subject to inspection by a racing official or official veterinarian looking for cuts, welts, or bruises in the skin. Any adverse findings shall be reported to the stewards.

(9) A crop may be used during workouts if the use does not violate subsection (6)(c) through (i) of this section.

(10) The giving of instructions by any licensee that, if obeyed, would lead to a violation of this section may result in disciplinary action also being taken against the licensee who gave the instructions.

(11) Only padded/shock absorbing riding crops that have not been modified in any way may be carried in a race.

(12) During a race, if a jockey rides in a manner contrary to this rule, the stewards shall impose a minimum fine of \$500, a minimum suspension of three (3) days, or both, if in the opinion of the stewards, the violation is egregious or intentional. Factors in determining whether a violation is egregious shall include at least the following:

- (a) Recent history of similar violations;
- (b) Number of uses over the total and consecutive limits described in this section; and
- (c) Using the crop in the overhanded position more than six (6) times.

Section 16. Other Means of Altering Performance. An electrical or mechanical appliance, other than a riding crop, shall not be used to affect the speed of a horse in a race or workout. A sponge or other object shall not be used to interfere with the respiratory system of a horse. Use or nonuse of ordinary racing equipment shall be consistent and any change of equipment shall be approved by the stewards.

Section 17. Official Order of Finish as to Pari-mutuel Payoff. Once satisfied that the order of finish is correct and that the race has been properly run in accordance with the rules and KAR Title 810, the stewards shall order that the official order of finish be confirmed and the official sign posted for the race. The decision of the stewards as to the official order of finish for pari-mutuel wagering purposes shall be final, and no subsequent action shall set aside or alter the official order of finish for the purposes of pari-mutuel wagering.

#### **Credits**

(45 Ky.R. 1923, 3118; eff. 5-31-2019; 48 Ky.R. 610, 1561; eff. 2-1-2022.)

Current with amendments included in the Administrative Register of Kentucky, Volume 49, Number 11, dated May 1, 2023. Some sections may be more current, see credits for details.

810 KAR 4:040, 810 KY ADC 4:040



**Andy Beshear**  
GOVERNOR

**Ray A. Perry**  
SECRETARY

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

**Jamie Eads**  
EXECUTIVE DIRECTOR

4063 Iron Works Parkway, Building B  
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**Jonathan Rabinowitz**  
CHAIRMAN

**TO:** Kentucky Horse Racing Commission

**FROM:** Drew Conners, Director of Incentives & Development

**DATE:** June 22, 2023

**RE:** **RATIFICATION OF EXECUTIVE DIRECTOR'S APPROVAL OF CHURCHILL DOWNS RACETRACK, LLC'S KTDF DISTRIBUTIONS AT ELLIS PARK**

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On May 6, 2023, Churchill Downs' Vice President of Finance Austin Schmitt contacted Executive Director Jamie Eads regarding the Kentucky Thoroughbred Development Fund ("KTDF") distributions for Churchill Downs' race meet at Ellis Park that will be conducted June 10, 2023, to July 2, 2023. Churchill Downs recently changed its association's purse structure to pay through fifth place. Therefore, Mr. Schmitt requested approval to pay out KTDF distributions through fifth place for the remainder of the Churchill Downs race meet at Ellis Park.

The KTDF Advisory Committee, Kentucky Thoroughbred Association ("KTA") / Kentucky Thoroughbred Owners and Breeders ("KTOB"), and the Kentucky Horsemen's Benevolent and Protective Association ("KYHBPA") were involved in the discussions regarding KTDF distributions. All agreed with the proposal that the KTDF distribution structure for the remainder of Churchill Downs' race meet at Ellis Park would pay through fifth place. The two-percent (2%) difference that was split evenly among sixth through last place would be redistributed and result in the proposed payout structure:

- 1st: 58%
- 2nd: 22%
- 3rd: 10%
- 4th: 6%
- 5th: 4%

KHRC staff confirms the KTDF Advisory Committee, KTA/KTOB, and KYHBPA agreed to these changes.

Due to the time constraint of the request, Executive Director Eads granted conditional approval of the proposed KTDF distribution changes. KHRC staff recommends ratification of Executive Director Eads' approval.

COMMISSION ACTION

\_\_\_\_\_ Approve

\_\_\_\_\_ Defer

\_\_\_\_\_ Deny

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Natanya Nieman, D.V.M.  
Vice President  
Bill Daugherty  
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June 7, 2023

Jon Rabinowitz, Chairman  
Kentucky Horse Racing Commission  
4063 Iron Works Parkway  
Lexington, KY 40511 USA

Dear Chairman Rabinowitz:

This letter is confirmation of our support of the requested change in distribution schedule, listed below, to align the payout percentages for both Association and KTDF purses for the remainder of the Churchill Downs Spring Meet being held at Ellis Park - June 10, 2023 through July 3, 2023.

Association & KTDF Purse Distribution as follows:

1<sup>st</sup> – 58%  
2<sup>nd</sup> – 22%  
3<sup>rd</sup> – 10%  
4<sup>th</sup> – 6%  
5<sup>th</sup> – 4%

Sincerely,

  
Jenny McGaughey  
Director of KTDF Registration

# Kentucky Horsemen's Benevolent and Protective Association, Inc.



**Rick Hiles**  
President

**Frank L. Jones Jr.**  
Vice President

**Dale Romans**  
2nd Vice President

**OWNER**  
**DIRECTORS:**  
William "Buff" Bradley  
Michael J. Bruder  
Mark C. Bacon  
Travis Foley

**Owner Director**  
**1st Alternate:**  
James "Jim" Williams

June 8, 2023  
**Jamie Eads**  
Executive Director  
Kentucky Horse Racing Commission  
4063 Ironworks Parkway  
Building B  
Lexington, KY 40511

Jamie,

The Kentucky HBPA approves Churchill Downs' request to temporarily adjust percentages for association and KTDF payouts for the remainder of the Churchill Downs meet being held at Ellis Park from June 10 through July 2, 2023. The new distribution for association purses will be as follows:

58% - first  
22% - second  
10% - third  
6% - fourth  
4% - fifth

Sincerely,

Joe Clabes  
Interim Executive Director  
Kentucky HBPA

**Joe Clabes**  
Executive Director

**Sara Toomey**  
Executive Assistant

**John Griffith**  
Treasurer

**TRAINER**  
**DIRECTORS:**  
Norman Casse  
Jason Barkley  
John A. Hancock  
Bentley Combs

**Trainer Director**  
**1st Alternate:**  
R.C. Sturgeon



**Andy Beshear**  
GOVERNOR

**Ray A. Perry**  
SECRETARY

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

**Jamie Eads**  
EXECUTIVE DIRECTOR

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**Jonathan Rabinowitz**  
CHAIRMAN

TO: Kentucky Horse Racing Commission

FROM: Drew Conners, Director of Incentives & Development

DATE June 22, 2023

RE: **RATIFICATION OF KENTUCKY PROUD SERIES RACE DATE FROM JUNE 21, 2023 IN McCRACKEN COUNTY TO JUNE 20, 2023 AT OAK GROVE RACING AND GAMING AS PART OF CHRISTIAN COUNTY'S FAIR ACTIVITIES**

---

The Commission approved the 2023 race dates for the Kentucky Proud Series at its regular October 31, 2022, meeting. However, on April 3, 2023, County Fair representatives from McCracken County contacted KHRC Program Coordinator Susan Nash and informed her that harness racing would no longer be included in McCracken County's county fair program.

KHRC staff had multiple conversations with Ballard County and Christian County before determining to move the race date to Tuesday, June 20, 2023, at Oak Grove Racing & Gaming and add it to the Christian County Fair activities. The following considerations resulted in this decision:

- KHRC is mandated to promote and enhance racing in the Commonwealth. *See generally* KRS 230.315. Moving the races up by one day allows wagering and enhances the exposure on the KY Proud Series.
- Moving the race date to Christian County allows the KHRC to partner with another county fair and increase the exposure in a different area of the Commonwealth.
- Moving the date to an approved live race date allows the KY Proud Series to generate funds from the source that provides the purses.
- Moving a race date is not prohibited by KRS 230.398 or 810 KAR 5:080.

KHRC staff confirms Oak Grove Racing & Gaming are agreeable to this change, as is the contracted horseman organization (KHA). KHRC Executive Director, Ms. Jamie Eads, approved this change May 2, 2023. The Commission is asked to ratify that approval.

The KHRC staff recommends approval.

COMMISSION ACTION

\_\_\_\_\_ Approve

\_\_\_\_\_ Defer

\_\_\_\_\_ Deny



May 8, 2023

Mr. Drew Conners  
Director of Incentives & Development  
Kentucky Horse Racing Commission  
4062 Iron Works Parkway  
Lexington, KY 42262

Dear Mr. Conners

The Kentucky Harness Association ("KHA") supports the rescheduling of KY Proud Fair from McCracken County to Christian County on June 20, 2023, and to be raced at Oak Grove Racing, Gaming and Hotel due to a cancellation by the McCracken County Fair Board.

Should you have any questions, do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Robert M. Brady".

Robert M. Brady  
President, Kentucky Harness Association



May, 17 2023  
Ms. Jamie Eads  
Executive Director  
Kentucky Horse Racing Commission  
4062 Iron Works Parkway  
Lexington, KY 42262

Dear Ms. Eads,

Western Kentucky Development, LLC (Oak Grove Racing, Gaming & Hotel) is happy to host the Christian County Fair Date at Oak Grove Racing on June 20, 2023 due to the cancellation by McCracken County Fair Board. As always, Oak Grove Racing and Gaming shall be in compliance with all applicable state and federal laws.

Should you have any questions, do not hesitate to call and thank you for your time in considering this matter.

Very Much Appreciated,

A handwritten signature in blue ink that reads "Cara Collins". The signature is fluid and cursive.

Cara Collins

Racing and Equine Manager

777 Winners Way | Oak Grove, Kentucky 42262  
(270) 713-2517 | (270) 984-4310



**Andy Beshear**  
GOVERNOR

**Ray A. Perry**  
SECRETARY

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

**Jamie Eads**  
EXECUTIVE DIRECTOR

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**Jonathan Rabinowitz**  
CHAIRMAN

**TO:** Kentucky Horse Racing Commission

**FROM:** Drew Conners, Director of Incentives & Development

**DATE:** June 22, 2023

**RE:** **RATIFICATION OF ELLIS ENTERTAINMENT, LLC'S BACKSIDE IMPROVEMENT REQUEST**

---

By a letter dated June 7, 2023, Matthew Pressley, General Manager at Ellis Park contacted KHRC Executive Director, Jamie Eads to request the use of their Backside Improvement Funds for purchasing a new warning system for a loose horse. This new system will upgrade their existing system. The upgrade will take place during Churchill Downs' remaining race meet being held at Ellis Park from June 10, 2023, through July 2, 2023.

Total for Full Scope of Work: \$9,598.00

- \$3,780 – Includes: (6) Wireless Speakers, including enclosure option and battery backup
- \$5,818 – Includes: (3) Wireless Paging Repeaters, (3) Wireless Panic Buttons, USB Cables and Shipping

Accompanying this memo is a copy of the initial request and full quote for the system.

KHRC staff confirms the project meets the requirements of KRS 230.3615 and 810 KAR 7:010. The requested funding is available. KHRC staff will inspect the installation once the project is complete. All invoices, photographs, and communication will remain on file for Commission review. The Kentucky Thoroughbred Association ("KTA") / Kentucky Thoroughbred Owners and Breeders ("KTOB"), and the Kentucky Horsemen's Benevolent and Protective Association ("KYHBPA") have also reviewed and approved.

Due to the time constraint of the request, Executive Director Eads granted conditional approval of the backside improvement fund request. KHRC staff recommends ratification of Executive Director Eads' approval.

COMMISSION ACTION

\_\_\_\_\_ Approve

\_\_\_\_\_ Defer

\_\_\_\_\_ Deny



June 7, 2023

Ms. Jamie Eads  
Executive Director  
Kentucky Horse Racing Commission  
4063 Ironworks Parkway, Building B  
Lexington, KY 40511  
[jamie.eads@khrc.ky.gov](mailto:jamie.eads@khrc.ky.gov)  
(859) 246-2040

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

Dear Ms. Eads,

Ellis Park Racetrack is requesting to use Backside Improvement Funds for purchasing equipment necessary to install a new loose horse warning system. The estimated cost of the improvements is \$9,598. A breakdown of costs are detailed in the attached quote from Visiplex, Inc. As this equipment is specialized, we have been challenged to find competitive quotes but these costs align with similar projects at our sister properties, Churchill Downs Racetrack and Turfway Park.

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

Regards,

Matthew Pressley  
General Manager  
Ellis Park Racetrack  
3300 US Highway 41 N  
Henderson, KY 42420  
Mobile: (812) 559-1412

Enclosure: Project Quote

# Visiplex, Inc.

1287 Barclay Boulevard, Buffalo Grove, IL 60089  
 Phone: 847-229-0250 Fax:847-229-0259  
 Website: www.visiplex.com Email: sales@visiplex.com

## Sales Quote: 269462

**Date:** 06/02/23 **Revised:** 06/02/23  
**Issued by:** Melody Lichard  
**Project:** Direct Button-To-Speaker Setup  
**RMA Number:**  
**Shipping Method:** FDX-GROUND

**Bill to:** Ellis Park Hrm  
 600 N Hurstbourne Parkway #400  
 Louisville KY 40222  
**Contact:** Brad Burkhart  
**Phone:** 1-812-435-8968 **Fax:**

| No. | Product P/N               | Description   | Quantity | Price    | Amount   |
|-----|---------------------------|---|----------|----------|----------|
| 1   | <a href="#">VNS2214-7</a> | Wireless PA Horn Speaker Set.                           | 6        | 420.00   | 2,520.00 |
| 2   | VNS2251                   | NEMA Enclosure Option.                                  | 6        | 175.00   | 1,050.00 |
| 3   | <a href="#">VNS2252</a>   | Backup Battery Option (*Integrated).                    | 6        | 35.00    | 210.00   |
| 4   | <a href="#">CT-102</a>    | Wireless Panic Button - Two Button.                     | 3        | 105.00   | 315.00   |
| 5   | WPRP-HP                   | Wireless Paging Repeater - High Power, Desktop Mounted. | 3        | 1,795.00 | 5,385.00 |
| 6   | WPA-1025                  | Programming USB Cable for CT-1xx, VNS24xx and VNS27xx.  | 1        | 5.00     | 5.00     |

» Click on Product P/N marked in Blue to open the respective website link (if Adobe Reader displays a Security Warning dialog box, select Remember My Action for This Site and click on Allow).

To pay online, go to <https://www.visiplex.com/secure-payment-service> (Reference: Quote 269462. Please confirm shipping charges are included, limited to USA and Canada and up to \$10K)

**Subtotal (USD):** 9,485.00

**Freight (USD):** 113.00

**Total (USD):** 9,598.00

### Comments

1 button programmed to activate, 1 button programmed to cancel

#### Terms and Conditions:

- Unless mentioned otherwise, all products include standard one-year warranty. Repairs include 90 days limited warranty.
- If you do not have approved NET terms, payment terms are prepaid, charged to a credit card (USA and Canada only) or COD (USA only).
- Prices do not include sales tax (if applicable) and shipping charges (unless mentioned otherwise).
- Quote is valid for 30 days.
- Product description may include main features only. Refer to product's datasheet for complete information.
- The configuration and equipment listed on this quote represent a suggested solution based on available products and technology and based on information (if any) that was provided in regards to the quoted project. The suggested solution may not fully comply with specifications, documentation or materials (if any was provided).



