

KENTUCKY HORSE RACING COMMISSION

December 8, 2020

AGENDA

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

Time: 1:30 pm

I. Call to Order and Roll Call

II. New Business

1. Minutes from October 20, 2020
2. 2021 Meeting Schedule and Calendar
3. 2021 Kentucky Sire Stakes Purse Distributions, Stallion Bonus Program and Race Dates
4. Kentucky County Fairs: Release of Uncashed Ticket Money for Purse Distributions
5. Transfer of Funds to the Kentucky Racing Health & Welfare Fund
6. Requested Approval of Advance Deposit Account Wagering Licenses for 2021
7. Requested Approval of Totalizator Licenses for 2021
8. Ratification of Executive Director Approval of Oak Grove's Revised 2020 Race Dates
9. Ratification of Executive Director Approval of Request from Churchill Downs to Convert Noncontiguous Track Extension Facility into Simulcast Facility
10. Turfway Park's Request to Modify Race Dates for the 2021 Winter Spring Meet
11. Proposed Amendments to 811 KAR 2:120
12. Proposed Withdrawal Requirements for Administration of Clenbuterol

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

III. Executive Session

During the meeting on December 8, 2020, the Commission will go into closed session pursuant to KRS 61.810(1) (C) to discuss pending litigation

IV. Adjournment

KENTUCKY HORSE RACING COMMISSION
MINUTES OF THE MEETING

Date: October 20, 2020 at 1:30 PM

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

Members Present: Chairman Jonathan Rabinowitz; Vice-Chairman Frank Jones, Jr.; Commissioner J. Gatewood Bell, Jr.; Commissioner Kerry T. Cauthen; Commissioner Naveed Chowhan, M.D.; Commissioner Douglas A. Hendrickson; Commissioner Lesley Ann May Howard; Commissioner Kenneth A. Jackson; Commissioner Franklin S. Kling, Jr.; Commissioner Alan J. Leavitt; Commissioner Foster Northrop, DVM; Commissioner Charles O'Connor; Commissioner Tom Riddle, DVM; Commissioner Mark Simendinger; and Commissioner James Edwin Worley

Ex-officio Members Present: Secretary Kerry B. Harvey, Public Protection Cabinet; Charlie Rowland, Executive Legal Advisor, Kentucky Cabinet for Economic Development; and Secretary Mike Berry, Kentucky Tourism, Arts and Heritage Cabinet

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

Others Participating: Dr. Allen Page, Gluck Equine Research Center

<i>AGENDA ITEM</i>	<i>TRANSCRIPT PAGE NUMBER(S)</i>	<i>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
I. Call to Order and Roll Call	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.
	5 – 6	Chairman Rabinowitz made an announcement concerning the recent Supreme Court Opinion regarding <i>Family Foundation v. KHRC</i> .	

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
II. New Business Tab 1 KHRC Meeting Minutes of August 18, 2020	6 – 71 6 – 7	<p>Chairman Rabinowitz requested a motion from the Commission to address the request submitted by the KHRC staff to approve the proposed minutes of the KHRC meeting of August 18, 2020. Motion by Commissioner Kling. Second by Commissioner O'Connor.</p> <p>Approval of the proposed minutes was recommended by KHRC staff.</p>	<p>Chairman Rabinowitz called for a vote to approve the proposed minutes of the August 18, 2020 KHRC meeting as presented. Motion carried with no abstentions or objections.</p>
Tab 2 Churchill Downs Racetrack, LLC's 2020 Fall Meet Proposed KTDF Purses and Proposed Purse Structure	7 – 8	<p>Chairman Rabinowitz requested a motion from the Commission to address the recommendation of the Kentucky Thoroughbred Development Fund advisory committee ("KTDF advisory committee") to approve the proposed KTDF purses and proposed purse structure for Churchill Downs Racetrack, LLC's 2020 fall meet. Motion by Commissioner Leavitt. Second by Vice-Chairman Jones.</p> <p>Ms. Eads presented Churchill Downs' request dated October 2, 2020 as outlined in the agenda materials. At its October 6, 2020 meeting, the KTDF advisory committee considered and approved recommendation of Churchill Downs' request.</p> <p>Approval of the KTDF advisory committee's recommendation was recommended by KHRC staff.</p>	<p>Chairman Rabinowitz called for a vote to approve the KTDF advisory committee's recommendation to approve the proposed KTDF purses and proposed purse structure for Churchill Downs' Racetrack, LLC's 2020 fall meet. Motion carried with no objections or abstentions.</p>
Tab 3 Turfway Park, LLC's 2020 Holiday & 2021 Winter/Spring Meet Proposed KTDF Purses and Proposed Purse Structure	9 – 10	<p>Chairman Rabinowitz requested a motion from the Commission to address the recommendation of the KTDF advisory committee to approve the proposed KTDF purses and the proposed purse structure for Turfway Park, LLC's 2020 holiday meet and 2021 winter/spring meet. Motion by Commissioner Simendinger. Second by Vice-Chairman Jones.</p>	<p>Chairman Rabinowitz called for a vote to approve the KTDF advisory committee's recommendation to approve the proposed KTDF purses and</p>

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
		<p>Ms. Eads presented Turfway Park's request dated October 2, 2020 as outlined in the agenda materials. At its October 6, 2020 meeting, the KTDF advisory committee considered and approved recommendation of Turfway Park's request.</p> <p>Approval of the KTDF advisory committee's recommendation was recommended by KHRC staff.</p>	<p>proposed purse structure for Turfway Park, LLC's 2020 holiday meet and 2021 winter/spring meet. Motion carried with no objections or abstentions.</p>
<p>Tab 4 Ratification of Executive Director's Approval of Keeneland Association, Inc.'s Backside Improvement Fund Request</p>	<p>11 – 12</p>	<p>Chairman Rabinowitz requested a motion from the Commission to address ratification of the Executive Director's conditional approval of the request submitted by Keeneland Association, Inc. to approve the proposed backside improvement fund expenditure of \$180,154.67. Motion by Commissioner Simendinger. Second by Commissioner Leavitt.</p> <p>Ms. Eads presented Keeneland's request dated August 25, 2020 as outlined in the agenda materials. KHRC staff has inspected the area and confirms the projects fulfill the statutory requirement. Pursuant to KRS 230.230(1), Mr. Guilfoil granted conditional approval of Keeneland's request.</p> <p>Ratification of the Executive Director's conditional approval was recommended by KHRC staff.</p>	<p>Chairman Rabinowitz called for a vote to ratify the Executive Director's conditional approval as presented. Motion carried with no objections or abstentions.</p>
<p>Tab 5 Conditions of Racing Association Licensing for 2021</p>	<p>12 – 14</p>	<p>Chairman Rabinowitz requested a motion from the Commission to address the request submitted by the KHRC staff to approve the proposed conditions of racing association licensing for 2021. Motion by Commissioner Leavitt. Second by Commissioner O'Connor.</p> <p>Ms. Wolsing presented the proposed conditions of racing association licensing for 2021 as outlined in the agenda materials.</p>	<p>Chairman Rabinowitz called for a vote to approve the proposed conditions of racing association licensing for 2021 as presented. Motion carried with no</p>

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
		Approval of the KHRC staff's request was recommended by KHRC staff.	objections or abstentions.
Tab 6 Licenses to Conduct Live Horse Racing, Simulcasting, and Pari-Mutuel Wagering for 2021	<p>14 – 23</p> <p>14 – 15</p> <p>15 – 16</p> <p>16 – 17</p> <p>17</p>	<p>Chairman Rabinowitz requested a motion from the Commission to address the request submitted by the racing associations to approve the proposed applications for license to conduct live horse racing, simulcasting, and pari-mutuel wagering for 2021. Motion by Commissioner Northrop. Second by Commissioner Chowhan.</p> <p>Mr. Thompson presented the racing associations' proposed applications for license to conduct live horse racing, simulcasting, and pari-mutuel wagering for 2021 as outlined in the agenda materials. At its October 20, 2020 meeting, which occurred prior to this meeting, the KHRC Race Dates Committee approved recommendation of each of the racing associations' requests, subject to the conditions outlined in the agenda materials.</p> <p>The Race Dates Committee and KHRC staff recommended approval of the requested race dates and schedule of simulcast signals for the year 2021 for Churchill Downs as presented.</p> <p>The Race Dates Committee and KHRC staff recommended approval of the requested race dates for the year 2021 submitted by ECL Corbin as presented and contingent upon its approval of ECL Corbin's license application. He noted that ECL Corbin has not yet submitted a schedule for simulcast signals for the year 2021.</p> <p>The Race Dates Committee and KHRC staff recommended approval of the requested race dates and schedule of simulcast signals for the year 2021 submitted by Ellis Park as presented.</p>	<p>Chairman Rabinowitz called for a vote to approve the proposed applications for license to conduct live horse racing, simulcasting, and pari-mutuel wagering for 2021, subject to the conditions recommended by the KHRC staff for Churchill Downs Racetrack, LLC, ECL Corbin, LLC, Ellis Entertainment, LLC, Keeneland Association, Inc., Kentucky Downs, LLC, Lexington Trots Breeders Association, LLC d/b/a Red Mile, Turfway Park, LLC, and WKY Development LLC d/b/a Oak Grove Racing, Gaming and Hotel. Motion carried with no objections or abstentions.</p>

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	17 – 18	The Race Dates Committee and KHRC staff recommended approval of the requested race dates and schedule of simulcast signals for the year 2021 submitted by Keeneland as presented.	
	18	The Race Dates Committee and KHRC staff recommended approval of the request race dates and schedule of simulcast signals for the year 2021 submitted by Oak Grove as presented.	
	18 – 19	The Race Dates Committee and KHRC staff recommended approval of the request race dates and schedule of simulcast signals for the year 2021 submitted by the Red Mile as presented.	
	19	The Race Dates Committee and KHRC staff recommended approval of the request race dates and schedule of simulcast signals for the year 2021 submitted by Turfway Park as presented.	
	19	Mr. Thompson noted that the association license applications were available for review at the KHRC office.	
	20 - 21	Mr. Thompson answered questions from the Commissioners.	
Tab 7 Calendar of Race Dates and Host Status for 2021	23 – 25	<p>Chairman Rabinowitz requested a motion from the Commission to address the recommendation of the KHRC Race Dates Committee to approve the proposed calendar of race dates and host status for 2021. Motion by Commissioner Bell. Second by Commissioner Leavitt.</p> <p>Ms. Nash presented the Race Dates Committee’s recommendation to approve the proposed calendar of race dates and host status for 2021 as outlined in the agenda materials. Following the racetracks’ resolution of overlapping race dates and host track status requests, the racetracks agreed to the proposed calendar.</p>	Chairman Rabinowitz called for a vote to approve the recommendation of the KHRC’s Race Dates Committee to approve the proposed calendar of race dates and host status for 2021 as presented. Motion carried with no

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	31 – 35	<p>Chairman Rabinowitz requested a motion from the Commission to address the recommendation submitted by the KHRC’s Rules Committee to approve the proposed amendments to 810 KAR 4:030. Motion by Commissioner Leavitt. Second by Commissioner Chowhan.</p> <p>Ms. Wolsing presented the proposed amendments to 810 KAR 4:030 as outlined in the agenda materials. At its September 29, 2020 meeting, the KHRC Rules Committee approved recommendation of the proposed amendments to 810 KAR 4:030.</p> <p>Approval of the Race Dates Committee’s recommendation was recommended by KHRC staff.</p>	<p>Chairman Rabinowitz called for a vote to approve the recommendation of the KHRC Rules Committee to approve the proposed amendments to 810 KAR 4:030 as presented. Motion carried with no objections or abstentions.</p>
	35	<p>Chairman Rabinowitz announced that after speaking with Commissioners Simendinger and Jones, consideration of the proposed amendments to 810 KAR 4:060, section 4(1)(c) was deferred in order to allow the Rules Committee the opportunity to further discuss the potential amendments.</p>	<p>No action taken.</p>
	35 – 38	<p>Chairman Rabinowitz requested a motion from the Commission to address the recommendation submitted by the KHRC’s Rules Committee to approve the proposed amendments to 810 KAR 8:060. Motion by Commissioner Worley. Second by Commissioner Bell.</p> <p>Ms. Wolsing presented the proposed amendments to 810 KAR 8:060 as outlined in the agenda materials. At its September 29, 2020 meeting, the KHRC Rules Committee approved recommendation of the proposed amendments to 810 KAR 8:060.</p>	<p>Chairman Rabinowitz called for a vote to approve the recommendation of the KHRC Rules Committee to approve the proposed amendments to 810 KAR 8:060 as presented. Motion carried with no</p>

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		Approval of the Race Dates Committee's recommendation was recommended by KHRC staff.	objections or abstentions.
<p>Tab 9 Churchill Downs' Request to Establish a Simulcast Facility in Louisville, KY</p>	38 – 42	<p>Chairman Rabinowitz requested a motion from the Commission to address the request submitted by Churchill Downs Racetrack, LLC, to approve a proposed amendment to section S of their 2021 application for license to conduct live horse racing, simulcasting, and pari-mutuel wagering. Motion by Commissioner Hendrickson. Second by Commissioner O'Connor.</p> <p>Mr. Thompson presented the request by Churchill Downs dated September 10, 2020 as outlined in the agenda materials.</p> <p>Approval is recommended by KHRC staff contingent upon the KHRC's receipt of completed acceptable background checks for each of the Louisville Thoroughbred Society's principals.</p>	<p>Chairman Rabinowitz called for a vote to approve the proposed amendment to Section S of Churchill Downs' 2021 application for license to conduct live horse racing, simulcasting, and pari-mutuel wagering to add a non-contiguous leased facility at the Louisville Thoroughbred Society and to offer simulcast pari-mutuel wagering at the leased facility, contingent upon the Commission receiving and the KHRC staff approving completed acceptable background checks on 3 Louisville Thoroughbred Society principals and reviewing and approving any and all service provider agreements. Motion carried with no</p>

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			objections or abstentions.
Tab 10 Turfway Park's Request to Amend Section R of their 2020 Application to Shift Race Dates and Post Times for their 2020 Holiday Meet	42	Chairman Rabinowitz announced that item 10 was struck, as Turfway Park had decided to keep their original dates.	No action taken.
Tab 11 Keeneland Association's Request to Offer Special Doubles Wager for 2020 Breeders' Cup	42 – 44	<p>Chairman Rabinowitz requested a motion from the Commission to address the request submitted by Keeneland Association, Inc. to amend Section R of its 2020 application for license to conduct live horse racing, simulcasting, and pari-mutuel wagering. Motion by Commissioner Cauthen. Second by Commissioner O'Connor.</p> <p>Mr. Ahmed presented the request by Keeneland Association, Inc. dated September 22, 2020 as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	Chairman Rabinowitz called for a vote to approve the request submitted by Keeneland Association, Inc. to offer Special Double Number 1, Number 2, and Number 3 on November 6 and 7 to accommodate unique wagers associated with 2020 Breeders' Cup World Championship. Motion carried with no objections or abstentions.
Tab 12 Consideration of Funding Exercise Inducted Pulmonary Hemorrhage Endoscopic Study	44 – 49	Chairman Rabinowitz requested a motion from the Commission to address the recommendation of the Equine Drug Research Council ("EDRC") to approve up to \$30,000 in EDRC funding for a scoping study in conjunction with ongoing EIPH research. Motion by Commissioner Simendinger. Second by Commissioner O'Connor.	Chairman Rabinowitz called for a vote to approve the recommendation of the EDRC to approve up to \$30,000 in EDRC funding for ongoing EIPH

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		<p>Dr. Howard presented the recommendation of the EDRC as outlined in the agenda materials and answered questions from Commissioners. At its October 9, 2020 meeting, the EDRC unanimously approved funding of this project, not to exceed \$30,000.</p> <p>Approval was recommended by KHRC staff.</p>	<p>research. Motion carried with no objections or abstentions.</p>
<p>Tab 13 Presentation – Update on Research Study of Inflammation in Catastrophically Injured Thoroughbreds</p>	<p>49 – 63</p>	<p>Dr. Page made a presentation update on research study of inflammation in catastrophically injured thoroughbreds as outlined in the agenda materials and answered questions from Commissioners.</p>	<p>Informational item only. No action taken.</p>
<p>Tab 14 Turfway Park’s 2020 Holiday Meet & 2021 Winter Spring Meet Race Officials & Date Preference System</p>	<p>63 – 64</p>	<p>Chairman Rabinowitz requested a motion from the Commission to address the request submitted by Turfway Park, LLC to approve the proposed roster of racing officials and date preference system for the 2020 Holiday Meet and 2021 Winter/Spring Meet. Motion by Commissioner Simendinger. Second by Commissioner Northrop.</p> <p>Ms. Borden presented Turfway Park’s request dated September 29, 2020 as outlined in the agenda materials. All listed officials are ROAP accredited and have previously performed the duties for which they are listed and will be licensed before the meet opening.</p> <p>Approval was recommended by KHRC staff</p>	<p>Chairman Rabinowitz called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>
<p>Tab 15 Reports a. Thoroughbred Rulings</p>	<p>64 – 71 65 65 – 66</p>	<p>a. Ms. Borden presented the thoroughbred rulings reports as outlined in the agenda materials.</p> <p>b. Mr. Guilfoil presented the Standardbred rulings report as outlined in the agenda materials.</p>	<p>No action taken. Informational items only.</p>

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<p>b. Standardbred Rulings</p> <p>c. Veterinary Division Report</p> <p>d. Pari-Mutuel Wagering Division Report</p> <p>e. Litigation and Regulations</p>	<p>66 –69</p> <p>69 – 71</p> <p>71</p>	<p>c. Drs. Smith and Howard presented the veterinary division reports as outlined in the agenda materials and answered questions from the Commissioners.</p> <p>d. Mr. Ahmed presented the pari-mutuel wagering division report as outlined in the agenda materials.</p> <p>e. Litigation and Regulation report is for informational purposes only.</p>	
<p>III. Executive Session</p> <p>During the meeting on October 20, 2020 the Commission will go into closed session pursuant to KRS 61.810(1)(c) to discuss pending litigation</p>	<p>71 – 75</p> <p>71 – 72</p> <p>72</p>	<p>Chairman Rabinowitz requested a motion from the Commission to convene in closed session to discuss proposed or pending litigation against or on behalf of the agency as permitted by KRS Chapter 61.810(1)(c). Motion by Commissioner Kling. Second by Commissioner Hendrickson.</p> <p style="text-align: center;"><u>EXECUTIVE SESSION</u></p> <p>Chairman Rabinowitz requested a motion from the Commission to reconvene in open session. Motion by Commissioner Kling. Second by Commissioner Chowhan.</p> <p style="text-align: center;"><u>RECONVENED TO OPEN SESSION</u></p>	<p>Chairman Rabinowitz called for a vote for the Commission to convene in closed session. Motion carried with no objections or abstentions.</p> <p>Chairman Rabinowitz called for a vote for the Commission to reconvene in open session. Motion carried with no objections or abstentions.</p>
<p>IV. Other Business</p> <p>Final Orders Regarding <i>Bray & Royal v. KHRC, KHRC-19-TB-008 & 015</i></p>	<p>72 – 75</p> <p>73 – 74</p>	<p>Upon reconvening in open session, Chairman Rabinowitz requested a motion from the Commission to address the request submitted by KHRC staff to address the consolidated KRS 13B appeal, <i>Edward Bray</i></p>	<p>Chairman Rabinowitz called for a vote to approve the proposed</p>

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	74 – 75	<p><i>and Madelyn Royal v. KHRC</i>, Administrative Action Nos. KHRC-19-TB-008 and 015. Motion by Commissioner Simendinger. Second by Commissioner Cauthen.</p> <p>Ms. Wolsing presented the proposed settlement agreement and stipulation for Edward Bray in <i>Edward Bray and Madelyn Royal v. KHRC</i>, consolidated administrative action numbers KHRC-19-TB-008 and 015 as outlined in the agenda materials.</p> <p>Ms. Wolsing presented the proposed settlement agreement and stipulation for Madelyn Royal in <i>Edward Bray and Madelyn Royal v. KHRC</i>, consolidated administrative action numbers KHRC-19-TB-008 and 015 as outlined in the agenda materials.</p>	<p>settlement agreement and stipulation for Edward Bray regarding <i>Edward Bray and Madelyn Royal v. KHRC</i> as presented. Motion carried with no objections or abstentions.</p> <p>Chairman Rabinowitz called for a vote to approve the proposed settlement agreement and stipulation for Madelyn Royal regarding <i>Edward Bray and Madelyn Royal v. KHRC</i> as presented. Motion carried with no objections or abstentions.</p>
	75	<p>Prior to moving for adjournment, Chairman Rabinowitz commended Commissioners Kling, Simendinger, and Hendrickson, and KHRC staff, for all their hard work in reviewing all of the applications.</p>	<p>Informational item only. No action taken.</p>

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V. Adjournment	75 – 76	Chairman Rabinowitz requested a motion to adjourn. Motion by Commissioner Cauthen. Second by Commissioner O'Connor. Meeting adjourned.	Chairman Rabinowitz called for a vote to adjourn. Motion carried with no objections or abstentions.

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

DRAFT



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

JONATHAN RABINOWITZ
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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2021 MEETING SCHEDULE OF THE KENTUCKY HORSE RACING COMMISSION

Day:	Date:	Time:	Location:
Tuesday	February 16, 2021	1:30pm	To Be Determined
Tuesday	April 20, 2021	1:30pm	To Be Determined
Tuesday	June 15, 2021	1:30pm	To Be Determined
Tuesday	August 17, 2021	1:30pm	To Be Determined
Tuesday	October 19, 2021	1:30pm	To Be Determined
Tuesday	December 14, 2021	1:30pm	To Be Determined

January 2021

December '20							February '21									
S	M	T	W	T	F	S	S	M	T	W	T	F	S			
			1	2	3	4	5				1	2	3	4	5	6
6	7	8	9	10	11	12	7	8	9	10	11	12	13			
13	14	15	16	17	18	19	14	15	16	17	18	19	20			
20	21	22	23	24	25	26	21	22	23	24	25	26	27			
27	28	29	30	31			28									

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	1 Turfway Park New Year's Day	2 Turfway Park
3	4	5 Legislative Session	6 Turfway Park Legislative Session	7 Turfway Park Legislative Session	8 Turfway Park Legislative Session	9 Turfway Park
10	11 Keeneland All Ages Sale	12 Keeneland All Ages Sale	13 Turfway Park (optional) Keeneland All Ages Sale	14 Turfway Park Keeneland All Ages Sale	15 Turfway Park Noon deadline to file amendments with LRC	16 Turfway Park
17	18 MLK Jr.'s Birthday	19	20 Turfway Park (optional)	21 Turfway Park	22 Turfway Park	23 Turfway Park
24	25	26 KTDF Meeting OBS Mixed & HORA sale	27 Turfway Park (optional) OBS Mixed & HORA sale	28 Turfway Park	29 Turfway Park KHBIF deadline to semi-annual reports	30 Turfway Park
31	1	<p style="text-align: center;">Thoroughbred Host Track Status</p> <p style="text-align: center;"> Turfway Park Keeneland Churchill Downs Ellis Park Kentucky Downs </p>				

February 2021

January '21							March '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	1	2	3 Turfway Park <i>(optional)</i> Legislative Session	4 Turfway Park Legislative Session	5 Turfway Park KHRC Mtg Staff Deadline Legislative Session	6 Turfway Park
7	8 Legislative Session <i>FT KY Winter Mixed Sale</i>	9 Legislative Session <i>FT KY Winter Mixed Sale</i>	10 Turfway Park <i>(optional)</i> Legislative Session	11 Turfway Park Legislative Session	12 Turfway Park Legislative Session	13 Turfway Park
14	15 Release of KBIF awards; KYSS 3 YO deadline; Noon deadline to file amendments to LRC	16 KHRC Meeting 1:30pm Legislative Session	17 Turfway Park <i>(optional)</i> Legislative Session	18 Turfway Park Legislative Session	19 Turfway Park Legislative Session	20 Turfway Park
21	22	23 Legislative Session	24 Turfway Park <i>(optional)</i> Legislative Session	25 Turfway Park Legislative Session	26 Turfway Park Legislative Session	27 Turfway Park
28	1	2	3	4	5	6
7 Approve Keeneland Spring & Churchill Downs Spring KTDF	8 Approve Keeneland Spring & Churchill Spring Meet Race Officials	Thoroughbred Host Track Status 				

March 2021

February '21							April '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6				1	2	3	
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28							25	26	27	28	29	30	

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	1 KHBIF Deadline	2	3 Turfway Park <i>(optional)</i> Legislative Session	4 Turfway Park Legislative Session	5 Turfway Park Legislative Session	6 Turfway Park
7	8 Legislative Session	9 Legislative Session	10 Turfway Park <i>(optional)</i> Legislative Session	11 Turfway Park	12 Turfway Park	13 Turfway Park
14	15 KYSS 2YO & 3YO deadline; 4Q ('20) ADW reports due; Noon deadline to file amendments with LRC Legislative Session	16 Legislative Session <i>OBS 2 YO in Training Sale</i>	17 Turfway Park <i>(optional)</i> <i>OBS 2 YO in Training Sale</i>	18 Turfway Park	19 Turfway Park	20 Turfway Park
21	22	23 KTDF Meeting	24 Turfway Park <i>(optional)</i>	25 Turfway Park	26 Turfway Park	27 Turfway Park
28	29	30 Legislative Session	31 <i>FT FL 2YO in Training Sale</i>	1	2	3
4	5	<p style="text-align: center;">Thoroughbred Host Track Status</p> <p> Turfway Park Keeneland Churchill Downs Ellis Park Kentucky Downs </p>				

April 2021

March '21							May '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6								1
7	8	9	10	11	12	13	2	3	4	5	6	7	8
14	15	16	17	18	19	20	9	10	11	12	13	14	15
21	22	23	24	25	26	27	16	17	18	19	20	21	22
28	29	30	31				23	24	25	26	27	28	29
							30	31					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	31	1 Keeneland	2 Keeneland Good Friday	3 Keeneland
4 Easter	5	6	7 Keeneland	8 Keeneland	9 Keeneland KHRC Mtg Staff Deadline	10 Keeneland
11 Keeneland	12	13	14 Keeneland	15 Keeneland KYSS 2YO & 3YO deadline; Noon deadline to file amendments with LRC	16 Keeneland	17 Keeneland
18 Keeneland	19	20 KHRC Meeting 1:30pm OBS 2 YO in Training Sale	21 Keeneland OBS 2 YO in Training Sale	22 Keeneland OBS 2 YO in Training Sale	23 Keeneland OBS 2 YO in Training Sale	24 Churchill Downs
25	26	27 Churchill Downs	28 Churchill Downs	29 Churchill Downs	30 Churchill Downs KY Oaks	1
2 Approve Ellis Park Race Meet Officials	3 Approve Ellis Park KTFD; Approve KYSS Promotion	Thoroughbred Host Track Status Turfway Park Keeneland Churchill Downs Ellis Park Kentucky Downs				

May 2021

April '21							June '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3			1	2	3	4	5
4	5	6	7	8	9	10	6	7	8	9	10	11	12
11	12	13	14	15	16	17	13	14	15	16	17	18	19
18	19	20	21	22	23	24	20	21	22	23	24	25	26
25	26	27	28	29	30		27	28	29	30			

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29	30	1 Churchill Downs KY Derby
2	3	4	5 Churchill Downs <i>(optional)</i>	6 Churchill Downs	7 Churchill Downs	8 Churchill Downs
9 Churchill Downs	10	11	12 Churchill Downs <i>(optional)</i>	13 Churchill Downs	14 Churchill Downs	15 Churchill Downs
16 Churchill Downs	17 KYSS 1YO & 2YO deadline; 1Q ADW reports due; Noon deadline to file amendments with LRC <i>FT MD 2YO in Training Sale</i>	18 <i>FT MD 2YO in Training Sale</i>	19 Churchill Downs <i>(optional)</i>	20 Churchill Downs	21 Churchill Downs	22 Churchill Downs
23 Churchill Downs	24	25	26 Churchill Downs <i>(optional)</i>	27 Churchill Downs	28 Churchill Downs	29 Churchill Downs
30 Churchill Downs	31 Churchill Downs <i>Memorial Day</i>	<p style="text-align: center;">Thoroughbred Host Track Status</p> <p> Turfway Park Keeneland Churchill Downs Ellis Park Kentucky Downs </p>				

June 2021

May '21							July '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1					1	2	3
2	3	4	5	6	7	8	4	5	6	7	8	9	10
9	10	11	12	13	14	15	11	12	13	14	15	16	17
16	17	18	19	20	21	22	18	19	20	21	22	23	24
23	24	25	26	27	28	29	25	26	27	28	29	30	31
30	31												

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	1 KHBIF deadline	2 Churchill Downs <i>(optional)</i>	3 Churchill Downs	4 Churchill Downs KHRC Mtg Staff Deadline	5 Churchill Downs
6 Churchill Downs	7	8	9 Churchill Downs <i>(optional)</i> OBS 2 YO & HORA Sale	10 Churchill Downs OBS 2 YO & HORA Sale	11 Churchill Downs OBS 2 YO & HORA Sale	12 Churchill Downs
13 Churchill Downs	14	15 KHRC Meeting 1:30pm Noon deadline to file amendments with LRC	16 Churchill Downs <i>(optional)</i>	17 Churchill Downs	18 Churchill Downs	19 Churchill Downs
20 Churchill Downs	21	22	23 Churchill Downs <i>(optional)</i> FT CA 2YO in Training Sale	24 Churchill Downs	25 Churchill Downs	26 Churchill Downs
27 Ellis Park	28 Ellis Park <i>(optional)</i>	29 Ellis Park <i>(optional)</i>	30 Ellis Park <i>(optional)</i>	1	2	3
4 Approve The Red Mile, ECL Corbin, Kentucky Downs & Churchill Downs Sept. Race Meet Officials	5 Approve Kentucky Downs & Churchill Downs September KTDF	<p style="text-align: center;">Thoroughbred Host Track Status</p> <p> Turfway Park Keeneland Churchill Downs Ellis Park Kentucky Downs </p>				

July 2021

June '21						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

August '21						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	1 Ellis Park Appoint Committees	2 Ellis Park ECL @ The Red Mile	3 Ellis Park ECL @ The Red Mile
4 Ellis Park ECL @ The Red Mile Independence Day	5 Ellis Park <i>(optional)</i> Ind. Day (observed)	6 Ellis Park <i>(optional)</i>	7 Ellis Park <i>(optional)</i>	8 Ellis Park <i>(optional)</i>	9 Ellis Park ECL @ The Red Mile	10 Ellis Park ECL @ The Red Mile
11 Ellis Park ECL @ The Red Mile	12 Ellis Park <i>(optional)</i> FT KY HORA Sale	13 Ellis Park <i>(optional)</i> FT KY Select Yearling Sale	14 Ellis Park <i>(optional)</i> FT KY Select Yearling Sale	15 Ellis Park <i>(optional)</i> Noon deadline to file amendments with LRC	16 Ellis Park ECL @ The Red Mile	17 Ellis Park ECL @ The Red Mile
18 Ellis Park ECL @ The Red Mile	19 Ellis Park <i>(optional)</i>	20 Ellis Park <i>(optional)</i>	21 Ellis Park <i>(optional)</i>	22 Ellis Park <i>(optional)</i>	23 Ellis Park ECL @ The Red Mile	24 Ellis Park ECL @ The Red Mile
25 Ellis Park ECL @ The Red Mile	26 Ellis Park <i>(optional)</i>	27 Ellis Park <i>(optional)</i>	28 Ellis Park <i>(optional)</i>	29 Ellis Park <i>(optional)</i>	30 Ellis Park KHBIF deadline to submit semi-annual reports	31 Ellis Park
1	2	<p style="text-align: center;">Thoroughbred Host Track Status</p> <p> Turfway Park Keeneland Churchill Downs Ellis Park Kentucky Downs </p>				