**Andy Beshear**  
GOVERNOR

**Ray A. Perry**  
SECRETARY

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

**Jamie Eads**  
EXECUTIVE DIRECTOR

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**Jonathan Rabinowitz**  
CHAIRMAN

TO: Kentucky Horse Racing Commission  
FROM: Andy Conway, Assistant Director of Pari-Mutuel Wagering and Compliance  
DATE: June 22, 2023  
RE: **RATIFICATION OF EXECUTIVE DIRECTOR’S APPROVAL OF LEXINGTON TROTS BREEDERS ASSOCIATION REQUEST TO AMEND SECTION R OF ITS 2023 APPLICATION TO CONDUCT LIVE HORSE RACING, SIMULCASTING AND PARI-MUTUEL WAGERING**

---

On May 31, 2023, the Executive Director approved a request from Lexington Trots Breeders Association (“Red Mile”) to amend Section R of its 2023 application to conduct live horse racing, simulcasting and pari-mutuel wagering. Proposed changes include the following:

1. The addition of a Pick 6 pool with a 20¢ minimum and no minor pool with 100% carryover.
2. Three Super High Five pools with a 20¢ minimum and no minor pool with 100% carryover to be offered in races that do not include a Superfecta.
3. The option to include a Special Pick 8 pool with a 20¢ minimum and mandatory payout with no minor pool and no carryover for the Kentucky Sires Stakes Finals.

All pools are to be offered in accordance with 810 KAR 6:020.

Approval by the Executive Director was provided for ratification by the full Commission before racing commenced at Red Mile for their 2023 meet.

The approval is contingent upon ratification by the Kentucky Horse Racing Commission (“KHRC”) and pursuant to all applicable Kentucky statutes and regulations.

The KHRC staff recommends ratification of the Executive Director’s approval of the request from Red Mile.

COMMISSION ACTION

\_\_\_\_\_ Ratify  
\_\_\_\_\_ Defer  
\_\_\_\_\_ Deny



Lexington Trots Breeders Association, llc

May 31, 2023

Mr. Jonathan Rabinowitz, Chair  
Kentucky Horse Racing Commission  
4063 Iron Works Parkway, Building B  
Lexington, Kentucky 40511

Dear Mr. Rabinowitz,

We are requesting approval for the following items in the upcoming June commission meeting:

- List of proposed Racing Officials for upcoming 2023 season (revised)
- List of wagering options with takeout for upcoming 2023 season (revised)
- Proposed plans for construction of new 3-race paddock prior to upcoming 2023 season

Supporting documentation for each request is attached. If you have further questions, feel free to contact me at your convenience.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gabe Prewitt', is written over the typed name.

Gabe Prewitt  
VP of Racing Operations

Cc: Joe Costa  
Shannon Cobb  
Jamie H. Eads

Lexington Trots Breeders Assn., llc \* 1101 Winbak Way \* Lexington, KY 40504  
Phone: (859)255-0752 \* Fax: (859)231-0217



**Andy Beshear**  
GOVERNOR

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**Ray A. Perry**  
SECRETARY

**Jamie Eads**  
EXECUTIVE DIRECTOR

**Jonathan Rabinowitz**  
CHAIRMAN

TO: Kentucky Horse Racing Commission  
FROM: Barbara Borden, Chief State Steward  
DATE: June 22, 2023  
RE: **LEXINGTON TROTS BREEDERS ASSOCIATION, LLC'S PROPOSED 2023 RACE MEET OFFICIALS**

---

By letter dated June 1, 2023, Gabe Prewitt, Vice President of Racing Operations at Lexington Trots Breeders Association, LLC requests approval of the attached roster of Racing Officials for Lexington Trots Breeders Association, LLC's 2023 Race Meet conducted at The Red Mile. Please be advised all Stewards have been accredited by Racing Officials Accreditation Program (ROAP) and all officials will be licensed by the opening day of its meet.

KHRC staff recommends approval.

COMMISSION ACTION

\_\_\_\_\_ Approve

\_\_\_\_\_ Defer

\_\_\_\_\_ Deny



Lexington Trots Breeders Association, llc

June 1, 2023

Mrs. Jamie Eads, Executive Director  
Kentucky Horse Racing Commission  
4063 Iron Works Parkway, Building B  
Lexington, Kentucky 40511

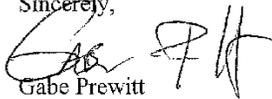
Dear Mrs. Eads,

The Red Mile respectfully requests approval from the Kentucky Horse Racing Commission for the following Standardbred Race Officials for our upcoming meet:

|                       |   |
|-----------------------|---|
| Patricia "PJ" Cooksey | Associate Judge                             |
| Jeff James            | Associate Judge                             |
| Tom Agosti            | Race Secretary                              |
| Curby Stillings       | Assistant Race Secretary                    |
| Greg Coon             | Starter/Track Superintendent                |
| Dan Coon              | Starter/Track Superintendent                |
| Mike Moss             | Starter                                     |
| Mike Stone            | Paddock Judge                               |
| Peggy Grant           | Horse Identifier                            |
| Donna Blausler        | Timer & Photo Finish                        |
| Travis Blausler       | Timer & Photo Finish                        |
| Tina Seekman          | Charter/Program Coordinator/Clerk of Course |
| Melissa Xavier        | Director of Mutuels                         |
| Harvey Taylor         | Director of Racing Security                 |
| Gregg Jones           | Director of Security                        |
| Eliot Walker          | Track Superintendent                        |
| Marion Pryor          | Paddock Blacksmith                          |

As always, The Red Mile shall be in compliance with all applicable state and federal laws. Thank you for your time concerning this matter.

Sincerely,

  
Gabe Prewitt  
VP of Racing Operations

Lexington Trots Breeders Assn., llc \* 1101 Winbak Way \* Lexington, KY 40504  
Phone: (859)255-0752 \* Fax: (859)231-0217



**Andy Beshear**  
GOVERNOR

**Ray A. Perry**  
SECRETARY

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

**Jamie Eads**  
EXECUTIVE DIRECTOR

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**Jonathan Rabinowitz**  
CHAIRMAN

TO: Kentucky Horse Racing Commission  
FROM: Barbara Borden, Chief State Steward  
DATE: June 22, 2023  
RE: **ELLIS ENTERTAINMENT, LLC'S PROPOSED 2023 RACE MEET OFFICIALS AND DATE PREFERENCE SYSTEM**

---

By letter dated May 15, 2023, Daniel Bork, Racing Secretary at Ellis Entertainment, LLC's requests approval of the attached roster of Racing Officials and Date Preference System for Ellis Entertainment, LLC's 2023 Race Meet conducted at Ellis Park. Please be advised all Stewards have been accredited by Racing Officials Accreditation Program (ROAP) and all officials will be licensed by the opening day of its meet.

KHRC staff recommends approval.

COMMISSION ACTION

\_\_\_\_\_ Approve

\_\_\_\_\_ Defer

\_\_\_\_\_ Deny



Monday, May 15, 2023

Kentucky Horse Racing Commission  
4063 Iron Works Parkway  
Lexington, Kentucky 40511

Ms. Jamie H. Eads,

Ellis Park requests approval for the following Racing Officials for the upcoming 2023 Thoroughbred Race Meet. We have also included a copy of our date preference system that will be utilized.

Daniel Bork – Racing Secretary  
Baley Hare – Assistant Racing Secretary  
Tyler Pickelsimer – Steward  
Timothy Dalton – Clerk of Scales  
Scott Jordan - Starter  
Beth Bungert – Program Coordinator  
Chamisa Goodwin – Paddock Judge  
Chet Smithhart – Placing Judge  
Tim Day – Placing Judge  
Melinda Vest – Horse I.D.  
Taylor Radimer – Clocker  
Jeff Barkley –Stall Superintendant  
Jorie Beschizza-Claims Clerk  
Ed Vomacka – Placing Judge  
John Wells – Outrider  
Amber Rakers- Outrider  
Ryan Griffith- Outrider  
Cassandra Benedict – Horsemen’s Bookkeeper  
Matthew Presley – Security Manager  
Announcer – Jimmy McNerney  
Mutuels Manager – Sherri Romero  
Timer – Equibase Racing Services

Respectfully Submitted,  
Daniel P. Bork – Racing Secretary

## DATE PREFERENCE SYSTEM

The Date System of preference will be used at Ellis Park 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 Ellis Park; 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 Ellis Park 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 Friday, July 7th, 2023.

### **E-Date**

This date will correspond to:

- a) The day on which a horse's foal papers or digital foal papers are submitted to the identifier (the earliest date being the day when entries are first taken for the meeting). An unnamed horse will not receive an E-date.
- 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 Ellis Park. 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 Ellis Park.
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, main track only (MTO) horses will receive an R-Date if they run or scratch. If the race remains on the turf, main track only (MTO) horses will retain their previous date and will not be permitted to start.
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 cancelled race will not receive an R-Date for that race but will retain its previous date.
11. The draw of stakes and handicap race is 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 Stakes winners (Grade I-II-III), providing the horse has finished 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup> 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.**



**Andy Beshear**  
GOVERNOR

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**PUBLIC PROTECTION CABINET**  
**Kentucky Horse Racing**  
**Commission**

4063 Iron Works Parkway, Building B  
Lexington, KY 40511  
Phone: (859) 246-2040  
Fax: (859) 246-2039

**Ray A. Perry**  
SECRETARY

**Jamie Eads**  
EXECUTIVE DIRECTOR

**Jonathan Rabinowitz**  
CHAIRMAN

TO: Kentucky Horse Racing Commission  
FROM: Barbara Borden, Chief State Steward  
DATE: June 22, 2023  
RE: **KENTUCKY DOWNS, LLC'S PROPOSED 2023 RACE MEET OFFICIALS**

---

By letter dated May 10, 2023, Tyler Picklesimer, Racing Secretary at Kentucky Downs, LLC requests approval of the attached roster of Racing Officials for Kentucky Downs, LLC's 2023 Race Meet conducted at The Mint Gaming Hall Kentucky Downs. Please be advised all Stewards have been accredited by Racing Officials Accreditation Program (ROAP) and all officials will be licensed by the opening day of its meet.

KHRC staff recommends approval.

COMMISSION ACTION

\_\_\_\_\_ Approve  
\_\_\_\_\_ Defer  
\_\_\_\_\_ Deny

May 10, 2023

Jamie Eads, Executive Director  
Kentucky Horse Racing Commission  
4063 Ironworks Parkway, Building B  
Lexington, KY 40511

Ms. Eads,

Kentucky Downs is nominating the following racing officials for approval by the Kentucky Horse Racing Commission for the 2023 Kentucky Downs race meet. All nominees are in good standing and have previous experience.

Executive Staff

Ron Winchell – Managing Partner  
Marc Falcone – Managing Partner  
Ted Nicholson – Vice President of Racing

Racing Officials

Hal Wiggins\* – Steward  
Rick Hammerle – Racing Operations / Alternate Racing Official  
Tyler B. Picklesimer \* - Racing Secretary  
Tiffany Bourque – Assistant Racing Secretary  
Baley Hare – Stakes Coordinator/Placing Judge  
Beth Bungert – Placing Judge/Claims Clerk  
Joric G. Beschizza - Placing Judge  
Melinda Vest – Horse Identifier  
Javier Torres – Clerk of Scales  
Raymond Lehr – Track Superintendent  
Lauren Cannon – Paddock Judge  
Scott Jordan – Starter  
Kevin Greely – Stall Superintendent / Alternate Racing Official  
Art Teal – Paddock Blacksmith  
D. Chad Cockerham – Outrider  
John Wells – Outrider  
Lee Lockwood – Outrider  
Amber Rakers - Outrider  
Susie Perry – Horsemens Bookkeeper  
Jeff Halterman – Photo Finish Operator – American Teletimer  
Steve Dahm – Director of Security  
Chris Sandefur – Mutuels Manager  
Randy Angel – Backside Security / Alternate Racing Official

Respectfully submitted,



Tyler B. Picklesimer  
Racing Secretary

## THOROUGHBRED RULINGS

### 2023 TB RULINGS LIST BY CATEGORY ( Through June 9, 2023 )

#### 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                 | 1            | 1            | 1                  | 0                        | 0              | Temazepam  |
| Class B                 | 0            | 0            | 0                  | 0                        | 0              |  |
| Class C                 | 3            | 3            | 1                  | 3                        | 0              | Methocarbamol, Phenylbutazone (suspension for 2nd offense) |
| 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                | 4            | \$2,500      |                    |                          |                |  |

#### NON-MEDICATION VIOLATIONS

##### Jockey Violations

|                               |           |         |   |   |   |   |
|-------------------------------|-----------|---------|---|---|---|---|
| Careless Riding               | 9         | 0       | 9 | 0 | 3 | Routine riding offenses - one appeal withdrawn and suspension served                                  |
| Overly Aggressive Riding      | 0         | 0       | 0 | 0 | 0 |   |
| Other Disciplinary Violations | 4         | 4       | 0 | 0 | 0 | Failure to honor calls, failure to fulfill engagements, failure to comply with advertising regulation |
| Subtotal                      | <u>13</u> | \$1,300 |   |   |   |   |

##### Other Licensee Violations

|   |           |          |   |   |   |   |
|---|-----------|----------|---|---|---|---|
| Misc. violations by licensees           | 9         | 9        | 0 | 0 | 0 | Violated entries regulation, violated scratch regulation, violated claiming regulation  |
| Disorderly conduct and formal ejections | 7         | 2        | 5 | 0 | 0 | Abusive language to racing official, display of temper, suspended pending appearance before stewards for pending criminal charges, possession of contraband, disorderly conduct |
| Suspended for non payment of fines      | 0         | 0        | 0 | 0 | 0 |   |
| Subtotal                                | <u>16</u> | \$12,250 |   |   |   |   |

|                             |   |   |   |   |   |   |
|-----------------------------|---|---|---|---|---|---|
| <b>Other Rulings Issued</b> | 8 | 0 | 0 | 0 | 0 | The remaining 8 rulings that have been issued in 2023 are for information only and include purse redistribution and licensee reinstatement to good standing, withdrawal of appeal |
|-----------------------------|---|---|---|---|---|---|

|                           |           |                 |  |  |  |  |
|---------------------------|-----------|-----------------|--|--|--|--|
| <b>TOTAL 2023 RULINGS</b> | <u>41</u> | <u>\$16,050</u> |  |  |  |  |
|---------------------------|-----------|-----------------|--|--|--|--|

## 2023 THOROUGHBRED RULINGS

| RULING NUMBER | RULING DATE | INFRACTION DATE | ISSUED TO   | DETERMINATION            | DRUG CLASS | PENALTY OR ACTION  | FINE   | STATUS                                |
|---------------|-------------|-----------------|---|--------------------------|------------|--|--------|---------------------------------------|
| 23-0024       | 4/8/2023    | 3/17/2023       | Aveory Faircloth  | Possession of contraband |            | Suspended 60 days. 30 days to be served April 11 though May 10, 2023. Remaining 30 days stayed on the condition that no Class A or Class B medication violation occurs in any racing jurisdiction within 365 days of ruling. |        | Suspension served                     |
| 23-0025       | 4/12/2023   | 4/1/2023        | Barbara J. Riley  | Methocarbamol #R008025   | C          | Fined  | \$ 500 | Paid                                  |
| 23-0026       | 4/12/2023   | 4/1/2023        | Barbara J. Riley, Toni Ouzts and David Mattingly (owners) | Methocarbamol #R008025   | C          | Future Victory disqualified and purse redistributed. All purse monies must be returned to the association.   |        | DQ and purse redistribution completed |
| 23-0027       | 4/16/2023   | 4/16/2023       | John Paul Southard  | Disorderly conduct       |            | Formal ejection from Keeneland for repeated alcohol abuse, impairment and obnoxious behavior.  |        | Current suspension                    |
| 23-0028       | 4/21/2023   | 10/7/2022       | Chris M. Block  | Temazepam #R007378       | A          | Suspended 45 days, 20 days to be served May 7 though May 26, 2023. Remaining 25 days stayed on the condition that no Class A or Class B medication violation occurs in any racing jurisdiction within 365 days of ruling.    | \$ 500 | Suspension served - Fine Paid         |