August 2021

July '21							September '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3				1	2	3	4
4	5	6	7	8	9	10	5	6	7	8	9	10	11
11	12	13	14	15	16	17	12	13	14	15	16	17	18
18	19	20	21	22	23	24	19	20	21	22	23	24	25
25	26	27	28	29	30	31	26	27	28	29	30		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Ellis Park The Red Mile	2 Ellis Park <i>(optional)</i> The Red Mile Totalizator license apps due to the Commission	3 Ellis Park <i>(optional)</i> The Red Mile KTDF Meeting	4 Ellis Park <i>(optional)</i>	5 Ellis Park <i>(optional)</i>	6 Ellis Park KHRC Mtg Staff Deadline	7 Ellis Park
8 Ellis Park The Red Mile	9 Ellis Park <i>(optional)</i> The Red Mile FT NY Select Yearling Sale	10 Ellis Park <i>(optional)</i> The Red Mile FT NY Select Yearling Sale	11 Ellis Park <i>(optional)</i>	12 Ellis Park <i>(optional)</i>	13 Ellis Park	14 Ellis Park
15 Ellis Park The Red Mile FT NY Bred Yearling Sale	16 Ellis Park <i>(optional)</i> The Red Mile KTBIF deadline; 2Q ADW reports due; Noon deadline to file amendments with LRC FT NY Bred Yearling Sale	17 Ellis Park <i>(optional)</i> The Red Mile KHRC Meeting 1:30pm	18 Ellis Park <i>(optional)</i>	19 Ellis Park <i>(optional)</i>	20 Ellis Park	21 Ellis Park
22 Ellis Park The Red Mile	23 Ellis Park <i>(optional)</i> The Red Mile	24 Ellis Park <i>(optional)</i> The Red Mile	25 Ellis Park <i>(optional)</i>	26 Ellis Park <i>(optional)</i>	27 Ellis Park	28 Ellis Park
29 Ellis Park The Red Mile	30 Ellis Park <i>(optional)</i> The Red Mile	31 Ellis Park <i>(optional)</i> The Red Mile	1	2	3	4
5 Approve Oak Grove, Keneland Fall and Churchill Downs Fall Race Meet Officials	6 Approve Keeneland Fall & Churchill Downs Fall KTDF	Thoroughbred Host Track Status 				

September 2021

August '21							October '21							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
1	2	3	4	5	6	7							1	2
8	9	10	11	12	13	14	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	17	18	19	20	21	22	23	
29	30	31					24	25	26	27	28	29	30	
							31							

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1 Ellis Park <i>(optional)</i> Report of unclaimed tickets due; ADW license apps due to the Commission	2 Ellis Park <i>(optional)</i>	3 Ellis Park	4 Ellis Park
5 Kentucky Downs The Red Mile	6 Kentucky Downs The Red Mile <i>Labor Day</i>	7 The Red Mile	8 Kentucky Downs	9 Kentucky Downs	10 The Red Mile	11 Kentucky Downs
12 Kentucky Downs The Red Mile	13 The Red Mile <i>Keeneland Yearling Sale</i>	14 The Red Mile <i>Keeneland Yearling Sale</i>	15 Churchill Downs <i>(optional)</i> Noon deadline to file amendments with LRC <i>Keeneland Yearling Sale</i>	16 Churchill Downs <i>Keeneland Yearling Sale</i>	17 Churchill Downs <i>Keeneland Yearling Sale</i>	18 Churchill Downs <i>Keeneland Yearling Sale</i>
19 Churchill Downs The Red Mile KYSS Championships <i>Keeneland Yearling Sale</i>	20 The Red Mile KYSS Championships <i>Keeneland Yearling Sale</i>	21 The Red Mile <i>Keeneland Yearling Sale</i>	22 Churchill Downs <i>(optional)</i> <i>Keeneland Yearling Sale</i>	23 Churchill Downs <i>Keeneland Yearling Sale</i>	24 Churchill Downs <i>Keeneland Yearling Sale</i>	25 Churchill Downs <i>Keeneland Yearling Sale</i>
26 Churchill Downs <i>Keeneland Yearling Sale</i>	27	28	29 Churchill Downs <i>(optional)</i>	30 Churchill Downs	1	2
3	4	<p style="text-align: center;">Thoroughbred Host Track Status</p> <p style="text-align: center;"> Turfway Park Keeneland Churchill Downs Ellis Park Kentucky Downs </p>				

October 2021

September '21							November '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	4						
5	6	7	8	9	10	11	7	8	9	10	11	12	13
12	13	14	15	16	17	18	14	15	16	17	18	19	20
19	20	21	22	23	24	25	21	22	23	24	25	26	27
26	27	28	29	30			28	29	30				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27 Approve Turfway Park Holiday & Winter/Spring Meet KTDF	28	29	30	1 Churchill Downs The Red Mile Deadline of Sherriff's office to report posting of unclaimed tickets	2 Churchill Downs The Red Mile
3 Churchill Downs The Red Mile	4 <i>FT MD Fall Yearling Sale</i> <i>LEX Select SB Yearling Sale</i>	5 KTDF Meeting <i>FT MD Fall Yearling Sale</i> <i>LEX Select SB Yearling Sale</i>	6 <i>LEX Select SB Yearling Sale</i>	7 <i>LEX Select SB Yearling Sale</i>	8 Keeneland The Red Mile <i>KHRC Mtg Staff Deadline</i> <i>LEX Select SB Yearling Sale</i>	9 Keeneland The Red Mile
10 Keeneland The Red Mile	11	12 Oak Grove <i>OBS Select Yearling Sale</i>	13 Keeneland Oak Grove <i>OBS Open Yearling Sale</i>	14 Keeneland Oak Grove	15 Keeneland Noon deadline to file amendments with LRC	16 Keeneland
17 Keeneland	18 Oak Grove <i>FT NY Fall Sale</i>	19 Oak Grove KHRC Meeting 1:30pm	20 Keeneland Oak Grove	21 Keeneland	22 Keeneland	23 Keeneland
24 Keeneland	25 Oak Grove <i>FT KY Oct Yearling Sale</i>	26 Oak Grove <i>FT KY Oct Yearling Sale</i>	27 Keeneland Oak Grove <i>FT KY Oct Yearling Sale</i>	28 Keeneland <i>FT KY Oct Yearling Sale</i>	29 Keeneland	30 Keeneland
31 Churchill Downs	1 Approve Turfway Park Holiday & Winter/Spring Meet Race Officials; Approve Race Dates & Racetrack apps	<p style="text-align: center;">Thoroughbred Host Track Status</p> <p> Turfway Park Keeneland Churchill Downs Ellis Park Kentucky Downs </p>				

November 2021

October '21							December '21						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2				1	2	3	4
3	4	5	6	7	8	9	5	6	7	8	9	10	11
10	11	12	13	14	15	16	12	13	14	15	16	17	18
17	18	19	20	21	22	23	19	20	21	22	23	24	25
24	25	26	27	28	29	30	26	27	28	29	30	31	
31													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31 Churchill Downs	1 Oak Grove Deadline to approve race dates & track apps	2 Oak Grove	3 Churchill Downs Oak Grove	4 Churchill Downs	5 Churchill Downs	6 Churchill Downs
7 Churchill Downs	8 Oak Grove	9 Oak Grove FT KY Breeding Stock Sale	10 Churchill Downs Oak Grove KEE Breeding Stock Sale	11 Churchill Downs KEE Breeding Stock Sale Veterans Day	12 Churchill Downs KEE Breeding Stock Sale	13 Churchill Downs KEE Breeding Stock Sale
14 Churchill Downs Oak Grove KEE Breeding Stock Sale	15 Oak Grove Noon deadline to file amendments with LRC KEE Breeding Stock Sale	16 Oak Grove KEE Breeding Stock Sale	17 Churchill Downs KEE Breeding Stock Sale	18 Churchill Downs KEE Breeding Stock Sale	19 Churchill Downs KEE Breeding Stock Sale	20 Churchill Downs KEE Breeding Stock Sale
21 Churchill Downs	22 Oak Grove	23 Oak Grove	24 Churchill Downs KHRC Mtg Staff Deadline	25 Churchill Downs Thanksgiving Day	26 Churchill Downs	27 Churchill Downs
28 Churchill Downs	29	30	1	2	3	4
5	6	Thoroughbred Host Track Status 				

December 2021

November '21							January '22						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6							1
7	8	9	10	11	12	13	2	3	4	5	6	7	8
14	15	16	17	18	19	20	9	10	11	12	13	14	15
21	22	23	24	25	26	27	16	17	18	19	20	21	22
28	29	30					23	24	25	26	27	28	29
							30	31					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
28	29	30	1 Turfway Park <i>(optional)</i>	2 Turfway Park ARCI Winter Meeting	3 Turfway Park ARCI Winter Meeting	4 Turfway Park AAEP Annual Meeting	
5 Turfway Park AAEP Annual Meeting	6 Turfway Park AAEP Annual Meeting	7 Turfway Park AAEP Annual Meeting <i>FT MD Mixed & HORA Sale</i>	8 Turfway Park <i>(optional)</i> AAEP Annual Meeting	9 Turfway Park	10 Turfway Park	11 Turfway Park	
12 Turfway Park	13	14 Turfway Park KHRC Meeting 1:30pm	15 Turfway Park <i>(optional)</i> Deadline to award KYSS & KY county fair dates & purses; Deadline to approve ADW apps; noon deadline to file amendments with LRC	16 Turfway Park	17 Turfway Park Deadline to approve totalizator license apps	18 Turfway Park	
19 Turfway Park	20	21	22 Turfway Park <i>(optional)</i>	23 Turfway Park	24 <i>Christmas Eve</i>	25 <i>Christmas Day</i>	
26 Turfway Park	27	28	29 Turfway Park <i>(optional)</i>	30 Turfway Park	31 Turfway Park Deadline for all 3 BIFs, QH & STB Dev. Funds; Deadline to pay KyRHWF New Year's Eve	1	
2 Approve KYSS & County fair dates & purses; Approve payment to KyRHWF	3 Approve ADW license apps & conditions of licensure; approve Totalizator license apps	Thoroughbred Host Track Status					
		 Turfway Park	 Keeneland	 Churchill Downs	 Ellis Park	 Kentucky Downs	



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

JONATHAN RABINOWITZ
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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

TO: ALL COMMISSION MEMBERS
FROM: Jamie H. Eads, Deputy Executive Director, KHRC
DATE: November 17, 2020
SUBJECT: 2021 KENTUCKY SIRE STAKES PURSE DISTRIBUTIONS, COMMONWEALTH SERIES, STALLION BONUS AND PROMOTIONS OF CHAMPIONSHIP DAY

The Kentucky Standardbred Development Fund/Kentucky Standardbred Breeders' Incentive Fund Advisory Panel met on September 23, 2020 and recommends approval for the following 2021 Kentucky Sire Stakes estimated purse distributions:

Two-year-olds:

Legs: \$40,000
Finals: \$250,000

Three-year-olds:

Legs: \$40,000
Finals: \$250,000

In addition to the purses above, the Advisory Panel recommends early closing events (Commonwealth Series) with the following purse distributions:

Two-year-olds:

Legs: \$20,000
Finals: \$50,000

Three-year-olds:

Legs: \$20,000
Finals: \$50,000

Two-year-olds race dates:

Leg 1: 8/1 (Trotters); 8/2 (Pacers)
Leg 2: 8/15 (Trotters); 8/16 (Pacers)
Leg 3: 8/23 (Trotters); 8/24 (Pacers)
Leg 4: 9/5 (Trotters); 9/6 (Pacers)
Championships: 9/19 & 9/20

Three-year-olds race dates:

Leg 1: 8/8 (Trotters); 8/10 (Pacers)
Leg 2: 8/17 (Trotters); 8/22 (Pacers)
Leg 3: 8/29 (Trotters); 8/31 (Pacers)
Leg 4: 9/7 (Trotters); 9/12 (Pacers)
Championships: 9/19 & 9/20

Additionally, beginning with the 2021 breeding season, KYSS will offer a Stallion Bonus program. Any horse that resulted from a stallion standing in Kentucky and a mare residing in Kentucky for 180 days, as well as nominated to the program, is eligible to receive a 50% bonus if finishing 1st-5th in all legs and the finals of the Championship and Commonwealth Series Programs.



The Panel also recommends continuing to support harness racing at County Fairs through the KY-Proud Series by providing up to seven events and a Final with purses of \$1,000 per entry, per division, for each event and \$15,000 for the Finals.

In 2018 & 2019, the racing commission, in partnership with several other local entities, promoted the Championships with a family-friendly festival to introduce the community to not only harness racing but equine charities, multiple breeds living in the Commonwealth, local artist and live music. This was approved for 2020 but cancelled due to COVID-19.

KRS 230.770 in part states, *“money distributed from the development fund to licensed Standardbred race tracks within the Commonwealth shall be used exclusively to promote races and provide purses....”*

In accordance with KRS 230.770, the KYSS Advisory Panel respectfully request the Commission’s approval to continue to promote and grow the 2021 KYSS Championships with total expenditures up to \$150,000.

The following is a brief description of the KYSS and funding for informational purposes:
The Kentucky Sire Stakes is a culmination of a 8 week series of preliminary races, with the biggest money earners getting a chance to compete in the Championships at The Red Mile. The series includes two-and-three year-old pacers and trotters for both fillies & colts.

Kentucky Standardbred Development Fund (KSDF):

This fund is to promote races and to provide purses for races for Kentucky-bred Standardbred horses. The fund is to be distributed to persons, corporations or associations operating licensed Standardbred race tracks within Kentucky on an equitable basis, for the purposes of conducting separate races for two and three-year-old fillies and colts, both trotting and pacing. The KSDF receives its revenue under the provisions of KRS 138.510, taxes on pari-mutuel wagering.

Kentucky Standardbred Breeders’ Incentive Fund (KSBIF):

The Kentucky Standardbred Breeders’ Incentive Fund is financed from the 13% of all receipts collected from the sales and use tax on the fees paid for breeding a stallion to a mare in Kentucky, together with any other money contributed, appropriated, or allocated to the fund from all other sources. The money deposited in the KSBIF is used to provide rewards for breeders or owners of Kentucky-bred Standardbred horses.

Approval is recommended.

COMMISSION ACTION

_____ Approve

_____ Defer

_____ Deny





ANDY BESHEAR
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TELEPHONE: (859) 246-2040 FAX: (859) 246-2039
WEBSITE: [HTTP://KHRC.KY.GOV](http://KHRC.KY.GOV)

TO: ALL COMMISSION MEMBERS
FROM: Jamie H. Eads, KHRC
DATE: November 23, 2020
SUBJECT: HARNESS RACING AT COUNTY FAIRS/KY PROUD SERIES

Pursuant to KRS 230.398, Standardbred uncashed ticket money shall be used for harness racing at county fairs. Staff confirms \$50,451.49 was collected for the 2019 un-cashed tickets. This amount will decrease pending advertising and claims.

Racing Facility	Amount	Amount Claimed	Advertising Paid	Check Received	Total to Fund
Players Bluegrass Downs	\$27,408.49	\$0.00	\$133.50	\$27,408.49	
The Red Mile	\$23,043.00	\$8.10		\$23,043.87	
Total	\$50,451.49	\$8.10	\$133.50	\$50,452.36	\$0.00

In addition to the uncashed ticket money, the KSDF/KSBIF Advisory Panel recommends continuing to support harness racing at County Fairs through the KY-Proud Series by providing up to seven events and a Final with purses of \$1,000 per entry, per division, for each event and \$15,000 for the Finals.

Approval is recommended.

COMMISSION ACTION:

- _____ Approve
- _____ Defer
- _____ Deny





ANDY BESHEAR
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TELEPHONE: (859) 246-2040 FAX: (859) 246-2039
WEBSITE: [HTTP://KHRC.KY.GOV](http://KHRC.KY.GOV)

TO: ALL COMMISSION MEMBERS
FROM: Jamie H. Eads, KHRC
DATE: November 16, 2020
SUBJECT: KENTUCKY RACING HEALTH AND WELFARE FUND

The Kentucky Horse Racing Commission has received the attached request from Richard Riedel seeking transfer of funds from the unclaimed pari-mutuel tickets to the Kentucky Racing Health and Welfare Fund. This total amount is \$1,968,447 less any claims and advertising.

The below documents follow this memorandum:

- Letter from Richard Riedel seeking transfer of funds;
- Chart reflecting dollars due the fund;
- Chart reflecting dollars paid to fund;
- Approval of the release of funds from the Kentucky State Auditor;
- Copy of the Kentucky Racing Health and Welfare Fund audit report for 2019 prepared by Monroe Shine.

Pursuant, to KRS 230.362, any reported pari-mutuel ticket that has not been claimed within one (1) year from the time the ticket became payable is presumed to be abandoned. Each year, any person or association holding any unclaimed tickets presumed abandoned as of July 1st of that year (in other words, any person holding on July 1st any tickets that have not, as of that date, been claimed for a year or more) is required to create a list of the tickets. The list, which records the amount of each ticket, is then submitted to the Commission by September 1st of the same year. Between November 1st and November 15th, the person or association then turns over to the Commission the sum represented by the tickets as reported.

The tickets turned over to the Kentucky Racing Health and Welfare Fund are over a year old. Specifically, these are tickets that were originally sold to bettors between July 1, 2018, and June 30, 2019, and were still unclaimed a year (or more) later on July 1, 2020. Below is a copy of the statute regarding payments to the Kentucky Racing Health and Welfare Fund, Inc.

230.374 Payments to Kentucky Racing Health and Welfare Fund, Inc.

All sums reported and paid to the authority under the provisions of KRS 230.361 to 230.373, with the exception of funds paid under KRS 230.398, shall be paid by the authority to the Kentucky Racing Health and Welfare Fund, Inc., a nonprofit charitable corporation, organized for the benefit, aid, assistance, and relief of thoroughbred owners, trainers, jockeys, valets, exercise riders, grooms, stable attendants, pari-mutuel clerks, and other thoroughbred racing personnel employed in connection with racing, and their spouses and children, who can demonstrate their need for financial assistance connected with death, illness, or off-the-job injury and are not otherwise covered by union health and welfare plans, workers' compensation, Social Security, public welfare, or any type of health, medical, death, or accident insurance. These sums shall be paid on or before December 31 in each year, however, no payments shall be made by the authority to the Kentucky Racing Health and Welfare Fund, Inc., unless the authority and the Auditor of Public Accounts are satisfied that the fund is in all respects being operated for the charitable and benevolent purposes as set forth in this section and that no part of the funds paid to the fund by the authority or any net earnings of the fund inure to the benefit of any private individual, director, officer, or member of the fund or any of the persons who turned over sums to the authority representing unclaimed pari-mutuel tickets.

The following is a brief description of the fund for informational purposes.

Kentucky Racing Health and Welfare Fund. The Kentucky Racing Health and Welfare Fund, Inc. is an independent charitable corporation, organized for the benefit, aid, assistance and relief of thoroughbred owners, trainers, jockeys, valets, exercise riders, grooms, stable attendants, pari-mutuel clerks and other thoroughbred racing personnel employed in connection with racing, and their spouses and children, who can demonstrate their need for financial assistance connected with death, illness or off-the-job injury and are not otherwise covered by union health and welfare plans, workers' compensation, Social Security, public welfare or any type of health, medical, death or accident insurance. Proceeds from unclaimed pari-mutuel tickets provide the revenue for this fund.

Approval is recommended.

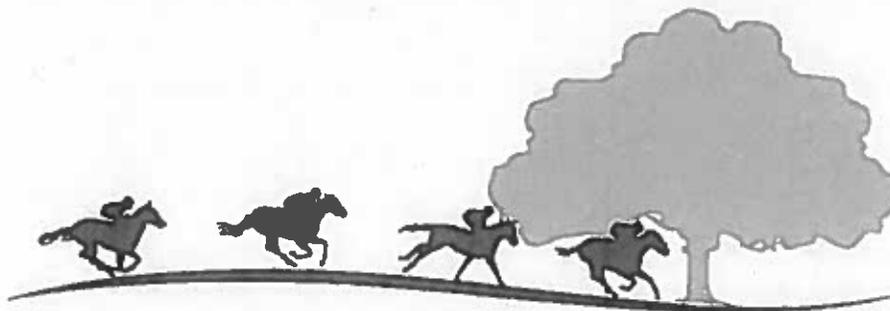
COMMISSION ACTION

_____ Approve

_____ Defer

_____ Deny





Kentucky Racing Health & Welfare Fund

RICHARD P. RIEDEL • Executive Director
KAREN PEHLKE • Director of Operations
422 Heywood Avenue
Louisville, KY 40208
(502) 636-2900
Fax (502) 636-2955

October 26, 2020

Kentucky Horse Racing Commission
Attn: Jamie Eads, Deputy Executive Director
4063 Iron Works Pike, Building B
Lexington, KY 40511

Dear Jamie:

Please place our request for the transfer of funds due to the Kentucky Racing Health and Welfare Fund on December 31, 2020 on the agenda of the next Commission meeting.

Earlier this year we submitted to the Commission our 2019 audit report. I have enclosed a final approval from the Kentucky State Auditor indicating that the Auditor's staff is satisfied that the Kentucky Racing Health and Welfare Fund is, in all respects, being operated for the charitable and benevolent purposes as provided in KRS 230.374.

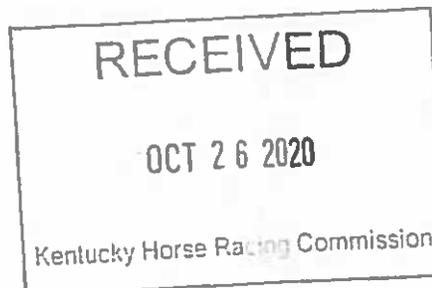
As always, if there is any additional information you need please contact me.

I sincerely appreciate your assistance in this matter.

Yours truly,

Richard P. Riedel
Executive Director

Enc.



Unclaimed Parimutuel Tickets for 2020

Kentucky Racing Health & Welfare Fund
Attn: Richard Riedel
422 Heywood Ave
Louisville, KY 40208-1324

\$0.00

Racing Facility	Amount	Amount Claimed	Check Received	Advertising Paid	Total to Fund
Churchill Downs	\$1,096,424.88	\$8,067.80	\$1,088,357.08		
Ellis Park	\$131,445.33	\$67.20	\$131,378.13	\$38.94	
Keeneland	\$518,245.90	\$1,707.75	\$516,538.15		
Kentucky Downs	\$98,822.27	\$8.70	\$98,813.57		
Turfway Park*	\$123,508.64	\$150.40	\$124,036.13		
Total	\$1,968,447.02				\$0.00

*TP: \$377.09 in tickets from prior years were discovered during the purge. This is why the check amount is more than the amount reported less amount claimed

Monies to be turned over to the KY Racing Health & Welfare Fund pursuant to KRS 230.374

Fiscal Year	Issued Date	Jrnl Doc Ref Doc ID	Vendor Legal Name	Posting Amount	Cleared Date
2007	4/2/2007	700086206	KENTUCKY RACING HEALTH AND	\$ 2,329,197.66	4/9/2007
2008	12/28/2007	700164423	KENTUCKY RACING HEALTH AND	\$ 2,140,152.42	1/7/2008
2008	2/21/2008	800180458	KENTUCKY RACING HEALTH AND	\$ 224,601.18	2/27/2008
2009	1/23/2009	900272594	KENTUCKY RACING HEALTH AND	\$ 1,513,433.43	1/29/2009
2009	3/2/2009	900282625	KENTUCKY RACING HEALTH AND	\$ 889,767.51	3/6/2009
2009	3/12/2009	900286472	KENTUCKY RACING HEALTH AND	\$ 182,665.46	3/18/2009
2010	12/28/2009	1000048327	KENTUCKY RACING HEALTH AND	\$ 1,300,000.00	1/6/2010
2010	2/15/2010	1000061672	KENTUCKY RACING HEALTH AND	\$ 965,859.01	2/22/2010
2010	4/19/2010	1000080486	KENTUCKY RACING HEALTH AND	\$ 322,016.10	4/26/2010
2010	6/4/2010	1000092937	KENTUCKY RACING HEALTH AND	\$ 10,541.30	6/10/2010
2011	12/21/2010	1100047568	KENTUCKY RACING HEALTH AND	\$ 2,294,541.92	1/5/2011
2012	1/23/2012	1200056850	KENTUCKY RACING HEALTH AND	\$ 2,111,476.93	1/27/2012
2012	4/6/2012	1200079581	KENTUCKY RACING HEALTH AND	\$ 182,019.00	4/9/2012
2013	1/25/2013	1300059166	KENTUCKY RACING HEALTH AND	\$ 1,965,047.22	1/30/2013
2013	2/20/2013	1300067098	KENTUCKY RACING HEALTH AND	\$ 226,757.39	2/25/2013
2014	1/8/2014	1400052861	KENTUCKY RACING HEALTH AND	\$ 2,153,777.97	1/13/2014
2014	3/17/2014	1400071873	KENTUCKY RACING HEALTH AND	\$ 97,950.65	3/21/2014
2015	12/30/2014	1500051866	KENTUCKY RACING HEALTH AND	\$ 1,544,850.14	1/5/2015
2015	12/31/2014	1500052225	KENTUCKY RACING HEALTH AND	\$ 604,802.76	1/7/2015
2016	12/4/2015	1600044811	KENTUCKY RACING HEALTH AND	\$ 1,946,275.49	12/10/2015
2017	12/21/2016	1700049300	KENTUCKY RACING HEALTH AND	\$ 2,030,904.28	12/30/2016
2017	2/8/2017	1700063325	KENTUCKY RACING HEALTH AND	\$ 4,400.96	2/14/2017
2018	12/13/2017	1800046908	KENTUCKY RACING HEALTH AND	\$ 2,220,796.20	12/21/2017
2018	4/12/2018	1800079869	KENTUCKY RACING HEALTH AND	\$ 152,916.71	4/24/2018
2019	12/14/2018	1900047108	KENTUCKY RACING HEALTH AND	\$ 1,934,121.71	12/24/2018
2020	1/2/2020	2000048787	KENTUCKY RACING HEALTH AND	\$ 1,795,191.24	1/9/2020
2020	2/14/2020	2000059701	KENTUCKY RACING HEALTH AND	\$ 85,109.48	2/28/2020



**MIKE HARMON
AUDITOR OF PUBLIC ACCOUNTS**

September 4, 2020

Richard P. Riedel
Executive Director
Kentucky Racing Health and Welfare Fund, Inc.
422 Heywood Avenue
Louisville, KY 40208

RE: KRS 230.374 – Transfer of Funds to the Kentucky Racing Health and Welfare Fund, Inc.

Dear Mr. Riedel:

We have received your correspondence to our Chief of Staff, Sara Beth Gregory, dated August 21, 2020 requesting a letter stating that our office is satisfied that the Kentucky Racing Health and Welfare Fund, Inc. (Fund) is being operated for charitable and benevolent purposes as provided in KRS 230.374.

We have reviewed the FY19 Fund financial statement audit report performed by Monroe Shine, which you provided to us, as well as a copy of the Fund's 2020 budget as approved June 10, 2020.

Based on our review of the documents provided, our office is satisfied that the 2020 anticipated expenditures of the Fund are for charitable and benevolent purposes, as required by KRS 230.374, or for reasonable administrative purposes.

209 ST. CLAIR STREET
FRANKFORT, KY 40601-1817

TELEPHONE 502.564.5841
FACSIMILE 502.564.2912
WWW.AUDITOR.KY.GOV

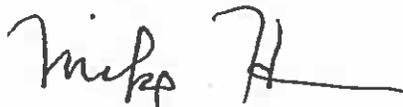
AN EQUAL OPPORTUNITY EMPLOYER M/F/D



Richard P. Riedel, Executive Director
Kentucky Racing Health and Welfare Fund, Inc.
September 4, 2020
Page 2

We were not engaged to, and did not conduct an audit, the objective of which would be the expression of an opinion on the financial statements or the budget. Accordingly, we do not express such an opinion. Had we performed an audit or further review, other matters might have come to our attention which would have been reported to you.

Thank you and God Bless,

A handwritten signature in black ink, appearing to read "Mike Harmon", with a long horizontal line extending to the right.

Mike Harmon
Auditor of Public Accounts

CC: Farrah Petter, Assistant State Auditor
Sara Beth Gregory, APA Chief of Staff

**KENTUCKY RACING HEALTH AND
WELFARE FUND, INC. –
LOUISVILLE, KENTUCKY**

**FINANCIAL STATEMENTS AND
SUPPLEMENTARY INFORMATION**

**YEARS ENDED
DECEMBER 31, 2019 AND 2018**

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.

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MONROE SHINE

KNOWLEDGE FOR TODAY . . . VISION FOR TOMORROW

500 NORTH MURSTBOURNE PARKWAY, SUITE 150, LOUISVILLE, KENTUCKY 40222 • PHONE: 502.423.0311 • FAX: 502.338.7103

Independent Auditor's Report

Board of Directors
Kentucky Racing Health and Welfare Fund, Inc.
Louisville, Kentucky

We have audited the accompanying financial statements of the **Kentucky Racing Health and Welfare Fund, Inc.**, which comprise the statements of net assets – modified cash basis as of December 31, 2019 and 2018, and the related statements of revenues, expenses and other changes in net assets – modified cash basis and functional expenses – modified cash basis for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the modified cash basis of accounting described in Note 1; this includes determining that the modified cash basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the **Kentucky Racing Health and Welfare Fund, Inc.** as of December 31, 2019 and 2018, and its revenues, expenses and other changes in net assets for the years then ended in accordance with the basis of accounting described in Note 1.

Basis of Accounting

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. The financial statements were prepared on a modified cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion was not modified with respect to that matter.

Monroe Shine
Louisville, Kentucky
July 30, 2020

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
STATEMENTS OF NET ASSETS - MODIFIED CASH BASIS
DECEMBER 31, 2019 AND 2018

ASSETS

	<u>2019</u>	<u>2018</u>
CURRENT ASSETS		
Cash and cash equivalents:		
Checking and petty cash	\$ 217,678	\$ 297,332
PNC operating cash	617,423	2,817,669
PNC operating reserve cash	189,023	103,996
Total cash and equivalents	1,024,124	3,218,997
Marketable securities	5,756,855	5,169,040
Total Current Assets	6,780,979	8,388,037
OTHER ASSETS		
Notes receivable and advances	1,894,051	1,894,051
Land	126,435	126,435
Total Other Assets	2,020,486	2,020,486
Total Assets	8,801,465	10,408,523

NET ASSETS

Without donor restrictions	8,791,644	10,399,169
With donor restrictions	9,821	9,354
Total Net Assets	8,801,465	10,408,523
Total Liabilities and Net Assets	\$ 8,801,465	\$ 10,408,523

See notes to financial statements.

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
STATEMENTS OF REVENUES, EXPENSES, AND OTHER CHANGES
IN NET ASSETS - MODIFIED CASH BASIS
YEARS ENDED DECEMBER 31, 2019 AND 2018

	<u>2019</u>	<u>2018</u>
REVENUE		
KRS 230.374 grant	\$ -	\$ 2,087,038
Net realized investment income	201,019	302,891
Unrealized investment income (loss)	516,811	(509,036)
Bereavement and disability grant	2,500	-
KRHSC Co-Pay	8,545	7,131
Sublease rental income	5,200	3,250
Total Revenue	<u>734,075</u>	<u>1,891,274</u>
EXPENSES		
Claims paid:		
Hospitals - approved gross billings	259,454	377,316
Negotiated credit	(103,368)	(314,709)
Doctors - approved gross billings	631,329	558,521
Negotiated credit	(290,894)	(209,230)
Dentists	282,860	256,822
Orthodontia	8,778	4,839
Vision	53,729	37,375
Prescription	152,904	136,852
Periodontia	13,463	11,963
Chiropractors	26,238	9,451
Ambulance and transportation	2,667	525
Financial aid	15,392	21,297
Funeral expenses	45,451	72,673
Hearing aids	10,000	-
Mental health	7,615	7,242
Acupuncture	1,560	1,300
Diagnostic Center	75,890	57,489
Health fair marketing	2,303	2,088
Kentucky Racing Health Services Center - Louisville	275,840	219,872
Horsemen's Wellness Center - Turfway Park	4,513	14,601
Bereavement and disability expense	2,033	2,980
Administrative	604,665	618,789
Vacant lot maintenance	800	700
Kentucky Race Track Retirement Plan	257,911	257,667
Total Expenses	<u>2,341,133</u>	<u>2,146,423</u>
Decrease in Net Assets	(1,607,058)	(255,149)
Net Assets, Beginning of Year	<u>10,408,523</u>	<u>10,663,672</u>
Net Assets, End of Year	<u>\$ 8,801,465</u>	<u>\$ 10,408,523</u>
Designated operating reserve account	\$ 5,945,878	\$ 5,273,036
Restricted bereavement and disability	9,821	9,354
All other assets	2,845,766	5,126,133
Net Assets, End of Year	<u>\$ 8,801,465</u>	<u>\$ 10,408,523</u>

See notes to financial statements.

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
STATEMENTS OF FUNCTIONAL EXPENSES - MODIFIED CASH BASIS
YEARS ENDED DECEMBER 31, 2019 AND 2018

	2019			2018		
	<u>Program</u> <u>Services</u>	<u>Management</u> <u>And General</u>	<u>Total</u>	<u>Program</u> <u>Services</u>	<u>Management</u> <u>And General</u>	<u>Total</u>
Claims paid	\$ 1,195,372	\$ -	\$ 1,195,372	\$ 1,031,813	\$ -	\$ 1,031,813
Grants and contributions	445,782	-	445,782	402,137	-	402,137
Salaries	263,957	29,329	293,286	255,850	28,427	284,277
Payroll taxes	20,296	2,256	22,552	19,618	2,180	21,798
Lab fees	31,932	-	31,932	32,769	-	32,769
Contract labor	174	20	194	441	49	490
Employee retirement plan	17,448	1,939	19,387	17,029	1,892	18,921
Health insurance	75,625	8,403	84,028	77,322	8,591	85,913
Travel	5,603	-	5,603	4,658	-	4,658
Meetings	1,115	-	1,115	1,228	-	1,228
Accounting	-	8,590	8,590	-	8,540	8,540
Audit	-	12,470	12,470	-	11,850	11,850
Legal	5,614	50,524	56,138	4,712	42,405	47,117
General insurance	21,753	2,417	24,170	16,745	1,861	18,606
Kentucky thoroughbred racing record	-	143	143	-	140	140
Telephone	12,422	1,234	13,656	11,663	1,149	12,812
Postage	1,719	130	1,849	2,533	246	2,779
Office supplies	14,832	561	15,393	11,807	615	12,422
Computer and office equipment	2,119	236	2,355	549	61	610
Printing and publications	4,205	-	4,205	4,530	-	4,530
Service contracts	964	8,680	9,644	877	7,896	8,773
Continuing education	409	46	455	428	48	476
Office cleaning and storage	3,481	263	3,744	3,453	216	3,669
Office site improvement	-	-	-	24,153	2,684	26,837
Miscellaneous	3,062	3,026	6,088	3,204	3,899	7,103
Rent	68,124	3,586	71,710	79,824	4,886	84,710
Utilities	7,973	492	8,465	8,325	492	8,817
Website hosting and publishing	363	41	404	332	37	369
Payroll processing	2,162	241	2,403	2,033	226	2,259
	<u>\$ 2,206,506</u>	<u>\$ 134,627</u>	<u>\$ 2,341,133</u>	<u>\$ 2,018,033</u>	<u>\$ 128,390</u>	<u>\$ 2,146,423</u>

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
NOTES TO FINANCIAL STATEMENTS - MODIFIED CASH BASIS
DECEMBER 31, 2019 AND 2018

(1) **SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Nature of Operations

The Kentucky Racing Health and Welfare Fund, Inc., (Fund) a non-profit charitable corporation, was formed in 1978 pursuant to KRS 230.374.

The Fund is organized for the benefit, aid, assistance and relief of owners, trainers, jockeys, valets, exercise riders, grooms, stable attendants, pari-mutuel clerks and other racing personnel employed in connection with thoroughbred racing and their spouses and children who demonstrate need for financial assistance connected with death, illness, off-the-job injury and are not otherwise covered by union health and welfare plans, workers' compensation, social security, public welfare or any type of health, medical, death or accident insurance.

Pursuant to KRS 230.374 the Fund receives an annual grant which represents uncashed thoroughbred pari-mutuel tickets. No payment is made to the Fund unless the Kentucky Horse Racing Commission and the Kentucky Auditor of Public Accounts are satisfied the Fund is, in all respects, operated for the charitable and benevolent purposes set forth in KRS 230.374 and 230.375 and no part of the grant paid to the Fund or any net earnings of the Fund inure to the benefit of any individual, director, officer, member of the Fund, or persons who turned over sums to the Commission representing unclaimed pari-mutuel tickets. These payments are restricted by law and are only available for use as set forth in KRS 230.374 and 230.375.

The Fund sponsors the Kentucky Race Track Retirement Plan. The Plan, with discretionary contributions, was established pursuant to KRS 230.375 and is administered for the benefit of eligible participants.

Basis of Presentation

These financial statements are presented on the modified cash basis of accounting, another comprehensive basis of accounting. The modified cash basis of accounting incorporates elements of both the cash basis of accounting and generally accepted accounting principles (GAAP). Consequently, revenues are recognized when received and certain expenses and purchases of assets are recognized when cash is disbursed. Depreciation of property and equipment is reported in the financial statements.

The primary differences between the Fund's modified cash basis of accounting and GAAP relates to the recognition of liabilities for claims incurred in one year and paid in the next and disclosure of expenses by natural and functional classification. GAAP would recognize the liability and expense when incurred whereas the modified cash basis recognizes the expense when paid. Management has concluded determining the amount of these claims and the associated expense is an undue administrative burden, speculative and would provide minimal additional financial information.

Management has concluded the modified cash basis of accounting provides an accurate reflection of the Fund's economic activity and operations, accommodates the preparation of operating budgets, internal and external financial statements and facilitates the comparison of budgets to financial statements.

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
NOTES TO FINANCIAL STATEMENTS - MODIFIED CASH BASIS - CONTINUED
DECEMBER 31, 2019 AND 2018

(1 – continued)

Financial statement presentation follows the recommendations of the Financial Accounting Standards Board which requires the Fund to report information regarding its financial position and activities according to two classes of net assets: net assets with donor restrictions and net assets without donor restrictions.

Certain prior year accounts have been reclassified to conform with current year presentations.

Cash and Cash Equivalents

The Fund considers all cash accounts, which are not subject to withdrawal restrictions or penalties, and all highly liquid debt instruments purchased with a maturity date of three months or less to be cash and cash equivalents in the financial statements.

Investments

Investments in marketable securities with readily determinable fair values are measured at fair market value in the statement of net assets. The unrealized gains or losses on investments are included in the change in net assets. Gains and losses on the marketable securities are determined based upon the specific securities sold.

Mortgage Notes Receivable

Mortgage notes receivable are carried at their estimated collectable amounts. Interest income on mortgage notes receivable is recognized using the cash method. Interest income on impaired loans is recognized as cash is collected or on a cost-recovery basis. Provisions for losses on mortgage notes receivable are determined on the basis of loss experience, known and inherent risks, the estimated value of underlying collateral, and current economic conditions.

Concentration of Credit Risk

The Fund maintains its cash at financial institutions and at times the balances may be in excess of federally insured limits. At December 31, 2019, the Fund had \$28,139 of funds in excess of insured limits.

Use of Estimates

The Fund uses estimates and assumptions in preparing these financial statements in accordance with its modified cash basis of accounting. These estimates and assumptions affect the reported amounts of assets and the reported expenses, primarily the capitalization and depreciation of long-lived assets. Actual results could vary from the estimates that were used.

Change in Accounting Principle

On January 1, 2019, the Fund adopted Financial Accounting Standards Board (FASB) Accounting Standards Update (ASU) 2014-09, Revenue from Contracts with Customers (Topic 606), (ASU 2014-09) and FASB ASU 2018-08, Not-For-Profit Entities (Topic 958): Clarifying the Scope and the Accounting Guidance for Contributions Received and Contributions Made (ASU 2018-08).

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
NOTES TO FINANCIAL STATEMENTS - MODIFIED CASH BASIS - CONTINUED
DECEMBER 31, 2019 AND 2018

(1 – continued)

These two ASUs were adopted together as of January 1, 2019, because they both establish standards for characterizing grants and similar contracts with resource providers as either exchange transactions or conditional contributions. ASU 2014-09 was adopted retrospectively only to agreements that were not completed at January 1, 2019. ASU 2018-08 was applied on a modified prospective basis to agreements that were not completed January 1, 2019, or that were entered into after that date. The adoption did not have a material impact on the timing of revenue recognition as of the adoption date and did not result in a cumulative effect adjustment to net assets.

Expense Allocation

Directly identifiable expenses are charged to programs and supporting services. Expenses related to more than one function are charged to programs and supporting services on the basis of periodic time and expense studies. Management and general expenses include those expenses that are not directly identifiable with any other specific function but provide for the overall support and direction of the Foundation.

Income Taxes

The Fund is exempt from federal and state income taxes under Section 501(c) (3) of the Internal Revenue Code. Accordingly, the financial statements do not provide for income taxes.

The Fund has implemented the accounting guidance for uncertainty in income taxes. Under that guidance, tax positions need to be recognized in the financial statements when it is more-likely-than-not the position will be sustained upon examination by the tax authorities. As of December 31, 2019, the Fund has no uncertain tax positions that qualify for either recognition or disclosure in the financial statements. The Fund files a federal Form 990. The Fund is not currently being examined and management believes its tax-exempt status would be upheld under examination.

(2) **LIQUIDITY**

The organization's financial assets available within one year of the balance sheet date for general expenditure are as follows:

	<u>2019</u>	<u>2018</u>
Cash	\$ 1,024,124	\$ 3,218,997
Marketable securities	5,756,855	5,169,040
	6,780,979	8,388,037
Less net assets with donor restrictions	(9,821)	(9,354)
	\$ 6,771,158	\$ 8,378,683

As part of the Organization's liquidity management, it has a policy to structure its financial assets to be available as its general expenditures, liabilities, and other obligations come due. In addition, the Organization invests cash in excess of daily requirements in short-term investments such as marketable securities.

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
NOTES TO FINANCIAL STATEMENTS - MODIFIED CASH BASIS - CONTINUED
DECEMBER 31, 2019 AND 2018

(3) INVESTMENT IN MARKETABLE SECURITIES

The following is a summary of the Fund's investment in a designated reserve account as of December 31, 2019 and 2018:

	Amortized Cost	Gross Unrealized Gains	Gross Unrealized Losses	Fair Value
December 31, 2019:				
Mutual funds – fixed income	\$ 2,270,001	\$ 76,233	\$ -	\$ 2,346,234
Mutual funds – equity	1,234,014	135,240	13,414	1,355,840
Exchange traded funds – fixed income	1,614,555	20,331	1,666	1,633,220
Exchange traded funds – equity	371,988	49,573	-	421,561
	<u>\$ 5,490,558</u>	<u>\$ 281,377</u>	<u>\$ 15,080</u>	<u>\$ 5,756,855</u>
December 31, 2018:				
Mutual funds – fixed income	\$ 2,210,207	\$ -	\$ 55,387	\$ 2,154,820
Mutual funds – equity	1,222,642	1,994	144,486	1,080,150
Exchange traded funds – fixed income	1,614,555	-	27,504	1,587,051
Exchange traded funds – equity	372,151	-	25,132	347,019
	<u>\$ 5,419,555</u>	<u>\$ 1,994</u>	<u>\$ 252,509</u>	<u>\$ 5,169,040</u>

The Fund holds the above securities, invested in a designated operating reserve account, to ensure its ability to continue operations as set forth in KRS 230.374 and 230.375. In recent years, the Fund's annual budgeted expenditures have exceeded the grants received from uncashed pari-mutuel tickets. The Fund's board of directors and management consider this operating reserve and the related income generated, necessary to continue the operations of the Fund. The operating reserve investment helps management continue to provide health and welfare benefits despite the uncertainty about the amounts and timing of the grants received and benefits provided.

(4) FAIR VALUE MEASUREMENTS

The Fund adopted the provisions of ASC 820 *Fair Value Measurements*, for financial assets and financial liabilities. The Fund has no nonfinancial assets and nonfinancial liabilities determined at fair value.

ASC 820 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. ASC 820 establishes a fair value hierarchy that prioritizes the use of inputs used in valuation methodologies into the following three levels:

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
NOTES TO FINANCIAL STATEMENTS - MODIFIED CASH BASIS - CONTINUED
DECEMBER 31, 2019 AND 2018

(4 – continued)

- Level 1: Inputs to the valuation methodology are quoted prices, unadjusted for identical assets or liabilities in active markets. A quoted market price in an active market provides the most reliable evidence of fair value and shall be used to measure fair value whenever available.
- Level 2: Inputs to the valuation methodology include quoted market prices for similar assets or liabilities in active markets; inputs to the valuation methodology include quoted market prices for identical or similar assets or liabilities in markets that are not active; or inputs to the valuation methodology that are derived principally from or can be corroborated by observable market data by correlation or other means.
- Level 3: Inputs to the valuation methodology are unobservable and significant to the fair value measurement. Level 3 assets and liabilities include financial instruments whose value is determined using discounted cash flow methodologies, as well as instruments for which the determination of fair value requires significant management judgment or estimation.

A description of the valuation methodology used for instruments measured at fair value, as well as the general classification of such instruments pursuant to the valuation hierarchy, is set forth below. The table below presents the balance of the assets measured at fair value on a recurring basis as of December 31, 2019 and 2018.

	Carrying Value			
	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Total</u>
December 31, 2019:				
<i>Assets Measured on a Recurring Basis</i>				
Marketable Securities				
Mutual funds – fixed income	\$2,346,234	\$ -	\$ -	\$2,346,234
Mutual funds – equity	1,355,840	-	-	1,355,840
Exchange traded funds – fixed income	1,633,220	-	-	1,633,220
Exchange traded funds – equity	421,561	-	-	421,561
December 31, 2018:				
<i>Assets Measured on a Recurring Basis</i>				
Marketable Securities				
Mutual funds – fixed income	\$2,154,820	\$ -	\$ -	\$2,154,820
Mutual funds – equity	1,080,150	-	-	1,080,150
Exchange traded funds – fixed income	1,587,051	-	-	1,587,051
Exchange traded funds – equity	347,019	-	-	347,019

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
NOTES TO FINANCIAL STATEMENTS - MODIFIED CASH BASIS - CONTINUED
DECEMBER 31, 2019 AND 2018

(4 – continued)

Marketable securities. Marketable securities are reported at fair value on a recurring basis. These securities are classified as Level 1 of the valuation hierarchy where quoted market prices from reputable third-party brokers are available in an active market. If quoted market prices are not available, the Fund obtains fair value measurements from independent pricing services. The Company's valuation methodologies may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. While management believes the Company's valuation methodologies are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different estimate of fair value at the reporting date.

(5) **RELATED PARTY MORTGAGE NOTES AND ADVANCES**

The Fund advanced cash to The Old School, LLC and Back Track, Inc. These entities are related parties with members common to both boards of directors. The advances were for operations, the purchase and renovation of a building, and payment of professional fees. During June 2019, the non-interest bearing note secured by a 2nd real estate mortgage was extended to May 1, 2021. At December 31, 2019 and 2018, unpaid advances amounted to \$1,889,546 to The Old School, LLC, respectively. At December 31, 2019 and 2018, unpaid advances amounted to \$4,505 to Back Track, Inc.

The Fund has non-interest bearing mortgage notes receivable from The Old School, LLC at December 31, 2019 and 2018 as follows:

	2019	2018
Non-interest bearing note to the Fund, due		
May 1, 2021, secured by a 2 nd real estate mortgage	\$ 1,218,931	\$ 1,218,931
Non-interest bearing note to the Fund, due		
May 1, 2021, secured by a 3 rd real estate mortgage	285,538	285,538
Non-interest bearing note to the Fund, due		
May 1, 2021, secured by a 4 th real estate mortgage	173,429	173,429
Non-interest bearing note to the Fund, due		
May 1, 2021, unsecured	211,648	211,648
	211,648	211,648
Total mortgage notes receivable	\$ 1,889,546	\$ 1,889,546

(6) **OPERATING LEASE AND SUBLEASE**

The Fund leases office space from The Old School, LLC. The initial term of the lease expired during 2019 and was extended through October 1, 2020 with fourteen additional one year renewal options.

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
NOTES TO FINANCIAL STATEMENTS - MODIFIED CASH BASIS - CONTINUED
DECEMBER 31, 2019 AND 2018

(6 – continued)

Rent paid under the lease amounted to \$5,976 per month during the years ended December 31, 2019 and 2018. The lease agreement also contains a provision which requires the Fund to reimburse The Old School, LLC for its share of certain expenses. During the year ended December 31, 2018, the Fund reimbursed The Old School \$13,000 for HVAC repair expenses. Total rent expense for the years ended December 31, 2019 and 2018 was \$71,710. For the years ended December 31, 2019 and 2018, \$35,855 was allocated to the Kentucky Racing Health Services Center and \$48,855 was reported as an administrative cost.

The Fund uses a portion of the leased space for its offices and subleases the remaining space. The Fund leased a portion of its space to a tenant during the years ended December 31, 2019 and 2018 for \$325 per month. The lease expired March 31, 2019. Total rent received under this sublease for the years ended December 31, 2019 and 2018 was \$5,200 and \$3,250, respectively.

(7) KENTUCKY RACE TRACK RETIREMENT PLAN

The Kentucky Race Track Retirement Plan is funded with discretionary contributions from the Fund. Contributions to the Plan were \$250,000 for the years ended December 31, 2019 and 2018. The Fund also paid related administration expenses for the Plan of \$7,910 and \$7,667 for the years ended December 31, 2019 and 2018, respectively.

(8) EMPLOYEE RETIREMENT PLAN

The Fund has a simplified employee retirement plan for all full time employees with over three years of service. The Fund's contribution equals 8% of the participant's compensation. The Fund's contributions to the plan amounted to \$19,387 and \$18,921 for the years ended December 31, 2019 and 2018, respectively.

(9) DEVELOPER FEE RECEIVABLE

In 2002, the Fund entered into a development agreement with The Old School, LLC to supervise the rehabilitation of the building owned by The Old School, LLC. The development agreement required The Old School, LLC to pay the Fund a development fee in the amount of \$743,681. The remaining unpaid balance of \$320,252 is evidenced by an unsecured note payable to the Fund. This note carries an interest rate of 6.0% and is due May 1, 2021 with interest.

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
NOTES TO FINANCIAL STATEMENTS - MODIFIED CASH BASIS - CONTINUED
DECEMBER 31, 2019 AND 2018

(10) SUBSEQUENT EVENTS

In preparing these financial statements, the Fund has evaluated events and transactions for potential recognition or disclosure in the accompanying financial statements and related notes thereto have taken place through July 30, 2020.

The Fund received grants of uncashed pari-mutuel tickets totaling \$1,880,301 in January and February of 2020.

As of July 30, 2020, the Fund is in the process of implementing a risk mitigation strategy related to the impact of COVID-19 covering all aspects of the Fund's operations. The grants received by the Fund represent uncashed thoroughbred pari-mutuel tickets. Due to COVID-19, thoroughbred racing events are being held without live spectators and are not currently generating uncashed pari-mutuel tickets. Contributions will be diminished in 2021 and any other future periods affected by the pandemic. The Fund's impact mitigation strategy includes future decreases in benefits and other grants, if necessary, as well as the use of operating reserves to maintain program services.

The Fund received \$71,000 in funding through a loan under the Small Business Administration's Paycheck Protection Program in May 2020. The unsecured loan has a maturity of two years, an interest rate of 1% and loan payments will be deferred for six months. The loan may be partially or fully forgiven if the funds are used for payroll costs, interest on mortgages, rent and utilities.



MONROE SHINE

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Independent Auditor's Report on Supplementary Information

Board of Directors
Kentucky Racing Health and Welfare Fund, Inc.
Louisville, Kentucky

We have audited the financial statements of **Kentucky Racing Health and Welfare Fund, Inc.** for the years ended December 31, 2019 and 2018, and our report thereon dated July 30, 2020, which expressed an unqualified opinion on those financial statements, appears on page three. Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The supplementary information included in pages 16 and 17 is presented for purposes of additional analysis and is not a required part of the basic consolidated financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or the financial statements themselves, and other additional procedures in accordance with audit standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the consolidated financial statements as a whole.

Monroe Shine

Louisville, Kentucky
July 30, 2020

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
ADMINISTRATIVE EXPENSES
YEARS ENDED DECEMBER 31, 2019 AND 2018

	<u>2019</u>	<u>2018</u>
Salaries	\$ 293,286	\$ 284,277
Payroll taxes	22,552	21,798
Contract labor	194	490
Employee retirement plan	19,387	18,921
Health insurance	84,028	85,913
Travel	4,378	3,438
Meetings	1,115	1,228
Accounting	3,030	3,050
Audit	12,470	11,850
Legal	56,138	47,117
General insurance	24,170	18,606
Kentucky thoroughbred racing record	143	140
Telephone	12,336	11,492
Postage	1,304	2,463
Office supplies	5,608	6,145
Computer and office equipment	2,355	610
Printing and publications	3,671	4,099
Service contracts	9,644	8,773
Continuing education	455	476
Office cleaning and storage	2,623	2,152
Office site improvement	-	26,837
Miscellaneous	2,201	2,514
Rent	35,855	48,855
Utilities	4,915	4,917
Website hosting & publishing	404	369
Payroll processing	2,403	2,259
	<hr/>	<hr/>
Total Administrative Expenses	\$ 604,665	\$ 618,789
	<hr/>	<hr/>

KENTUCKY RACING HEALTH AND WELFARE FUND, INC.
RETIREMENT PLAN
YEARS ENDED DECEMBER 31, 2019 AND 2018

	<u>2019</u>		<u>2018</u>
RETIREMENT PLAN			
Retirement plan contributions	\$ 250,000	\$	250,000
Professional fees	5,560		5,490
Office supplies	695		695
Printing and publications	431		262
Travel expense	1,225		1,220
	<hr/>		
Total Retirement Plan	\$ 257,911	\$	257,667
	<hr/>		



Andy Beshear
Governor

Jonathan Rabinowitz
Chairman

Kerry B. Harvey
Secretary

Marc A. Guilfoil
Executive Director

Public Protection Cabinet

KENTUCKY HORSE RACING COMMISSION

Established 1906

4063 Iron Works Pkwy., Bldg. B

Lexington, Kentucky 40511

Telephone: (859) 246-2040 Fax: (859) 246-2039

Website: <http://khrc.ky.gov>

To: Kentucky Horse Racing Commission
From: Waqas Ahmed, Director of Pari-Mutuel Wagering and Compliance
Date: November 23, 2020
Re: Requested Approval of Advance Deposit Account Wagering Licenses for 2021

Pursuant to 810 KAR 3:040, the Kentucky Horse Racing Commission ("KHRC") received eight (8) Renewal Applications to Conduct Advance Deposit Account Wagering ("ADW Application") for 2021 to provide advance deposit wagering services in the Commonwealth of Kentucky.

KHRC staff members, Commissioner Hendrickson, Commissioner Kling, and Commissioner Simendinger have reviewed all eight (8) applications. The following is a summary of their findings:

AmWest Entertainment, LLC ("AmWest")

- AmWest was organized in Kentucky in 2004 as a limited liability company. Its principal business office is currently located in Prospect, KY.
- AmWest is currently in good standing and authorized to do business in Kentucky with the Secretary of State.
- AmWest currently operates in 27 jurisdictions and is licensed in every jurisdiction in which it operates that requires a license to offer ADW services.
- AmWest is currently bonded as per 810 KAR 3:040 (9).

eBet Technologies, Inc. ("eBet")

- eBet was organized in Nevada in 2008 as a corporation and is 100% owned by Sportech, Inc. Its principal business office is currently located in New Haven, CT.
- Sportech, Inc. also wholly owns and operates Sportech Racing, LLC, a totalizator company currently licensed by the KHRC.
- eBet is currently in good standing and authorized to do business in Kentucky with the Secretary of State.
- eBet currently operates in 37 jurisdictions and is licensed in every jurisdiction in which the organization operates that currently requires a license to offer ADW services.
- eBet is currently bonded as per 810 KAR 3:040 (9).



Lien Games Racing, LLC (“Lien Games”)

- Lien Games was organized in North Dakota in 2005 as a limited liability company. Its principal business office is currently located in Fargo, ND.
- Lien Games is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in North Dakota.
- Lien Games currently operates in 28 states and is licensed in every jurisdiction in which it operates that currently requires a license to offer ADW services.
- Lien Games is currently bonded as per 810 KAR 3:040 (9).

NYRAbets, LLC (“NYRAbets”)

- NYRAbets was organized in Delaware in 2016 as a limited liability company.
- NYRAbets is a wholly-owned subsidiary of the New York Racing Association. Its principal business office is currently located in Jamaica, NY.
- NYRAbets is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in Delaware.
- NYRAbets currently operates in 29 states and is licensed in every jurisdiction in which the organization operates that currently requires a license to offer ADW services.
- NYRAbets is currently bonded as per 810 KAR 3:040 (9).

ODS Technologies, L.P. d/b/a TVG Network (“TVG”)

- TVG was organized in Delaware in 1994 as a limited partnership. ODS Holding, LLC has a 97.667% interest in ODS Technologies, L.P. Its principal business office is currently located in Los Angeles, CA.
- TVG is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in Delaware.
- TVG currently operates in 33 states and is licensed in every jurisdiction in which the organization operates that currently requires a license to offer ADW services.
- TVG is currently bonded as per 810 KAR 3:040 (9).

Churchill Downs Technology Initiatives Company (“TwinSpires” or “CDTIC”)

- CDTIC was organized in Delaware in 2007 as a corporation.
- TwinSpires is a wholly-owned subsidiary of Churchill Downs Incorporated. Its principal business office is currently located in Louisville, KY.
- Churchill Downs Incorporated also wholly owns and operates United Tote Company, a totalizator company currently licensed by the KHRC, and Churchill Downs Racetrack, which is also in good standing with the Kentucky Horse Racing Commission.
- CDTIC is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in Delaware.
- CDTIC currently operates in 39 jurisdictions in the United States and is licensed in every jurisdiction in which the organization operates that currently requires a license to offer ADW services.
- CDTIC is currently bonded as per 810 KAR 3:040 (9).

WatchandWager.com LLC (“WatchandWager.com”)

- WatchandWager.com was organized in Nevada in 2010 as a limited liability company. Its principal business office is currently located in Larkspur, CA.



- WatchandWager.com is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in Nevada.
- WatchandWager.com currently operates in 27 states and is licensed in every jurisdiction in which the organization operates that currently requires a license to offer ADW services.
- WatchandWager.com is currently bonded as per 810 KAR 3:040 (9).

Xpressbet, LLC (“Xpressbet”)

- Xpressbet was organized in Delaware in 2001 as a limited partnership. Xpressbet is a wholly-owned subsidiary of The Stronach Group, Incorporated. Its principal business office is currently located in Washington, PA.
- The Stronach Group also wholly owns and operates AmTote International, a totalizator company currently licensed and in good standing with the Kentucky Horse Racing Commission.
- Xpressbet is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in Delaware.
- Xpressbet currently operates in 52 states/territories and is licensed in every jurisdiction in which the organization operates that currently requires a license to offer ADW services.
- Xpressbet is currently bonded as per 810 KAR 3:040 (9).

All ADW Applicants were forthcoming and cooperative during the review period. There were no outstanding occurrences to warrant concern by the KHRC, and issuing of a Renewal License to Conduct Advance Deposit Account Wagering to all Applicants is recommended.

COMMISSION ACTION

_____ Approved

_____ Denied

_____ Deferred



Andy Beshear
Governor

Jonathan Rabinowitz
Chairman



Kerry B. Harvey
Secretary

Marc A. Guilfoil
Executive Director

Public Protection Cabinet

KENTUCKY HORSE RACING COMMISSION

Established 1906

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Website: <http://khrc.ky.gov>

To: Kentucky Horse Racing Commission
From: Waqas Ahmed, Director of Pari-Mutuel Wagering and Compliance
Date: November 25, 2020
Re: Requested Approval of Totalizator Licenses for 2021

Pursuant to 810 KAR 3:030, the Kentucky Horse Racing Commission ("KHRC") received three (3) Renewal License Applications to Provide Totalizator Services ("Totalizator Application") for services to be rendered in the Commonwealth of Kentucky in 2021.

KHRC staff members, Commissioner Hendrickson, Commissioner Kling, and Commission Simendinger have reviewed all three (3) applications. The following is a summary of their findings:

Amtote International, Inc. ("Amtote")

- Amtote was organized in Delaware in 1991 as a limited liability company and is 100% owned by The Stronach Group. Its principal business office is currently located in Hunt Valley, Maryland.
- The Stronach Group also wholly owns and operates Xpressbet, LLC, an advance deposit account wagering operator currently licensed by the KHRC.
- Amtote is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in Delaware.
- Amtote is currently licensed in 20 jurisdictions in the United States.
- Amtote currently provides totalizator services for historical horse racing to KRM Wagering, LLC and the following advance deposit account wagering operators licensed by the KHRC
 - o Lien Games Racing, LLC
 - o NYRAbets, LLC
 - o ODS Technologies, L.P. d/b/a TVG Network
 - o WatchandWager.com, LLC
 - o Xpressbet, LLC



- Amtote has submitted an SOC 1 Type II Report audit of its internal controls completed in the 12 months prior to the submission of its application. The independent auditor, Deloitte, LLP, issued a satisfactory opinion and noted no major exceptions.