## 2023 THOROUGHBRED RULINGS

| RULING NUMBER | RULING DATE | INFRACTION DATE | ISSUED TO         | DETERMINATION   | DRUG CLASS | PENALTY OR ACTION   | FINE     | STATUS                                |
|---------------|-------------|-----------------|-------------------|---|------------|---|----------|---------------------------------------|
| 23-0029       | 4/21/2023   | 10/7/2022       | Kiki M. Courtelis | Temazepam #R007378  | A          | Knockyoursocksoff disqualified and purse redistributed. All purse monies must be returned to the association. |          | DQ and purse redistribution completed |
| 23-0030       | 4/21/2023   | 4/16/2023       | Joseph Ramos      | Failure to fulfill riding engagements   |            | Fined   | \$ 100   | Paid                                  |
| 23-0031       | 4/21/2023   | 4/20/2023       | Christopher Emigh | Failure to fulfill riding engagements   |            | Fined   | \$ 100   | Paid                                  |
| 23-0032       | 4/21/2023   | 4/19/2023       | Flavian Prat      | careless riding   |            | Suspended 3 days April 26 through April 28, 2023 (inclusive)  |          | Suspension served                     |
| 23-0033       | 4/23/2023   | 3/16/2023       | Eric M. Ramaekers | Violated regulation that governs claiming - entered into an agreement to claim West Warpath on March 16, 2023 |            | Fined   | \$ 2,500 | Paid                                  |
| 23-0034       | 4/23/2023   | 3/16/2023       | Pat J. Clay       | Violated regulation that governs claiming - entered into an agreement to claim West Warpath on March 16, 2023 |            | Fined   | \$ 2,500 | Paid                                  |
| 23-0035       | 4/23/2023   | 4/3/2023        | Jonathan Wong     | Violated regulation that governs claiming - sold West Warpath within 30 days of claim                         |            | Fined   | \$ 1,000 | Paid                                  |
| 23-0036       | 4/23/2023   | 4/3/2023        | Clay R. Sides     | Violated regulation that governs claiming - sold West Warpath within 30 days of claim                         |            | Fined   | \$ 1,000 | Paid                                  |

## 2023 THOROUGHBRED RULINGS

| RULING NUMBER | RULING DATE | INFRACTION DATE | ISSUED TO            | DETERMINATION   | DRUG CLASS | PENALTY OR ACTION                                       | FINE     | STATUS             |
|---------------|-------------|-----------------|----------------------|---|------------|---|----------|--------------------|
| 23-0037       | 4/23/2023   | 4/21/2023       | James Graham         | careless riding   |            | Suspended 3 days April 29, May 2 and May 3, 2023        |          | Suspension served  |
| 23-0038       | 4/23/2023   | 4/22/2023       | Eric N. Foster       | Violated regulation that governs scratches - improper scratch of Johnny Unleashed on April 22, 2023 |            | Fined   | \$ 500   | Paid               |
| 23-0039       | 4/29/2023   | 3/10/2023       | Gerardo Corrales     | Withdrew appeal of ruling #23-0016 issued March 15, 2023  |            | Suspended 5 days - May 11, 12, 13, 14, and May 18, 2023 |          | Suspension served  |
| 23-0040       | 5/18/2023   | 5/6/2023        | Irad Ortiz, Jr.      | Failure to comply with the regulation that governs advertising                                      |            | Fined   | \$ 1,000 | Paid               |
| 23-0041       | 6/1/2023    | 3/17/2023       | Richard L. Connelley | Provided documentation of the disposition of criminal charges                                       |            | Restored to good standing                               |          | Currently licensed |

## **STANDARD BRED FINES AND SUSPENSIONS APRIL 2023 THROUGH JUNE 2023**

**CAMPBELL, GARY R** OAKGR on 4/23/2023 FINED: \$100 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)----Hereby assessed a civil penalty of \$100.00 for using other than wrist and elbow while whipping. Any further whipping violation will result in an increase in penalty.

**SHEHAN, TYLER G** OAKGR on 5/1/2023 FINED: \$100 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)---Hereby assessed a civil penalty of \$100.00 for using other than wrist and elbow while whipping. Any further whipping violations will increase in penalty.

**SHEHAN, TYLER G** OAKGR on 5/1/2023 FINED: \$300 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)--Hereby assessed a civil penalty of \$300.00 (second Offense) for using other than wrist and elbow while whipping. Any further violations will result in a fine and suspension.

**HORTON, DESHAWN** OAKGR on 6/4/2023 INDEFINITE SUSPENSION(IND) AS OF 6/7/2023 ASSAULT AND BATTERY UPON ANOTHER PARTICIPANT LICENSEE 810 KAR Sec.15 (1)(q) (x)(3)(4)(8)--Deshawn Horton is hereby issued a full suspension pending his appearance before the board of judges at Oak Grove Racetrack--Kentucky Horse Racing Commission. This suspension is regarding his actions in the paddock on June 4, 2023.

**BUFORD, ARCHIE N** OAKGR on 5/28/2023 FINED: \$100 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)----Hereby assessed a civil penalty of \$100.00 for using other than wrist and elbow action while whipping. Any further whipping violations will result in an increase in penalty.

**DENSON, JAMAAL D** OAKGR on 5/28/2023 FINED: \$100 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)---- Hereby assessed a civil penalty of \$100.00 for using other than wrist and elbow action while whipping. Any further violations will result in an increase in penalty. 1st Offense.

**PUTNAM, JOSEPH D** OAKGR on 5/15/2023 FINED: \$100 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9 (3)(d)(1)--Hereby assessed a civil penalty of \$100.00 for using other than wrist and elbow while whipping. Any further whipping violation will increase in penalty.

**SHEHAN, TYLER G** OAKGR on 5/21/2023 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)----Hereby suspended for 6 programmed drives. June 5, 2023, Races 4, 5, 8, 10, 12, 13. Using other than wrist and elbow action. This is the 3rd. violation.

**STILTNER, JAMES EDWARD** OAKGR on 5/28/2023 FINED: \$100 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)----Hereby assessed a civil penalty of \$100.00 for using other than wrist and elbow action while whipping. Any further whipping violations will result in an increase in penalty.

**CAVETT, CORNELIUS** OAKGR on 5/21/2023 FINED: \$300 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)----Hereby assessed a civil penalty of \$300.00 for using other than wrist and elbow action while whipping. (2nd offense) Any further violations will result in increased penalties.

**CONRAD, CHARLES M** Lebanon on 5/27/2023 FINED: \$100 EXCESSIVE OR INDISCRIMINATE USE OF WHIP Mr. Charles M Conrad is fined the sum of \$100 for violating 810 KAR 5:070 Section 9(3)(a) Whipping A whip or crop shall not be used in a brutal, excessive or indiscriminate manner during a race. Fine shall be paid by June 13, 2023. FINE HAS BEEN PAID

**CRISLER, RANDY D** OAKGR on 5/15/2023 FINED: \$300 EXCESSIVE OR INDISCRIMINATE USE OF WHIP 810 KAR 5:070 Sec.9(3)(b)----Hereby assessed a civil penalty of \$300.00 for using other than wrist and elbow action while whipping. (2nd. offense) Any further violations will result in increased penalties.

**THARPS, DEVON J** OAKGR on 5/1/2023 FINED: \$100 DISTURBING THE PEACE

Yellow – Has Not Paid.

Purple – Has PAID.

VETERINARY DIVISION

**KHRC Veterinary Report**  
Keeneland Spring Meet 2023

|   |       |
|---|-------|
| <b>Total Starts</b>                         | 1262  |
| -----                                       | ----- |
| Post Race Samples                           | 353   |
| tCO <sub>2</sub>                            | 236   |
| -----                                       | ----- |
| <b>Veterinary Scratches</b>                 | 44    |
| -----                                       | ----- |
| Pre-Race                                    | 31    |
| On-Track                                    | 13    |
| -----                                       | ----- |
| Soundness related                           | 7     |
| Gate/paddock Injury                         | 6     |
| -----                                       | ----- |
| <b>KHRC Veterinary List</b>                 | 66    |
| -----                                       | ----- |
| Scratches                                   | 44    |
| Race Injuries/post race lame/test barn lame | 17    |
| EIPH  | 2     |
| Heat Distress                               | 3     |
| -----                                       | ----- |
| <b>Claimed horses</b>                       | 85    |
| -----                                       | ----- |
| <b>Voided Claims</b>                        | 7     |
| -----                                       | ----- |
| <b>Ambulance Runs</b>                       | 13    |
| -----                                       | ----- |
| <b>Racing Fatalities</b>                    | 3     |
| -----                                       | ----- |
| Musculo-skeletal                            | 3     |
| -----                                       | ----- |
| <b>Training Fatalities</b>                  | 1     |
| -----                                       | ----- |
| Musculo-skeletal                            | 1     |
| -----                                       | ----- |

**KHRC Veterinary Report**  
**Churchill Downs Spring Meet 2023**

|   |      |
|---|------|
| <b>Total Starts</b>                         | 1855 |
| Post Race Samples                           | 606  |
| tCO <sub>2</sub>                            | 368  |
| <b>Veterinary Scratches</b>                 | 53   |
| Pre-Race                                    | 33   |
| On-Track                                    | 20   |
| Soundness related                           | 13   |
| Gate/paddock Injury                         | 7    |
| <b>KHRC Veterinary List</b>                 | 80   |
| Scratches                                   | 53   |
| Race Injuries/post race lame/test barn lame | 21   |
| EIPH  | 2    |
| Heat Distress                               | 4    |
| <b>Claimed horses</b>                       | 212  |
| <b>Voided Claims</b>                        | 20   |
| <b>Ambulance Runs</b>                       | 18   |
| <b>Racing Fatalities</b>                    | 11   |
| Musculo-skeletal                            | 8    |
| Sudden Death                                | 2    |
| Paddock Accident                            | 1    |
| <b>Training Fatalities</b>                  | 0    |

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

| Year | Category<br>Non-musculoskeletal:<br>EIPH, Sudden Death,<br>Racing Accident | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Starts<br>(incompass) | Fatalities<br>per 1,000<br>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                              |
|      | <b>TOTAL</b>   | 2   | 1   | 5   | 2   | 4   | 3   | 4   | 2   | 2   | 4   | 4   | 5   | 38    |                       | <b>1.64</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 3   | 0   | 4   | 2   | 3   | 2   | 2   | 2   | 3   | 2   | 4   | 8   | 35    |                       | <b>1.57</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 3   | 5   | 1   | 2   | 4   | 1   | 2   | 4   | 3   | 3   | 2   | 3   | 33    |                       | <b>1.64</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 2   | 1   | 3   | 1   | 0   | 2   | 4   | 2   | 1   | 3   | 7   | 1   | 27    |                       | <b>1.49</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 2   | 2   | 1   | 1   | 2   | 5   | 1   | 3   | 3   | 5   | 3   | 1   | 29    |                       | <b>1.59</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 0   | 0   | 1   | 2   | 9   | 2   | 0   | 2   | 0   | 4   | 5   | 3   | 28    |                       | <b>1.60</b>                       |

| Year | Category<br>Non-musculoskeletal:<br>EIPH, Sudden Death,<br>Racing Accident | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Starts<br>(incompass) | Fatalities<br>per 1,000<br>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                              |
|      | <b>TOTAL</b>   | 2   | 2   | 0   | 0   | 1   | 2   | 1   | 5   | 4   | 1   | 1   | 3   | 23    |                       | <b>1.42</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 2   | 2   | 0   | 0   | 3   | 0   | 1   | 1   | 1   | 3   | 3   | 0   | 16    |                       | <b>1.11</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 3   | 1   | 1   | 0   | 3   | 3   | 1   | 2   | 3   | 3   | 3   | 1   | 23    |                       | <b>1.48</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 0   | 2   | 0   | 4   | 4   | 5   | 2   | 0   | 1   | 2   | 5   | 1   | 26    |                       | <b>1.58</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 1   | 2   | 1   | 2   | 1   | 5   | 0   | 1   | 2   | 3   | 2   | 0   | 20    |                       | <b>1.33</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 2   | 1   | 1   | 4   | 4   | 1   | 6   | 1   | 7   | 1   | 4   | 4   | 36    |                       | <b>2.39</b>                       |
| 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                              |
|      | <b>TOTAL</b>   | 0   | 1   | 1   | 4   | 1   | 2   | 0   | 2   | 1   | 5   | 2   | 3   | 22    |                       | <b>1.42</b>                       |

| Year | Category<br>Non-musculoskeletal:<br>EIPH, Sudden Death,<br>Racing Accident | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Starts<br>(incompass) | Fatalities<br>per 1,000<br>starts |   |
|------|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-----------------------|-----------------------------------|---|
| 2020 | Musculoskeletal  | 1   | 0   | 1   | 0   | 1   | 0   | 0   | 3   | 4   | 1   | 4   | 1   | 16    | 13,872                | 1.15                              |   |
|      | Non-musculoskeletal  | 0   | 0   | 3   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 3     |                       | 0.22                              |   |
|      | <b>TOTAL</b>   | 1   | 0   | 4   | 0   | 1   | 0   | 0   | 3   | 4   | 1   | 4   | 1   | 19    |                       | 1.37                              |   |
| 2021 | Musculoskeletal  | 2   | 1   | 0   | 0   | 1   | 2   | 1   | 1   | 4   | 3   | 2   | 2   | 19    | 14,676                | 1.29                              |   |
|      | Non-musculoskeletal  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0     |                       | 0                                 | 0 |
|      | <b>TOTAL</b>   | 2   | 1   | 0   | 0   | 1   | 2   | 1   | 1   | 4   | 3   | 2   | 2   | 19    |                       | 1.29                              |   |
| 2022 | Musculoskeletal  | 0   | 1   | 0   | 1   | 2   | 1   | 2   | 2   | 0   | 1   | 3   | 0   | 13    | 15,913                | 0.82                              |   |
|      | Non-Musculoskeletal  | 0   | 1   | 0   | 0   | 0   | 1   | 0   | 0   | 0   | 0   | 0   | 0   | 2     |                       | 0.13                              |   |
|      | <b>TOTAL</b>   | 0   | 2   | 0   | 1   | 2   | 2   | 2   | 2   | 0   | 1   | 3   | 0   | 15    |                       | 0.94                              |   |
| 2023 | Musculoskeletal  | 1   | 2   | 3   | 3   | 8   |     |     |     |     |     |     |     | 17    | 6,815                 | 2.49                              |   |
|      | Non-Musculoskeletal  | 0   | 0   | 0   | 1   | 1   |     |     |     |     |     |     |     | 2     |                       | 0.29                              |   |
|      | <b>TOTAL</b>   | 1   | 2   | 3   | 4   | 9   |     |     |     |     |     |     |     | 19    |                       | 2.79                              |   |

## PARI-MUTUEL WAGERING DIVISION

1 2 3 4

### Pari-Mutuel Wagering for March 2023

Select Period - Month  
March 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