Sportech Racing, LLC (“Sportech”)

- Sportech was organized in Delaware in 1980 as a limited liability company and is 100% owned by Sportech, Inc. Its principal business office is currently located in New Haven, Connecticut.
- Sportech, Inc. is wholly owns and operates eBet Technologies, Inc., an advance deposit account wagering operator currently licensed by the KHRC.
- Sportech is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in Delaware.
- Sportech is currently licensed in 26 jurisdictions in the United States.
- Sportech provides totalizator services to Ellis Entertainment, LLC (Ellis Park), Kentucky Downs, LLC, and the following advance deposit account wagering operator licensed by the KHRC:
 - o eBet Technologies, Inc.
- Sportech has had an SOC 1 Type II Report audit of its internal controls completed in the past 12 months prior to the submission of its application. The independent auditor, Grant Thornton, LLP, issued a satisfactory opinion and noted no major exceptions.

United Tote Company (“United Tote”)

- United Tote was organized in Montana in 1975 as a corporation and is 100% owned by Churchill Downs Incorporated. Its principal business office is currently located in Louisville, Kentucky.
- Churchill Downs Incorporated wholly owns and operates Churchill Downs Technology Initiatives Company, an advance deposit account wagering operator that is currently licensed by the KHRC. It also operates Churchill Downs Racetrack, Turfway Park, LLC, and WKY Development, LLC, all of which are currently licensed by the KHRC.
- United Tote is currently in good standing and authorized to do business in Kentucky with the Secretary of State and is also in good standing and authorized to do business in Montana.
- United Tote is currently licensed in 41 jurisdictions in the United States.
- United Tote currently provides totalizator services to Churchill Downs Racetrack, The Red Mile, Turfway Park, LLC, WKY Development, LLC, and the following advance deposit account wagering operators licensed by the KHRC:
 - o AmWest Entertainment, LLC
 - o Churchill Downs Technology Initiatives Company (“TwinSpires/BetAmerica”)
- United Tote has submitted an SOC 1 Type II Report audit of its internal controls completed in the past 12 months prior to the submission of its application. The independent auditor, MCM CPAs & Advisors, LLP, issued a satisfactory opinion and noted no major exceptions.

Upon review of all submitted applications and relative exhibits, there are no major outstanding occurrences to warrant concern by the KHRC. All applicants have operational systems in place that will maintain compliance with the KHRC Totalizator Standards throughout the license period. All



applicants have also submitted signed affidavits indicating that the organizations will abide by these standards.

Therefore, the KHRC staff recommends renewal of these applications to provide totalizator services in 2021.

COMMISSION ACTION

_____ Approved

_____ Denied

_____ Deferred



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

JONATHAN RABINOWITZ
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

PUBLIC PROTECTION CABINET
KENTUCKY HORSE RACING COMMISSION
ESTABLISHED 1906
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LEXINGTON, KENTUCKY 40511
TELEPHONE: (859) 246-2040 FAX: (859) 246-2039
WEBSITE: [HTTP://KHRC.KY.GOV](http://khrc.ky.gov)

To: Commissioners, Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Date: November 20, 2020
Re: Ratification of Executive Director Approval of Oak Grove's Revised 2020 Race Dates

In its application for a 2020 license, WKY Development, LLC ("Oak Grove") sought and received an award of 16 race dates for its facility in Oak Grove, Kentucky, as follows:

- October 14, 15, 19, 20, 21, 22, 26, 27, 28, 29
- November 2, 3, 4, 9, 10, 11

On October 22, 2020, Oak Grove requested approval to amend Section R of its 2020 Application, which describes the Racing and Wagering Operations. A copy of that request is included in the materials after this memorandum. Specifically, Oak Grove requests to change its Racing Days in the following respects:

Cancel racing: Monday, October 26
Tuesday, October 27
Wednesday, October 28

Reschedule for: Saturday, November 21
Sunday, November 22
Monday, November 23

Of note, the request does not seek to alter the number of race dates in any way. Instead, the request seeks to shift the three dates in October 2020, which were lost due to inclement weather, to three dates in November 2020.

The full Commission did not have time to review and vote on the request before the proposed race dates. Therefore, Marc Guilfoil conditionally granted Oak Grove's request, subject to ratification by the full Commission.



The Commission may approve shifted race dates.

Per my review of Kentucky statutes and regulations, nothing prohibits the Commission from approving a shift in live race meeting dates and host track status. Although the award of additional race dates to a track after the November 1 deadline is not allowed under KRS 230.300(5), except in limited circumstances, that is not what Oak Grove seeks. Instead, Oak Grove seeks only to shift dates that have already been awarded.

Although such requests have been infrequent, the Commission has traditionally allowed race dates to be shifted if the request is received and approved before the racing on the date is held.¹ Such an action does not constitute the “award” of race dates and thus is not barred by the November 1 deadline in KRS 230.300.

The concern that drives the statutory time limit on awarding race dates—“to prevent ongoing battles for dates,” 1978-79 Ky. Op. Att’y Gen. 2-538 (1979) is not present here. Oak Grove has already been awarded sixteen (16) days of racing in 2020 and the shifted days will fall within the same general period (mid-October to mid-November 2020) as the dates that were originally awarded. Also, the shifted dates will not conflict with those held by another harness track. The shifted dates conflict with one (1) Thoroughbred track date. However, the Commission has traditionally allowed overlap between Standardbred and Thoroughbred tracks. Moreover, the owner of the affected Thoroughbred track, Churchill Downs, is part-owner of Oak Grove, and thus appears to have no objection.

The KHRC staff recommends approval.

COMMISSION ACTION:

- _____ Approve
- _____ Deny
- _____ Defer

¹ For instance, in June 2012, Kentucky Downs was allowed to shift two race dates from Tuesdays to Wednesdays. Similarly, in 2019, WKY Development was allowed to shift race dates so that races were held on three days for four weeks, rather than two days for six weeks.





October 22, 2020

Mr. Marc Guilfoil
Executive Director
Kentucky Horse Racing Commission
Via E-Mail: marc.guilfoil@ky.gov

Re: Request to amend 2020 Race Dates

Dear Mr. Guilfoil:

As you are aware, due to inclement weather and unforeseen circumstances earlier this week, the race track at Oak Grove Racing, Gaming and Hotel sustained a fair amount of damage. We have a coordinated plan in place to repair the surface to ensure its safety but to do so, we respectfully request a shift in race dates to allow for more time for maintenance. With your approval, we would like to reschedule race dates, as follows:

Cancel Racing: Monday, October 26
 Tuesday, October 27
 Wednesday, October 28

Reschedule For: Saturday, November 21
 Sunday, November 22
 Monday, November 23

We will continue to commence racing at 12:30 PM Daily.

Please feel free to contact me with any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Boehm", with a long horizontal flourish extending to the right.

David Boehm
Senior Director of Gaming and Racing Operations



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

JONATHAN RABINOWITZ
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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LEXINGTON, KENTUCKY 40511
TELEPHONE: (859) 246-2040 FAX: (859) 246-2039
WEBSITE: [HTTP://KHRC.KY.GOV](http://khrc.ky.gov)

November 5, 2020

David Boehm
Senior Director of Gaming and Racing Operations
Oak Grove Racing, Gaming and Hotel
777 Winners Way
Oak Grove, KY 42262

Dear Mr. Boehm,

You have requested that Oak Grove Racing, Gaming and Hotel be allowed to add Saturday, November 21, 2020; Sunday, November 22, 2020; and Monday, November 23, 2020 to replace the programs lost due to inclement weather on October 26, 2020 through October 28, 2020.

KRS 230.300(5) allows the Commission to award additional race dates in the event that scheduled racing is canceled due to inclement weather. Therefore, Oak Grove is eligible to be awarded three (3) race dates to make up for the three (3) cancelled dates.

The full Commission will not have time to review and vote on the request before the proposed races dates. Accordingly, I hereby conditionally grant the request, subject to ratification by the full Commission, under authority vested in me as Executive Director pursuant to KRS 230.230.

Sincerely,

Marc A. Guilfoil

Marc A. Guilfoil
Executive Director
Kentucky Horse Racing Commission

cc: Timothy Schmitz
Shannon Garner
Bruce Howard, DVM





ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

JONATHAN RABINOWITZ
CHAIRMAN

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WEBSITE: [HTTP://KHRC.KY.GOV](http://KHRC.KY.GOV)

To: Commissioners, Kentucky Horse Racing Commission

From: T. Chad Thompson, Deputy General Counsel
Jennifer Wolsing, General Counsel

Date: November 12, 2020

Re: Ratification of Executive Director Approval of Request from Churchill Downs Racetrack to Convert Noncontiguous Track Extension Facility into Simulcast Facility

On June 18, 2019, the Kentucky Horse Racing Commission (KHRC) unanimously approved a request from Churchill Downs Racetrack (Churchill Downs) to operate a noncontiguous track extension facility at the Louisville Thoroughbred Society, located at 209 E. Main St., #200, Louisville, KY 40202, pursuant to KRS 230.210(22). That unanimous approval was contingent upon the receipt of satisfactory background checks for the following principals/members of Louisville Thoroughbred Society, LLC (LTS):

- Gene McLean;
- Mike Schnell; and
- David Steinbrecher.

In the time since that approval was provided, the KHRC staff has received completed, acceptable background checks on each of the above-referenced LTS principals/members. As such, the KHRC's prior approval is no longer conditional, but is instead fully effective, without any contingencies.

However, on October 21, 2020, KHRC Executive Director Marc Guilfoil received a request from Churchill Downs to convert this noncontiguous track extension facility into a simulcast facility, effective January 1, 2021, consistent with the terms of KRS 230.380 and 810 KAR 3:050. That request was conditionally approved by Executive Director Guilfoil on the same date, in accordance with the terms of KRS 230.230(1). The expeditious nature of Executive Director Guilfoil's conditional approval was necessary in order to ensure that the facility could open and operate in a timely fashion. Furthermore, the KHRC staff recommended that such conditional approval be provided, because Churchill Downs had already submitted the information required of simulcast facilities pursuant to 810 KAR 3:050(1)(7)(a)-(m).

The KHRC is now asked to ratify the conditional approval provided by Executive Director Guilfoil, and the KHRC staff recommends ratification.

COMMISSION ACTION:

Approve

Deny

Defer



Andy Beshear
Governor

Kerry B. Harvey
Secretary

Jonathan Rabinowitz
Chairman

Marc A. Guilfoil
Executive Director

Public Protection Cabinet
KENTUCKY HORSE RACING COMMISSION
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Lexington, Kentucky 40511
Telephone: (859) 246-2040 Fax: (859) 246-2039
Website: <http://khrc.ky.gov>

October 21, 2020

Mike Ziegler
Mike.Ziegler@kyderby.com

Justin Paul
Justin.Paul@kyderby.com

Via Electronic Mail

Re: Request by Churchill Downs Racetrack to Establish a Simulcast Facility in Louisville, KY

Dear Mr. Ziegler and Mr. Paul,

In accordance with the unanimous approval provided by the Kentucky Horse Racing Commission (KHRC) at its June 18, 2019 meeting, Churchill Downs Racetrack (Churchill Downs) is hereby conditionally authorized to operate a noncontiguous track extension facility at the Louisville Thoroughbred Society, located at 209 E. Main St., #200, Louisville, KY 40202, pursuant to KRS 230.210(22), effective immediately.

In addition, as authorized by KRS 230.230(1), KHRC Executive Director Marc A. Guilfoil hereby grants conditional approval of Churchill Downs' request to convert this noncontiguous track extension facility into a simulcast facility, effective January 1, 2021, consistent with the terms of KRS 230.380 and 810 KAR 3:050. The full Commission will consider ratification of this conditional approval at its December 2020 meeting. However, it is understood that conditional approval is necessary at this time in order to ensure the facility's timely opening and operation.

Very truly yours,

A handwritten signature in blue ink that reads "Marc A. Guilfoil".

Marc A. Guilfoil
Executive Director
Kentucky Horse Racing Commission





ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

JONATHAN RABINOWITZ
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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

To: Commissioners, Kentucky Horse Racing Commission
From: T. Chad Thompson, Deputy General Counsel
Date: November 18, 2020
Re: Turfway Park's request to amend Section R of its 2021 application to shift race dates/times

In its application for a 2021 license, Turfway Park, LLC ("Turfway Park") sought and received an award of 2021 Winter/Spring racing dates for its facility in Florence, Kentucky, as follows:

January 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30, 31 (with optional dates for January 7, 14, 21, 28);

February 5, 6, 7, 12, 13, 14, 19, 20, 21, 26, 27, 28 (with optional dates for February 4, 11, 18, 25); and

March 5, 6, 7, 12, 13, 14, 19, 20, 21, 26, 27, 28 (with optional dates for March 4, 11, 18, and 25).

On November 17, 2020, Turfway Park requested approval to amend Section R of its 2021 Application, which describes Racing and Wagering Operations. A copy of that request is included in the materials after this memorandum. Specifically, Turfway Park requests to shift the above-referenced dates as follows, due to a temporary hold on its 2021 construction schedule:

January 1, 2, 6, 7, 8, 9, 14, 15, 16, 21, 22, 23, 28, 29, 30 (with optional dates for January 13, 20, 27);

February 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27 (with optional dates for February 3, 10, 17, 24); and

March 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27 (with optional dates for March 3, 10, 17, and 24).

All race times will be set for 6:15 p.m. Of note, the request does not seek to alter the number of race dates in any way. The Commission has legal authority to approve these changes and the KHRC staff recommends approval.

The Commission may approve shifted race dates.

Per my review of Kentucky statutes and regulations, nothing prohibits the Commission from approving a shift in live race meeting dates and host track status. Although the award of additional race dates to a track after the November 1 deadline is not



allowed under KRS 230.300(5), except in limited circumstances,¹ that is not what Turfway Park seeks. Instead, Turfway Park seeks only to shift dates that have already been awarded.

Although such requests have been infrequent, the Commission has traditionally allowed race dates to be shifted if the request is received and approved before racing on the date in question is held.² Such an action does not constitute the “award” of race dates and thus is not barred by the November 1 deadline in KRS 230.300.

The concern that drives the statutory time limit on awarding race dates—“to prevent ongoing battles for dates,” 1978-79 Ky. Op. Att’y Gen. 2-538 (1979)—is not present here. Turfway Park has already been awarded thirty-nine (39) days of racing for January, February, and March of 2021, and the shifted days will fall within the same months as the dates that were originally awarded. In addition, the shifted dates will not conflict with those held by another Thoroughbred track, and are supported by Marty Maline, the Executive Director for the Kentucky Horsemen’s Benevolent and Protective Association.

The Commission may approve race time changes.

810 KAR 4:040 Section 1 states that the Commission shall approve the post time for the first race on each racing day. Nothing prohibits the Commission from approving an amended post time.

COMMISSION ACTION:

- _____ Approve
- _____ Deny
- _____ Defer

¹ This reading of the statute is confirmed by two (2) Attorney General Opinions. See 1980-81 Ky. Op. Att’y Gen. 2-883 (1981) (“[I]t is not within the scope of authority of the Kentucky State Racing Commission to award additional racing dates to [a track] in absence of the cancellation of previously scheduled dates due to flood, fire, or inclement water, or an extraordinary disruption of the orderly conduct of business amounting to the same crisis level as a natural disaster.”); 1978-79 Ky. Op. Atty’ Gen. 2-539 (1979) (“By fixing the March 1 deadline, the legislature has clearly demonstrated its intent that the Commission shall decide who shall be awarded what dates by that time, and that, under ordinary circumstances, that decision shall be final.”). One of those opinions suggested that the award of additional race dates could have dire consequences: “For, if the Commission were to award dates which were obviously unrelated to the purpose of making up for regular scheduled dates which were cancelled, [the track] would be potentially liable not only for maintaining a public nuisance and for promoting illegal gambling activity, but there is also authority to the effect that [the track] would be civilly liable to patrons for the amount of bets placed and lost if it was in fact operating under a license which is invalid under the statute.” 1978-79 Ky. Op. Att’y Gen. 2-539 (1979).

² For instance, in June 2012, Kentucky Downs was allowed to shift two race dates from Tuesdays to Wednesdays. Similarly, in 2019, WKY Development was allowed to shift race dates so that races were held on three days for four weeks, rather than two days for six weeks.





November 17, 2020

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

Mr. Guilfoil,

On behalf of Turfway Park, LLC, I respectfully request the KHRC to consider a modification to our 2021 race dates. Based on a temporary hold on the 2021 construction schedule, we no longer need to create a calendar that requires us to avoid active construction during our race meet.

We believe our best opportunity to maximize handle this winter would be to mirror our race schedule from December 2020. We request permission to move our approved 2021 Winter/Spring racing dates, currently scheduled on Fridays through Sundays, to Thursdays through Saturdays. All race times will be set for 6:15 p.m. (See attached chart)

The resulting modification would maintain our current number of race dates on the approved calendar for Turfway Park. Marty Maline, Executive Director of Kentucky HBPA, has communicated support for the date modifications on behalf of his organization.

If you have any questions, please don't hesitate to contact me at (859) 630-2298 or by email at chip.bach@turfwaypark.com, or Mike Ziegler at (502) 394-1137.

Sincerely,

A handwritten signature in black ink, appearing to read "Chip Bach". The signature is written in a cursive, flowing style.

Daniel "Chip" Bach, Jr.
General Manager
Turfway Park, LLC

Cc: Mike Ziegler
Kevin Flanery
Marty Maline (KHBPA)



Change to race date schedule – Turfway 2021 Winter/Spring Meet

Month	Racing Dates*	Optional Dates**	Host Dates	Number of Races (Optional)
Approved January 15 Race Dates 4 Optional Date 31 Host Days	1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30, 31 (Fri/Sat/Sun)	7, 14, 21, 28 (Thursdays)	31 days (January 1 st – 31 st)	120 (32)
Modified January 15 Race Dates 3 Optional Date 31 Host Days	1, 2, 6*, 7, 8, 9, 14, 15, 16, 21, 22, 23, 28, 29, 30 (*Wed/Thu/Fri/Sat)	13, 20, 27 (Wednesdays)	31 days (January 1st – 31st)	120 (24)
Approved February 12 Race Dates 4 Optional Date 28 Host Days	5, 6, 7, 12, 13, 14, 19, 20, 21, 26, 27, 28 (Fri/Sat/Sun)	4, 11, 18, 25 (Thursdays)	28 days (February 1 st – 28 th)	96 (32)
Modified February 12 Race Dates 4 Optional Date 28 Host Days	4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27 (Thu/Fri/Sat)	3, 10, 17, 24 (Wednesdays)	28 days (February 1st – 28th)	96 (32)
Approved March 12 Race Dates 4 Optional Date 31 Host Days	5, 6, 7, 12, 13, 14, 19, 20, 21, 26, 27, 28 (Fri/Sat/Sun)	4, 11, 18, 25 (Thursdays)	31 days (March 1 st – 31 st)	132 (32)
Modified March 12 Race Dates 4 Optional Date 31 Host Days	4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27 (Thu/Fri/Sat)	3, 10, 17, 24 (Wednesdays)	31 days (March 1st – 31st)	132 (32)



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WEBSITE: [HTTP://KHRC.KY.GOV](http://khrc.ky.gov)

To: Commissioners, Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Date: November 23, 2020
Re: Proposed agency amendment to 811 KAR 2:120: Kentucky Horse Breeders' Incentive Fund

On September 9, 2020, KHRC staff filed technical amendments to 811 KAR 2:120: Kentucky Horse Breeders' Incentive Fund ("KHBIF"). These amendments were filed solely to keep the regulation from expiring pursuant to KRS 13A.3102.

While these amendments have been pending, KHRC employees have worked with the regulated community to develop substantive amendments that would benefit the program.

KHRC staff seek Commission approval to include these changes in an agency amendment to the regulation. The regulated community will have an opportunity to participate in streamlined notice and comment procedures.

The two (2) major changes to this regulation are as follows:

- The KHBIF regulation originally required a letter from the national breed organization representing the breed certifying the number of horses twenty-five (25) years of age and younger in the breed residing in Kentucky. The proposed amendments state that if the Kentucky affiliate is the national breed organization, then an independent third party approved by the Commission must certify the number of horses. If the Kentucky affiliate demonstrates that it cannot obtain an independent third party to certify horse numbers, then the Commission staff may certify horse numbers at a fee of \$120.00 per hour.
- For a horse to be included in the certification, the horse must be the result of parentage verified by DNA verification of either the horse's sire or dam. A three-generation pedigree on one side must be displayed on the certificate of registration, such that the horse, at least one of the horse's parents, and at least one set of the horse's grandparents are displayed on the certificate.

Other notable changes include, but are not limited to, the following:

- "Show horse" is defined as a horse that participates in judged exhibition competitions.
- Kentucky affiliates must have an IRS 501(c) designation.



- At least one member of the KHBIF advisory committee must have “established knowledge of gaited horses.”
- Each horse shall be registered with only one (1) affiliate. This has been the KHBIF’s practice for some time, but it is now codified in the regulation.
- Discipline will take place according to 810 KAR 7:070, with only a few exceptions.
- Deadlines include:
 - The Commission has to notify the Kentucky affiliate of the total dollars allotted to the affiliate by March 1 of each year.
 - The affiliate must notify the Commission of its incentive winners by October 1 of each year. It must also notify the Commission of the names of its registered horses and the date of each horse’s registration.
 - The Commission must generate claim forms for the appropriate Kentucky affiliate within thirty (30) calendar days of receiving the incentive winners’ names.
 - The affiliate must provide the claim forms to its incentive winners and certify that it has notified all incentive winners of their awards.
 - The Commission shall not issue an award check to any incentive winners prior to receiving that letter.

The KHRC staff recommends approval.

COMMISSION ACTION:

	Approved
	Denied
	Deferred



1 PUBLIC PROTECTION CABINET

2 KENTUCKY HORSE RACING COMMISSION

3 (Amendment)

4 811 KAR 2:120. Kentucky Horse Breeders' Incentive Fund.

5 RELATES TO: [~~KRS 230.225(7)(b), (7)(c),~~ 230.330, 230.804, [~~EO 2008-668~~] 15 U.S.C. 1821-
6 1831

7 STATUTORY AUTHORITY: KRS 230.804(2)(b)[~~, EO 2008-668~~]

8 NECESSITY, FUNCTION AND CONFORMITY: KRS. 230.804 establishes the Kentucky Horse
9 Breeders' Incentive Fund. KRS 230.804(2)(b) authorizes the Kentucky Horse Racing Commission
10 (the "commission") [~~Authority~~] to promulgate administrative regulations establishing the
11 conditions and criteria for the distribution of moneys from the fund. [~~EO 2008-668, effective July~~
12 ~~3, 2008, established the Kentucky Horse Racing Commission and transferred all authority,~~
13 ~~function, and responsibilities of the Kentucky Horse Racing Authority to Commission.~~] This
14 administrative regulation establishes eligibility standards, administrative practices to enforce the
15 standards, and the procedures for paying incentive awards from the fund.

16 Section 1. Definitions.

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

19 (2) "Award distribution plan" means a plan submitted by a Kentucky affiliate to the
20 commission outlining the procedures by which the Kentucky affiliate will award funds from the

1 Kentucky Horse Breeders' Incentive Fund to incentive winners who are members of the Kentucky
2 affiliate.

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

6 (4) "Breeder" means:

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

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

13 (5) "Closed breed registry" means the restrictions of the official national breed registry
14 recognized by the Kentucky Horse Breeders' Incentive Fund [~~KHBIF~~].

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

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

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

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

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

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

3 Section 2. Registration of Kentucky Affiliate.

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

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

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

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

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

12 (4)[(3)] A thoroughbred breed shall not be eligible for registration with the KHBIF, unless
13 the thoroughbred breed consists exclusively of show horses.

14 (5)[(4)] A standardbred breed shall not be eligible for registration with the KHBIF, unless the
15 standardbred breed consists exclusively of show horses.

16 (6)[(5)] The color of a breed of horses shall not be the sole criterion used to define that
17 breed for purposes of registration with the KHBIF.

18 (7)[(6)] The commission[authority] may establish, under its[general jurisdiction of the
19 Kentucky Horse Racing Commission], the KHBIF[Kentucky Horse Breeders' Incentive Fund]
20 Advisory Committee (the "advisory committee"). If established, the advisory committee shall
21 consist of three (3) members appointed by the chairman of the commission by July 1 of each
22 year. One (1) member shall be recommended to the chairman for appointment by the Kentucky

1 Equine Education Project (KEEP). If KEEP has not recommended a member for appointment by
2 July 1 of a given year, the Chairman of the commission~~[Kentucky Horse Racing Commission]~~ shall
3 make the appointment without the recommendation. At least one (1) member of the advisory
4 committee must have established knowledge of gaited horses. Each member of the advisory
5 committee shall serve from July 1 through June 30 of the following year. Each member of the
6 advisory committee shall be a resident of Kentucky. Each member of the advisory committee
7 shall serve without compensation, but shall be entitled to reimbursement for all reasonable
8 expenses incurred in the discharge of official business. The advisory committee shall select a
9 chairman from its membership annually.

10 (8)~~(7)~~(a) The advisory committee~~[Kentucky Horse Breeders' Incentive Fund Advisory~~
11 ~~Committee]~~ shall advise and assist the commission~~[Kentucky Horse Racing Commission]~~ in the
12 registration process described in this section. The advisory committee shall make a
13 recommendation of approval or denial to the commission for each applicant based upon the
14 application and compliance with the requirements established in~~[subsection (13) of]~~ this section.

15 (b) The commission~~[Kentucky Horse Racing Commission]~~ shall employ qualified personnel
16 necessary to assist the commission and the advisory committee in carrying out the provisions of
17 this administrative regulation. These personnel shall serve at the pleasure of the commission,
18 and compensation for these personnel shall be fixed by the commission.

19 (9)~~(8)~~ After the advisory committee recommends to the commission the approval or
20 denial of an application, the commission shall consider the recommendation and whether or not
21 the requirements of this administrative regulation have been met, and shall:

22 (a) Approve the application;

1 (b) Deny the application; or

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

4 ~~(10)~~~~(9)~~ Registration shall be effective for three (3) years. The first three (3) year
5 registration period shall consist of the period beginning January 1, ~~2022~~~~(2006)~~, and ending
6 December 31, ~~2024~~~~(2008)~~.

7 ~~(11)~~~~(10)~~ For the first registration period, a Kentucky affiliate shall register with the
8 commission on or prior to November 1, 2021. Any Kentucky affiliate that registered with the
9 commission under any previously effective version of 811 KAR 2:120 shall re-register~~(March 31,~~
10 ~~2007)~~.

11 ~~(12)~~~~(11)~~ For each three (3) year period beginning on or after January 1, 2022~~(January 1,~~
12 ~~2009)~~, a Kentucky affiliate shall register with the commission on or prior to November 1 of the
13 calendar year immediately preceding January 1 of the first year of the three (3) year registration
14 period.

15 ~~(13)~~~~(12)~~ A Kentucky affiliate shall have until December 31 following the November 1
16 deadline set forth in subsections~~(subsection)~~ (11) and (12) of this section to revise and update
17 any information previously provided to the commission on or before the November 1 deadline.

18 ~~(14)~~~~(13)~~ The application and the accompanying award distribution plan provided to the
19 commission shall set forth the following information:

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

21 (b) The name of the Kentucky affiliate;

1 (c) A letter from the national breed organization representing the breed certifying that the
2 Kentucky affiliate is the recognized representative in Kentucky of that breed, and certifying the
3 number of horses twenty-five (25) years of age and younger in the breed residing in Kentucky. If
4 the Kentucky affiliate is the national breed organization, then an independent third party
5 approved by the commission must certify the number of horses. Optionally, if the Kentucky
6 affiliate demonstrates to the commission that it is unable to obtain an independent third party
7 to certify horse numbers as required in this subsection, the commission may certify horse
8 numbers at a fee of \$120.00 per hour.

9 (i) For a horse to be included in the certification, the horse must be the result of parentage
10 verified by DNA verification of either the horse's sire or dam. A three-generation pedigree on
11 one side must be displayed on the certificate of registration, such that the horse, at least one of
12 the horse's parents, and at least one set of the horse's grandparents are displayed on the
13 certificate.

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

15 (iii) The affiliate shall provide the data electronically to the commission and in a format
16 agreeable to the commission.

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

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

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

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

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

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

9 (15)~~[(14)]~~(a) The commission shall be recognized and designated as the sole official registrar
10 of the KHBIF~~[Kentucky Horse Breeders' Incentive Fund]~~ for the purposes of registering the
11 application and award distribution plan for each breed in accordance with the terms of this
12 administrative regulation.

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

- 15 1. The identity of the Kentucky affiliate representing the breed in Kentucky; and
16 2. The number of horses of the breed twenty-five (25) years of age and younger registered
17 with the national breed organization and currently residing in Kentucky.

18 (16)~~[(15)]~~ If the information on an application form required under this section is found to
19 be inaccurate, becomes inaccurate, or changes, the organization identified as the Kentucky
20 affiliate shall promptly notify the commission of the correct information within thirty (30) days
21 of discovering the inaccuracy or the circumstances causing the information to become inaccurate
22 or to change.

1 Section 3. Timing and Distribution of Awards.

2 (1) The events eligible for awards from the KHBIF~~[Kentucky Horse Breeders' Incentive~~
3 ~~Fund]~~, as set forth in each award distribution plan, shall be those occurring on or after January 1,
4 2006.

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

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

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

10 (a) Dividing the number of horses of the breed twenty-five (25) years of age and younger
11 and currently residing in Kentucky as certified by the national breed organization pursuant to
12 Section 2(14)(c)~~[2(13)(c)]~~ of this administrative regulation, by the total number of horses from all
13 Kentucky affiliates certified pursuant to Section 2(14)(c)~~[2(13)(c)]~~ of this administrative
14 regulation. The number of horses in each case shall be the number of horses recorded on each
15 Kentucky affiliate's application form on the December 31 deadline set forth in Section 2(13) of
16 this administrative regulation~~[preceding the three (3) year registration period]~~; and

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

19 (5) An award to an incentive winner from the KHBIF shall be determined based on the award
20 distribution plan submitted by the Kentucky affiliate representing the breed to the commission
21 pursuant to Section 2(3)(b) of this administrative regulation.

1 (6) ~~The commission~~~~The Kentucky affiliate~~ shall, by March 1 of each year, notify the
2 Kentucky affiliate of the total dollars allocated to that affiliate~~determine the names of the~~
3 ~~incentive winners who are entitled to awards for contests held during the previous year and~~
4 ~~provide the names of the incentive winners to the commission~~].

5 (7) The Kentucky affiliate~~commission~~ shall, by October 1~~June 1~~ of each year, notify the
6 commission of the names of the incentive winners who are entitled to awards for contests held
7 during the previous year~~notify each incentive winner of the amount of the award to which the~~
8 ~~incentive winner is entitled by notice sent to the last known address provided to the commission~~
9 ~~by the Kentucky affiliate~~]. The Kentucky affiliate must also, by October 1 of each year, notify the
10 commission of the names of the horses registered to that affiliate, and the date of each horse's
11 registration. In the event that a horse is registered with more than one (1) affiliate, the
12 commission will not count that horse's award, and the funds for that award will revert back to
13 the KHBIF to be distributed in future awards.

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

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

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

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

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

9 (10) ~~[Any award owing to an incentive winner who cannot be located by December 31 of~~
10 ~~the year in which the commission attempted to notify the incentive winner of the award pursuant~~
11 ~~to subsection (7) of this section, shall lapse to the KHBIF.~~

12 ~~(11)~~ Failure to return the claim form required by subsection (8) of this section by December
13 31 of the year in which the incentive winner was notified of the award pursuant to subsection
14 (7)(a) of this section shall result in forfeiture of the award, and the award money shall lapse to
15 the KHBIF.

16 ~~(11)~~~~(12)~~ An award from the KHBIF shall not be granted to any incentive winner who is not
17 in good standing with the national breed organization or Kentucky affiliate.

18 Section 4. Semi-annual Reports.

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

1 (2) The semi-annual report shall also include:

2 (a) A list of all stallions presently breeding horses eligible to participate in the fund, and the
3 farm locations on which the stallions stand;

4 (b) A schedule of all state and national contests for that year in which horses eligible to
5 participate in the KHBIF are scheduled to participate;[-]

6 (c) A list of all horses registered with the Kentucky affiliate and the horse's date of
7 registration with that affiliate;

8 (d) A current list of the Kentucky affiliate's board members; and

9 (e) The current contact information of the Kentucky affiliate's preferred contact(s).

10 Section 5. Disputes.

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

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

18 Section 6. Disciplinary Procedures.

19 (1) Violations, discipline, disputes, and investigation will take place according to 810 KAR
20 7:070.

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

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

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

10 (c) If the evidence available to the commission indicates that an individual who is a member
11 of, or acting on behalf of, a Kentucky affiliate or national breed organization has, without the
12 knowledge or consent of the Kentucky affiliate or national breed organization, violated 810 KAR
13 7:070, then the commission may condition the continuing registration of the Kentucky affiliate in
14 the KHBIF upon the exclusion of that individual from any further participation in work related to
15 the KHBIF.~~[The commission may deny or revoke the registration of a Kentucky affiliate or national~~
16 ~~breed organization if the Kentucky affiliate or national breed organization:~~

17 ~~(a) Knowingly provides the commission with incorrect, false, or misleading information~~
18 ~~concerning any aspect of the registration of the breed represented by the Kentucky affiliate with~~
19 ~~the commission;~~

20 ~~(b) Knowingly fails to furnish within thirty (30) days information the commission has~~
21 ~~requested relating to the registration; or~~

1 ~~(c) Knowingly violates any provision of KRS Chapter 230 or Title 810 or 811 KAR in any other~~
2 ~~manner.~~

3 ~~(2) If the commission denies or revokes the registration of a Kentucky affiliate or national~~
4 ~~breed organization, the Kentucky affiliate or national organization may request, and the~~
5 ~~commission shall schedule, a hearing to be conducted pursuant to KRS Chapter 13B.~~

6 ~~(3) At the conclusion of the hearing, the commission shall, in its final order, determine~~
7 ~~whether the Kentucky affiliate or national breed organization has knowingly provided the~~
8 ~~commission with incorrect, false, or misleading information, or has knowingly failed to provide~~
9 ~~the commission with requested information, or has knowingly violated any provision of KRS~~
10 ~~Chapter 230 or Title 810 or 811 KAR in any other manner, and may take one (1) or more of the~~
11 ~~following actions:~~

12 ~~(a) Deny or revoke the registration;~~

13 ~~(b) Uphold the denial or revocation of the registration;~~

14 ~~(c) Rescind the denial or revocation of the registration;~~

15 ~~(d) Bar the Kentucky affiliate or national breed organization which violated subsection (1)~~
16 ~~of this section from registering for a period of from one (1) to ten (10) years, based on the~~
17 ~~seriousness of the violation, beginning with the date on which the final order becomes effective;~~

18 ~~(e) Without funds due to be allocated to the Kentucky affiliate; or~~

19 ~~(f) Withdraw funds previously allocated to the Kentucky affiliate.~~

20 ~~(4) If a Kentucky affiliate's designee or representative fails to appear at the hearing, the~~
21 ~~commission may take one (1) or more of the following actions:~~

22 ~~(a) Deny or revoke the registration; or~~

1 ~~(b) Bar the Kentucky affiliate which failed to respond to the summons from registering foals~~
2 ~~to the fund for a period of from one (1) to ten (10) years, based on the seriousness of the~~
3 ~~violation, beginning with the date on which the final order becomes effective;~~

4 ~~(c) Withdraw funds previously allocated to the state affiliate;~~

5 ~~(d) Withhold funds due to be allocated to the Kentucky affiliate; or~~

6 ~~(e) Reschedule the hearing.~~

7 ~~(5) For a second or subsequent violation of subsection (1) of this section, the commission~~
8 ~~may bar the Kentucky affiliate or national breed organization from eligibility to receive an~~
9 ~~incentive from the KHBIF for period of from one (1) to twenty (20) years.~~

10 ~~(6) The commission shall notify the Kentucky affiliate in writing of the action taken by the~~
11 ~~commission.~~

12 ~~(7) If the evidence available to the commission indicates that an individual who is a member~~
13 ~~of, or acting on behalf of, a Kentucky affiliate or national breed organization has, without the~~
14 ~~knowledge or consent of the Kentucky affiliate or national breed organization, knowingly~~
15 ~~provided the commission with incorrect, false, or misleading information, knowingly failed to~~
16 ~~provide the Authority with requested information, or knowingly violated the federal Horse~~
17 ~~Protection Act, 15 U.S.C. Sections 1821 through 1831, or any other federal or state law pertaining~~
18 ~~to the breeding, racing, or showing of horses, or reflecting on the honesty and trustworthiness~~
19 ~~of the individual to participate in the KHBIF, the commission may take one (1) or more of the~~
20 ~~following actions:~~

21 ~~(a) Condition the continuing registration of the Kentucky affiliate in the KHBIF upon the~~
22 ~~exclusion of that individual from any further participation in work related to the KHBIF;~~

- 1 ~~(b) Withdraw funds previously allocated to the individual;~~
- 2 ~~(c) Withhold funds due to be allocated to the individual; or~~
- 3 ~~(d) Bar the individual from further participation in the KHBIF for a period of time~~
- 4 ~~proportionate to the seriousness of the violation.~~

5 ~~(8) An individual against whom disciplinary action has been taken under subsection (7) of~~
6 ~~this section may appeal the matter to the commission pursuant to KRS Chapter 13B.]~~

7 Section 7. Incorporation by Reference.

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

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

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

13 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law,
14 at the Kentucky Horse Racing Commission, 4063 Iron Works Pike, Building B, Lexington, Kentucky
15 40511, Monday through Friday, 8 a.m. to 4:30 p.m.

16 (3) This material may also be obtained from the KHRC Web site at www.khrc.ky.gov



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To: Commissioners, Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Date: December 1, 2020
Re: Proposed amendments to 810 KAR 8:010, 020, and 040

On Tuesday, December 1, 2020, the Equine Drug Research Counsel (“EDRC”) approved regulatory amendments related to the KHRC’s regulatory treatment of clenbuterol:

The major recommended changes to our regulations are as follows:

- 810 KAR 8:010 should be revised to create a new section regarding clenbuterol. That section will specify that clenbuterol is prohibited unless certain conditions are met. Those conditions include, but are not limited to:
 - The prescription for clenbuterol is made for a specific horse based upon a specific diagnosis.
 - The veterinarian must provide a copy of the horse’s treatment sheet to the Equine Medical Director or his/her designee for review within 24 hours of any clenbuterol administration.
 - A horse administered clenbuterol must be placed on the veterinarian’s list for a minimum of twenty-one (21) days after its last administration. The horse must meet all conditions for removal from the list, including blood and urine sampling after the 21-day period. Both samples must have no detectible clenbuterol.
- 810 KAR 8:020 should be revised to state that the acceptable threshold level of clenbuterol is the level of detection in urine, serum, and plasma;
- 810 KAR 8:040 should be revised to state that clenbuterol may be administered if the treatment is pursuant to a prescription, timely reported to the Commission, and otherwise compliant with 810 KAR 8:010.

Draft amendments to our regulations are attached to this memorandum.

The KHRC staff recommends approval.



COMMISSION ACTION:

Approved

Denied

Deferred

1 PUBLIC PROTECTION CABINET

2 KENTUCKY HORSE RACING COMMISSION

3 (Amendment)

4 810 KAR 8:010. Medication; testing procedures; prohibited practices.

5 RELATES TO: KRS 230.215, 230.225, 230.240, 230.260, 230.265, 230.290, 230.320,
6 230.370

7 STATUTORY AUTHORITY: KRS 230.215(2), 230.225, 230.240(2), 230.260(8), 230.320,
8 230.370

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2), 230.260(8), and 230.320
10 authorize the Kentucky Horse Racing Commission to promulgate administrative regulations
11 prescribing conditions under which all legitimate horse racing and wagering thereon is conducted
12 in Kentucky. KRS 230.240(2) requires the commission to promulgate administrative regulations
13 restricting or prohibiting the administration of drugs or stimulants or other improper acts to
14 horses prior to the horse participating in a race. This administrative regulation establishes
15 requirements and controls in the administration of drugs, medications, and substances to horses,
16 governs certain prohibited practices, and establishes trainer responsibilities relating to the health
17 and fitness of horses.

18 Section 1. Definitions.

19 (1) "AAS" or "anabolic steroid" means an anabolic androgenic steroid.

1 (2) "Administer" means to apply to or cause the introduction of a substance into the body
2 of a horse.

3 (3) "Commission laboratory" means a laboratory chosen by the commission to test
4 biologic specimens from horses taken under the supervision of the commission veterinarian.

5 (4) "Location under the jurisdiction of the commission" means a licensed race track or a
6 training center as described in KRS 230.260(5).

7 (5) "Positive finding" means the commission laboratory has conducted testing and
8 determined that a drug, medication, or substance, the use of which is restricted or prohibited
9 by this administrative regulation, 810 KAR 8:020, or 810 KAR 8:040, was present in the sample.

10 (a) For the drugs, medications, or substances listed in this administrative regulation or
11 810 KAR 8:020 for which an established concentration level is provided, it shall be necessary to
12 have a finding in excess of the established concentration level as provided for the finding to be
13 considered a positive finding.

14 (b) Positive finding also includes:

15 1. Substances present in the horse in excess of concentrations at which the substances
16 could occur naturally; and

17 2. Substances foreign to a horse that cause interference with testing procedures.

18 (6) "Primary sample" means the primary sample portion of the biologic specimen taken
19 under the supervision of the commission veterinarian to be tested by the commission
20 laboratory.

21 (7) "Split sample" means the split sample portion of the biologic specimen taken under
22 the supervision of the commission veterinarian to be tested by the split sample laboratory.

1 (8) "Split sample laboratory" means the laboratory approved by the commission to test
2 the split sample portion of the biologic specimen from horses taken under the supervision of the
3 commission veterinarian.

4 (9) "Test barn" means a fenced enclosure sufficient in size and facilities to accommodate
5 the stabling of horses temporarily detained for obtaining biologic specimens for testing.

6 Section 2. Use of Medication.

7 (1) Therapeutic measures and medication necessary to improve or protect the health of a
8 horse shall be administered to a horse in training under the direction of a licensed veterinarian.

9 (2) Except as expressly permitted in 810 KAR Chapter 8, while participating in a race
10 (betting or non-betting), qualifying race, or time trial, it shall be a violation for a horse to carry in
11 its body any drug, medication, substance, or metabolic derivative, that:

12 (a) Is foreign to the horse; or

13 (b) Might mask the presence of a prohibited drug, or obstruct testing procedures.

14 (3) It shall be a violation for therapeutic medications to be present in excess of established
15 threshold concentrations established in this administrative regulation or in 810 KAR 8:020. The
16 thresholds for permitted NSAIDs are established in Section 8 of this administrative regulation.

17 (4) Except as provided by paragraphs (a), (b), and (c) of this subsection, it shall be a
18 violation for a substance to be present in a horse in excess of a concentration at which the
19 substance could occur naturally. It shall be the responsibility of the commission to prove that the
20 substance was in excess of normal concentration levels.

21 (a) Gamma amino butyric acid shall not be present in a concentration greater than 110
22 nanograms per milliliter in serum or plasma.

1 (b) Cobalt shall not be present in a concentration greater than twenty-five (25) parts per
2 billion in serum or plasma.

3 (c) Free prednisolone shall not be present in a concentration greater than ten (10)
4 nanograms per milliliter in urine.

5 (5) It shall be prima facie evidence that a horse was administered and carried, while
6 running in a race (betting or non-betting), qualifying race, or time trial, a drug, medication,
7 substance, or metabolic derivative thereof prohibited by this section if:

8 (a) A biologic specimen from the horse was taken under the supervision of the
9 commission veterinarian promptly after a horse ran in a race (betting or non-betting), qualifying
10 race, or time trial; and

11 (b) The commission laboratory presents to the commission a report of a positive finding.

12 (6) The commission shall utilize the Kentucky Horse Racing Commission Uniform Drug,
13 Medication, and Substance Classification Schedule as provided in 810 KAR 8:020, for classification
14 of drugs, medications, and substances violating this administrative regulation. Penalties for
15 violations of this administrative regulation shall be implemented in accordance with 810 KAR
16 8:030.

17 Section 3. Treatment Restrictions.

18 (1) Except as provided in Section 4 of this administrative regulation, only a veterinarian
19 licensed to practice veterinary medicine in Kentucky and licensed by the commission shall
20 administer by injection a prescription or controlled drug, medication, or other substance to a
21 horse at a location under the jurisdiction of the commission.

1 (2) The only injectable substance allowed within twenty-four (24) hours prior to post time
2 of the race in which the horse is entered shall be furosemide, as established in Section 6 of this
3 administrative regulation.

4 (3) Except as provided by subsection (5) of this section, only a veterinarian licensed to
5 practice veterinary medicine in Kentucky and licensed by the commission may possess a
6 hypodermic needle, syringe, or injectable of any kind at a location under the jurisdiction of the
7 commission.

8 (4) A veterinarian licensed to practice veterinary medicine in Kentucky and licensed by
9 the commission shall use only single-use disposable needles and syringes, and shall dispose of
10 them in a container approved by the commission veterinarian.

11 (5) If a person regulated by the commission has a medical condition that makes it
12 necessary to possess a needle and syringe at a location under the jurisdiction of the commission,
13 the person shall request prior permission from the stewards or judges and furnish a letter from
14 a licensed physician explaining why it is necessary for the person to possess a needle and syringe.
15 The stewards or judges may grant approval for a person to possess and use a needle and syringe
16 at a location under the jurisdiction of the commission, but may also establish necessary
17 restrictions and limitations.

18 (6) A commission employee may accompany a veterinarian at a location under the
19 jurisdiction of the commission and take possession of a syringe, needle, or other device used to
20 administer a substance to a horse.

21 (7) Electronic therapeutic treatments, other than nebulization, shall not be administered
22 to a horse within twenty-four (24) hours prior to post time of a race in which the horse is entered.

1 Section 4. Certain Permitted Substances. Liniments, antiseptics, antibiotics, ointments,
2 leg paints, washes, and other products commonly used in the daily care of horses may be
3 administered by a person, other than a licensed veterinarian if:

4 (1) The treatment does not include any drug, medication, or substance otherwise
5 prohibited by this administrative regulation;

6 (2) The treatment is not injected; and

7 (3) The person is acting under the direction of a licensed trainer or veterinarian licensed
8 to practice veterinary medicine in Kentucky and licensed by the commission.

9 Section 5. Anti-ulcer Medications.

10 The following anti-ulcer medications may be administered orally, at the dosage stated in
11 this section, up to twenty-four (24) hours prior to post time of the race in which the horse is
12 entered:

13 (1) Cimetidine (Tagamet): eight (8) to twenty (20) milligrams per kilogram;

14 (2) Omeprazole (Gastrogard): two and two-tenths (2.2) grams;

15 (3) Ranitidine (Zantac): eight (8) milligrams per kilogram; and

16 (4) Sucralfate: two (2) to four (4) grams.

17 Section 6. Furosemide Use on Race Day.

18 (1) Furosemide may be administered, in accordance with this section, to a horse that
19 is entered to compete in a race, qualifying race, or time trial, except as provided in subsection (6)
20 of this section.

21 (2) Furosemide shall only be administered prior to a race, qualifying race, or time trial by:

22 (a) The commission veterinarian; or

1 (b) A licensed veterinarian approved by the commission to perform the administration if
2 the commission veterinarian is unavailable. If the furosemide is administered by an approved
3 licensed veterinarian, the administering veterinarian shall provide a written report to the
4 commission veterinarian no later than two (2) hours prior to post time of the race in which the
5 horse receiving the furosemide is competing.

6 (3) Except as provided in subsection (6) of this section, furosemide may be used if
7 administered:

8 (a) At a location under the jurisdiction of the commission where the horse is scheduled to
9 race;

10 (b) By a single intravenous injection, not less than four (4) hours prior to post time for the
11 race, qualifying race, or time trial in which the horse is entered; and

12 (c) In a dosage not less than 150 milligrams and not more than 500 milligrams.

13 (4) The specific gravity of a post-race urine sample shall not be below one and one one-
14 hundredths (1.010). If the specific gravity of the post-race urine sample is determined to be below
15 one and one one-hundredths (1.010), a quantification of furosemide in serum or plasma shall be
16 performed by the commission laboratory. If a horse fails to produce a urine specimen, the
17 commission laboratory shall perform a quantification of furosemide in the serum or plasma
18 sample. Concentrations above 100 nanograms of furosemide per milliliter of serum or plasma
19 shall constitute a violation of this section.

20 (5) The initial cost of administering the furosemide shall be twenty (20) dollars per
21 administration. The commission shall monitor the costs associated with administering
22 furosemide and consult with industry representatives to determine if the cost should be

1 lowered based on prevailing veterinarian services and supplies. The commission shall maintain
2 records documenting the basis for its determination, and if the cost is determined to be less
3 than twenty (20) dollars per administration, then the commission shall lower the cost
4 accordingly. The cost shall be prominently posted in the racing office.

5 (6)(a) A two (2) year old or stakes horse shall not be administered any drug, medication
6 or other substance, including furosemide, within twenty-four (24) hours of the post time of the
7 race in which the horse is entered. Participation by the horse shall not affect the status of the
8 participating horse on the official authorized bleeder medication list.

9 (b) The implementation and enforcement of the prohibition in paragraph (a) of this
10 subsection shall begin on:

11 1. January 1, 2020 for all two (2) year olds; and

12 2. January 1, 2021 for all horses entered to run in a stakes race; including the races
13 comprising the Breeders' Cup World Championships and the races designated as graded stakes
14 by the American Graded Stakes Committee of the Thoroughbred Owners and Breeders
15 Association.

16 (c) A concentration of furosemide greater than one and zero-tenths (1.0) nanograms per
17 milliliter in serum in a post-race sample shall constitute a violation of this administrative
18 regulation.

19 Section 7. Furosemide Eligibility.

20 (1)(a) Except as provided in Section 6(6) of this administrative regulation, a horse shall be
21 eligible to race with furosemide if the licensed trainer or a licensed veterinarian determines that
22 it would be in the horse's best interests to race with furosemide. Notice that a horse eligible to

1 receive furosemide will race with or without furosemide shall be made at the time of entry to
2 ensure public notification, including publication in the official racing program.

3 (b) It shall constitute a violation of this administrative regulation if notice is made
4 pursuant to this section that a horse will race with furosemide, and the post-race urine, serum,
5 or plasma does not show a detectable concentration of furosemide in the post-race urine, serum,
6 or plasma.

7 (2) After a horse has been determined to no longer be required to receive furosemide, the
8 horse shall not be eligible to receive furosemide unless the licensed trainer or a licensed
9 veterinarian determines that it would be in the horse's best interest to race with furosemide and
10 the licensed trainer or a licensed veterinarian complies with the requirements of this section.

11 Section 8. Permitted Non-steroidal Anti-inflammatory Drugs (NSAIDs).

12 (1) NSAIDs shall not be administered within forty-eight (48) hours prior to post time for
13 the race in which the horse is entered. The detection in a post-race sample of blood of a
14 detectable concentration of an NSAID, except as allowed by subsection (2) of this section, shall
15 constitute a violation of this administrative regulation. The detection in a post-race sample of
16 blood of more than one (1) of phenylbutazone, flunixin, and ketoprofen in excess of the
17 concentrations permitted by subsection (2) of this section shall constitute a violation of this
18 administrative regulation.

19 (2)(a) A finding of phenylbutazone below a concentration of three-tenths (0.3) microgram
20 per milliliter of serum or plasma shall not constitute a violation of this section.

21 (b) A finding of flunixin below a concentration of five (5) nanograms per milliliter of serum
22 or plasma shall not constitute a violation of this section.

1 (c) A finding of ketoprofen below a concentration of two (2) nanograms per milliliter of
2 serum or plasma shall not constitute a violation of this section.

3 Section 9. Anabolic Steroids.

4 (1) An exogenous AAS shall not be present in a horse that is racing. The detection of an
5 exogenous AAS or metabolic derivative in a post-race sample shall constitute a violation of this
6 administrative regulation.

7 (2) The detection in a post-race sample of an endogenous AAS or metabolic derivative
8 where the concentration of the AAS or metabolic derivative exceeds naturally occurring
9 physiological levels shall constitute a violation of this administrative regulation. The following
10 shall be deemed to be naturally occurring physiological levels:

11 (a) Boldenone:

12 1. In male horses other than geldings, free and conjugated boldenone fifteen (15)
13 nanograms per milliliter in urine or free boldenone twenty-five (25) picograms per milliliter in
14 serum or plasma; and

15 2. In geldings and female horses, free and conjugated boldenone one (1) nanogram per
16 milliliter in urine or free boldenone twenty-five (25) picograms per milliliter in serum or plasma.

17 (b) Nandrolone:

18 1. In geldings, free and conjugated nandrolone one (1) nanogram per milliliter in urine or
19 free nandrolone twenty-five (25) picograms per milliliter in serum or plasma;

20 2. In fillies and mares, free and conjugated nandrolone one (1) nanogram per milliliter in
21 urine or free nandrolone twenty-five (25) picograms per milliliter in serum or plasma; and

1 3. In male horses other than geldings, forty-five (45) nanograms per milliliter of
2 metabolite, 5 α -estrane-3 β , 17 α -diol in urine or a ratio in urine of 5 α -estrane-3 β , 17 α -diol to
3 5 α -estrane-3 β , 17 α -diol of >1:1.

4 (c) Testosterone:

5 1. In geldings, free and conjugated testosterone twenty (20) nanograms per milliliter in
6 urine or free testosterone one hundred (100) picograms per milliliter in serum or plasma; and

7 2. In fillies and mares (unless in foal), free and conjugated testosterone fifty-five (55)
8 nanograms per milliliter in urine or free testosterone one hundred (100) picograms per milliliter
9 in serum or plasma.

10 (3) The gender of the horse from which a post-race biologic specimen is collected shall be
11 identified to the commission veterinarian and the testing laboratory.

12 Section 10. Clenbuterol.

13 1. Clenbuterol use is prohibited in racing and training unless the following conditions are
14 met:

15 (a) The prescription for clenbuterol is made for a specific horse based upon a specific
16 diagnosis.

17 (b) The veterinarian must provide a copy of the treatment sheet to the Equine Medical
18 Director or his or her designee for review within twenty-four (24) hours of any administration of
19 clenbuterol.

20 (c) A horse administered clenbuterol shall be placed on the veterinarian's list for a
21 minimum of twenty-one (21) days after the date of last administration. The horse must meet all

1 conditions for removal from the list, including blood and urine sampling taken after the twenty-
2 one (21) day period. Both samples must have no detectable clenbuterol.

3 (d) A horse shall not be eligible to race until it has completed all the requirements in
4 subsection (c).

5 (e) If clenbuterol is detected in a horse's post-race or out of competition sample and
6 appropriate notification as outlined above was not completed, the horse shall immediately be
7 placed on the veterinarian's list pending the outcome of an investigation. The horse shall be
8 required to meet all conditions for removal from the veterinarian's list outlined in subsection (c),
9 above.

10 Section 11. Test Barn.

11 (1) A licensed association shall provide and maintain a test barn on association grounds.

12 (2) The test barn shall be a fenced enclosure sufficient:

13 (a) In size and facilities to accommodate the stabling of horses temporarily detained for
14 the taking of biologic specimens; and

15 (b) In structural design to prevent entry by unauthorized persons.

16 (3) The test barn shall be under the supervision and control of the Chief Racing
17 Veterinarian or his or her designee, and no access to individuals other than commission personnel
18 shall be permitted unless with the permission of the Chief Racing Veterinarian or his or her
19 designee. If association personnel require immediate access to the test barn due to fire or other
20 emergency, the association shall report the access to commission officials as soon as possible
21 after the emergency.

22 Section 12~~[11]~~. Sample Collection, Testing and Reporting.

1 (1) Sample collection shall be done in accordance with the procedures provided in this
2 administrative regulation, 810 KAR 8:060, and under the instructions provided by the commission
3 veterinarian.

4 (2) The commission veterinarian, in consultation with the commission laboratory shall
5 determine a minimum sample requirement which shall be uniform for each horse and which shall
6 be separated into primary and split samples.

7 (3) An owner or trainer may request that a split sample be tested by a split sample
8 laboratory approved by the commission.

9 (4) The cost of testing under subsection (3) of this section, including shipping, shall be
10 borne by the owner or trainer requesting the test.

11 (5)(a) Stable equipment other than that necessary for washing and cooling out a horse
12 shall not be permitted in the test barn.

13 (b) Buckets and water shall be furnished by the commission veterinarian.

14 (c) If a body brace is to be used on a horse, it shall:

15 1. Be supplied by the trainer; and

16 2. Applied only with the permission and in the presence of the commission veterinarian
17 or his designee.

18 (d) A licensed veterinarian may attend to a horse in the test barn only with the permission
19 of and in the presence of the commission veterinarian or his designee.

20 (6) Within five (5) business days of receipt of notification by the commission laboratory
21 of a positive finding, the stewards and judges shall notify the owner and trainer orally or in writing
22 of the positive finding.

1 (7) The stewards or judges shall conduct a hearing as soon as possible after the conclusion
2 of an investigation of a positive finding. A person charged with a violation may request a
3 continuance, which the stewards or the judges may grant for good cause shown.

4 Section 13~~[12]~~. Storage and Shipment of Split Samples.

5 (1) Split samples shall be secured and made available for further testing in accordance
6 with the procedures established in this subsection:

7 (a) Split samples shall be secured in the test barn in the same manner as the primary
8 samples for shipment to the commission laboratory, as established in Section 12~~[11]~~ of this
9 administrative regulation, until the primary samples are packed and secured for shipment to the
10 commission laboratory. Split samples shall then be transferred to a freezer or refrigerator at a
11 secure location approved and chosen by the commission.

12 (b) A freezer or refrigerator for storage of split samples shall be equipped with a lock. The
13 lock shall be secured to prevent access to the freezer or refrigerator at all times except as
14 specifically provided by paragraph (c) of this subsection.

15 (c) A freezer or refrigerator for storage of split samples shall be opened only for depositing
16 or removing split samples, for inventory, or for checking the condition of samples.

17 (d) A log shall be maintained by the commission veterinarian that shall be used each time
18 a split sample freezer or refrigerator is opened to specify each person in attendance, the purpose
19 for opening the freezer or refrigerator, identification of split samples deposited or removed, the
20 date and time the freezer or refrigerator was opened, the time the freezer or refrigerator was
21 closed, and verification that the lock was secured prior to and after opening of the freezer or

1 refrigerator. A commission veterinarian or his designee shall be present when the freezer or
2 refrigerator is opened.

3 (e) Evidence of a malfunction of a split sample freezer or refrigerator shall be documented
4 in the log.

5 (f) The commission shall be considered the owner of a split sample.

6 (2)(a) A trainer or owner of a horse receiving notice of a positive finding may request that
7 a split sample corresponding to the portion of the sample tested by the commission laboratory
8 be sent to the split sample laboratory. The party requesting the split sample shall select a
9 laboratory solicited and approved by the commission to perform the analysis.

10 (b) The request shall be made in writing and delivered to the stewards or judges within
11 three (3) business days after the trainer or owner of the horse receives oral or written notice of
12 the positive finding by the commission laboratory.

13 (c) A split sample so requested shall be shipped as expeditiously as possible.

14 (3)(a) The owner or trainer requesting testing of a split sample shall be responsible for the
15 cost of the testing, including the cost of shipping.

16 (b) Failure of the owner, trainer, or a designee to appear at the time and place designated
17 by the commission veterinarian in connection with securing, maintaining, or shipping the split
18 sample shall constitute a waiver of any right to be present during split sample testing procedures.

19 (c) Prior to shipment of the split sample, the commission shall confirm:

20 1. That the split sample laboratory has agreed to provide the testing requested;

21 2. That the split sample laboratory has agreed to send results to the commission; and

1 3. That arrangements for payment satisfactory to the split sample laboratory have been
2 made.

3 Section 14~~[13]~~. Split Sample Chain of Custody.

4 (1) Prior to opening the split sample freezer or refrigerator, the commission shall provide
5 a split sample chain of custody verification form. The form to be used shall be the Split Sample
6 Chain of Custody Form. The form shall be fully completed during the retrieval, packaging, and
7 shipment of the split sample and shall contain the following information:

8 (a) The date and time the sample is removed from the split sample freezer or refrigerator;

9 (b) The sample number; and

10 (c) The address where the split sample is to be sent.

11 (2) A split sample shall be removed from the split sample freezer or refrigerator by a
12 commission employee after notice to the owner, trainer, or designee thereof and a
13 commission-designated representative shall pack the split sample for shipment in accordance
14 with the packaging procedures directed by the commission. The Split Sample Chain of Custody
15 Form shall be signed by both the owner's representative, if present, and the commission
16 representative to confirm the proper packaging of the split sample for shipment. The exterior
17 of the package shall be secured and sealed to prevent tampering with the package.

18 (3) The owner, trainer, or designee, if present, may inspect the package containing the
19 split sample immediately prior to transfer to the delivery carrier to verify that the package is
20 intact and has not been tampered with.

21 (4) The Split Sample Chain of Custody Form shall be completed and signed by the
22 representative of the commission and the owner, trainer, or designee, if present.

1 (5) The commission representative shall retain the original Split Sample Chain of Custody
2 Form and provide a copy to the owner, trainer, or designee, if requested.

3 Section 15~~[14]~~. Medical Labeling.

4 (1) A drug or medication that, by federal or state law, requires a prescription shall not
5 be used or kept on association grounds unless validly prescribed by a duly licensed veterinarian.

6 (2) A drug or medication shall bear a prescription label that is securely attached and
7 clearly ascribed to show the following:

8 (a) The name of the product;

9 (b) The name, address, and telephone number of the veterinarian prescribing or
10 dispensing the product;

11 (c) The name of the horse for which the product is intended or prescribed;

12 (d) The dosage, duration of treatment, and expiration date of the prescribed or dispensed
13 product; and

14 (e) The name of the trainer to whom the product was dispensed.

15 Section 16~~[15]~~. Trainer Responsibility.

16 (1) In the absence of substantial evidence to the contrary, a trainer shall be responsible
17 for the condition of a horse in his or her care.

18 (2) In the absence of substantial evidence to the contrary, a trainer shall be responsible
19 for the presence of a prohibited drug, medication, substance, or metabolic derivative, including
20 permitted medication in excess of the maximum allowable concentration, in a horse in his or her
21 care.