#### On-Track Wagers on Live Horse Racing

|                               | Licensee / Facility            |                                 |                          |                      |                          |                             |                    |                                    |                        |   | Grand Total |                                    |                   |                      |
|-------------------------------|--------------------------------|---------------------------------|--------------------------|----------------------|--------------------------|-----------------------------|--------------------|------------------------------------|------------------------|---|-------------|------------------------------------|-------------------|----------------------|
|                               | Churchill Downs Racetrack, LLC |                                 | ECL Corbin, LLC          |                      | Ellis Entertainment, LLC | Keeneland Association, Inc. |                    | Kentucky Downs, LLC                |                        | Lexington Trots Breeders Association, LLC |             | Revolutionary Racing Kentucky, LLC | Turfway Park, LLC | WKY Development, LLC |
|                               | Churchill Downs Racetrack      | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack | Keeneland Racetrack      | Kentucky Downs Racetrack    | Red Mile Racetrack | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack                       |             |                                    |                   |                      |
| Race Dates                    | 0                              | 0                               | 0                        | 0                    | 0                        | 0                           | 0                  | 0                                  | 0                      | 14  | 0           | 14                                 |                   |                      |
| On-Track Handle               | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$1,105,852                               | \$0         | \$1,105,852                        |                   |                      |
| Return to Public              | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$784,210                                 | \$0         | \$784,210                          |                   |                      |
| Commission                    | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$212,819                                 | \$0         | \$212,819                          |                   |                      |
| Settlement                    | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$108,091                                 | \$0         | \$108,091                          |                   |                      |
| Breakage                      | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$767                                     | \$0         | \$767                              |                   |                      |
| Minus Pools                   | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | (\$35)                                    | \$0         | (\$35)                             |                   |                      |
| Daily Average Live Handle     |                                |                                 |                          |                      |                          |                             |                    |                                    |                        | \$78,989                                  |             | \$78,989                           |                   |                      |
| Backside Improvement Fund     | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$5,529                                   | \$0         | \$5,529                            |                   |                      |
| Excise Tax                    | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$16,588                                  | \$0         | \$16,588                           |                   |                      |
| Thoroughbred Development Fund | \$0                            | \$0                             | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$8,294                                   | \$0         | \$8,294                            |                   |                      |
| Standardbred Development Fund | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$0                                       | \$0         | \$0                                |                   |                      |
| Equine Drug Research          | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$1,106                                   | \$0         | \$1,106                            |                   |                      |
| Higher Ed Equine Trust        | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$1,106                                   | \$0         | \$1,106                            |                   |                      |
| Equine Industry Programs      | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$2,212                                   | \$0         | \$2,212                            |                   |                      |
| General Fund                  | \$0                            |                                 | \$0                      | \$0                  | \$0                      | \$0                         | \$0                | \$0                                | \$0                    | \$3,870                                   | \$0         | \$3,870                            |                   |                      |

#### Simulcast Wagers on Interstate and Intertrack Live Horse Racing

|                                | Churchill Downs Racetrack | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack | Keeneland Racetrack | Kentucky Downs Racetrack | Red Mile Racetrack | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack | Grand Total |
|--------------------------------|---------------------------|---------------------------------|--------------------------|----------------------|---------------------|--------------------------|--------------------|------------------------------------|------------------------|---------------------|-------------|
| Off-Track Handle (Simulcast)   | \$1,628,327               | \$12,643                        | \$51,309                 | \$859,048            | \$1,906,506         | \$773,311                | \$1,371,306        | \$0                                | \$973,241              | \$178,274           | \$7,753,965 |
| Thoroughbred                   | \$1,568,653               | \$11,958                        | \$48,538                 | \$771,451            | \$1,906,506         | \$681,028                | \$72               | \$0                                | \$915,825              | \$142,243           | \$6,046,273 |
| Standardbred                   | \$57,157                  | \$611                           | \$2,390                  | \$84,508             | \$0                 | \$66,030                 | \$1,348,003        | \$0                                | \$39,438               | \$34,059            | \$1,632,195 |
| simulcastquarterarabianother   | \$2,518                   | \$74                            | \$381                    | \$3,088              | \$0                 | \$26,253                 | \$23,231           | \$0                                | \$17,979               | \$1,972             | \$75,497    |
| Excise Tax - Simulcast         | \$24,425                  | \$0                             | \$0                      | \$12,886             | \$28,598            | \$11,600                 | \$0                | \$0                                | \$14,599               | \$0                 | \$92,106    |
| Thoroughbred Development Fund  | \$15,687                  | \$0                             | \$0                      | \$7,715              | \$19,065            | \$6,810                  | \$0                | \$0                                | \$9,158                | \$0                 | \$58,435    |
| Standardbred Development Fund  | \$572                     | \$0                             | \$0                      | \$845                | \$0                 | \$660                    | \$0                | \$0                                | \$394                  | \$0                 | \$2,471     |
| Quarter Horse Development Fund | \$0                       | \$0                             | \$0                      | \$0                  | \$0                 | \$47                     | \$0                | \$0                                | \$0                    | \$0                 | \$47        |
| Equine Drug Research           | \$814                     | \$0                             | \$0                      | \$430                | \$953               | \$387                    | \$0                | \$0                                | \$487                  | \$0                 | \$3,070     |
| Higher Education Equine Trust  | \$814                     | \$0                             | \$0                      | \$430                | \$953               | \$387                    | \$0                | \$0                                | \$487                  | \$0                 | \$3,070     |
| Equine Industry Programs       | \$407                     | \$0                             | \$0                      | \$215                | \$477               | \$193                    | \$0                | \$0                                | \$243                  | \$0                 | \$1,535     |
| General Fund                   | \$6,131                   | \$0                             | \$0                      | \$3,252              | \$7,149             | \$3,116                  | \$0                | \$0                                | \$3,829                | \$0                 | \$23,478    |

Pari-Mutuel Wagering for March 2023

Month, Year of Racedate  
March 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

On-Track Wagers on Historical Horse Racing

|                               | Licensee / Facility            |                 |                          |                     |               |   |                   |              |                      | Grand Total   |
|-------------------------------|--------------------------------|-----------------|--------------------------|---------------------|---------------|---|-------------------|--------------|----------------------|---------------|
|                               | Churchill Downs Racetrack, LLC | ECL Corbin, LLC | Ellis Entertainment, LLC | Kentucky Downs, LLC |               | Lexington Trots Breeders Association, LLC | Turfway Park, LLC |              | WKY Development, LLC |               |
|                               | Derby City Gaming              | Williamsburg    | Henderson                | Bowling Green       | Franklin      | Red Mile                                  | Newport           | Turfway Park | Oak Grove            |               |
| On-Track Handle               | \$192,649,061                  | \$38,855,582    | \$22,842,725             | \$42,256,811        | \$152,732,242 | \$76,475,791                              | \$28,900,519      | \$60,009,295 | \$151,018,466        | \$765,740,491 |
| Return to Public              | \$175,172,144                  | \$34,705,046    | \$20,508,385             | \$38,375,750        | \$139,385,415 | \$69,533,854                              | \$26,060,396      | \$54,333,761 | \$137,363,024        | \$695,437,775 |
| Pool Growth                   | \$69,049                       | \$309,019       | \$237,185                | (\$37,302)          | \$127,634     | \$308,600                                 | \$114,699         | (\$106,672)  | \$218,053            | \$1,240,266   |
| Breakage                      | \$0                            | \$817           | \$1,933                  | \$332               | \$6,449       | \$7,951                                   | \$0               | \$0          | \$0                  | \$17,483      |
| Gross Commission - Win        | \$17,407,868                   | \$3,840,700     | \$2,095,222              | \$3,918,031         | \$13,212,743  | \$6,625,387                               | \$2,725,424       | \$5,782,206  | \$13,437,388         | \$69,044,969  |
| Excise Tax - HHR              | \$2,889,736                    | \$582,834       | \$342,641                | \$633,852           | \$2,290,984   | \$1,147,137                               | \$433,508         | \$900,139    | \$2,265,277          | \$11,486,107  |
| Standardbred Development Fund | \$0                            | \$388,556       | \$0                      | \$0                 | \$0           | \$382,379                                 | \$0               | \$0          | \$755,092            | \$1,526,027   |
| Thoroughbred Development Fund | \$1,444,868                    | \$0             | \$171,320                | \$316,926           | \$1,145,492   | \$286,784                                 | \$216,754         | \$450,070    | \$666,319            | \$4,598,533   |
| General Fund and Other        | \$1,444,868                    | \$194,278       | \$171,320                | \$316,926           | \$1,145,492   | \$477,974                                 | \$216,754         | \$450,070    | \$943,865            | \$5,361,547   |
| Adjusted Commission - Win     | \$14,518,132                   | \$3,257,866     | \$1,752,581              | \$3,284,178         | \$10,921,760  | \$5,478,250                               | \$2,291,916       | \$4,882,067  | \$11,172,111         | \$57,558,862  |
| Average Terminal Count        | 1,273                          | 447             | 297                      | 449                 | 1,043         | 942                                       | 457               | 848          | 1,224                | 6,981         |
| Adj. Commission-Win/Unit      | \$11,404                       | \$7,287         | \$5,898                  | \$7,320             | \$10,467      | \$5,815                                   | \$5,013           | \$5,758      | \$9,125              | \$8,245       |

Advance Deposit Account Wagering

|                     | Licensee             |                   |                   |           |             |              |                   |             |              | Grand Total |
|---------------------|----------------------|-------------------|-------------------|-----------|-------------|--------------|-------------------|-------------|--------------|-------------|
|                     | AmWest Entertainment | eBet Technologies | Lien Games Racing | NYRABets  | TVG         | Twinspires   | WatchandWager.com | Xpressbet   |              |             |
| Total Handle        | \$212,760            | \$73,809          | \$121,335         | \$735,721 | \$7,705,095 | \$12,110,800 | \$31,268          | \$2,867,669 | \$23,859,476 |             |
| In-State Races      | \$0                  | \$4,002           | \$0               | \$82,123  | \$921,516   | \$1,747,597  | \$2,285           | \$304,340   | \$3,061,863  |             |
| Out-of-State Races  | \$212,760            | \$69,808          | \$121,335         | \$654,598 | \$6,783,579 | \$10,363,203 | \$28,983          | \$2,563,329 | \$20,797,614 |             |
| Excise Tax - ADW    | \$3,192              | \$1,107           | \$1,820           | \$11,051  | \$115,576   | \$181,662    | \$469             | \$43,015    | \$357,892    |             |
| Host Track - Purses | \$1,356              | \$471             | \$774             | \$4,697   | \$49,120    | \$77,206     | \$199             | \$18,281    | \$152,104    |             |
| Host Tracks         | \$1,356              | \$471             | \$774             | \$4,697   | \$49,120    | \$77,206     | \$199             | \$18,281    | \$152,104    |             |
| General Fund        | \$479                | \$166             | \$273             | \$1,658   | \$17,336    | \$27,249     | \$70              | \$6,452     | \$53,684     |             |

Total Distributions by Account

The General Fund line includes amounts that are deposited to various accounts. These caps are calculated from deposits resulting from the excise tax for conducting pari-mutuel wagering on historical horse racing. Since these amounts are calculated as a whole and not per licensee, a one-time transfer will be made once the caps are met within the fiscal year. At the end of the fiscal year, approximately \$2M must be deducted from this line in order to determine the actual amount retained by the General Fund. Please contact the Department of Revenue with any questions regarding these transfers.

|                                   |              |
|-----------------------------------|--------------|
| Total Excise Tax                  | \$11,952,694 |
| Equine Drug Research              | \$4,176      |
| Equine Industry Program           | \$3,747      |
| Higher Education Program          | \$4,176      |
| K. Standardbred Development Fund  | \$1,528,498  |
| K. Thoroughbred Development Fund  | \$4,665,262  |
| K. Quarter Horse Development Fund | \$47         |
| Host Track - Purses               | \$152,104    |
| Host Tracks                       | \$152,104    |
| General Fund (See Note on Caps)   | \$5,442,579  |
| Backside Improvement Fund         | \$5,529      |

Pari-Mutuel Wagering for FY 2023 (YTD)

Select Period - Fiscal Year  
FY 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

On-Track Wagers on Live Horse Racing

|                               | Licensee / Facility            |                                 |                          |                          |                             |                          |  |                                    |                        |                      | Grand Total  |
|-------------------------------|--------------------------------|---------------------------------|--------------------------|--------------------------|-----------------------------|--------------------------|--|------------------------------------|------------------------|----------------------|--------------|
|                               | Churchill Downs Racetrack, LLC |                                 | ECL Corbin, LLC          | Ellis Entertainment, LLC | Keeneland Association, Inc. | Kentucky Downs, LLC      | Lexington Tots Breeders Association, LLC | Revolutionary Racing Kentucky, LLC | Turfway Park, LLC      | WKY Development, LLC |              |
|                               | Churchill Downs Racetrack      | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack     | Keeneland Racetrack         | Kentucky Downs Racetrack | Red Mile Racetrack                       | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack  |              |
| Race Dates                    | 39                             | 0                               | 17                       | 23                       | 19                          | 8                        | 29                                       | 0                                  | 65                     | 8                    | 208          |
| On-Track Handle               | \$10,881,136                   |                                 | \$93,591                 | \$2,606,060              | \$36,218,929                | \$1,530,499              | \$1,049,495                              | \$0                                | \$3,858,942            | \$44,229             | \$56,282,882 |
| Return to Public              | \$8,133,265                    |                                 | \$69,321                 | \$1,937,371              | \$27,306,811                | \$1,246,116              | \$896,387                                | \$0                                | \$2,805,248            | \$34,068             | \$42,428,585 |
| Commission                    | \$2,096,215                    |                                 | \$21,408                 | \$505,474                | \$6,637,215                 | \$261,371                | \$235,866                                | \$0                                | \$745,791              | \$9,668              | \$10,513,008 |
| Settlement                    | \$835,719                      |                                 | \$3,958                  | \$158,430                | \$2,250,129                 | \$22,328                 | (\$71,815)                               | \$0                                | \$305,313              | \$241                | \$3,304,304  |
| Breakage                      | \$17,350                       |                                 | \$73                     | \$5,449                  | \$26,666                    | \$1,283                  | \$664                                    | \$0                                | \$2,632                | \$302                | \$54,418     |
| Minus Pools                   | (\$1,414)                      |                                 | (\$1,169)                | (\$664)                  | (\$1,892)                   | (\$598)                  | (\$11,606)                               | \$0                                | (\$42)                 | (\$49)               | (\$17,434)   |
| Daily Average Live Handle     | \$279,003                      |                                 | \$5,505                  | \$113,307                | \$1,906,259                 | \$191,312                | \$36,189                                 | \$0                                | \$59,368               | \$5,629              | \$270,591    |
| Backside Improvement Fund     | \$54,406                       |                                 | \$0                      | \$13,030                 | \$181,095                   | \$7,652                  | \$0                                      | \$0                                | \$19,295               | \$0                  | \$275,478    |
| Excise Tax                    | \$163,217                      |                                 | \$1,404                  | \$39,091                 | \$230,288                   | \$22,957                 | \$15,742                                 | \$0                                | \$57,884               | \$663                | \$531,228    |
| Thoroughbred Development Fund | \$81,609                       | \$0                             | \$0                      | \$19,545                 | \$115,134                   | \$11,479                 | \$0                                      | \$0                                | \$28,942               | \$0                  | \$256,709    |
| Standardbred Development Fund | \$0                            |                                 | \$936                    | \$0                      | \$0                         | \$0                      | \$10,495                                 | \$0                                | \$0                    | \$442                | \$11,873     |
| Equine Drug Research          | \$10,881                       |                                 | \$94                     | \$2,606                  | \$15,351                    | \$1,530                  | \$1,049                                  | \$0                                | \$3,859                | \$44                 | \$35,415     |
| Higher Ed Equine Trust        | \$10,881                       |                                 | \$94                     | \$2,606                  | \$15,351                    | \$1,530                  | \$1,049                                  | \$0                                | \$3,859                | \$44                 | \$35,415     |
| Equine Industry Programs      | \$21,762                       |                                 | \$187                    | \$5,212                  | \$30,702                    | \$3,061                  | \$2,099                                  | \$0                                | \$7,718                | \$88                 | \$70,830     |
| General Fund                  | \$38,084                       |                                 | \$94                     | \$9,121                  | \$53,729                    | \$5,357                  | \$1,049                                  | \$0                                | \$13,506               | \$44                 | \$120,985    |

Simulcast Wagers on Interstate and Intertrack Live Horse Racing

|                                | Churchill Downs Racetrack | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack | Keeneland Racetrack | Kentucky Downs Racetrack | Red Mile Racetrack | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack | Grand Total  |
|--------------------------------|---------------------------|---------------------------------|--------------------------|----------------------|---------------------|--------------------------|--------------------|------------------------------------|------------------------|---------------------|--------------|
| Off-Track Handle (Simulcast)   | \$15,309,837              | \$158,593                       | \$408,930                | \$7,949,875          | \$18,809,571        | \$8,830,701              | \$13,313,027       | \$0                                | \$6,830,894            | \$1,492,748         | \$73,104,177 |
| Thoroughbred                   | \$14,884,299              | \$153,211                       | \$385,889                | \$7,291,869          | \$18,766,609        | \$8,057,229              | \$456              | \$0                                | \$6,544,441            | \$1,221,735         | \$57,305,538 |
| Standardbred                   | \$339,173                 | \$3,259                         | \$20,194                 | \$627,363            | \$0                 | \$622,879                | \$13,201,356       | \$0                                | \$207,246              | \$253,327           | \$15,274,797 |
| simulcastquarterarabianother   | \$86,366                  | \$2,123                         | \$2,847                  | \$30,843             | \$42,962            | \$150,593                | \$111,215          | \$0                                | \$79,207               | \$17,685            | \$523,843    |
| Excise Tax - Simulcast         | \$261,032                 | \$0                             | \$0                      | \$135,258            | \$318,609           | \$154,558                | \$0                | \$0                                | \$110,480              | \$0                 | \$979,937    |
| Thoroughbred Development Fund  | \$169,193                 | \$0                             | \$0                      | \$82,592             | \$211,871           | \$94,199                 | \$0                | \$0                                | \$70,585               | \$0                 | \$628,420    |
| Standardbred Development Fund  | \$3,859                   | \$0                             | \$0                      | \$7,250              | \$0                 | \$7,188                  | \$0                | \$0                                | \$2,233                | \$0                 | \$20,530     |
| Quarter Horse Development Fund | \$0                       | \$0                             | \$0                      | \$0                  | \$0                 | \$90                     | \$0                | \$0                                | \$0                    | \$0                 | \$90         |
| Equine Drug Research           | \$8,701                   | \$0                             | \$0                      | \$4,509              | \$10,620            | \$5,152                  | \$0                | \$0                                | \$3,683                | \$0                 | \$32,665     |
| Higher Education Equine Trust  | \$8,701                   | \$0                             | \$0                      | \$4,509              | \$10,620            | \$5,152                  | \$0                | \$0                                | \$3,683                | \$0                 | \$32,665     |
| Equine Industry Programs       | \$4,351                   | \$0                             | \$0                      | \$2,254              | \$5,310             | \$2,576                  | \$0                | \$0                                | \$1,841                | \$0                 | \$16,332     |
| General Fund                   | \$66,227                  | \$0                             | \$0                      | \$34,144             | \$80,187            | \$40,202                 | \$0                | \$0                                | \$28,475               | \$0                 | \$249,235    |

**Pari-Mutuel Wagering for FY 2023 (YTD)**

Year of Race Date  
FY 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

**On-Track Wagers on Historical Horse Racing**

|                               | Licensee / Facility            |                 |                          |                     |                 |   |                   |               |                      | Grand Total     |
|-------------------------------|--------------------------------|-----------------|--------------------------|---------------------|-----------------|---|-------------------|---------------|----------------------|-----------------|
|                               | Churchill Downs Racetrack, LLC | ECL Corbin, LLC | Ellis Entertainment, LLC | Kentucky Downs, LLC |                 | Lexington Trots Breeders Association, LLC | Turfway Park, LLC |               | WKY Development, LLC |                 |
|                               | Derby City Gaming              | Williamsburg    | Henderson                | Bowling Green       | Franklin        | Red Mile                                  | Newport           | Turfway Park  | Oak Grove            |                 |
| On-Track Handle               | \$1,567,358,561                | \$215,923,033   | \$163,195,140            | \$339,915,862       | \$1,344,674,690 | \$613,491,230                             | \$237,606,322     | \$296,150,196 | \$1,216,936,362      | \$5,995,251,396 |
| Return to Public              | \$1,425,381,364                | \$192,874,475   | \$148,510,320            | \$307,531,098       | \$1,227,844,376 | \$560,481,033                             | \$214,336,985     | \$266,618,920 | \$1,109,255,455      | \$5,452,834,026 |
| Pool Growth                   | \$1,093,462                    | \$1,752,695     | \$399,032                | \$656,642           | \$1,529,355     | \$507,993                                 | \$991,457         | \$935,186     | \$749,785            | \$8,615,607     |
| Breakage                      | \$0                            | \$4,415         | \$19,797                 | \$3,261             | \$52,915        | \$91,146                                  | \$0               | \$0           | \$0                  | \$171,534       |
| Gross Commission - Win        | \$140,883,735                  | \$21,291,449    | \$14,265,992             | \$31,724,861        | \$115,248,043   | \$52,411,070                              | \$22,277,880      | \$28,596,090  | \$106,931,124        | \$533,630,244   |
| Excise Tax - HHR              | \$23,510,378                   | \$3,238,845     | \$2,447,927              | \$5,098,738         | \$20,170,120    | \$9,202,368                               | \$3,564,095       | \$4,442,253   | \$18,254,045         | \$89,928,771    |
| Standardbred Development Fund | \$0                            | \$2,159,230     | \$0                      | \$0                 | \$0             | \$3,067,456                               | \$0               | \$0           | \$6,084,682          | \$11,311,368    |
| Thoroughbred Development Fund | \$11,755,189                   | \$0             | \$1,223,964              | \$2,549,369         | \$10,085,060    | \$2,300,592                               | \$1,782,047       | \$2,221,126   | \$4,563,511          | \$36,480,859    |
| General Fund and Other        | \$11,755,189                   | \$1,079,615     | \$1,223,964              | \$2,549,369         | \$10,085,060    | \$3,834,320                               | \$1,782,047       | \$2,221,126   | \$7,605,852          | \$42,136,543    |
| Adjusted Commission - Win     | \$117,373,356                  | \$18,052,603    | \$11,818,065             | \$26,626,123        | \$95,077,923    | \$43,208,702                              | \$18,713,786      | \$24,153,837  | \$88,677,078         | \$443,701,473   |
| Average Terminal Count        | 10,103                         | 3,133           | 2,809                    | 4,030               | 9,398           | 7,877                                     | 4,066             | 5,800         | 11,737               | 58,953          |
| Adj. Commission-Win/Unit      | \$11,617                       | \$5,763         | \$4,207                  | \$6,608             | \$10,117        | \$5,485                                   | \$4,602           | \$4,164       | \$7,555              | \$7,526         |

**Advance Deposit Account Wagering**

|                     | Licensee             |                   |                   |             |              |               |                   |              |               | Grand Total   |
|---------------------|----------------------|-------------------|-------------------|-------------|--------------|---------------|-------------------|--------------|---------------|---------------|
|                     | AmWest Entertainment | eBet Technologies | Lien Games Racing | NYRABets    | TVG          | Twinspires    | WatchandWager.com | Xpressbet    |               |               |
| Total Handle        | \$1,940,984          | \$445,993         | \$925,492         | \$8,894,120 | \$75,513,885 | \$133,450,200 | \$352,909         | \$26,590,307 | \$248,113,891 | \$248,113,891 |
| In-State Races      | \$108,132            | \$45,267          | \$32,862          | \$1,585,333 | \$13,719,235 | \$32,506,814  | \$85,145          | \$6,408,401  | \$54,491,188  | \$54,491,188  |
| Out-of-State Races  | \$1,832,852          | \$400,726         | \$892,629         | \$7,308,788 | \$61,794,650 | \$100,943,387 | \$267,765         | \$20,181,906 | \$193,622,703 | \$193,622,703 |
| Excise Tax - ADW    | \$26,967             | \$6,108           | \$12,612          | \$119,831   | \$1,031,997  | \$1,817,036   | \$4,743           | \$366,041    | \$3,385,336   | \$3,385,336   |
| Host Track - Purses | \$11,461             | \$2,596           | \$5,360           | \$50,928    | \$438,599    | \$772,240     | \$2,016           | \$155,567    | \$1,438,768   | \$1,438,768   |
| Host Tracks         | \$11,461             | \$2,596           | \$5,360           | \$50,928    | \$438,599    | \$772,240     | \$2,016           | \$155,567    | \$1,438,768   | \$1,438,768   |
| General Fund        | \$4,045              | \$916             | \$1,892           | \$17,975    | \$154,800    | \$272,555     | \$712             | \$54,906     | \$507,800     | \$507,800     |

**Total Distributions by Account**

The General Fund line includes amounts that are deposited to various accounts. These caps are calculated from deposits resulting from the excise tax for conducting pari-mutuel wagering on historical horse racing. Since these amounts are calculated as a whole and not per licensee, a one-time transfer will be made once the caps are met within the fiscal year. At the end of the fiscal year, approximately \$2M must be deducted from this line in order to determine the actual amount retained by the General Fund. Please contact the Department of Revenue with any questions regarding these transfers.

|                                   |              |
|-----------------------------------|--------------|
| <b>Total Excise Tax</b>           | \$94,825,271 |
| Equine Drug Research              | \$68,080     |
| Equine Industry Program           | \$87,163     |
| Higher Education Program          | \$68,080     |
| K. Standardbred Development Fund  | \$11,343,771 |
| K. Thoroughbred Development Fund  | \$37,365,988 |
| K. Quarter Horse Development Fund | \$90         |
| Host Track - Purses               | \$1,438,768  |
| Host Tracks                       | \$1,438,768  |
| General Fund (See Note on Caps)   | \$43,014,564 |
| Backside Improvement Fund         | \$275,478    |

Pari-Mutuel Wagering for April 2023

Select Period - Month  
April 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 139 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

On-Track Wagers on Live Horse Racing

|                                | Licensee / Facility            |                                 |                          |                          |                             |                          |   |                                    |                        |                      | Grand Total  |
|--------------------------------|--------------------------------|---------------------------------|--------------------------|--------------------------|-----------------------------|--------------------------|---|------------------------------------|------------------------|----------------------|--------------|
|                                | Churchill Downs Racetrack, LLC |                                 | ECL Corbin, LLC          | Ellis Entertainment, LLC | Keeneland Association, Inc. | Kentucky Downs, LLC      | Lexington Trots Breeders Association, LLC | Revolutionary Racing Kentucky, LLC | Turfway Park, LLC      | WKY Development, LLC |              |
|                                | Churchill Downs Racetrack      | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack     | Keeneland Racetrack         | Kentucky Downs Racetrack | Red Mile Racetrack                        | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack  |              |
| Race Dates                     | 1                              | 0                               | 0                        | 0                        | 15                          | 0                        | 0   | 6                                  | 1                      | 5                    | 28           |
| On-Track Handle                | \$838,177                      |                                 | \$0                      | \$0                      | \$15,844,092                | \$0                      | \$0                                       | \$81,975                           | \$70,530               | \$32,211             | \$16,866,985 |
| Return to Public               | \$570,473                      |                                 | \$0                      | \$0                      | \$11,891,689                | \$0                      | \$0                                       | \$60,152                           | \$52,504               | \$22,905             | \$12,597,723 |
| Commission                     | \$160,848                      |                                 | \$0                      | \$0                      | \$2,860,711                 | \$0                      | \$0                                       | \$14,208                           | \$13,397               | \$6,795              | \$3,055,960  |
| Settlement                     | \$106,348                      |                                 | \$0                      | \$0                      | \$1,083,913                 | \$0                      | \$0                                       | \$7,558                            | \$4,586                | \$2,490              | \$1,204,895  |
| Breakage                       | \$857                          |                                 | \$0                      | \$0                      | \$11,574                    | \$0                      | \$0                                       | \$87                               | \$42                   | \$42                 | \$12,602     |
| Minus Pools                    | (\$349)                        |                                 | \$0                      | \$0                      | (\$3,794)                   | \$0                      | \$0                                       | (\$30)                             | \$0                    | (\$22)               | (\$4,195)    |
| Daily Average Live Handle      | \$838,177                      |                                 |                          |                          | \$1,056,273                 |                          |   | \$13,663                           | \$70,530               | \$6,442              | \$602,392    |
| Backside Improvement Fund      | \$4,191                        |                                 | \$0                      | \$0                      | \$79,220                    | \$0                      | \$0                                       | \$0                                | \$353                  | \$0                  | \$83,764     |
| Excise Tax                     | \$12,573                       |                                 | \$0                      | \$0                      | \$237,661                   | \$0                      | \$0                                       | \$1,230                            | \$1,058                | \$483                | \$253,005    |
| Thoroughbred Development Fund  | \$6,286                        | \$0                             | \$0                      | \$0                      | \$118,831                   | \$0                      | \$0                                       | \$0                                | \$529                  | \$0                  | \$125,646    |
| Standardbred Development Fund  | \$0                            |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$322                | \$322        |
| Quarter Horse Development Fund | \$0                            |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$820                              | \$0                    | \$0                  | \$820        |
| Equine Drug Research           | \$838                          |                                 | \$0                      | \$0                      | \$15,844                    | \$0                      | \$0                                       | \$82                               | \$71                   | \$32                 | \$16,867     |
| Higher Ed Equine Trust         | \$838                          |                                 | \$0                      | \$0                      | \$15,844                    | \$0                      | \$0                                       | \$82                               | \$71                   | \$32                 | \$16,867     |
| Equine Industry Programs       | \$1,676                        |                                 | \$0                      | \$0                      | \$31,688                    | \$0                      | \$0                                       | \$164                              | \$141                  | \$64                 | \$33,734     |
| General Fund                   | \$2,934                        |                                 | \$0                      | \$0                      | \$55,454                    | \$0                      | \$0                                       | \$82                               | \$247                  | \$32                 | \$58,749     |

Simulcast Wagers on Interstate and Intertrack Live Horse Racing

|                                | Churchill Downs Racetrack    | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack | Keeneland Racetrack | Kentucky Downs Racetrack | Red Mile Racetrack | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack | Grand Total |
|--------------------------------|------------------------------|---------------------------------|--------------------------|----------------------|---------------------|--------------------------|--------------------|------------------------------------|------------------------|---------------------|-------------|
|                                | Off-Track Handle (Simulcast) | \$1,998,642                     | \$18,460                 | \$89,962             | \$976,423           | \$2,598,733              | \$1,017,896        | \$903,133                          | \$0                    | \$959,514           | \$222,531   |
| Thoroughbred                   | \$1,959,902                  | \$17,944                        | \$84,975                 | \$898,209            | \$2,598,380         | \$925,598                | \$0                | \$0                                | \$929,174              | \$183,969           | \$7,598,151 |
| Standardbred                   | \$29,262                     | \$165                           | \$4,719                  | \$75,509             | \$0                 | \$69,820                 | \$881,112          | \$0                                | \$25,201               | \$36,011            | \$1,120,800 |
| All Other Breeds               | \$9,478                      | \$351                           | \$268                    | \$2,705              | \$353               | \$22,479                 | \$22,021           | \$0                                | \$5,139                | \$3,551             | \$66,344    |
| Excise Tax - Simulcast         | \$29,980                     | \$0                             | \$0                      | \$14,846             | \$38,981            | \$15,268                 | \$0                | \$0                                | \$14,393               | \$0                 | \$113,268   |
| Thoroughbred Development Fund  | \$19,599                     | \$0                             | \$0                      | \$8,982              | \$25,984            | \$9,256                  | \$0                | \$0                                | \$9,292                | \$0                 | \$73,113    |
| Standardbred Development Fund  | \$293                        | \$0                             | \$0                      | \$755                | \$0                 | \$698                    | \$0                | \$0                                | \$252                  | \$0                 | \$1,998     |
| Quarter Horse Development Fund | \$95                         | \$0                             | \$0                      | \$27                 | \$4                 | \$225                    | \$0                | \$0                                | \$51                   | \$0                 | \$402       |
| Equine Drug Research           | \$999                        | \$0                             | \$0                      | \$488                | \$1,299             | \$509                    | \$0                | \$0                                | \$480                  | \$0                 | \$3,776     |
| Higher Education Equine Trust  | \$999                        | \$0                             | \$0                      | \$488                | \$1,299             | \$509                    | \$0                | \$0                                | \$480                  | \$0                 | \$3,776     |
| Equine Industry Programs       | \$500                        | \$0                             | \$0                      | \$244                | \$650               | \$254                    | \$0                | \$0                                | \$240                  | \$0                 | \$1,888     |
| General Fund                   | \$7,495                      | \$0                             | \$0                      | \$3,662              | \$9,745             | \$3,817                  | \$0                | \$0                                | \$3,598                | \$0                 | \$28,317    |