1 (3) A trainer shall prevent the administration of a drug, medication, substance, or
2 metabolic derivative that may constitute a violation of this administrative regulation.

3 (4) A trainer whose horse has been claimed shall remain responsible for a violation of this
4 administrative regulation regarding that horse's participation in the race in which the horse is
5 claimed.

6 (5) A trainer shall be responsible for:

7 (a) Maintaining the assigned stable area in a clean, neat, and sanitary condition at all times;

8 (b) Using the services of those veterinarians licensed by the commission to attend to
9 horses that are on association grounds;

10 (c) The proper identity, custody, care, health, condition, and safety of horses in his or her
11 care;

12 (d) Promptly reporting the alteration of the sex of a horse to the horse identifier and the
13 racing secretary;

14 (e) Promptly reporting to the racing secretary and the commission veterinarian if a
15 posterior digital neurectomy (heel nerving) is performed on a horse in his or her care and
16 ensuring this fact is designated on its certificate of registration;

17 (f) Promptly reporting to the racing secretary the name of a mare in his or her care that
18 has been bred and is entered to race;

19 (g) Promptly notifying the commission veterinarian of a reportable disease or
20 communicable illness in a horse in his or her care;

21 (h) Promptly reporting the serious injury or death of a horse in his or her care at a location
22 under the jurisdiction of the commission to the stewards or judges and the commission

1 veterinarian and ensuring compliance with Section 23~~[22]~~ of this administrative regulation and
2 810 KAR 4:010, Section 14, governing postmortem examinations;

3 (i) Complying with the medication and recordkeeping requirements in subsection (6) of
4 this section;

5 (j) Promptly notifying the stewards or judges and the commission veterinarian if the
6 trainer has knowledge or reason to believe that there has been an administration to a horse of a
7 drug, medication, or other substance prohibited by this administrative regulation or has
8 knowledge or reason to believe that a prohibited practice has occurred as established in Section
9 21~~[20]~~ of this administrative regulation;

10 (k) Ensuring the fitness of every horse in his or her care to perform creditably at the
11 distance entered;

12 (l) Ensuring that every horse he or she has entered to race is present at its assigned stall
13 for a pre-race soundness inspection as prescribed by 810 KAR 2:010, Section 4(1)(l);

14 (m) Ensuring proper bandages, equipment, and shoes;

15 (n) Ensuring the horse's presence in the paddock at the time prescribed by racing officials
16 before the race in which the horse is entered;

17 (o) Personally attending in the paddock and supervising the saddling or preparation of a
18 horse in his or her care, unless an assistant trainer fulfills these duties or the trainer is excused
19 by the judges or stewards pursuant to 810 KAR 4:100, Section 3(2)(f); and

20 (p) Attending the collection of a biologic specimen taken from a horse in his or her care
21 or delegating a licensed employee or the owner to do so.

1 (6)(a) A trainer shall maintain a clear and accurate record of any treatment administered
2 to a horse in his or her care.

3 (b) A trainer shall ensure the transfer of copies of all medical records to the subsequent
4 owner and trainer of a horse.

5 (c) Failure to comply with this subsection may result in the imposition of penalties
6 pursuant to 810 KAR 8:030.

7 (d) The stewards and judges may at any time require presentation of a horse's medical
8 records.

9 Section 17~~16~~. Licensed Veterinarians.

10 (1) A veterinarian licensed by the commission and practicing at a location under the
11 jurisdiction of the commission shall be considered under the supervision of the commission
12 veterinarian and the stewards or judges.

13 (2) A veterinarian shall report to the stewards, judges or the commission veterinarian a
14 violation of this administrative regulation by a licensee.

15 Section 18~~17~~. Veterinary Reports.

16 (1) A veterinarian who treats a horse at a location under the jurisdiction of the
17 commission shall submit a Veterinary Report of Horses Treated to be Submitted Daily form to the
18 commission veterinarian containing the following information:

19 (a) The name of the horse treated;

20 (b) The type and dosage of drug or medication administered or prescribed;

21 (c) The name of the trainer of the horse;

22 (d) The date and time of treatment; and

1 (e) Other pertinent treatment information requested by the commission veterinarian.

2 (2) The Veterinary Report of Horses Treated to be Submitted Daily form shall be signed
3 by the treating practicing veterinarian.

4 (3) The Veterinary Report of Horses Treated to be Submitted Daily form shall be on file
5 not later than the time prescribed on the next race day by the commission veterinarian.

6 (4) The Veterinary Report of Horses Treated to be Submitted Daily form shall be
7 confidential, and its content shall not be disclosed except in the course of an investigation of a
8 possible violation of this administrative regulation or in a proceeding before the stewards, judges
9 or the commission, or to the trainer or owner of record at the time of treatment.

10 (5) A timely and accurate filing of a Veterinary Report of Horses Treated to be Submitted
11 Daily form by the veterinarian or his designee that is consistent with the analytical results of a
12 positive test reported by the commission laboratory may be used as a mitigating factor in
13 determining the appropriate penalties pursuant to 810 KAR 8:030.

14 (6) A veterinarian having knowledge or reason to believe that a horse entered in a race
15 has received a drug, medication, or substance prohibited under this administrative regulation or
16 has knowledge or reason to believe that a prohibited practice has occurred as established in
17 Section 21~~[20]~~ of this administrative regulation shall report this fact immediately to the
18 commission veterinarian or to the stewards or judges.

19 (7) A practicing veterinarian shall maintain records of all horses treated and of all
20 medications sold or dispensed. The records shall include:

21 (a) The name of the horse;

22 (b) The trainer of the horse;

1 (c) The date, time, amount, and type of medication administered;

2 (d) The drug or compound administered;

3 (e) The method of administration; and

4 (f) The diagnosis.

5 (8) The records shall be retained for at least sixty (60) days after the horse has raced and
6 shall be available for inspection by the commission.

7 Section 19~~[18]~~. Veterinarian's List.

8 (1) The commission veterinarian shall maintain a list of horses determined to be unfit to
9 compete in a race due to illness, physical distress, unsoundness, infirmity, or other medical
10 condition.

11 (2) A horse may be removed from the veterinarian's list when, in the opinion of the
12 commission veterinarian, the horse is capable of competing in a race.

13 (3) The commission shall maintain a bleeder list of all horses that have demonstrated
14 external evidence of exercise-induced pulmonary hemorrhage during or after a race or workout
15 as observed by the commission veterinarian.

16 (4) Every horse that is a confirmed bleeder, regardless of age, shall be placed on the
17 bleeder list and be ineligible to participate in a race (betting or non-betting), qualifying race, time
18 trial, or for the following time periods:

19 (a) First incident - fourteen (14) days;

20 (b) Second incident within a 365-day period - thirty (30) days;

21 (c) Third incident within a 365-day period - 180 days; and

22 (d) Fourth incident within a 365-day period - barred from racing for life.

1 (5) For the purpose of counting the number of days a horse is ineligible to run, the day
2 after the horse bled externally shall be the first day of the recovery period.

3 (6) The voluntary administration of furosemide without an external bleeding incident shall
4 not subject a horse to the initial period of ineligibility as established in this section.

5 Section 20~~[19]~~. Distribution of Purses, Barn Searches, and Retention of Samples.

6 (7) For all races, purse money in thoroughbred and other flat racing shall be paid or
7 distributed pursuant to the process provided in 810 KAR 2:070, Section 27(3), and in
8 standardbred racing, no later than twenty-four (24) hours after notice from the commission that
9 a final laboratory report has been issued.

10 (8) The distribution of purse money prior to the issuance of a final laboratory report shall
11 not be considered a finding that no prohibited drug, medication, substance, or metabolic
12 derivative has been administered to a horse.

13 (9) After the commission laboratory issues a positive finding the executive director of the
14 commission or the stewards or judges may authorize and execute an investigation into the
15 circumstances surrounding the incident that is the subject of the positive finding.

16 (10) If the purse money has been distributed, the stewards or judges shall order the
17 money returned immediately to the association upon notification from the commission
18 laboratory that a prohibited drug, medication, substance, or metabolic derivative was
19 administered to a horse eligible for purse money.

20 (11) At the conclusion of testing by the commission laboratory and split sample
21 laboratory, the remaining portion of the samples at the commission laboratory and split samples
22 remaining at the test barn may be retained at a proper temperature at a secure facility approved

1 and chosen by the commission. If a report indicating a positive finding has been issued, the
2 commission shall use its best reasonable efforts to retain any remaining portion of the sample
3 until legal proceedings have concluded. The commission may freeze samples.

4 Section 21~~[20]~~. Other Prohibited Practices Constituting a Violation of this Administrative
5 Regulation.

6 (1) A drug, medication, substance, or device shall not be possessed or used by a licensee,
7 or his designee or agent, within a nonpublic area at a location under the jurisdiction of the
8 commission:

9 (a) The use of which may endanger the health and welfare of the horse; or

10 (b) The use of which may endanger the safety of the rider or driver.

11 (2) Without the prior permission of the commission or its designee, a drug, medication,
12 or substance that has never been approved by the United States Food and Drug Administration
13 (USFDA) for use in humans or animals shall not be possessed or used at a location under the
14 jurisdiction of the commission. The commission shall determine whether to grant prior
15 permission after consultation with the Equine Drug Research Council.

16 (3) The following blood-doping agents shall not be possessed or used at a location under
17 the jurisdiction of the commission:

18 (a) Erythropoietin;

19 (b) Darbepoietin;

20 (c) Oxyglobin;

21 (d) Hemopure; or

22 (e) Any substance that abnormally enhances the oxygenation of body tissue.

1 (4) A treatment, procedure, or therapy shall not be practiced, administered, or applied
2 that may:

3 (a) Endanger the health or welfare of a horse; or

4 (b) Endanger the safety of a rider or driver.

5 (5) Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be used
6 unless the conditions established in this subsection are met.

7 (a) A treated horse shall not race for a minimum of ten (10) days following treatment.

8 (b) A veterinarian licensed to practice by the commission shall administer the treatment.

9 (c) The commission veterinarian shall be notified prior to the delivery of the machine on
10 association grounds.

11 (d) Prior to administering the treatment, a report shall be submitted by the veterinarian
12 administering the treatment to the commission veterinarian on the Veterinary Report of Horses
13 Treated with Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy.

14 (6) Other than furosemide, an alkalizing substance that could alter the serum or plasma
15 pH or concentration of bicarbonates or carbon dioxide in a horse shall not be used within twenty-
16 four (24) hours prior to post time of the race in which the horse is entered.

17 (7) Without the prior permission of the commission veterinarian or his designee, based
18 on standard veterinary practice for recognized conditions, a nasogastric tube which is longer than
19 six (6) inches shall not be used for the administration of any substance within twenty-four (24)
20 hours prior to post time of the race in which the horse is entered.

21 (8) A serum or plasma total carbon dioxide (TCO₂) level shall not exceed thirty-seven
22 (37.0) millimoles per liter; except, a violation shall not exist if the TCO₂ level is found to be normal

1 for the horse following the quarantine procedure established in Section 22[21] of this
2 administrative regulation.

3 (9) A blood gas machine shall not be possessed or used by a person other than an
4 authorized representative of the commission at a location under the jurisdiction of the
5 commission.

6 (10) A shock wave therapy machine or radial pulse wave therapy machine shall not be
7 possessed or used by anyone other than a veterinarian licensed by the commission at a location
8 under the jurisdiction of the commission.

9 Section 22[21]. TCO2 Testing and Procedures.

10 (1)(a) The stewards, judges, or commission veterinarian may order the pre-race or post-
11 race collection of blood specimens from a horse to determine the total carbon dioxide
12 concentration in the serum or plasma of the horse. The winning horse and other horses, as
13 selected by the stewards or judges, may be tested in each race to determine if there has been a
14 violation of this administrative regulation.

15 (b) Pre-race sampling shall be done at a reasonable time, place, and manner directed by
16 the chief state steward in consultation with the commission veterinarian.

17 (c) A specimen consisting of at least two (2) blood tubes shall be taken from a horse
18 to determine the TCO2 concentration in the serum or plasma of the horse. If the commission
19 laboratory determines that the TCO2 level exceeds thirty-seven (37.0) millimoles per liter plus
20 the laboratory's measurement of uncertainty, the executive director of the commission shall be
21 informed of the positive finding.

1 (d) Split sample testing for TCO₂ may be requested by an owner or trainer in advance of
2 the collection of the specimen by the commission veterinarian; however, the collection and
3 testing of a split sample for TCO₂ testing shall be done at a reasonable time, place, and manner
4 directed by the commission veterinarian.

5 (e) The cost of split sample testing, including the cost of shipping, shall be borne by the
6 owner or the trainer.

7 (2)(a) If the level of TCO₂ is determined to exceed thirty-seven (37.0) millimoles per liter
8 plus the laboratory's measurement of uncertainty and the licensed owner or trainer of the horse
9 certifies in writing to the stewards or judges within twenty-four (24) hours after the notification
10 of the test result that the level is normal for that horse, the owner or trainer may request that
11 the horse be held in quarantine. If quarantine is requested, the licensed association shall make
12 guarded quarantine available for that horse for a period of time to be determined by the steward
13 or judges, but in no event for more than seventy-two (72) hours.

14 (b) The expense for maintaining the quarantine shall be borne by the owner or trainer.

15 (c) During quarantine, the horse shall be retested periodically by the commission
16 veterinarian.

17 (d) The horse shall not be permitted to race during a quarantine period, but it may be
18 exercised and trained at times prescribed by the licensed association and in a manner that allows
19 monitoring of the horse by a commission representative.

20 (e) During quarantine, the horse shall be fed only hay, oats, and water.

21 (f) If the commission veterinarian is satisfied that the horse's level of TCO₂, as registered
22 in the original test, is physiologically normal for that horse, the stewards or judges:

- 1 1. Shall permit the horse to race; and
- 2 2. May require repetition of the quarantine procedure established in paragraphs (a)
- 3 through (f) of this subsection to reestablish that the horse's TCO2 level is physiologically normal.

4 Section 23~~[22]~~. Postmortem Examination.

5 (1) A horse that dies or is euthanized on the grounds of a licensed association or training

6 center under the jurisdiction of the commission shall undergo a postmortem examination at the

7 discretion of the commission and at a facility designated by the commission, through its designee,

8 as provided in 810 KAR 4:010, Section 14.

9 (2) The commission shall bear the cost of an autopsy that is required by the commission.

10 (3) The presence of a prohibited drug, medication, substance, or metabolic derivative

11 thereof in a specimen collected during the postmortem examination of a horse may constitute a

12 violation of this administrative regulation.

13 Section 24~~[23]~~. Corticosteroids.

14 (1) A corticosteroid shall not be administered intra-articularly within fourteen (14)

15 days before post time for the race in which the horse is entered.

16 (2) The presence of a detectable concentration of more than one (1) corticosteroid in a

17 post-race sample of blood, urine, or any combination of blood and urine shall constitute a

18 violation of this section.

19 Section 25~~[24]~~. Incorporation by Reference.

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

21 (a) "Veterinary Report of Horses Treated to be Submitted Daily", KHRC 8-010-1, 11/2018;

22 (b) "Split Sample Chain of Custody Form", KHRC 8-010-2, 11/2018; and

1 (c) "Veterinary Report of Horses Treated with Extracorporeal Shock Wave Therapy or
2 Radial Pulse Wave Therapy", KHRC 8-010-3, 11/2018.

3 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
4 law, at the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington,
5 Kentucky 40511, Monday through Friday, 8:00 a.m. to 4:30 p.m. This material is also available on
6 the commission's Web site at <http://khrc.ky.gov>.

810 KAR 8:010
READ AND APPROVED:

Jonathan Rabinowitz

Chair, Kentucky Horse Racing Commission

Date

Kerry Harvey

Secretary, Public Protection Cabinet

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

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

Phone: +1 (859) 246-2040

Fax: +1 (859) 246-2039

Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 810 KAR 8:010
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

- (1) Provide a brief summary of:
 - (a) What this administrative regulation does: NA
 - (b) The necessity of this administrative regulation: NA
 - (c) How this administrative regulation conforms to the content of the authorizing statutes: NA
 - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: NA
- (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: NA
 - (b) The necessity of the amendment to this administrative regulation: NA
 - (c) How the amendment conforms to the content of the authorizing statutes: NA
 - (d) How the amendment will assist in the effective administration of the statutes: NA
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: NA
- (4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
 - (a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: NA
 - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: NA

- (c) As a result of compliance, what benefits will accrue to the entities: NA
- (5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:
 - (a) Initially: NA
 - (b) On a continuing basis: NA
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: NA
- (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: NA
- (8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: NA
- (9) TIERING: Is tiering applied? Explain why or why not. NA

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 810 KAR 8:010
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

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

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

(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? NA

(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? NA

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

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

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

(4) Revenues (+/-): NA

(5) Expenditures (+/-): NA

(6) Other Explanation: NA

**Kentucky Horse Racing Commission
Withdrawal Guidelines
Thoroughbred; Standardbred; Quarter
Horse,
Appaloosa, and Arabian
KHRC 8-020-2 (04/2020)**



General Notice

These withdrawal guidelines do not apply to 2-year-old or stakes horses pursuant to 810 KAR 8:010 Section 6. 2-year-olds beginning in 2020 or stakes horses beginning in 2021 **“shall not be administered any drug, medication, or other substance, including furosemide, within twenty-four (24) hours of the post time of the race in which the horse is entered.”** (emphasis added)

Unless otherwise specified in these withdrawal guidelines or the applicable regulations and statutes, the following withdrawal guidelines are voluntary and advisory. The guidelines are recommendations based on current scientific knowledge that may change over time. A licensee may present evidence of full compliance with these guidelines to the Kentucky Horse Racing Commission (the “Commission” or “KHRC”) and the stewards as a mitigating factor to be used in determining violations and penalties.

These withdrawal interval guidelines assume that administration of medications will be performed at doses that are not greater than the manufacturer’s maximum recommended dosage, or the dosage recommended in this document. Medications administered at dosages above manufacturer’s recommendations, in compounded formulations and/or in combination with other medications and/or administration inside the withdrawal interval may result in test sample concentrations above threshold concentrations that could lead to positive test results and the imposition of penalties. The time of administration of an orally administered substance, for the purposes of withdrawal interval, shall be considered to be the time of complete ingestion of the medication by the horse via eating or drinking. Brand names of medications, where applicable, are listed in parentheses or brackets following the generic name of a drug.

In addition to the requirements contained in KRS Chapter 13A, the KHRC shall give notice of an amendment or addition to these withdrawal guidelines by posting the change on the KHRC website and at all Kentucky racetracks at least two weeks before the amendment or addition takes legal effect.

Withdrawal Guidelines

- 1) Furosemide shall be administered pursuant to 810 KAR 8:010.

2) The following substances may be administered or applied up to the scheduled paddock time of the race in which the horse is to compete:

- Topical applications such as liniments, leg paints, salves, and ointments which may contain antibiotics or DMSO, but do not contain steroids, anesthetics, or any other prohibited substances.

3) The following substances may be administered up to 24 hours prior to the scheduled post time of the race in which the horse is to compete as long as their use follows the general notice on page 1 of these withdrawal guidelines:

- Antibiotics (except those containing prohibited drugs such as Procaine);
- Antiprotozoals (e.g., ponazuril [Marquis] toltrazuril [Baycox], sulfamethoxazole/pyrimethamine [Daraprim], etc.);
- Antifungal Agents (specifically Griseofulvin and Ketoconazole);
- Certain Inhalation Agents (specifically cromolyn sodium [Intal], and acetylcysteine [Mucomyst]) that do not exhibit bronchodilator properties;
- Cimetidine (Tagamet), orally at 20 mg/kg twice daily for 7 doses;
- Electrolytes, Vitamins and Minerals (IV, IM or oral), and/or other oral supplements/nutrients not containing drugs;
- Hyaluronic Acid (Legend) IV;
- Misoprostol;
- Non-Androgenic Reproductive Hormones (HCG, Regumate, GnRH, etc.), in fillies and mares only;
- Omeprazole (Gastrogard®), orally at 2.2 g once daily for 4 days;
- Polysulfated glycosaminoglycan (Adequan) IM;
- Propionibacterium acnes suspension (Eqstim), or comparable immunostimulants, excluding levamisole;
- Ranitidine (Zantac), orally at 8 mg/kg twice daily for 7 doses; and
- Sucralfate

4) Non-steroidal anti-inflammatory drugs (NSAIDs):

A) ELECTED NSAID: The applicable regulations require compliance with the following: only one of the following three NSAIDs may be administered up to the manufacturer's maximum labeled dosage until 48 hours prior to the scheduled post time of the race in which the horse is to compete as long as their use follows the general notice on page 1 of these withdrawal guidelines and the requirements of 810 KAR 8:010.

- Phenylbutazone (Butazolidin) 4.4 mg/kg (Intravenous Only)
- Flunixin Meglumine (Banamine) 1.1 mg/kg (Intravenous Only)

- Ketoprofen (Ketofen) 2.2 mg/kg (Intravenous Only).

B) The following withdrawal intervals shall be observed for all NSAIDs, except for the one selected in 4A above, for administration prior to the scheduled post time of the race in which the horse is to compete as long as their use follows the general notice on page 1 of these minimum withdrawal guidelines:

- | | |
|---|------------|
| • Flunixin Meglumine (Banamine) 1.1 mg/kg IV | 6 days*** |
| • Phenylbutazone (Butazolidin) 4.4 mg/kg IV | 7 days*** |
| • Ketoprofen (Ketofen) 2.2 mg/kg IV | 4 days*** |
| • Diclofenac Sodium Topical (Surpass® Cream)
Single 5" application | 7 days*** |
| • Firocoxib (Equioxx) 0.1 mg/kg
Single oral or IV dose | |
| Repeated daily administration | 15 days*** |

5) A) The following substances have a 48 hour withdrawal guidance prior to the scheduled post time of the race in which the horse is to compete as long as their use follows the general notice on page 1 of these withdrawal guidelines:

- Acepromazine (Promace) IV at 0.05 mg/kg;
- Butorphanol (Torbugesic) IV at 0.1 mg/kg;
- Cetirizine (Zyrtec) orally at 0.4 mg/kg twice daily for 5 doses. **NOTE:** Do not administer ivermectin within 48 hours of a race if horse has been administered cetirizine.
- Dantrolene (Dantrium) oral at 500 mg total dose;
- Detomidine (Dormosedan) IV, 5 mg single dose;
- DMSO IV, oral, topical up to 60 ml;
- Glycopyrrolate (Robinol) IV, 1 mg total dose;
- Guaifenesin, orally at 2 g twice daily for 5 doses;
- Methocarbamol (Robaxin-V)—Single IV at 15 mg/kg;
- *Procaine penicillin IM at 17 mg/kg; and
- Xylazine (Rompun)—IV, 200 mg single dose

B) The following substances shall not be administered within 48 hours of a race:

- Beta-2 agonists by inhalation (terbutaline, salmeterol, fenoterol);
- Ergot alkaloids (Ergonovine, Methergine, etc.);
- Ipratropium;
- Isoxsuprine; and
- Pentoxifylline (Trental)

6) The following substances may be administered up to 72 hours prior to the scheduled post time of the race in which the horse is to compete as long as their use follows the general notice on page 1 of these withdrawal guidelines:

- Albuterol (Proventil) - via inhalation at 720 mcg;
- Dexamethasone (Azium) - oral, IV, IM at 0.05 mg/kg, if another corticosteroid was administered systemically or intra-articularly, this withdrawal guidance does not apply and a minimum 5 day withdrawal is recommended;
- Lidocaine - subcutaneous at 200 mg total dose;
- Mepivacaine (Carbocaine) Subcutaneous at 0.07 mg/kg;
- Romifidine (Sedivet) 50 mg IV dose.

7) The following substances may be administered up to 96 hours prior to the scheduled post time of the race in which the horse is to compete as long as their use follows the general notice on page 1 of these withdrawal guidelines:

- Hydroxyzine (Atarax);
- Phenytoin (Dilantin).

8) The following substances may be administered up to 7 days prior to the scheduled post time of the race in which the horse is to compete as long as their use follows the general notice on page 1 of these withdrawal guidelines:

- Fluphenazine Decanoate (Prolixin);
- Reserpine (Serpasil); and

9) The use of an extra corporeal shock wave therapy or radial pulse wave therapy machine must be done under current KHRC regulations and may be performed until 10 days prior to the scheduled post time of the race in which the horse is to compete.

10) The following substance may be administered up to 21~~14~~ days prior to the scheduled post time₂ of the race in which the horse is to compete as long as (1) its use follows the general notice on page 1 of these withdrawal guidelines, and (2) its use complies with 810 KAR 1:010 Section 10:

- Clenbuterol (Ventipulmin) orally up to 0.8 mcg/kg twice daily.

11) Any horse that has been treated with therapeutic medications found in sections 6 through 10 of this document may, at the trainer's request and expense, and on permission of the Commission veterinarian, have samples of blood and/or urine collected by the Commission veterinarian for analysis by the Commission authorized laboratory prior to entry to race in the

state of Kentucky. As a condition of this elective testing, the trainer will be required to disclose the date and time, dose, and route of administration of the substance for which clearance testing is requested. A report from the commission laboratory of a negative finding in this pre-race, elective testing does not provide a safe harbor for the owner, trainer, veterinarian or horse. A report from the commission laboratory of a positive finding in a post-race sample shall be treated as a violation of KHRC regulations even if there was a negative finding by the commission laboratory in the clearance testing sample.

12) The following have a 14 day stand down period for intra-articular injection (IA). Any IA corticosteroid injection within 14 days is a violation:

- Betamethasone-Intra-articular (IA) at 9 mg total dose in a single articular space;
NOTE: Withdrawal time should be increased for use of betamethasone products with a ratio of >1:1 betamethasone acetate to betamethasone sodium phosphate. Intramuscular administration is associated with substantially longer withdrawal times.
- Isoflupredone (Predef 2x)—IA at 20 mg in a single joint space or 10 mg subcutaneous.
- Methylprednisolone (Depo-Medrol)—IA at a total dose of less than 100 mg in a single articular space;
NOTE: Intramuscular administration is associated with substantially longer withdrawal times and is not recommended. The RMTC study administered 100 mg to a single joint. Concentrations in 2 of the 16 study horses did not fall below 100 pg until 10 days post administration. Clearance testing is recommended in blood and urine prior to entry.
- Triamcinolone acetonide (Vetalog)—IA at 9 mg total dose in a single articular space.
NOTE: Intramuscular administration is associated with substantially longer withdrawal times.

13) Above withdrawal guidelines alphabetized by substance in chart form.

Substance	Brand name	Recommended <u>minimum</u> Withdrawal	Administration Specifications
Acepromazine	PromAce	48 hours	0.05 mg/kg IV
Acetylcysteine	Mucomyst	24 hours	Inhalation
Albuterol	Proventil	72 hours	720 mcg via inhalation
Beclomethasone	Beclovent	24 hours	Inhalation only
Butorphanol	Torbugesic	48 hours	0.1 mg/kg IV

Cetirizine	Zyrtec	48 hours	0.4 mg/ml orally twice daily for 5 doses
Cimetadine	Tagamet	24 hours	20 mg/kg orally twice daily x 7 doses
Clenbuterol	Ventipulmin	<u>21</u> [14] days	0.8 mcg/kg oral
Cromolyn sodium	Intal	24 hours	Inhalation
Dantrolene	Dantrium	48 hours	500 mg oral
Detomidine	Dormosedan	48 hours	5 mg IV
Dexamethasone	Azium	72 hours IV PO, with no other corticosteroids administered. 5 days if other corticosteroids have been administered. See restricted treatment section	IV, PO***
DMSO		48 hours	Topical, IV or oral up to 60 ml
Ergonovine		48 hours	No dose specified
Fenoterol		48 hours	Via inhalation, no dose specified
Fluphenazine decanoate	Prolixin	7 days	No dose specified
Furosemide 2-year-olds beginning in 2020 Stakes horses beginning in 2021	Salix	24 hours	Administration is not permitted at less than 24 hours, and limited to a maximum 500mg single IV dose.
Furosemide	Salix	4 hours	150-500 mg single IV dose (admin by KHRC Veterinarian) See 810 KAR 8:010 Section 6 regarding 2-year-olds beginning in 2020 and stakes horses beginning in 2021.
Guaifenesin		48 hours	2 g orally twice daily for 5 doses
Glycopyrrolate	Robinol	48 hours	1 mg
Griseofulvin	Fulvacin	24 hours	No dose specified

	Hyaluronic Acid	Legend	24 hours	IV only; no dose specified
	Hydroxyzine	Atarax	96 hours	No dose specified
	Ipratropium		48 hours	Via inhalation, no dose specified
	Isoxsuprine	Vasodilan	48 hours	No dose specified
	Ketoconazole	Nizoral	24 hours	No dose specified
	Lidocaine		72 hours	200 mg total dose SQ
	Mepivacaine	Carbocaine	72 hours	0.07 mg/kg SQ
	Methocarbamol	Robaxin	48 hours	15 mg/kg single IV
	Methylergonovine	Methergine	48 hours	No dose specified
	Misoprostol	Cytotec	24 hours	No dose specified
	Omeprazole	Gastrogard	24 hours	2.2 g orally once daily for 4 days
	Pentoxifylline	Trental	48 hours	No dose specified
	Phenytoin	Dilantin	96 hours	No dose specified
	Ponazuril / Diclazuril / Sulfadiazine- Pyrimethamine	Marquis / Protazil	24 hours	Oral
	Procaine Penicillin		48 hours	17 mg/kg IM NOTE: Treatment reporting mandatory AND horse may be required to undergo 6 hour surveillance period (at owner's expense) prior to racing.
	PSGAG	Adequan	24 hours	IM
	Ranitidine	Zantac	24 hours	8 mg/kg orally twice daily for 7 doses
	Reserpine	Serpasil	7 days	No dose specified
	Romifidine	Sedivet	72 hours	50 mg IV
	Salmeterol		48 hours	Via inhalation, no dose specified
	Sucralfate	Carafate	24 hours	No dose specified
	Terbutaline		48 hours	No dose specified
	Xylazine	Rompun	48 hours	200 mg IV
	NSAIDS			
	Phenylbutazone	Butazolidin	48 hours— single elected NSAID. If this is not the single	4.4 mg/kg IV

			elected NSAID then 7 days.***	
	Flunixin	Banamine	48 hours—single elected NSAID. If this not the single elected NSAID then 6 days.***	1.1 mg/kg IV
	Ketoprofen	Ketofen	48 hours—single elected NSAID. If this is not the single elected NSAID then 4 days.***	2.2 mg/kg IV
	Diclofenac	Surpass	7 days***	5" ribbon of Surpass every 12 hours to one site
	Firocoxib	Equioxx	15 days.***	0.1 mg/kg once daily for 4 days
MISCELLANEOUS				
	Anthelmintics (except thiazide products)		72 hours	
	Non-androgenic reproductive hormones	Including HCG, Regumate, GnRH, in fillies and mares only	24 hours	
	Propionibacterium acnes suspension or comparable immunostimulants		24 hours	
	Electrolytes, vitamins, minerals		24 hours	IV / IM
	Antibiotics		24 hours	
	Any injectable other than furosemide		24 hours	NOTE: KHRC regulations specifically prohibit any injections at less than 24 hours to post time for any substance.
	Intra-articular injections, other than corticosteroids		72 hours	

NOTE: For products containing multiple medications, the withdrawal time to be used should be no less than the longest identified for any of the individual constituent substances--even if that substance is not present in the highest concentration in the product.