### Pari-Mutuel Wagering for April 2023

Select Period - Month  
April 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

#### On-Track Wagers on Historical Horse Racing

|                               | Licensee / Facility            |                 |                          |                     |               |   |                   |              |                      |               | Grand Total |
|-------------------------------|--------------------------------|-----------------|--------------------------|---------------------|---------------|---|-------------------|--------------|----------------------|---------------|-------------|
|                               | Churchill Downs Racetrack, LLC | ECL Corbin, LLC | Ellis Entertainment, LLC | Kentucky Downs, LLC |               | Lexington Trots Breeders Association, LLC | Turfway Park, LLC |              | WKY Development, LLC |               |             |
|                               | Derby City Gaming              | Williamsburg    | Henderson                | Bowling Green       | Franklin      | Red Mile                                  | Newport           | Turfway Park | Oak Grove            |               |             |
| On-Track Handle               | \$185,043,500                  | \$36,167,662    | \$21,496,251             | \$41,524,804        | \$146,230,415 | \$76,883,868                              | \$28,524,351      | \$52,108,271 | \$148,790,485        | \$736,769,606 |             |
| Return to Public              | \$158,117,552                  | \$32,368,190    | \$19,495,943             | \$37,601,583        | \$132,976,440 | \$70,140,436                              | \$25,980,441      | \$46,760,972 | \$135,945,633        | \$669,387,191 |             |
| Pool Growth                   | \$196,937                      | \$216,975       | (\$1,609)                | \$69,686            | \$525,579     | \$138,496                                 | (\$143,406)       | \$287,439    | (\$441,918)          | \$848,178     |             |
| Breakage                      | \$0                            | \$570           | \$479                    | \$279               | \$5,721       | \$7,845                                   | \$0               | \$0          | \$0                  | \$14,895      |             |
| Gross Commission - Win        | \$16,729,011                   | \$3,581,927     | \$2,001,437              | \$3,853,256         | \$12,722,675  | \$6,597,092                               | \$2,687,315       | \$5,059,860  | \$13,286,771         | \$66,519,344  |             |
| Excise Tax - HHR              | \$2,775,652                    | \$542,515       | \$322,444                | \$622,872           | \$2,193,456   | \$1,153,258                               | \$427,865         | \$781,624    | \$2,231,857          | \$11,051,544  |             |
| Standardbred Development Fund | \$0                            | \$361,677       | \$0                      | \$0                 | \$0           | \$384,419                                 | \$0               | \$0          | \$743,852            | \$1,490,048   |             |
| Thoroughbred Development Fund | \$1,387,826                    | \$0             | \$161,222                | \$311,436           | \$1,096,728   | \$288,315                                 | \$213,933         | \$390,812    | \$557,964            | \$4,408,236   |             |
| General Fund and Other        | \$1,387,826                    | \$180,838       | \$161,222                | \$311,436           | \$1,096,728   | \$480,524                                 | \$213,933         | \$390,812    | \$929,941            | \$5,153,260   |             |
| Adjusted Commission - Win     | \$13,953,359                   | \$3,039,412     | \$1,678,994              | \$3,230,384         | \$10,529,219  | \$5,443,834                               | \$2,259,450       | \$4,278,236  | \$11,054,914         | \$55,467,800  |             |
| Average Terminal Count        | 1,288                          | 448             | 287                      | 447                 | 1,046         | 946                                       | 457               | 847          | 1,227                | 6,991         |             |
| Adj. Commission-Win/Unit      | \$10,833                       | \$6,781         | \$5,856                  | \$7,233             | \$10,069      | \$5,757                                   | \$4,946           | \$5,054      | \$9,009              | \$7,934       |             |

#### Advance Deposit Account Wagering

|                     | Licensee             |                   |                   |             |              |              |                   |             | Grand Total  |
|---------------------|----------------------|-------------------|-------------------|-------------|--------------|--------------|-------------------|-------------|--------------|
|                     | AmWest Entertainment | eBet Technologies | Lien Games Racing | NYRABets    | TVG          | Twinspires   | WatchandWager.com | Xpressbet   |              |
| Total Handle        | \$267,249            | \$48,383          | \$219,670         | \$1,022,396 | \$12,172,820 | \$20,871,958 | \$34,200          | \$4,311,002 | \$38,947,679 |
| In-State Races      | \$105,469            | \$10,523          | \$27,934          | \$417,821   | \$5,000,838  | \$10,148,506 | \$10,355          | \$2,276,990 | \$17,998,436 |
| Out-of-State Races  | \$161,780            | \$37,860          | \$191,736         | \$604,576   | \$7,171,982  | \$10,723,452 | \$23,845          | \$2,034,012 | \$20,949,244 |
| Excise Tax - ADW    | \$4,009              | \$726             | \$3,295           | \$15,336    | \$182,592    | \$313,079    | \$513             | \$64,665    | \$584,215    |
| Host Track - Purses | \$1,704              | \$308             | \$1,400           | \$6,518     | \$77,602     | \$133,059    | \$218             | \$27,483    | \$248,291    |
| Host Tracks         | \$1,704              | \$308             | \$1,400           | \$6,518     | \$77,602     | \$133,059    | \$218             | \$27,483    | \$248,291    |
| General Fund        | \$601                | \$109             | \$494             | \$2,300     | \$27,389     | \$46,962     | \$77              | \$9,700     | \$87,632     |

#### Total Distributions by Account

The General Fund line includes amounts that are deposited to various accounts. These caps are calculated from deposits resulting from the excise tax for conducting pari-mutuel wagering on historical horse racing. Since these amounts are calculated as a whole and not per licensee, a one-time transfer will be made once the caps are met within the fiscal year. At the end of the fiscal year, approximately \$2M must be deducted from this line in order to determine the actual amount retained by the General Fund. Please contact the Department of Revenue with any questions regarding these transfers.

|                                   |              |
|-----------------------------------|--------------|
| Total Excise Tax                  | \$12,002,032 |
| Equine Drug Research              | \$20,643     |
| Equine Industry Program           | \$35,622     |
| Higher Education Program          | \$20,643     |
| K. Standardbred Development Fund  | \$1,492,368  |
| K. Thoroughbred Development Fund  | \$4,606,994  |
| K. Quarter Horse Development Fund | \$1,221      |
| Host Track - Purses               | \$248,291    |
| Host Tracks                       | \$248,291    |
| General Fund (See Note on Caps)   | \$5,327,958  |
| Backside Improvement Fund         | \$83,764     |

Pari-Mutuel Wagering for FY 2023 (YTD)

Select Period - Fiscal Year  
FY 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

On-Track Wagers on Live Horse Racing

|                                | Licensee / Facility            |                                 |                          |                          |                             |                          |   |                                    |                        |                      | Grand Total  |
|--------------------------------|--------------------------------|---------------------------------|--------------------------|--------------------------|-----------------------------|--------------------------|---|------------------------------------|------------------------|----------------------|--------------|
|                                | Churchill Downs Racetrack, LLC |                                 | ECL Corbin, LLC          | Ellis Entertainment, LLC | Keeneland Association, Inc. | Kentucky Downs, LLC      | Lexington Trots Breeders Association, LLC | Revolutionary Racing Kentucky, LLC | Turfway Park, LLC      | WKY Development, LLC |              |
|                                | Churchill Downs Racetrack      | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack     | Keeneland Racetrack         | Kentucky Downs Racetrack | Red Mile Racetrack                        | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack  |              |
| Race Dates                     | 40                             | 0                               | 17                       | 23                       | 34                          | 8                        | 29  | 6                                  | 66                     | 13                   | 236          |
| On-Track Handle                | \$11,719,313                   |                                 | \$93,591                 | \$2,606,060              | \$52,063,022                | \$1,530,499              | \$1,049,495                               | \$81,975                           | \$3,929,472            | \$76,440             | \$73,149,867 |
| Return to Public               | \$8,703,738                    |                                 | \$69,321                 | \$1,937,371              | \$39,198,499                | \$1,246,116              | \$896,387                                 | \$60,152                           | \$2,857,752            | \$56,973             | \$55,026,308 |
| Commission                     | \$2,257,063                    |                                 | \$21,408                 | \$505,474                | \$9,497,926                 | \$261,371                | \$235,866                                 | \$14,208                           | \$759,189              | \$16,463             | \$13,568,968 |
| Settlement                     | \$742,067                      |                                 | \$3,958                  | \$158,430                | \$3,334,042                 | \$22,328                 | (\$71,815)                                | \$7,558                            | \$309,899              | \$2,731              | \$4,509,199  |
| Breakage                       | \$18,207                       |                                 | \$73                     | \$5,449                  | \$38,240                    | \$1,283                  | \$664                                     | \$87                               | \$2,674                | \$344                | \$67,021     |
| Minus Pools                    | (\$1,762)                      |                                 | (\$1,169)                | (\$664)                  | (\$5,886)                   | (\$598)                  | (\$11,606)                                | (\$30)                             | (\$42)                 | (\$71)               | (\$21,628)   |
| Daily Average Live Handle      | \$292,983                      |                                 | \$5,505                  | \$113,307                | \$1,531,265                 | \$191,312                | \$36,189                                  | \$13,663                           | \$59,537               | \$5,880              | \$309,957    |
| Backside Improvement Fund      | \$58,597                       |                                 | \$0                      | \$13,030                 | \$260,315                   | \$7,652                  | \$0                                       | \$0                                | \$19,647               | \$0                  | \$359,242    |
| Excise Tax                     | \$175,790                      |                                 | \$1,404                  | \$39,091                 | \$467,930                   | \$22,957                 | \$15,742                                  | \$1,230                            | \$58,942               | \$1,147              | \$784,233    |
| Thoroughbred Development Fund  | \$87,895                       | \$0                             | \$0                      | \$19,545                 | \$233,965                   | \$11,479                 | \$0                                       | \$0                                | \$29,471               | \$0                  | \$382,355    |
| Standardbred Development Fund  | \$0                            |                                 | \$936                    | \$0                      | \$0                         | \$0                      | \$10,495                                  | \$0                                | \$0                    | \$764                | \$12,195     |
| Quarter Horse Development Fund | \$0                            |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$820                              | \$0                    | \$0                  | \$820        |
| Equine Drug Research           | \$11,719                       |                                 | \$94                     | \$2,606                  | \$31,195                    | \$1,530                  | \$1,049                                   | \$82                               | \$3,929                | \$76                 | \$52,282     |
| Higher Ed Equine Trust         | \$11,719                       |                                 | \$94                     | \$2,606                  | \$31,195                    | \$1,530                  | \$1,049                                   | \$82                               | \$3,929                | \$76                 | \$52,282     |
| Equine Industry Programs       | \$23,439                       |                                 | \$187                    | \$5,212                  | \$62,391                    | \$3,061                  | \$2,099                                   | \$164                              | \$7,859                | \$153                | \$104,564    |
| General Fund                   | \$41,018                       |                                 | \$94                     | \$9,121                  | \$109,184                   | \$5,357                  | \$1,049                                   | \$82                               | \$13,753               | \$76                 | \$179,734    |

Simulcast Wagers on Interstate and Intertrack Live Horse Racing

|                                | Churchill Downs Racetrack | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack | Keeneland Racetrack | Kentucky Downs Racetrack | Red Mile Racetrack | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack | Grand Total  |
|--------------------------------|---------------------------|---------------------------------|--------------------------|----------------------|---------------------|--------------------------|--------------------|------------------------------------|------------------------|---------------------|--------------|
| Off-Track Handle (Simulcast)   | \$17,308,479              | \$177,053                       | \$498,892                | \$8,926,298          | \$21,408,305        | \$9,848,597              | \$14,216,161       | \$0                                | \$7,790,408            | \$1,715,279         | \$81,889,472 |
| Thoroughbred                   | \$16,844,201              | \$171,155                       | \$470,864                | \$8,189,878          | \$21,364,989        | \$8,982,826              | \$456              | \$0                                | \$7,473,615            | \$1,405,704         | \$64,903,689 |
| Standardbred                   | \$368,435                 | \$3,425                         | \$24,913                 | \$702,872            | \$0                 | \$692,899                | \$14,082,468       | \$0                                | \$232,447              | \$288,338           | \$16,395,597 |
| All Other Breeds               | \$95,844                  | \$2,474                         | \$3,116                  | \$33,548             | \$43,315            | \$173,072                | \$133,236          | \$0                                | \$84,346               | \$21,236            | \$590,187    |
| Excise Tax - Simulcast         | \$291,012                 | \$0                             | \$0                      | \$149,904            | \$357,590           | \$169,827                | \$0                | \$0                                | \$124,873              | \$0                 | \$1,093,205  |
| Thoroughbred Development Fund  | \$188,792                 | \$0                             | \$0                      | \$91,574             | \$237,855           | \$103,455                | \$0                | \$0                                | \$79,857               | \$0                 | \$701,533    |
| Standardbred Development Fund  | \$4,152                   | \$0                             | \$0                      | \$8,005              | \$0                 | \$7,886                  | \$0                | \$0                                | \$2,485                | \$0                 | \$22,528     |
| Quarter Horse Development Fund | \$1,064                   | \$0                             | \$0                      | \$357                | \$539               | \$1,877                  | \$0                | \$0                                | \$907                  | \$0                 | \$4,743      |
| Equine Drug Research           | \$9,700                   | \$0                             | \$0                      | \$4,997              | \$11,920            | \$5,661                  | \$0                | \$0                                | \$4,162                | \$0                 | \$36,440     |
| Higher Education Equine Trust  | \$9,700                   | \$0                             | \$0                      | \$4,997              | \$11,920            | \$5,661                  | \$0                | \$0                                | \$4,162                | \$0                 | \$36,440     |
| Equine Industry Programs       | \$4,850                   | \$0                             | \$0                      | \$2,498              | \$5,960             | \$2,830                  | \$0                | \$0                                | \$2,081                | \$0                 | \$18,220     |
| General Fund                   | \$72,753                  | \$0                             | \$0                      | \$37,476             | \$89,398            | \$42,457                 | \$0                | \$0                                | \$31,218               | \$0                 | \$273,301    |