**Available Threshold Levels Associated to KHRC
Withdrawal Guidelines**

SUBSTANCE	THRESHOLD
Acepromazine	10 nanograms per ml in urine of hydroxyethylpromazine sulfoxide (HEPS)
Albuterol	1 nanogram per ml in urine
Boldenone Male horses other than Geldings	15 nanograms per ml in urine of boldenone, free and conjugated OR 25[200] picograms per ml in serum or plasma of boldenone, free
Boldenone Geldings and female horses	1 nanogram per ml in urine of boldenone, free and conjugated
Butorphanol	2 nanograms per ml in serum or plasma of butorphanol, free OR 300 nanograms per ml in urine of total butorphanol
Cetirizine	6 nanograms per ml in serum or plasma
Cimetadine	400 nanograms per ml in serum or plasma
Clenbuterol	[140 picograms per ml of urine OR] Limit of detection in <u>both urine and blood</u> [serum or plasma]
Dantrolene	0.1 nanograms per ml of serum or plasma of 5-OH dantrolene
Detomidine	2 nanogram per ml in urine of carboxydetomidine OR 1 nanogram per ml of detomidine in serum or plasma
Diclofenac	5 nanograms per ml in serum or plasma
DMSO	10 micrograms per ml in serum or plasma
Firocoxib	20 nanograms per ml in serum or plasma
Flunixin	5 nanograms per ml in serum or plasma
Furosemide	For horses eligible to race on furosemide 100 nanograms per ml in serum or plasma AND Urine specific gravity of < 1.010 OR 1 nanogram per ml in serum or plasma for 2-year-olds beginning in 2020 or stakes horses beginning in 2021, see 810 KAR 8:010
Glycopyrrolate	3 picograms per ml in serum or plasma
Guaifenesin	12 nanograms per ml in serum or plasma

Ketoprofen	2 nanograms per ml of serum or plasma
Lidocaine	20 picograms per ml in serum or plasma of Total 3-OH-lidocaine
Mepivacaine	10 nanograms per ml in urine of OH-mepivacaine OR Limit of detection in serum or plasma
Methocarbamol	1 nanogram per ml in serum or plasma
Methylprednisolone	100 picograms per ml in serum or plasma
Nandrolone Male horses other than geldings	45 nanograms per ml in urine of 5 α -estrane-3 β , 17 α -diol OR In urine a ratio of 5 α estrane-3 β , 17 α -diol to 5 α estrene-3 β , 17 α -diol of > 1:1
Nandrolone Geldings and female horses	1 nanogram per ml in urine of nandrolone, free and conjugated OR 50 picograms per ml in blood, serum, or plasma of nandrolone, free
Omeprazole	10 nanograms per ml omeprazole sulfide in serum or plasma
Phenylbutazone	0.3 micrograms per ml in serum or plasma
Prednisolone	10 nanograms per ml free Prednisolone in urine
**Procaine Penicillin Horses reported to have been treated with procaine penicillin	25 nanograms per ml of procaine in serum or plasma
**Procaine Penicillin Horses not reported to have been treated with procaine penicillin	Limit of detection for procaine in serum or plasma
Ranitidine	40 nanograms per ml in serum or plasma
Testosterone Geldings	20 nanograms per ml in urine of testosterone, free and conjugated OR 25 picograms per ml in serum or plasma of testosterone, free
Testosterone Female horses (unless in foal)	55 nanograms per ml in urine of testosterone, free and conjugated OR 100 picograms per ml in serum or plasma of testosterone, free
Xylazine	200 picograms per ml in serum or plasma

**Mandatory treatment reporting and race day surveillance as described in Threshold section.*

***Procaine penicillin treatments must be reported to the stewards no later than 24 hours after the last injection is administered. Horses so treated may be required to be under KHRC-approved, continuous surveillance for the six hour interval prior to the post time for the race in which the horse is entered. The owner of the horse is responsible for all costs associated with the surveillance. Prospective surveillance arrangements must be submitted to the stewards no later than close of business on the day of entry.*

****Minimum withdrawal guidance is based on published European Horserace Scientific Liaison Committee detection times.*

[https://www.ehslc.com/images/uploads/documents/EHSLC_DETECTION_TIMES_\(updated June_2019\).pdf](https://www.ehslc.com/images/uploads/documents/EHSLC_DETECTION_TIMES_(updated_June_2019).pdf)

All other NSAIDs not listed on the withdrawal guidelines have a threshold set at limit of detection in serum or plasma.

1 PUBLIC PROTECTION CABINET

2 Kentucky Horse Racing Commission

3 (Amendment)

4 810 KAR 8:040. Out-of-competition testing.

5 RELATES TO: KRS 230.215, 230.225(5), 230.240, 230.260, 230.290, 230.300, 230.310,
6 230.320, 230.370

7 STATUTORY AUTHORITY: KRS 230.215(2), 230.240(2), 230.260(11).

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) grants the commission the
9 authority to regulate conditions under which horse racing shall be conducted in Kentucky. KRS
10 230.240(2) requires the commission to promulgate administrative regulations restricting or
11 prohibiting the use and administration of drugs or stimulants or other improper acts to horses
12 prior to the horse participating in a race. This administrative regulation establishes new
13 sampling and testing procedures for prohibited substances, and establishes penalties for
14 individuals found to be in violation of this administrative regulation.

15 Section 1. Definitions.

16 (1) "Endogenous" means a substance that is naturally produced by the healthy body.

17 (2) "Exogenous" means a substance that is not naturally produced by the healthy body.

18 (3) "Out of competition testing" means all testing other than:

19 (a) Pre-race TCO₂ testing; and

20 (b) Post-race testing at a licensed association under the jurisdiction of the commission.

1 (4) "Sample" means that portion of a specimen subjected to testing by the commission
2 laboratory.

3 (5) "Sampling" means the act of collecting a specimen from a horse.

4 (6) "Specimen" means blood, urine, or other biologic matter taken or drawn from a
5 horse for testing.

6 Section 2. Prohibited Substances and Practices.

7 (1) All substances identified in this administrative regulation shall be prohibited unless
8 specifically permitted. A positive finding by the commission laboratory of a substance
9 prohibited by this administrative regulation in a specimen taken from a horse designated for
10 testing by a commission veterinarian or his designee shall be prima facie evidence that a
11 violation has occurred. Any reference to substances in this section does not alter the
12 requirements for testing concentrations in race day samples established in 810 KAR 8:010 and
13 810 KAR 8:050.

14 (2) Any pharmacological substance not addressed by this administrative regulation and
15 without current approval by the U.S. Food and Drug Administration for human or veterinary use
16 shall be prohibited at all times without prior approval of the commission. If a veterinarian seeks
17 approval to use a pharmacological substance not currently approved by the U.S. Food and Drug
18 Administration, the commission or its designee may consult with the Association of Racing
19 Commissioners International, the Racing and Medication Testing Consortium, or their suc-
20 cessors to determine whether to authorize use of the substance.

21 (3) Therapeutic substances not otherwise prohibited by this administrative regulation
22 may be used if the substances:

1 (a) Are currently approved for human or veterinary use by the U.S. Food and Drug
2 Administration; and

3 (b) Are prescribed and administered in the context of a valid veterinarian-client-patient
4 relationship.

5 (4) Compounded medications not otherwise prohibited by this administrative regulation
6 may be used if the medications:

7 (a) Are permitted by federal law or the law of the state where the horse is located when
8 the compounded medication is administered; and, (b) Are prescribed and administered in the
9 context of a valid veterinarian-client-patient relationship.

10 (5)(a) Except as provided in paragraph (b) of this subsection, the following Anabolic
11 Androgenic Steroids (AAS) shall be prohibited:

12 1. Exogenous AAS, including: 1-androstenediol (5 α -androst-1-ene-3 β ,17 β -diol); 1-
13 androstenedione (5 α -androst-1-ene-3,17-dione); bolandiol (estr-4-ene-3 β ,17 β -diol); bolaster-
14 one; boldenone; boldione (androsta-1,4-diene-3,17-dione); calusterone; clostebol danazol (ox-
15 azolopregna-4-en-20-yn-17 α -ol); dehydrochlormethyltestosterone (4-chloro-17 β -hydroxy-17 α -
16 methylandrosta- 1,4-dien- 3-one); desoxymethyltestosterone (17 α -ethyl-5 α -androst-2-en-17 β -
17 ol); drostanolone; ethylestrenol (19-norpregna-4-en-17 α -ol); fluoxymesterone; formebolone;
18 furazabol (17 α -methyloxadiazolo-5 α -androstan-17 β -ol); gestrinone; 4- hydroxy-testosterone
19 (4,17 β -dihydroxyandrost-4-en-3-one); mestanolone; mesterolone; metandienone (17 β -
20 hydroxy-17 α -methylandrosta-1,4-dien-3- one); metenolone; methandriol; methasterone (17 β -
21 hydroxy-2 α ,17 α - dimethyl-5 α -androstan-3-one); methyldienolone (17 β -hydroxy-17 α -
22 methylestra-4,9-dien-3-one); methyl-1-testosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-

1 en-3-one); methylnortestosterone (17 β -hydroxy-17 α -methylestr-4-en-3-one);
2 methyltestosterone; metribolone (methyltrienolone, 17 β -hydroxy-17 α -methylestra-4,9,11-
3 trien-3-one); mibolerone; nandrolone; 19-norandrostenedione (estr-4-ene-3,17-dione);
4 norboletone; norclostebol; nor-ethandrolone; oxabolone; oxandrolone; oxymesterone;
5 oxymetholone; prostanazol (17 β -1'H pyrazolo-5 α - androstane); quinbolone; stanozolol;
6 stenbolone; 1-testosterone (17 β hydroxy-5 α -androst-1-en-3-one); tetrahydrogestrinone (17-
7 hydroxy-18 α - homo-19-nor-17 α pregna-4,9,11-trien-3-one); and trenbolone (17 β -hydroxyestr-
8 4,9,11-trien-3-one); and

9 2. Endogenous AAS or their synthetic esters if administered exogenously:
10 androstenediol (androst-5-ene-3 β ,17 β -diol); androstenedione (androst-4-ene-3,17-dione);
11 dihydrotestosterone (17 β -hydroxy-5 α -androstan-3-one); prasterone (dehydroepiandrosterone,
12 DHEA, 3 β -hydroxyandrost-5-en-17-one); testosterone; and their metabolites and isomers,
13 including but not limited to: 5 α -androstane-3 α ,17 α -diol; 5 α -androstane-3 α ,17 β -diol; 5 α -
14 androstane-3 β ,17 α -diol; 5 α -androstane-3 β ,17 β -diol; 5 β -androstane-3 α , 17 β -diol, androst-4-
15 ene-3 α ,17 α -diol; an-drost-4-ene-3 α ,17 β -diol; androst-4-ene-3 β ,17 α -diol; androst-5-ene-
16 3 α ,17 α -diol; androst-5-ene-3 α ,17 β -diol; androst-5-ene-3 β ,17 α -diol; 4-androstenediol (androst-
17 4-ene-3 β ,17 β -diol); 5-androstenedione (androst-5- ene-3,17-dione); androsterone (3 β -hydroxy-
18 5 α -androstan-17-one); epi-dihydrotestosterone; epitestosterone; etiocholanolone; 7 α -
19 hydroxy-DHEA; 7 β -hydroxy- DHEA; 7-keto-DHEA;19-norandrosterone; 19-noretiocholanolone.

20 (b) Anabolic steroids may be used out of competition if:

21 1. The anabolic steroid is currently approved for human or veterinary use by the U.S.
22 Food and Drug Administration;

1 2. The administration is:
2 a. Performed pursuant to a valid veterinary prescription;
3 b. Entered into the horse's medical record by the administering veterinarian; and
4 c. Reported by the administering veterinarian to the commission no later than twenty-
5 four (24) hours after administration or dispensing of the medication;

6 3. The record is made available upon request for inspection by the commission or its
7 designee; and

8 4. The horse is placed on the Veterinarian's List for six (6) months after the last
9 administration of an anabolic steroid or agent.

10 (6)(a) Except as provided in paragraph (b) of this subsection, the following anabolic
11 agents shall be prohibited:

- 12 1. Clenbuterol;
- 13 2. Selective androgen receptor modulators (SARMs); 3. Ractopamine;
- 14 4. Tibolone;
- 15 5. Zeranol; and
- 16 6. Zilpaterol.

17 (b) Clenbuterol may be administered if the treatment is:

- 18 1. Pursuant to a valid veterinary prescription; ~~and~~
- 19 2. Reported by the administering veterinarian to the commission no later than 24 hours
20 after administration or dispensing of the medication; and[-]

21 3. Otherwise compliant with 810 KAR 8:010 Section 10.

22 (7) The following substances shall be prohibited:

1 (a) Erythropoiesis-Stimulating Agents (ESAs), including darbepoetin (dEPO);
2 erythropoietins (EPO); EPO-Fc; EPOmimetic peptides (EMP), e.g., CNTO 530 and peginesatide;
3 and methoxypolyethylene glycol-epoetin beta (CERA);

4 (b) Non-erythropoietic EPO-Receptor agonists, including ARA-290, asialo EPO and car-
5 bamylated EPO; and

6 (c) Hypoxia-inducible factor (HIF) stabilizers, including cobalt (if detected at
7 concentrations in excess the threshold prescribed in 810 KAR 8:010, Section 2(4)(b)), and
8 roxadustat (FG-4592); and HIF activators, (e.g., argon, xenon).

9 (8)(a) Except as provided in paragraph (b) of this subsection, Chorionic Gonadotropin
10 (CG) and Luteinizing Hormone (LH) and their releasing factors, shall be prohibited in male
11 horses.

12 (b) Chorionic Gonadotropin (CG) and Luteinizing Hormone (LH) may be used in male
13 horses if:

14 1. The treatment is pursuant to a valid veterinary prescription; and

15 2. The administering veterinarian files a treatment plan with the commission prior to
16 administering the medication.

17 (9)(a) Except as provided in paragraph (b) of this subsection, Corticotrophin releasing
18 factors and corticotrophin releasing hormones (CCRH) shall be prohibited.

19 (b) Adrenocorticotrophic Hormone (ACTH) may be used if the treatment is:

20 1. Pursuant to a valid veterinary prescription; and

21 2. Reported by the administering veterinarian to the commission no later than twenty-
22 four (24) hours after administration or dispensing of the medication by the veterinarian.

1 (c) Growth Hormone (GH); Growth Hormone Releasing Hormone (GHRH); CJC-1295, ser-
2 morelin and tesamorelin; Growth Hormone Secretagogues (GHS); anamorelin; ipamorelin; GH-
3 Releasing Peptides (GHRPs); alexamorelin; GHRP-6; hexarelin; and pralmorelin (GHRP-2) shall
4 be prohibited.

5 (d) Venoms and toxins from sources, including snails, snakes, frogs, and bees and their
6 synthetic analogues, including ziconotide, shall be prohibited.

7 (e) Growth factors, including Fibroblast Growth Factors (FGFs), Hepatocyte Growth
8 Factor (HGF), Insulin-like Growth Factor-1 (IGF-1) and its analogues, Mechano Growth Factors
9 (MGFs), Platelet-Derived Growth Factor (PDGF), Vascular-Endothelial Growth Factor (VEGF) and
10 any other growth factor affecting muscle, tendon or ligament protein synthesis/degradation,
11 vascularization, energy utilization, regenerative capacity or fiber type switching shall be
12 prohibited.

13 (10) Platelet rich plasma (PRP) and autologous conditioned plasma (IRAP) may be used if
14 the treatment is:

15 (a) Pursuant to a valid veterinary prescription; and

16 (b) Reported to the commission's representative at the time of sampling if administered
17 within the preceding twenty-four (24) hours.

18 (11) All beta-2 agonists, including all optical isomers (i.e. d- and l-) where relevant, shall
19 be prohibited.

20 (12) Clenbuterol and albuterol may be used if the treatment is:

21 (a) Pursuant to a valid veterinary prescription; ~~and~~

1 (b) Reported by the administering veterinarian to the commission no later than twenty-
2 four (24) hours after administration or dispensing of the medication by the veterinarian; and[-]

3 (c) Otherwise compliant with 810 KAR 8:010 Section 10.

4 (13)(a) Except as established in paragraphs (b) and (c) of this subsection, hormone and
5 metabolic modulators shall be prohibited including:

6 1. Aromatase inhibitors, including aminoglutethimide, anastrozole, androsta-1,4,6-
7 triene-3,17-dione (androstatrienedione), 4-androstene-3,6,17 trione (6-oxo), exemestane,
8 formestane, letrozole, testolactone;

9 2. Selective estrogen receptor modulators (SERMs), including raloxifene, tamoxifen,
10 torem-ifene;

11 3. Other anti-estrogenic substances, including clomiphene, cyclofenil, fulvestrant;

12 4. Agents modifying myostatin function(s), including myostatin inhibitors;

13 5. Activators of the AMP-activated protein kinase (AMPK), including 5-Aminoimidazole-
14 4-carboxamide ribonucleotide (AICAR); and Peroxisome Proliferator Activated Receptor δ
15 (PPAR δ) agonists including GW 1516;

16 6. Insulins;

17 7. Trimetazidine; and

18 8. Thyroxine, and thyroid modulators/hormones including T4
19 (tetraiodothyronine/thyroxine), T3 (triiodothyronine), or combinations thereof.

20 (b) Thyroxine (T4) may be used:

21 1. The treatment is pursuant to a valid veterinary prescription; and

1 2. A treatment report is filed in writing or electronically with the commission within
2 twenty-four (24) hours of the administration or dispensing of the medication by the
3 veterinarian.

4 (c) Altrenogest may be used in fillies and mares if the treatment is pursuant to a valid
5 veterinary prescription. Altrenogest may be used is permitted in intact males if the treatment
6 is:

7 1. Pursuant to a valid veterinary prescription; and

8 2. The administering veterinarian files a treatment plan with the commission prior to
9 administering the medication.

10 (18)(a) Except as provided in paragraphs (b) and (c) of this subsection, diuretics shall be
11 prohibited, including acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, ethac-
12 rynic acid, indapamide, metolazone, spironolactone, thiazides including bendroflumethiazide,
13 chlorothiazide, hydrochlorothiazide, torsemide, triamterene, vasopressin receptor antagonists
14 or vaptans, including tolvaptan.

15 (b) Furosemide and trichlormethiazide may be used out of competition if the treatment
16 is:

17 1. Pursuant to a valid veterinary prescription; and

18 2. Reported at the time of sampling if administered within the preceding twenty-four
19 (24) hours.

20 (c) Other diuretics, including those established in paragraph (a) above, may be
21 administered in an emergency if the treatment is:

22 1. Pursuant to a valid veterinary prescription; and

1 2. Reported to the commission within twenty-four (24) hours of administration.

2 (19) Masking agents, including desmopressin, plasma expanders (including glycerol;
3 intravenous administration of albumin, dextran, and hydroxyethyl starch), and probenecid, shall
4 be prohibited.

5 (20) The administration or reintroduction of any quantity of autologous, allogenic
6 (homologous) or heterologous blood or red blood cell products of any origin into the circulatory
7 system shall be prohibited.

8 (21) Artificially enhancing the uptake, transport or delivery of oxygen, with
9 perfluorochemicals, eflaproxiral (RSR13), hemoglobin products, hemoglobin-based blood
10 substitutes, and microencapsulated hemoglobin products (excluding supplemental oxygen)
11 shall be prohibited.

12 (22)(a) Except as provided in paragraph (b) of this subsection, any form of intravascular
13 manipulation of the blood or blood components by physical or chemical means shall be
14 prohibited.

15 (b) The use of a hyperbaric oxygen chamber shall not be a violation of this
16 administrative regulation.

17 (23) Polymers of nucleic acids or nucleic acid analogues shall not be transferred unless
18 prior approval is requested and received from the commission or its designee.

19 (24) The use of normal or genetically modified hematopoietic cells shall be prohibited.

20 (25) Mesenchymal stem cells may be used for treatment of musculoskeletal disorders, if
21 the treatment is:

- 1 1. Entered by the veterinarian in the horse's medical record, which record shall be made
- 2 available to a designee of the commission upon request
- 3 2. Pursuant to a valid veterinary prescription; and
- 4 3. Reported to the commission's representative at the time of sampling.

5 Section 3. Out-of-Competition Testing.

6 (1) Any horse eligible to race in Kentucky shall be subject to testing without advance
7 notice for the substances specified in Section 2 of this administrative regulation. A horse shall
8 be presumed eligible to race in Kentucky if:

- 9 (a) It is under the care, custody, or control of a trainer licensed by the commission;
- 10 (b) It is owned by an owner licensed by the commission;
- 11 (c) It is nominated to a race at an association licensed pursuant to KRS 230.300;
- 12 (d) It has raced at an association licensed pursuant to KRS 230.300 within the previous
13 twelve (12) calendar months;
- 14 (e) It is stabled on the grounds of an association licensed pursuant to KRS 230.300 or a
15 training facility subject to the jurisdiction of the commission; or
- 16 (f) It is nominated to participate in the Kentucky Thoroughbred Development Fund, the
17 Kentucky Standardbred Development Fund, or the Kentucky quarter horse, paint horse,
18 Appaloosa and Arabian Development Fund.

19 (2) A horse subject to testing under subsection (1) of this section may be designated for
20 testing by the executive director, the chief state steward, chief judge, or their respective
21 designee.

1 (3) An owner, trainer, or any authorized designee shall fully cooperate with the
2 commission veterinarian, or his or her designee, by:

3 (a) Locating and identifying any horse designated for out-of-competition testing;

4 (b) Making the horse available for the collection of the specimen at a place designated
5 by the commission veterinarian, or his or her designee; and

6 (c) Observing the collection of the specimen.

7 1. If the owner, trainer or their authorized designee, is not available to observe the
8 collection of the specimen, the collection shall be deferred until the trainer, owner, or their
9 authorized designee, becomes reasonably available, but the collection shall occur no later than
10 six (6) hours after notice of intent to collect a specimen from a horse is issued by the
11 commission veterinarian or his or her designee.

12 2. If the collection does not occur within the time provided for in this subsection, any
13 horse that is designated for testing may be barred from racing in Kentucky and placed on the
14 veterinarian's list, pursuant to 810 KAR 8:010, Section 17, and the steward's list or judges' list,
15 for a period of 180 days and the owner and trainer of the horse may be subject to the penalties
16 described in Section 8 of this administrative regulation.

17 (4) Responsible persons.

18 (a) The trainer of the horse shall be responsible for the condition of a horse sampled for
19 an out-of-competition test while on the grounds of a licensed training facility or racetrack.

20 (b) If the horse is sampled while not on the grounds of a licensed training facility or
21 racetrack, the owner shall be presumed to be the responsible person unless the owner can

1 establish, by substantial evidence, that another licensed person had accepted the responsibility
2 for the care, custody, and control of the horse, making that person the responsible person.

3 (c) If a horse sampled for an out-of-competition test was claimed, sold, or otherwise
4 transferred during the time the substance giving rise to the positive test may have been
5 administered, then the commission shall investigate to determine, by a preponderance of the
6 evidence, the identity of the responsible person at the time the substance may have been
7 administered.

8 (d) If the commission cannot determine a responsible person, then the commission may
9 deem the owner responsible and may place the horse on the veterinarian's list for as long as is
10 necessary to protect the integrity of racing.

11 (e) If a horse designated for testing is sampled at a location not under the jurisdiction of
12 the commission, the trainer or his designee may declare at the time of sampling any reportable
13 substances that have been administered to the horse but have not previously been disclosed to
14 the commission.

15 Section 4. Specimen Collection.

16 (1) A specimen shall be collected from any horse designated by the executive director,
17 the chief state steward, the presiding judge, or their designee, whether the horse is located in
18 Kentucky or in another jurisdiction.

19 (2) If a designated horse is located in another jurisdiction, the executive director or
20 commission veterinarian may select a veterinarian from that jurisdiction's racing commission or
21 regulatory entity to collect the specimen.

1 (3) At a licensed association or training facility under the jurisdiction of the commission,
2 the commission veterinarian, or his or her designee, may collect a specimen from a horse
3 designated for testing at any time.

4 (4) At a location other than the grounds of a licensed association or a training facility
5 under the jurisdiction of the commission, the commission veterinarian, or his or her designee,
6 shall collect the specimen between the hours of 7 a.m. and 6 p.m., prevailing time, and shall
7 notify orally or in writing the owner, trainer, or their designee before arriving to collect the
8 specimen.

9 (5) A licensed association or training facility under the jurisdiction of the commission at
10 which a horse designated for testing is located shall cooperate fully in the collection of the
11 specimen.

12 Section 5. Minimum and split samples.

13 The commission veterinarian, in consultation with the official laboratory, shall
14 determine minimum and split sample requirements as established at 810 KAR 8:010, Section
15 11.

16 Section 6. Sample Storage and Testing.

17 (1) Any out of competition sample collected pursuant to this administrative regulation
18 shall be stored in a temperature controlled unit at a secure location chosen by the commission
19 until the sample is submitted for testing. The samples shall be secured under conditions
20 established by the commission veterinarian in accordance with 810 KAR 8:010, Section 11.

21 (2) The commission is the owner of an out of competition specimen. (3) A trainer or
22 owner of a horse receiving notice of a report of finding from the commission may request that a

1 split sample corresponding to the portion of the sample tested by the commission laboratory
2 be sent to a split sample laboratory which has documented its proficiency in detecting the
3 substance associated with the report of finding and has been approved by the commission.

4 (4) Split samples shall be subject to 810 KAR 8:010, Section 11, and the chain of custody
5 of any split sample shall be maintained in accordance with 810 KAR 8:010, Section 12.

6 (5) The cost of testing a split sample, including shipping, shall be borne by the owner or
7 trainer requesting the test.

8 Section 7. Notice of Violation and Hearing.

9 Within five (5) business days of receipt by the stewards or judges of notification of a
10 violation of this administrative regulation, the stewards or judges shall notify the owner and
11 trainer orally or in writing of the violation and shall schedule a stewards' or judges' hearing
12 within fourteen (14) calendar days of notification by the stewards or judges to the owner and
13 trainer. The hearing may be continued if the stewards or judges determine a continuation is
14 necessary to accommodate the parties.

15 Section 8. Penalty.

16 A trainer, owner, responsible person, or any other individual who violates this
17 administrative regulation shall be subject to the following penalties:

18 (1) A positive finding of a substance prohibited by this administrative regulation shall be
19 subject to the penalties for that substance established in 810 KAR 8:010, 810 KAR 8:020, and
20 810 KAR 8:030.

21 (2) If the owner, trainer, or any authorized designee fails to cooperate or otherwise
22 prevents a horse from being tested, the horse designated for testing shall be barred from racing

1 in Kentucky and placed on the veterinarian's list, pursuant to 810 KAR 8:010, Section 17, and
2 the steward's list or judges' list, for 180 days, and the individual or individuals responsible for
3 the failure to cooperate or prevention of the horse from being tested shall be subject to the
4 penalties established in subsection (4) of this section.

5 (3) A horse that is barred from racing in Kentucky and placed on the Veterinarian's List
6 and the steward's list, or judges' list pursuant to subsection (4)(c) or subsection (5) of this
7 section shall remain barred from racing and shall remain on the veterinarian's list and the
8 steward's list or judge's list:

9 (a) Upon sale or transfer of the horse to another owner or trainer until the expiration of
10 180 days; and

11 (b) Until the horse is determined by the commission to test negative for any substance
12 prohibited by this administrative regulation and is approved for racing by the commission
13 veterinarian and the chief state steward or presiding judge.

14 (4)(a) Willful failure to make a horse available for sampling, tampering with or
15 attempting to tamper in order to alter the integrity and validity of a sample, including urine
16 substitution or adulteration, or any other deceptive acts or interference in the sampling
17 process, shall be penalized as follows:

- 18 1. For a first offense, a Class A penalty as established in 810 KAR 8:030; or
- 19 2. For a second offense, permanent license revocation.

20 (b) A horse that is not produced for out of competition testing shall be placed on the
21 Veterinarian's List for a minimum of 180 days.

1 (5) Failure to report treatment as required by this administrative regulation shall be
2 penalized as follows:

3 (a) For a first offense, a warning; or

4 (b) For a second or subsequent offense, a Class D penalty as established in 810 KAR
5 8:030.

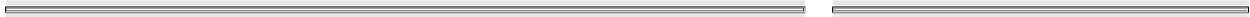
6 (6) Upon finding a violation of this administrative regulation, the horse in which the
7 presence of a substance described in Section 2 of this administrative regulation was detected
8 shall be barred from racing in Kentucky and placed on the veterinarian's list pursuant to 810
9 KAR 8:010, Section 17, and the stewards' or judges' list, for a period of up to 180 days and shall
10 remain barred from racing in Kentucky until the horse is determined by the commission to test
11 negative for any substance described in Section 2 of this administrative regulation and is
12 approved for racing by the commission veterinarian and the chief state steward or presiding
13 judge.

14 (7) Upon finding a violation of this administrative regulation, the horse in which the
15 presence of a substance described in Section 2 of this administrative regulation was detected
16 shall remain subject to the requirements of subsection (4) of this section:

17 (a) Upon sale or transfer of the horse to another owner or trainer before the expiration
18 of 180 days; and

19 (b) Until the horse is determined by the commission to test negative for any substance
20 described in Section 2 of this administrative regulation and is approved for racing by the
21 commission veterinarian and the chief state steward or presiding judge.