**Pari-Mutuel Wagering for FY 2023 (YTD)**

Select Period - Fiscal Year  
FY 2023

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**On-Track Wagers on Historical Horse Racing**

|                                  | Licensee / Facility            |                 |                          |                     |                 |   |                   |               |                      | Grand Total     |
|----------------------------------|--------------------------------|-----------------|--------------------------|---------------------|-----------------|---|-------------------|---------------|----------------------|-----------------|
|                                  | Churchill Downs Racetrack, LLC | ECL Corbin, LLC | Ellis Entertainment, LLC | Kentucky Downs, LLC |                 | Lexington Trots Breeders Association, LLC | Turfway Park, LLC |               | WKY Development, LLC |                 |
|                                  | Derby City Gaming              | Williamsburg    | Henderson                | Bowling Green       | Franklin        | Red Mile                                  | Newport           | Turfway Park  | Oak Grove            |                 |
| On-Track Handle                  | \$1,752,402,060                | \$252,090,895   | \$184,691,391            | \$381,440,666       | \$1,490,905,105 | \$690,375,098                             | \$266,130,673     | \$348,258,466 | \$1,365,726,847      | \$6,732,021,002 |
| Return to Public                 | \$1,593,498,916                | \$225,242,866   | \$168,006,263            | \$345,132,681       | \$1,380,820,816 | \$630,821,489                             | \$240,317,426     | \$313,379,892 | \$1,245,201,088      | \$6,122,221,217 |
| Pool Growth                      | \$1,290,398                    | \$1,969,670     | \$397,423                | \$726,328           | \$2,054,934     | \$646,489                                 | \$848,051         | \$1,222,625   | \$307,867            | \$9,463,784     |
| Breakage                         | \$0                            | \$4,985         | \$20,277                 | \$3,540             | \$58,637        | \$98,991                                  | \$0               | \$0           | \$0                  | \$186,430       |
| Gross Commission - Win           | \$157,612,746                  | \$24,873,375    | \$16,267,429             | \$35,578,117        | \$127,970,718   | \$59,008,162                              | \$24,965,196      | \$33,655,950  | \$120,217,895        | \$600,149,588   |
| Excise Tax - HHR                 | \$26,286,031                   | \$3,781,360     | \$2,770,371              | \$5,721,610         | \$22,363,577    | \$10,355,626                              | \$3,991,960       | \$5,223,877   | \$20,485,903         | \$100,980,315   |
| Standardbred Development Fund    | \$0                            | \$2,520,907     | \$0                      | \$0                 | \$0             | \$3,451,875                               | \$0               | \$0           | \$6,828,834          | \$12,801,417    |
| Thoroughbred Development Fund    | \$13,143,015                   | \$0             | \$1,385,185              | \$2,860,805         | \$11,181,788    | \$2,588,907                               | \$1,995,980       | \$2,611,938   | \$5,121,476          | \$40,889,095    |
| General Fund and Other           | \$13,143,015                   | \$1,260,453     | \$1,385,185              | \$2,860,805         | \$11,181,788    | \$4,314,844                               | \$1,995,980       | \$2,611,938   | \$8,535,793          | \$47,289,803    |
| Adjusted Commission - Win        | \$131,328,715                  | \$21,092,015    | \$13,497,058             | \$29,856,507        | \$105,607,142   | \$48,852,536                              | \$20,973,236      | \$28,432,073  | \$99,731,992         | \$499,169,273   |
| Average Adj. Commission-Win/Unit | \$11,529                       | \$5,890         | \$4,359                  | \$6,670             | \$10,112        | \$5,514                                   | \$4,637           | \$4,278       | \$7,693              | \$7,570         |

**Advance Deposit Account Wagering**

|                     | Licensee             |                   |                   |             |              |               |                   |              |  | Grand Total   |
|---------------------|----------------------|-------------------|-------------------|-------------|--------------|---------------|-------------------|--------------|--|---------------|
|                     | AmWest Entertainment | eBet Technologies | Lien Games Racing | NYRABets    | TVG          | Twinspires    | WatchandWager.com | Xpressbet    |  |               |
| Total Handle        | \$2,208,233          | \$494,376         | \$1,145,161       | \$9,916,518 | \$87,686,705 | \$154,322,158 | \$387,110         | \$30,901,309 |  | \$287,061,570 |
| In-State Races      | \$213,602            | \$55,790          | \$60,796          | \$2,003,154 | \$18,720,072 | \$42,655,320  | \$95,500          | \$8,685,391  |  | \$72,489,624  |
| Out-of-State Races  | \$1,994,631          | \$438,586         | \$1,084,365       | \$7,913,364 | \$68,966,632 | \$111,666,839 | \$291,610         | \$22,215,919 |  | \$214,571,946 |
| Excise Tax - ADW    | \$30,976             | \$6,833           | \$15,908          | \$135,167   | \$1,214,589  | \$2,130,115   | \$5,256           | \$430,706    |  | \$3,969,551   |
| Host Track - Purses | \$13,165             | \$2,904           | \$6,761           | \$57,446    | \$516,200    | \$905,299     | \$2,234           | \$183,050    |  | \$1,687,059   |
| Host Tracks         | \$13,165             | \$2,904           | \$6,761           | \$57,446    | \$516,200    | \$905,299     | \$2,234           | \$183,050    |  | \$1,687,059   |
| General Fund        | \$4,546              | \$1,025           | \$2,386           | \$20,275    | \$182,188    | \$319,517     | \$788             | \$64,606     |  | \$595,433     |

**Total Distributions by Account**

The General Fund line includes amounts that are deposited to various accounts. These caps are calculated from deposits resulting from the excise tax for conducting pari-mutuel wagering on historical horse racing. Since these amounts are calculated as a whole and not per licensee, a one-time transfer will be made once the caps are met within the fiscal year. At the end of the fiscal year, approximately \$2M must be deducted from this line in order to determine the actual amount retained by the General Fund. Please contact the Department of Revenue with any questions regarding these transfers.

|                                   |               |
|-----------------------------------|---------------|
| <b>Total Excise Tax</b>           | \$106,827,304 |
| Equine Drug Research              | \$88,722      |
| Equine Industry Program           | \$122,784     |
| Higher Education Program          | \$88,722      |
| K. Standardbred Development Fund  | \$12,836,140  |
| K. Thoroughbred Development Fund  | \$41,972,983  |
| K. Quarter Horse Development Fund | \$5,563       |
| Host Track - Purses               | \$1,687,059   |
| Host Tracks                       | \$1,687,059   |
| General Fund (See Note on Caps)   | \$48,338,271  |
| Backside Improvement Fund         | \$359,242     |

### Pari-Mutuel Wagering for May 2023

Select Period - Month  
May 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

#### On-Track Wagers on Live Horse Racing

|                                | Licensee / Facility            |                                 |                          |                          |                             |                          |   |                                    |                        |                      | Grand Total  |
|--------------------------------|--------------------------------|---------------------------------|--------------------------|--------------------------|-----------------------------|--------------------------|---|------------------------------------|------------------------|----------------------|--------------|
|                                | Churchill Downs Racetrack, LLC |                                 | ECL Corbin, LLC          | Ellis Entertainment, LLC | Keeneland Association, Inc. | Kentucky Downs, LLC      | Lexington Trots Breeders Association, LLC | Revolutionary Racing Kentucky, LLC | Turfway Park, LLC      | WKY Development, LLC |              |
|                                | Churchill Downs Racetrack      | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack     | Keeneland Racetrack         | Kentucky Downs Racetrack | Red Mile Racetrack                        | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack  |              |
| Race Dates                     | 18                             | 0                               | 0                        | 0                        | 0                           | 0                        | 0   | 0                                  | 0                      | 9                    | 27           |
| On-Track Handle                | \$41,225,657                   |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$76,922             | \$41,302,579 |
| Return to Public               | \$30,148,750                   |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$49,037             | \$30,197,787 |
| Commission                     | \$7,884,977                    |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$16,246             | \$7,901,223  |
| Settlement                     | \$3,173,746                    |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$11,593             | \$3,185,339  |
| Breakage                       | \$24,753                       |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$80                 | \$24,833     |
| Minus Pools                    | (\$6,569)                      |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | (\$35)               | (\$6,604)    |
| Daily Average Live Handle      | \$2,290,314                    |                                 |                          |                          |                             |                          |   |                                    |                        | \$8,547              | \$1,529,725  |
| Backside Improvement Fund      | \$206,128                      |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$0                  | \$206,128    |
| Excise Tax                     | \$618,385                      |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$1,154              | \$619,539    |
| Thoroughbred Development Fund  | \$309,192                      | \$0                             | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$0                  | \$309,192    |
| Standardbred Development Fund  | \$0                            |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$769                | \$769        |
| Quarter Horse Development Fund | \$0                            |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$0                  | \$0          |
| Equine Drug Research           | \$41,226                       |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$77                 | \$41,303     |
| Higher Ed Equine Trust         | \$41,226                       |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$77                 | \$41,303     |
| Equine Industry Programs       | \$82,451                       |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$154                | \$82,605     |
| General Fund                   | \$144,290                      |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$0                                | \$0                    | \$77                 | \$144,367    |

#### Simulcast Wagers on Interstate and Intertrack Live Horse Racing

|                                | Churchill Downs Racetrack    | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack | Keeneland Racetrack | Kentucky Downs Racetrack | Red Mile Racetrack | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack | Grand Total  |
|--------------------------------|------------------------------|---------------------------------|--------------------------|----------------------|---------------------|--------------------------|--------------------|------------------------------------|------------------------|---------------------|--------------|
|                                | Off-Track Handle (Simulcast) | \$1,424,359                     | \$53,239                 | \$156,562            | \$1,302,144         | \$4,456,509              | \$1,659,191        | \$310,921                          | \$0                    | \$1,389,313         | \$276,288    |
| Thoroughbred                   | \$1,400,908                  | \$52,995                        | \$151,203                | \$1,241,578          | \$4,445,391         | \$1,569,741              | \$2                | \$0                                | \$1,367,302            | \$233,229           | \$10,462,349 |
| Standardbred                   | \$15,144                     | \$160                           | \$3,313                  | \$54,515             | \$0                 | \$83,044                 | \$298,414          | \$0                                | \$16,586               | \$37,265            | \$488,442    |
| All Other Breeds               | \$8,307                      | \$84                            | \$2,047                  | \$6,051              | \$11,119            | \$26,406                 | \$12,504           | \$0                                | \$5,425                | \$5,793             | \$77,736     |
| Excise Tax - Simulcast         | \$21,365                     | \$0                             | \$0                      | \$19,532             | \$66,848            | \$24,888                 | \$0                | \$0                                | \$20,840               | \$0                 | \$153,473    |
| Thoroughbred Development Fund  | \$14,009                     | \$0                             | \$0                      | \$12,416             | \$44,454            | \$15,697                 | \$0                | \$0                                | \$13,673               | \$0                 | \$100,249    |
| Standardbred Development Fund  | \$151                        | \$0                             | \$0                      | \$545                | \$0                 | \$630                    | \$0                | \$0                                | \$166                  | \$0                 | \$1,493      |
| Quarter Horse Development Fund | \$83                         | \$0                             | \$0                      | \$61                 | \$111               | \$264                    | \$0                | \$0                                | \$54                   | \$0                 | \$573        |
| Equine Drug Research           | \$712                        | \$0                             | \$0                      | \$651                | \$2,228             | \$830                    | \$0                | \$0                                | \$695                  | \$0                 | \$5,116      |
| Higher Education Equine Trust  | \$712                        | \$0                             | \$0                      | \$651                | \$2,228             | \$830                    | \$0                | \$0                                | \$695                  | \$0                 | \$5,116      |
| Equine Industry Programs       | \$356                        | \$0                             | \$0                      | \$326                | \$1,114             | \$415                    | \$0                | \$0                                | \$347                  | \$0                 | \$2,558      |
| General Fund                   | \$5,341                      | \$0                             | \$0                      | \$4,883              | \$16,712            | \$6,222                  | \$0                | \$0                                | \$5,210                | \$0                 | \$38,368     |

**Pari-Mutuel Wagering for May 2023**

Select Period - Month  
May 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

**On-Track Wagers on Historical Horse Racing**

|                               | Licensee / Facility            |                 |                          |                     |               |   |                   |              |                      | Grand Total   |
|-------------------------------|--------------------------------|-----------------|--------------------------|---------------------|---------------|---|-------------------|--------------|----------------------|---------------|
|                               | Churchill Downs Racetrack, LLC | ECL Corbin, LLC | Ellis Entertainment, LLC | Kentucky Downs, LLC |               | Lexington Trots Breeders Association, LLC | Turfway Park, LLC |              | WKY Development, LLC |               |
|                               | Derby City Gaming              | Williamsburg    | Henderson                | Bowling Green       | Franklin      | Red Mile                                  | Newport           | Turfway Park | Oak Grove            |               |
| On-Track Handle               | \$190,524,005                  | \$37,713,476    | \$22,468,648             | \$40,224,848        | \$149,857,645 | \$78,510,817                              | \$26,586,626      | \$52,519,586 | \$146,244,940        | \$744,650,591 |
| Return to Public              | \$173,209,225                  | \$33,863,740    | \$20,316,613             | \$36,447,254        | \$136,858,757 | \$71,975,279                              | \$23,942,490      | \$47,473,368 | \$133,092,906        | \$677,179,631 |
| Pool Growth                   | \$135,689                      | \$142,616       | \$54,345                 | \$60,459            | \$132,391     | (\$234,197)                               | \$159,813         | (\$10,344)   | \$139,560            | \$580,332     |
| Breakage                      | \$0                            | \$617           | \$402                    | \$295               | \$6,923       | \$7,205                                   | \$0               | \$0          | \$0                  | \$15,442      |
| Gross Commission - Win        | \$17,179,091                   | \$3,706,502     | \$2,097,288              | \$3,716,840         | \$12,859,575  | \$6,762,532                               | \$2,484,323       | \$5,056,562  | \$13,012,475         | \$66,875,188  |
| Excise Tax - HHR              | \$2,857,860                    | \$565,702       | \$337,030                | \$603,373           | \$2,247,865   | \$1,177,662                               | \$398,799         | \$787,794    | \$2,193,674          | \$11,169,759  |
| Standardbred Development Fund | \$0                            | \$377,135       | \$0                      | \$0                 | \$0           | \$392,554                                 | \$0               | \$0          | \$731,225            | \$1,500,914   |
| Thoroughbred Development Fund | \$1,428,930                    | \$0             | \$168,515                | \$301,686           | \$1,123,932   | \$294,416                                 | \$199,400         | \$393,897    | \$548,419            | \$4,459,194   |
| General Fund and Other        | \$1,428,930                    | \$188,567       | \$168,515                | \$301,686           | \$1,123,932   | \$490,693                                 | \$199,400         | \$393,897    | \$914,031            | \$5,209,651   |
| Adjusted Commission - Win     | \$14,321,231                   | \$3,140,800     | \$1,760,259              | \$3,113,467         | \$10,611,710  | \$5,584,870                               | \$2,085,523       | \$4,268,768  | \$10,818,801         | \$55,705,429  |
| Average Terminal Count        | 1,293                          | 447             | 295                      | 447                 | 1,041         | 926                                       | 458               | 842          | 1,232                | 6,980         |
| Adj. Commission-Win/Unit      | \$11,077                       | \$7,029         | \$5,973                  | \$6,972             | \$10,196      | \$6,033                                   | \$4,553           | \$5,070      | \$8,779              | \$7,981       |

**Advance Deposit Account Wagering**

|                     | Licensee             |                   |                   |             |              |              |                   |             |              | Grand Total |
|---------------------|----------------------|-------------------|-------------------|-------------|--------------|--------------|-------------------|-------------|--------------|-------------|
|                     | AmWest Entertainment | eBet Technologies | Lien Games Racing | NYRABets    | TVG          | Twinspires   | WatchandWager.com | Xpressbet   |              |             |
| Total Handle        | \$113,330            | \$53,508          | \$146,682         | \$2,015,503 | \$20,157,965 | \$50,050,924 | \$29,414          | \$5,621,854 | \$78,189,179 |             |
| In-State Races      | \$0                  | \$12,510          | \$0               | \$911,563   | \$10,471,049 | \$34,149,070 | \$13,363          | \$3,130,806 | \$48,688,360 |             |
| Out-of-State Races  | \$113,330            | \$40,998          | \$146,682         | \$1,103,940 | \$9,686,916  | \$15,901,854 | \$16,051          | \$2,491,048 | \$29,500,818 |             |
| Excise Tax - ADW    | \$1,700              | \$803             | \$2,200           | \$30,233    | \$302,369    | \$750,764    | \$441             | \$84,328    | \$1,172,838  |             |
| Host Track - Purses | \$722                | \$341             | \$935             | \$12,849    | \$128,507    | \$319,075    | \$188             | \$35,839    | \$498,456    |             |
| Host Tracks         | \$722                | \$341             | \$935             | \$12,849    | \$128,507    | \$319,075    | \$188             | \$35,839    | \$498,456    |             |
| General Fund        | \$255                | \$120             | \$330             | \$4,535     | \$45,355     | \$112,615    | \$66              | \$12,649    | \$175,926    |             |

**Total Distributions by Account**

The General Fund line includes amounts that are deposited to various accounts. These caps are calculated from deposits resulting from the excise tax for conducting pari-mutuel wagering on historical horse racing. Since these amounts are calculated as a whole and not per licensee, a one-time transfer will be made once the caps are met within the fiscal year. At the end of the fiscal year, approximately \$2M must be deducted from this line in order to determine the actual amount retained by the General Fund. Please contact the Department of Revenue with any questions regarding these transfers.

|                                   |              |
|-----------------------------------|--------------|
| Total Excise Tax                  | \$13,115,608 |
| Equine Drug Research              | \$46,418     |
| Equine Industry Program           | \$85,163     |
| Higher Education Program          | \$46,418     |
| K. Standardbred Development Fund  | \$1,503,176  |
| K. Thoroughbred Development Fund  | \$4,868,636  |
| K. Quarter Horse Development Fund | \$573        |
| Host Track - Purses               | \$498,456    |
| Host Tracks                       | \$498,456    |
| General Fund (See Note on Caps)   | \$5,568,312  |
| Backside Improvement Fund         | \$206,128    |

Pari-Mutuel Wagering for FY 2023 (YTD)

Select Period - Fiscal Year  
FY 2023

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On-Track Wagers on Live Horse Racing

|                                | Licensee / Facility            |                                 |                          |                          |                             |                          |   |                                    |                        |                      | Grand Total   |
|--------------------------------|--------------------------------|---------------------------------|--------------------------|--------------------------|-----------------------------|--------------------------|---|------------------------------------|------------------------|----------------------|---------------|
|                                | Churchill Downs Racetrack, LLC | Louisville Thoroughbred Society | ECL Corbin, LLC          | Ellis Entertainment, LLC | Keeneland Association, Inc. | Kentucky Downs, LLC      | Lexington Trots Breeders Association, LLC | Revolutionary Racing Kentucky, LLC | Turfway Park, LLC      | WKY Development, LLC |               |
|                                | Churchill Downs Racetrack      | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack     | Keeneland Racetrack         | Kentucky Downs Racetrack | Red Mile Racetrack                        | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack  |               |
| Race Dates                     | 58                             | 0                               | 17                       | 23                       | 34                          | 8                        | 29  | 6                                  | 66                     | 22                   | 263           |
| On-Track Handle                | \$52,944,970                   |                                 | \$93,591                 | \$2,606,060              | \$52,063,022                | \$1,530,499              | \$1,049,495                               | \$81,975                           | \$3,929,472            | \$153,361            | \$114,452,446 |
| Return to Public               | \$38,852,487                   |                                 | \$69,321                 | \$1,937,371              | \$39,198,499                | \$1,246,116              | \$896,387                                 | \$60,152                           | \$2,857,752            | \$106,010            | \$85,224,095  |
| Commission                     | \$10,142,041                   |                                 | \$21,408                 | \$505,474                | \$9,497,926                 | \$261,371                | \$235,866                                 | \$14,208                           | \$759,189              | \$32,709             | \$21,470,191  |
| Settlement                     | \$3,915,813                    |                                 | \$3,958                  | \$158,430                | \$3,334,042                 | \$22,328                 | (\$71,815)                                | \$7,558                            | \$309,899              | \$14,324             | \$7,694,538   |
| Breakage                       | \$42,960                       |                                 | \$73                     | \$5,449                  | \$38,240                    | \$1,263                  | \$664                                     | \$87                               | \$2,674                | \$424                | \$91,854      |
| Minus Pools                    | (\$8,331)                      |                                 | (\$1,169)                | (\$664)                  | (\$5,686)                   | (\$598)                  | (\$11,606)                                | (\$30)                             | (\$42)                 | (\$106)              | (\$28,232)    |
| Daily Average Live Handle      | \$912,844                      |                                 | \$5,505                  | \$113,307                | \$1,531,265                 | \$191,312                | \$36,189                                  | \$13,863                           | \$59,537               | \$6,971              | \$435,180     |
| Backside Improvement Fund      | \$264,725                      |                                 | \$0                      | \$13,030                 | \$260,315                   | \$7,652                  | \$0                                       | \$0                                | \$19,647               | \$0                  | \$565,370     |
| Excise Tax                     | \$794,175                      |                                 | \$1,404                  | \$39,091                 | \$467,930                   | \$22,957                 | \$15,742                                  | \$1,230                            | \$58,942               | \$2,300              | \$1,403,771   |
| Thoroughbred Development Fund  | \$397,087                      | \$0                             | \$0                      | \$19,545                 | \$233,965                   | \$11,479                 | \$0                                       | \$0                                | \$29,471               | \$0                  | \$691,547     |
| Standardbred Development Fund  | \$0                            |                                 | \$936                    | \$0                      | \$0                         | \$0                      | \$10,495                                  | \$0                                | \$0                    | \$1,534              | \$12,964      |
| Quarter Horse Development Fund | \$0                            |                                 | \$0                      | \$0                      | \$0                         | \$0                      | \$0                                       | \$820                              | \$0                    | \$0                  | \$820         |
| Equine Drug Research           | \$52,945                       |                                 | \$94                     | \$2,606                  | \$31,195                    | \$1,530                  | \$1,049                                   | \$82                               | \$3,929                | \$153                | \$93,585      |
| Higher Ed Equine Trust         | \$52,945                       |                                 | \$94                     | \$2,606                  | \$31,195                    | \$1,530                  | \$1,049                                   | \$82                               | \$3,929                | \$153                | \$93,585      |
| Equine Industry Programs       | \$105,890                      |                                 | \$187                    | \$5,212                  | \$82,391                    | \$3,061                  | \$2,099                                   | \$164                              | \$7,859                | \$307                | \$187,169     |
| General Fund                   | \$185,307                      |                                 | \$94                     | \$9,121                  | \$109,184                   | \$5,357                  | \$1,049                                   | \$82                               | \$13,753               | \$153                | \$324,101     |

Simulcast Wagers on Interstate and Intertrack Live Horse Racing

|                                | Churchill Downs Racetrack | Louisville Thoroughbred Society | Cumberland Run Racetrack | Ellis Park Racetrack | Keeneland Racetrack | Kentucky Downs Racetrack | Red Mile Racetrack | Revolutionary Racing Kentucky, LLC | Turfway Park Racetrack | Oak Grove Racetrack | Grand Total  |
|--------------------------------|---------------------------|---------------------------------|--------------------------|----------------------|---------------------|--------------------------|--------------------|------------------------------------|------------------------|---------------------|--------------|
| Off-Track Handle (Simulcast)   | \$18,732,838              | \$230,292                       | \$655,454                | \$10,228,442         | \$25,864,814        | \$11,507,788             | \$14,527,081       | \$0                                | \$9,179,722            | \$1,991,566         | \$92,917,968 |
| Thoroughbred                   | \$18,245,110              | \$224,150                       | \$622,066                | \$9,431,456          | \$25,810,380        | \$10,552,568             | \$458              | \$0                                | \$8,840,917            | \$1,638,933         | \$75,366,038 |
| Standardbred                   | \$383,578                 | \$3,585                         | \$28,226                 | \$757,388            | \$0                 | \$755,743                | \$14,380,883       | \$0                                | \$249,034              | \$325,603           | \$16,884,038 |
| All Other Breeds               | \$104,151                 | \$2,558                         | \$5,163                  | \$39,599             | \$54,434            | \$199,478                | \$145,741          | \$0                                | \$89,771               | \$27,029            | \$667,922    |
| Excise Tax - Simulcast         | \$312,377                 | \$0                             | \$0                      | \$169,436            | \$424,438           | \$194,715                | \$0                | \$0                                | \$145,712              | \$0                 | \$1,246,678  |
| Thoroughbred Development Fund  | \$202,801                 | \$0                             | \$0                      | \$103,990            | \$282,309           | \$119,152                | \$0                | \$0                                | \$93,530               | \$0                 | \$801,782    |
| Standardbred Development Fund  | \$4,304                   | \$0                             | \$0                      | \$8,550              | \$0                 | \$8,516                  | \$0                | \$0                                | \$2,651                | \$0                 | \$24,021     |
| Quarter Horse Development Fund | \$1,147                   | \$0                             | \$0                      | \$417                | \$650               | \$2,141                  | \$0                | \$0                                | \$961                  | \$0                 | \$5,316      |
| Equine Drug Research           | \$10,413                  | \$0                             | \$0                      | \$5,848              | \$14,148            | \$6,490                  | \$0                | \$0                                | \$4,857                | \$0                 | \$41,556     |
| Higher Education Equine Trust  | \$10,413                  | \$0                             | \$0                      | \$5,848              | \$14,148            | \$6,490                  | \$0                | \$0                                | \$4,857                | \$0                 | \$41,556     |
| Equine Industry Programs       | \$5,206                   | \$0                             | \$0                      | \$2,824              | \$7,074             | \$3,245                  | \$0                | \$0                                | \$2,429                | \$0                 | \$20,778     |
| General Fund                   | \$78,094                  | \$0                             | \$0                      | \$42,359             | \$106,109           | \$48,679                 | \$0                | \$0                                | \$36,428               | \$0                 | \$311,669    |

**Pari-Mutuel Wagering for FY 2023 (YTD)**

Select Period - Fiscal Year  
FY 2023

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE.

**On-Track Wagers on Historical Horse Racing**

|                                  | Licensee / Facility            |                 |                          |                     |                 |   |                   |               |                      | Grand Total     |
|----------------------------------|--------------------------------|-----------------|--------------------------|---------------------|-----------------|---|-------------------|---------------|----------------------|-----------------|
|                                  | Churchill Downs Racetrack, LLC | ECL Corbin, LLC | Ellis Entertainment, LLC | Kentucky Downs, LLC |                 | Lexington Trots Breeders Association, LLC | Turfway Park, LLC |               | WKY Development, LLC |                 |
|                                  | Derby City Gaming              | Williamsburg    | Henderson                | Bowling Green       | Franklin        | Red Mile                                  | Newport           | Turfway Park  | Oak Grove            |                 |
| On-Track Handle                  | \$1,942,926,068                | \$289,804,171   | \$207,160,039            | \$421,665,514       | \$1,640,762,750 | \$768,885,915                             | \$292,717,299     | \$400,778,052 | \$1,511,971,788      | \$7,476,671,593 |
| Return to Public                 | \$1,766,708,141                | \$259,106,406   | \$188,322,876            | \$381,579,935       | \$1,497,679,573 | \$702,596,748                             | \$264,259,916     | \$360,853,260 | \$1,378,293,994      | \$6,799,400,848 |
| Pool Growth                      | \$1,426,088                    | \$2,112,286     | \$451,767                | \$786,787           | \$2,187,324     | \$412,292                                 | \$1,007,864       | \$1,212,281   | \$447,426            | \$10,044,116    |
| Breakage                         | \$0                            | \$5,602         | \$20,679                 | \$3,835             | \$65,560        | \$106,196                                 | \$0               | \$0           | \$0                  | \$201,871       |
| Gross Commission - Win           | \$174,791,837                  | \$28,579,877    | \$18,364,718             | \$39,294,957        | \$140,830,293   | \$65,770,694                              | \$27,449,519      | \$38,712,512  | \$133,230,370        | \$667,024,777   |
| Excise Tax - HHR                 | \$29,143,891                   | \$4,347,063     | \$3,107,401              | \$6,324,983         | \$24,611,441    | \$11,533,289                              | \$4,390,759       | \$6,011,671   | \$22,679,577         | \$112,150,074   |
| Standardbred Development Fund    | \$0                            | \$2,898,042     | \$0                      | \$0                 | \$0             | \$3,844,430                               | \$0               | \$0           | \$7,559,859          | \$14,302,330    |
| Thoroughbred Development Fund    | \$14,571,945                   | \$0             | \$1,553,700              | \$3,162,491         | \$12,305,721    | \$2,883,322                               | \$2,195,380       | \$3,005,835   | \$5,869,894          | \$45,348,289    |
| General Fund and Other           | \$14,571,945                   | \$1,449,021     | \$1,553,700              | \$3,162,491         | \$12,305,721    | \$4,805,537                               | \$2,195,380       | \$3,005,835   | \$9,449,824          | \$52,499,454    |
| Adjusted Commission - Win        | \$145,647,946                  | \$24,232,815    | \$15,257,317             | \$32,969,974        | \$116,218,852   | \$54,237,406                              | \$23,058,759      | \$32,700,841  | \$110,550,793        | \$554,874,703   |
| Average Adj. Commission-Win/Unit | \$11.483                       | \$6,017         | \$4,500                  | \$6,697             | \$10,120        | \$5,564                                   | \$4,629           | \$4,367       | \$7,787              | \$7,609         |

**Advance Deposit Account Wagering**

|                     | Licensee             |                   |                   |              |               |               |                   |              |               | Grand Total |
|---------------------|----------------------|-------------------|-------------------|--------------|---------------|---------------|-------------------|--------------|---------------|-------------|
|                     | AmWest Entertainment | eBet Technologies | Lien Games Racing | NYRABets     | TVG           | Twinspires    | WatchandWager.com | Xpressbet    |               |             |
| Total Handle        | \$2,321,563          | \$547,884         | \$1,291,843       | \$11,932,020 | \$107,844,670 | \$204,373,082 | \$416,523         | \$36,523,163 | \$365,250,749 |             |
| In-State Races      | \$213,602            | \$68,300          | \$60,796          | \$2,914,717  | \$29,191,121  | \$76,804,390  | \$108,862         | \$11,816,197 | \$121,177,994 |             |
| Out-of-State Races  | \$2,107,961          | \$479,585         | \$1,231,047       | \$9,017,304  | \$78,653,548  | \$127,568,693 | \$307,661         | \$24,706,966 | \$244,072,765 |             |
| Excise Tax - ADW    | \$32,676             | \$7,636           | \$18,108          | \$165,400    | \$1,516,959   | \$2,880,879   | \$5,698           | \$515,034    | \$5,142,389   |             |
| Host Track - Purses | \$13,887             | \$3,245           | \$7,696           | \$70,295     | \$644,707     | \$1,224,374   | \$2,421           | \$218,889    | \$2,185,515   |             |
| Host Tracks         | \$13,887             | \$3,245           | \$7,696           | \$70,295     | \$644,707     | \$1,224,374   | \$2,421           | \$218,889    | \$2,185,515   |             |
| General Fund        | \$4,901              | \$1,145           | \$2,716           | \$24,810     | \$227,544     | \$432,132     | \$855             | \$77,255     | \$771,358     |             |

**Total Distributions by Account**

The General Fund line includes amounts that are deposited to various accounts. These caps are calculated from deposits resulting from the excise tax for conducting pari-mutuel wagering on historical horse racing. Since these amounts are calculated as a whole and not per licensee, a one-time transfer will be made once the caps are met within the fiscal year. At the end of the fiscal year, approximately \$2M must be deducted from this line in order to determine the actual amount retained by the General Fund. Please contact the Department of Revenue with any questions regarding these transfers.

|                                   |               |
|-----------------------------------|---------------|
| <b>Total Excise Tax</b>           | \$119,942,912 |
| Equine Drug Research              | \$135,141     |
| Equine Industry Program           | \$207,947     |
| Higher Education Program          | \$135,141     |
| K. Standardbred Development Fund  | \$14,339,316  |
| K. Thoroughbred Development Fund  | \$46,841,619  |
| K. Quarter Horse Development Fund | \$6,136       |
| Host Track - Purses               | \$2,185,515   |
| Host Tracks                       | \$2,185,515   |
| General Fund (See Note on Caps)   | \$53,906,583  |
| Backside Improvement Fund         | \$565,370     |