810 KAR 8:040
READ AND APPROVED:



Jonathan Rabinowitz
Chair, Kentucky Horse Racing Commission

Date



Kerry Harvey
Secretary, Public Protection Cabinet

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

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

Phone: +1 (859) 246-2040

Fax: +1 (859) 246-2039

Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 810 KAR 8:040
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

- (1) Provide a brief summary of:
 - (a) What this administrative regulation does: NA
 - (b) The necessity of this administrative regulation: NA
 - (c) How this administrative regulation conforms to the content of the authorizing statutes:
NA
 - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: NA
- (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: NA
 - (b) The necessity of the amendment to this administrative regulation: NA
 - (c) How the amendment conforms to the content of the authorizing statutes: NA
 - (d) How the amendment will assist in the effective administration of the statutes: NA
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: NA
- (4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
 - (a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: NA
 - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: NA

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

- (5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:
 - (a) Initially: NA
 - (b) On a continuing basis: NA

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

- (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: NA

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

- (9) TIERING: Is tiering applied? Explain why or why not. NA

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 810 KAR 8:040
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

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

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

(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? NA

(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? NA

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

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

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

(4) Revenues (+/-): NA

(5) Expenditures (+/-): NA

(6) Other Explanation: NA

2020 THOROUGHBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG CLASS	PENALTY OR ACTION	FINE	STATUS
20-0068	10/16/2020	10/10/2020	Declan Cannon	Careless riding		Suspended 3 days October 22 through October 24, 2020 (inclusive)		Suspension served
20-0069	10/18/2020	10/17/2020	Armando Martinez	Improper use of the riding crop		Fined	\$ 250	Fine paid
20-0070	10/20/2020	2/14/2020	Edward Bray	Settlement Agreement		Agrees to return purse money to Turfway Park by December 15, 2020		Remains in good standing
20-0071	10/20/2020	2/14/2020	Madelyn A. Royal	Settlement Agreement Suspended and Fined		Suspended 90 days October 21, 2020 through January 18, 2021 (inclusive)	\$ 500	Current suspension Paid Fine
20-0072	10/20/2020	2/14/2020	Madelyn A. Royal and Edward Bray (owners)	Settlement Agreement Miss Pinkerton DQ'd		Miss Pinkerton disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed
20-0073	10/23/2020	10/21/2020	Bonfilio Gatica	Disorderly conduct (attempted assault of a security guard) and formal ejection from Keeneland		Suspended pending appearance		Current suspension
20-0074	10/31/2020	10/28/2020	Declan Carroll	Careless riding		Suspended 3 days November 8, November 11 and November 12, 2020		Suspension served
20-0075	11/4/2020	11/1/2020	Corey J. Lanerie	Careless riding		Suspended 3 days November 15, November 18 and November 19, 2020		APPEALED
20-0076	11/12/2020	9/12/2020	Kelly A. Fernandez	Phenylbutazone #402463	C	Fined	\$ 500	Not Paid

2020 THOROUGHBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG CLASS	PENALTY OR ACTION	FINE	STATUS
20-0077	11/12/2020	9/12/2020	Eladio Acevedo (owner)	Phenylbutazone #402463	C	Tia Flor disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed
20-0078	11/19/2020	10/23/2020	J. Reeve McGaughey	Methocarbamol #E378902	C	Fined	\$ 500	Not Paid
20-0079	11/19/2020	10/23/2020	Michael and Deborah Rouser (owners)	Methocarbamol #E378902	C	Lessons From Avery disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed
20-0080	11/19/2020	11/1/2020	George Leonard III	Ranitidine #E378540	D	Fined	\$ 250	Not Paid

2020 TB RULINGS LIST BY CATEGORY (Through November 25, 2020)

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	1	0	Cardarine
Class B	3	3	3	3	0	Gabapentin, Carisoprodol and metabolite Meprobamate, Cannabidiol
Class C	7	6	0	6	0	Naproxen, Dexamethasone, Ketoprofen (warning letter), Betamethasone, Phenylbutazone (now Class C over .3 mcg/ml), Methocarbamol
Class D	2	2	0	0	0	Omeprazole, Ranitidine
NSAIDS	3	3	0	1	0	Phenylbutazone, Phenylbutazone over 5.0 (DQ)
Multiple NSAIDS	0	0	0	0	0	
TCO2	0	0	0	0	0	
Subtotal	<u>16</u>	\$8,000				

NON-MEDICATION VIOLATIONS

Jockey Violations

Careless Riding	13	0	13	0	2	Routine riding offenses
Overly Aggressive Riding	0	0	0	0	0	
Other Disciplinary Violations	4	4	0	0	0	improper use of the riding crop
Subtotal	<u>17</u>	\$1,500				

Other Licensee Violations

Misc. violations by licensees	2	1	1	0	0	Falsification of license application, violated regulation that governs claiming
Disorderly conduct and formal ejections	11	1	10	0	0	Formal ejection from location under KHRC jurisdiction, Criminal charges, use of profanity toward security personnel, attempted assault of security guard
Suspended for non payment of fines	0	0	0	0	0	
Subtotal	<u>13</u>	\$700				

Other Rulings Issued	34	\$3,500	0	0	0	The remaining 34 rulings that have been issued in 2020 are for information only and include purse redistributions, penalty applied after withdrawal of appeal, restored to good standing, Court Order affirming KHRC Final Order, Settlement Agreement and Stipulation, extension of apprentice allowance granted, license rescinded
TOTAL 2020 RULINGS	<u>80</u>	<u>\$13,700</u>				

2020 STANDARDBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG PENALTY CLASS	FINE OR WRITTEN WARNING	STATUS	PAID	Suspension (days)	COMMENTS
J2020-001	3/14/2020	3/9/2020	Nick Surick	License revoked in PA, OH & DE			license revoked			
J2020-002	5/12/2020	7/2/2019	Harley Emerson	Medication /Drug Violation - Flunixin	C		suspended		5/11/20 - 5/20/2020	J2019-014 & J2019-018 fines paid and purse monies redistributed
J2020-003	6/4/2020	8/28/2019	John McDermott	Medication /Drug Violation - Cannabidiol	B	\$500	suspended	paid	6/17/20 - 6/26/20	
J2020-004	8/14/2020	8/1/2020	Jordan Derue	Ineligible for entry						Disqualified, purse return ordered
J2020-005	8/15/2020	8/9/2020	Randy D Cristler	Misuse of whip		\$100		paid		first offense
J2020-006	8/15/2020	8/11/2015	Edgar O Herrera	Misuse of whip		\$200		paid		second offense
J2020-007	8/23/2020	8/18/2020	Christopher C Moore	Failure to obey starter's instructions		\$50		paid		
J2020-008	8/25/2020	8/24/2020	David S Miller	Misuse of whip		\$300		paid		First 2020 KHRC Violation
J2020-009	8/29/2020	8/25/2020	Joseph R Bongiorno	Misuse of whip		\$300		paid		First 2020 KHRC Violation
J2020-010	9/1/2020	8/30/2020	Trevor Gene Smith	Misuse of whip		\$100		paid		First 2020 KHRC Violation
J2020-011	9/6/2020	9/1/2020	Mark J MacDonald	Misuse of whip		\$300		paid		First 2020 KHRC Violation
J2020-012	9/6/2020	9/1/2020	Randal L Jerrell	Crossing over before start		\$50		paid		
J2020-013	9/6/2020	9/1/2020	Edgar O Herrera	Failure to stay in position before start		\$50		paid		
J2020-014	9/11/2020	9/8/2020	James Edward Stiltner II	Misuse of whip		\$100		paid		First 2020 KHRC Violation
J2020-015	9/14/2020	9/8/2020	Brian J Sears	Failure to drive as programed		\$150		paid		
J2020-016	9/14/2020	9/8/2020	Andrew John McCarthy	Failure to drive as programed		\$400		paid		
J2020-017	9/15/2020	9/8/2020	Marcus M Melander	Failure to honor declaration		\$500		paid		
J2020-018	10/10/2020	9/8/2020	Aaron Merriman	Failure to drive as programed		\$100		not paid		
J2020-019	10/8/2020	9/22/2020	Tyler Shehan	Misuse of whip		\$200		not paid		First 2020 KHRC Violation
J2020-020	10/10/2020	10/3/2020	David S Miller	Misuse of whip		\$300		paid		
J2020-021	10/8/2020	10/4/2020	Andy R Miller	Misuse of whip		\$300		paid		
J2020-022	10/8/2020	10/2/2020	Yannick Gingras	Misuse of whip		\$500		not paid		
J2020-023	10/10/2020	10/9/2020	Dewayne Minor	Misuse of whip		\$100		not paid		
J2020-024	10/10/2020	10/9/2020	Roman Lopez	Misuse of whip		\$100		paid		
J2020-025	10/11/2020	10/10/2020	David S Miller	Misuse of whip		\$300		paid		
J2020-026	10/19/2020	10/14/2020	John D Perrin	Misuse of whip		\$100		paid		
J2020-027	10/20/2020	8/23/2020	Linda Toscano	Medication / Drug Violation - Methocarbamol	C	\$500		not paid		Disqualified to last place, purse return ordered
J2020-028	11/1/2020	10/22/2020	Gary R Campbell	Medication / Drug Violation - Hydrocortizone Hemisuccinate	C					Disqualified to last place, purse return ordered
J2020-029	11/11/2020	11/3/2020	Tyler Shehan	Misuse of whip		\$500		not paid		Placed on probation for the remainder of the 2020 KY harness racing season
J2020-030	11/22/2020	11/11/2020	Charles M Conrad	Misuse of whip		\$100		paid		
J2020-031	11/22/2020	11/11/2020	James Edward Stiltner II	Misuse of whip		\$100		paid		

KHRC Veterinary Report

Keeneland Fall Meet 2020

Total Starts	1305

Post Race Samples	392
tCO ₂	210

Veterinary Scratches	20

Pre-Race	12
On-Track	8
Soundness related	7
Gate/paddock Injury	1

KHRC Veterinary List	27

Scratches	20
Race Injuries/post race lame/test barn lame	6
EIPH	1
Heat distress	0

Claimed horses	86

Voided Claims	1

Ambulance Runs	2

Racing Fatalities	0

musculo-skeletal	0

Training Fatalities	1

musculo-skeletal	1

KHRC Veterinary Report

Breeder's Cup at Keeneland 2020

Total Starts	256

Post Race Samples	95
tCO ₂	256

Veterinary Scratches	2

Pre-Race	2
On-Track	0
Soundness related	0
Gate/paddock Injury	0

KHRC Veterinary List	4

Scratches	2
Race Injuries/post race lame/test barn lame	2
EIPH	0
Heat distress	0

Ambulance Runs	1

Racing Fatalities	1

musculo-skeletal	1

Training Fatalities	0

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

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

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

Year	Category Non-musculoskeletal: EIPH, Sudden Death, Racing Accident	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Starts (Equibase)	Fatalities per 1,000 starts
2020	Musculoskeletal	1	0	1	0	1	0	0	3	4	1			11	11,285	0.97
	Non-musculoskeletal	0	0	3	0	0	0	0	0	0	0			3		0.27
	TOTAL	1	0	4	0	1	0	0	3	4	1			14		1.24

Kentucky Pari-Mutuel Excise Tax and BIF by Source, FYTD 2021
October-2020

Racetrack/ADW	Thoroughbred Development Fund		Standardbred Development Fund		QH/Other Development Fund		Equine Industry Program		Equine Drug Program		Higher Education Program		Backside Improvement		ADW Host Track Allocation		ADW Purse Allocation		Kentucky General Fund		Total Excise Tax FYTD	
	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total	FYTD	% of Fund Total
Live	\$ 44,305	0.6%	\$ 9,653	0.6%	\$ 13,360	1.8%	\$ 6,680	1.8%	\$ 6,680	1.8%	\$ 29,538	100.0%			\$ 21,448	0.3%	\$ 131,663	0.7%				
Churchill Downs	\$ 10,664	0.1%			\$ 2,844	0.4%	\$ 1,422	0.4%	\$ 1,422	0.4%	\$ 7,110	24.1%			\$ 4,977	0.1%	\$ 28,439	0.1%				
Ellis Park	\$ 7,507	0.1%			\$ 2,001	0.3%	\$ 1,001	0.3%	\$ 1,001	0.3%	\$ 5,005	16.9%			\$ 3,503	0.0%	\$ 20,020	0.1%				
Keeneland	\$ 23,641	0.3%			\$ 6,305	0.9%	\$ 3,152	0.8%	\$ 3,152	0.8%	\$ 15,761	53.4%			\$ 11,033	0.1%	\$ 63,044	0.3%				
Kentucky Downs	\$ 2,492	0.0%			\$ 665	0.1%	\$ 332	0.1%	\$ 332	0.1%	\$ 1,662	5.6%			\$ 1,163	0.0%	\$ 6,646	0.0%				
Oak Grove			\$ 202	0.0%	\$ 32	0.0%	\$ 16	0.0%	\$ 16	0.0%					\$ 16	0.0%	\$ 282	0.0%				
The Red Mile			\$ 9,451	0.5%	\$ 1,513	0.2%	\$ 756	0.2%	\$ 756	0.2%					\$ 756	0.0%	\$ 13,232	0.1%				
Turfway Park	\$ -	0.0%			\$ -	0.0%	\$ -	0.0%	\$ -	0.0%	\$ -	0.0%			\$ -	0.0%	\$ -	0.0%				
Simulcast	\$ 359,144	4.5%	\$ 16,110	0.9%	\$ 3,252	100%	\$ 9,463	1.3%	\$ 18,926	5.0%	\$ 18,926	5.0%			\$ 141,940	1.9%	\$ 567,760	2.9%				
Churchill Downs	\$ -	0.0%	\$ -	0.0%	\$ -	0.0%	\$ -	0.0%	\$ -	0.0%	\$ -	0.0%			\$ -	0.0%	\$ -	0.0%				
Ellis Park	\$ 76,109	0.9%	\$ 9,144	0.5%	\$ 278	8.5%	\$ 2,138	0.3%	\$ 4,277	1.1%	\$ 4,277	1.1%			\$ 32,075	0.4%	\$ 128,298	0.7%				
Keeneland	\$ 202,206	2.5%	\$ 735	22.6%	\$ 5,074	0.7%	\$ 10,147	2.7%	\$ 10,147	2.7%					\$ 76,102	1.0%	\$ 304,410	1.6%				
Kentucky Downs	\$ 70,803	0.9%	\$ 6,956	0.4%	\$ 2,116	65.1%	\$ 1,996	0.3%	\$ 3,995	1.1%	\$ 3,995	1.1%			\$ 29,953	0.4%	\$ 119,813	0.6%				
Oak Grove	\$ -	0.0%	\$ -																			
The Red Mile																						
Turfway Park	\$ 10,026	0.1%	\$ 10	0.0%	\$ 124	3.8%	\$ 254	0.0%	\$ 508	0.1%	\$ 508	0.1%			\$ 3,810	0.1%	\$ 15,240	0.1%				
ADW														\$ 343,450	100.0%	\$ 343,450	100.0%	\$ 121,203	1.6%	\$ 808,103	4.2%	
Amwest														\$ 1,216	0.4%	\$ 1,216	0.4%	\$ 430	0.0%	\$ 2,862	0.0%	
eBet														\$ 790	0.2%	\$ 790	0.2%	\$ 279	0.0%	\$ 1,860	0.0%	
Lien Games														\$ 214	0.1%	\$ 214	0.1%	\$ 75	0.0%	\$ 503	0.0%	
NYRA														\$ 9,305	2.7%	\$ 9,305	2.7%	\$ 3,285	0.0%	\$ 21,896	0.1%	
TVG														\$ 113,203	33.0%	\$ 113,203	33.0%	\$ 39,954	0.5%	\$ 266,360	1.4%	
TwinSpires														\$ 182,392	53.1%	\$ 182,392	53.1%	\$ 64,374	0.9%	\$ 429,157	2.2%	
Watch and Wager														\$ 291	0.1%	\$ 291	0.1%	\$ 85	0.0%	\$ 666	0.0%	
XpressBet														\$ 36,039	10.5%	\$ 36,039	10.5%	\$ 12,720	0.2%	\$ 84,798	0.4%	
HHR	\$ 7,638,075	95.0%	\$ 1,728,423	98.5%	\$ 703,907	96.9%	\$ 351,596	93.2%	\$ 351,596	93.2%					\$ 7,095,185	96.1%	\$ 17,868,783	92.2%				
Derby City Gaming	\$ 3,083,830	38.3%			\$ 272,870	37.5%	\$ 136,434	36.2%	\$ 136,434	36.2%					\$ 2,538,090	34.4%	\$ 6,167,659	31.8%				
Ellis Park	\$ 556,248	6.9%			\$ 46,370	6.4%	\$ 22,828	6.1%	\$ 22,828	6.1%					\$ 464,221	6.3%	\$ 1,112,496	5.7%				
Keeneland/Red Mile	\$ 678,919	8.4%	\$ 905,226	51.6%	\$ 115,699	15.9%	\$ 57,850	15.3%	\$ 57,850	15.3%					\$ 900,133	12.2%	\$ 2,715,677	14.0%				
Kentucky Downs	\$ 3,196,658	39.8%			\$ 268,968	37.0%	\$ 134,484	35.7%	\$ 134,484	35.7%					\$ 2,658,723	36.0%	\$ 6,393,317	33.0%				
Newport Racing	\$ 122,419	1.5%			\$ -	0.0%	\$ -	0.0%	\$ -	0.0%					\$ 122,419	1.7%	\$ 244,838	1.3%				
Oak Grove	\$ -	0.0%	\$ 823,198	46.9%	\$ -	0.0%	\$ -	0.0%	\$ -	0.0%					\$ 411,598	5.6%	\$ 1,234,796	6.4%				
Grand Total	\$ 8,041,523	100.0%	\$ 1,754,186	100.0%	\$ 3,252	100%	\$ 726,730	100.0%	\$ 377,202	100.0%	\$ 377,202	100.0%	\$ 29,538	100.0%	\$ 343,450	100.0%	\$ 343,450	100.0%	\$ 7,379,776	100.0%	\$ 19,376,309	100.0%



Kentucky Live and Simulcast Wagering Report

October 2020

Live Racing						
	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	31	29	6.9%	105	108	-2.8%
On Track Handle	\$ 3,355,418	\$ 18,306,794	-81.7%	\$ 6,679,641	\$ 28,515,807	-76.6%
Less: Return to the Public	\$ 2,696,941	\$ 14,821,551	-81.8%	\$ 5,353,602	\$ 22,974,372	-76.7%
Less: Breakage	\$ 21,025	\$ 113,137	-81.4%	\$ 37,292	\$ 177,505	-79.0%
Gross Commission	<u>\$ 637,451</u>	<u>\$ 3,372,106</u>	-81.1%	<u>\$ 1,288,746</u>	<u>\$ 5,363,931</u>	-76.0%
TB Development Fund	\$ 22,893	\$ 134,699	-83.0%	\$ 44,305	\$ 204,399	-78.3%
SB Development Fund	\$ 3,788	\$ 4,337	-12.7%	\$ 9,653	\$ 15,782	-38.8%
Equine Industry Program	\$ 6,711	\$ 36,614	-81.7%	\$ 13,359	\$ 57,032	-76.6%
Equine Drug Research	\$ 3,355	\$ 18,307	-81.7%	\$ 6,680	\$ 28,516	-76.6%
Higher Education Fund	\$ 3,355	\$ 18,307	-81.7%	\$ 6,680	\$ 28,516	-76.6%
Ky General Fund	\$ 10,986	\$ 63,206	-82.6%	\$ 21,448	\$ 96,649	-77.8%
Total Kentucky Excise Tax	<u>\$ 51,089</u>	<u>\$ 275,469</u>	-81.5%	<u>\$ 102,125</u>	<u>\$ 430,894</u>	-76.3%
Backside Improvement Fund	\$ 15,262	\$ 89,799	-83.0%	\$ 29,537	\$ 136,266	-78.3%
Net Commission	\$ 571,100	\$ 3,006,837	-81.0%	\$ 1,157,084	\$ 4,796,771	-75.9%
Off Track Handle From:						
Other Kentucky Tracks	\$ 1,170,623	\$ 1,513,797	-22.7%	\$ 4,020,752	\$ 4,242,018	-5.2%
Kentucky ADW's	\$ 13,604,115	\$ 11,088,505	22.7%	\$ 52,246,316	\$ 19,345,050	170.1%
Other Sources	\$ 161,143,418	\$ 144,197,678	11.8%	\$ 521,039,447	\$ 269,483,647	93.3%
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	<u>\$ 179,273,574</u>	<u>\$ 175,106,774</u>	2.4%	<u>\$ 583,986,155</u>	<u>\$ 321,586,522</u>	81.6%
Average Daily Handle - On Track	\$ 108,239	\$ 631,269	-82.9%	\$ 63,616	\$ 264,035	-75.9%
Average Daily Handle - All Sources	\$ 5,783,019	\$ 6,038,165	-4.2%	\$ 5,561,773	\$ 2,977,653	86.8%
Simulcast						
Handle by Breed						
Thoroughbred	\$ 4,457,295	\$ 8,556,757	-47.9%	\$ 18,092,421	\$ 35,329,612	-48.8%
Standardbred	\$ 1,875,364	\$ 1,931,672	-2.9%	\$ 8,390,961	\$ 8,393,291	0.0%
Qtr/Arabian	\$ 57,470	\$ 54,449	5.5%	\$ 211,887	\$ 233,792	-9.4%
Total Handle	<u>\$ 6,390,128</u>	<u>\$ 10,542,878</u>	-39.4%	<u>\$ 26,695,269</u>	<u>\$ 43,956,695</u>	-39.3%
TB Development Fund	\$ 87,147	\$ 171,135	-49.1%	\$ 359,144	\$ 693,801	-48.2%
SB Development Fund	\$ 3,655	\$ 3,910	-6.5%	\$ 16,110	\$ 16,665	-3.3%
QH Development Fund	\$ 836	\$ 897	-6.9%	\$ 3,251	\$ 3,809	-14.7%
Equine Industry Program*	\$ 2,291	\$ 4,399	-47.9%	\$ 9,463	\$ 17,857	-47.0%
Equine Drug Research	\$ 4,582	\$ 8,797	-47.9%	\$ 18,925	\$ 35,714	-47.0%
Higher Education Fund	\$ 4,582	\$ 8,797	-47.9%	\$ 18,925	\$ 35,714	-47.0%
Ky General Fund	\$ 34,364	\$ 65,978	-47.9%	\$ 141,939	\$ 267,853	-47.0%
Total Kentucky Excise Tax	<u>\$ 137,457</u>	<u>\$ 263,914</u>	-47.9%	<u>\$ 567,757</u>	<u>\$ 1,071,412</u>	-47.0%

* Rate is .0005 for Simulcast only

Monthly Track Report - Bluegrass Downs

October, 2020

Live Racing

	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	0	0		0	6	-100.0%
On Track Handle	\$ -	\$ -		\$ -	\$ 5,930	-100.0%
Less: Return to the Public	\$ -	\$ -		\$ -	\$ 4,659	-100.0%
Less: Breakage	\$ -	\$ -		\$ -	\$ 43	-100.0%
Gross Commission	\$ -	\$ -		\$ -	\$ 1,228	-100.0%
SB Development Fund	\$ -	\$ -		\$ -	\$ 74	-100.0%
Equine Industry Program	\$ -	\$ -		\$ -	\$ 12	-100.0%
Equine Drug Research	\$ -	\$ -		\$ -	\$ 6	-100.0%
Higher Education Fund	\$ -	\$ -		\$ -	\$ 6	-100.0%
Ky General Fund	\$ -	\$ -		\$ -	\$ 6	-100.0%
Total Kentucky Excise Tax (1.75%)	\$ -	\$ -		\$ -	\$ 104	-100.0%
Net Commission	\$ -	\$ -		\$ -	\$ 1,124	-100.0%
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ -	\$ -	
Kentucky ADW's	\$ -	\$ -		\$ -	\$ -	
Other Sources	\$ -	\$ -		\$ -	\$ -	
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	\$ -	\$ -		\$ -	\$ 5,930	-100.0%
Average Daily Handle - On Track						
Average Daily Handle - All Sources						

Simulcast

Handle by Breed						
Thoroughbred	\$ -	\$ -		\$ -	\$ 639,580	-100.0%
Standardbred	\$ -	\$ -		\$ -	\$ 24,049	-100.0%
Qtr/Arabian	\$ -	\$ -		\$ -	\$ 1,243	-100.0%
Total Handle	\$ -	\$ -		\$ -	\$ 664,872	-100.0%
TB Development Fund						
SB Development Fund						
QH Development Fund						
Equine Industry Program						
Equine Drug Research						
Higher Education Fund						
Ky General Fund						
Total Kentucky Excise Tax						

ONLY TAXED ON LIVE RACING

Monthly Track Report - Churchill Downs

October 2020

Live Racing						
	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	5	3	66.7%	19	14	35.7%
On Track Handle	\$ 574,525	\$ 639,013	-10.1%	\$ 1,421,906	\$ 4,352,719	-67.3%
Less: Return to the Public	\$ 458,299	\$ 508,375	-9.9%	\$ 1,136,836	\$ 3,476,097	-67.3%
Less: Breakage	\$ 4,433	\$ 4,418	0.3%	\$ 9,631	\$ 27,332	-64.8%
Gross Commission	\$ 111,793	\$ 126,221	-11.4%	\$ 275,440	\$ 849,290	-67.6%
TB Development Fund	\$ 4,309	\$ 4,793	-10.1%	\$ 10,664	\$ 32,645	-67.3%
Equine Industry Program	\$ 1,149	\$ 1,278	-10.1%	\$ 2,844	\$ 8,705	-67.3%
Equine Drug Research	\$ 575	\$ 639	-10.1%	\$ 1,422	\$ 4,353	-67.3%
Higher Education Fund	\$ 575	\$ 639	-10.1%	\$ 1,422	\$ 4,353	-67.3%
Ky General Fund	\$ 2,011	\$ 2,237	-10.1%	\$ 4,977	\$ 15,235	-67.3%
Total Kentucky Excise Tax (1.5%)	\$ 8,618	\$ 9,585	-10.1%	\$ 21,329	\$ 65,291	-67.3%
Backside Improvement Fund	\$ 2,873	\$ 3,195	-10.1%	\$ 7,110	\$ 21,764	-67.3%
Net Commission	\$ 100,302	\$ 113,440	-11.6%	\$ 247,001	\$ 762,235	-67.6%
Off Track Handle From:						
Other Kentucky Tracks	\$ 266,678	\$ 142,335	87.4%	\$ 2,009,081	\$ 833,206	141.1%
Kentucky ADW's	\$ 2,335,554	\$ 946,023	146.9%	\$ 26,498,703	\$ 4,578,620	478.7%
Other Sources (Non-Ky Tracks, OTB's, Other ADW's)	\$ 24,374,341	\$ 11,298,617	115.7%	\$ 213,381,075	\$ 56,672,973	276.5%
All Sources Handle	\$ 27,551,098	\$ 13,025,988	111.5%	\$ 243,310,765	\$ 66,437,518	266.2%
Average Daily Handle - On Track	\$ 114,905	\$ 213,004	-46.1%	\$ 74,837	\$ 310,908	-75.9%
Average Daily Handle - All Sources	\$ 5,510,220	\$ 4,341,996	26.9%	\$ 12,805,830	\$ 4,745,537	169.8%

Simulcast						
Handle by Breed						
Thoroughbred	\$ -	\$ 2,384,777	-100.0%	\$ -	\$ 9,888,893	-100.0%
Standardbred	\$ -	\$ 14,516	-100.0%	\$ -	\$ 47,012	-100.0%
Qtr/Arabian	\$ -	\$ 8,872	-100.0%	\$ -	\$ 67,587	-100.0%
Total Handle	\$ -	\$ 2,408,165	-100.0%	\$ -	\$ 10,003,492	-100.0%
TB Development Fund	\$ -	\$ 47,696	-100.0%	\$ -	\$ 197,778	-100.0%
SB Development Fund	\$ -	\$ 290	-100.0%	\$ -	\$ 940	-100.0%
QH Development Fund	\$ -	\$ 177	-100.0%	\$ -	\$ 1,352	-100.0%
Equine Industry Program*	\$ -	\$ 1,204	-100.0%	\$ -	\$ 5,002	-100.0%
Equine Drug Research	\$ -	\$ 2,408	-100.0%	\$ -	\$ 10,003	-100.0%
Higher Education Fund	\$ -	\$ 2,408	-100.0%	\$ -	\$ 10,003	-100.0%
Ky General Fund	\$ -	\$ 18,061	-100.0%	\$ -	\$ 75,026	-100.0%
Total Kentucky Excise Tax (3%)	\$ -	\$ 72,245	-100.0%	\$ -	\$ 300,105	-100.0%

* Rate is .0005 for Simulcast only

Monthly Track Report - Ellis Park

October 2020

Live Racing						
	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	0	0		25	26	-3.8%
On Track Handle	\$ -	\$ -		\$ 1,000,965	\$ 3,945,581	-74.6%
Less: Return to the Public	\$ -	\$ -		\$ 796,412	\$ 3,137,478	-74.6%
Less: Breakage	\$ -	\$ -		\$ 8,359	\$ 30,803	-72.9%
Gross Commission	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 196,195</u>	<u>\$ 777,300</u>	-74.8%
TB Development Fund	\$ -	\$ -		\$ 7,507	\$ 29,592	-74.6%
Equine Industry Program	\$ -	\$ -		\$ 2,002	\$ 7,891	-74.6%
Equine Drug Research	\$ -	\$ -		\$ 1,001	\$ 3,946	-74.6%
Higher Education Fund	\$ -	\$ -		\$ 1,001	\$ 3,946	-74.6%
Ky General Fund	\$ -	\$ -		\$ 3,503	\$ 13,810	-74.6%
Total Kentucky Excise Tax (1.5%)	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 15,014</u>	<u>\$ 59,184</u>	-74.6%
Backside Improvement Fund	\$ -	\$ -		\$ 5,005	\$ 19,728	-74.6%
Net Commission	\$ -	\$ -		\$ 176,175	\$ 698,389	-74.8%
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ 532,769	\$ 1,357,160	-60.7%
Kentucky ADW's	\$ -	\$ -		\$ 4,074,802	\$ 2,641,942	54.2%
Other Sources (Non-Ky Tracks, OTB's, Other ADW's)	\$ -	\$ -		\$ 42,409,100	\$ 37,917,649	11.8%
All Sources Handle	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 48,017,636</u>	<u>\$ 45,862,332</u>	4.7%
Average Daily Handle - On Track				\$ 40,039	\$ 151,753	-73.6%
Average Daily Handle - All Sources				\$ 1,920,705	\$ 1,763,936	8.9%

Simulcast						
Handle by Breed						
Thoroughbred	\$ 909,609	\$ 1,071,294	-15.1%	\$ 3,805,485	\$ 4,576,116	-16.8%
Standardbred	\$ 107,772	\$ 88,803	21.4%	\$ 457,193	\$ 388,420	17.7%
Qtr/Arabian	\$ 1,651	\$ 23	7014.7%	\$ 13,884	\$ 141	9774.5%
Total Handle	<u>\$ 1,019,032</u>	<u>\$ 1,160,121</u>	-12.2%	<u>\$ 4,276,561</u>	<u>\$ 4,964,676</u>	-13.9%
TB Development Fund	\$ 18,192	\$ 21,426	-15.1%	\$ 76,110	\$ 91,522	-16.8%
SB Development Fund	\$ 2,155	\$ 1,776	21.4%	\$ 9,144	\$ 7,768	17.7%
QH Development Fund	\$ 33	\$ 0	7014.7%	\$ 278	\$ 3	9774.5%
Equine Industry Program*	\$ 510	\$ 580	-12.2%	\$ 2,138	\$ 2,482	-13.9%
Equine Drug Research	\$ 1,019	\$ 1,160	-12.2%	\$ 4,277	\$ 4,965	-13.9%
Higher Education Fund	\$ 1,019	\$ 1,160	-12.2%	\$ 4,277	\$ 4,965	-13.9%
Ky General Fund	\$ 7,643	\$ 8,701	-12.2%	\$ 32,074	\$ 37,235	-13.9%
Total Kentucky Excise Tax (3%)	<u>\$ 30,571</u>	<u>\$ 34,804</u>	-12.2%	<u>\$ 128,297</u>	<u>\$ 148,940</u>	-13.9%

* Rate is .0005 for Simulcast only

Monthly Track Report - Keeneland

October 2020

Live Racing						
	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	17	17	0.0%	22	17	29.4%
On Track Handle	\$ 2,477,890	\$ 17,320,852	-85.7%	\$ 3,152,200	\$ 17,320,852	-81.8%
Less: Return to the Public	\$ 2,004,713	\$ 14,044,361	-85.7%	\$ 2,549,822	\$ 14,044,361	-81.8%
Less: Breakage	\$ 16,261	\$ 108,172	-85.0%	\$ 108,172	\$ 108,172	0.0%
Gross Commission	<u>\$ 456,916</u>	<u>\$ 3,168,320</u>	-85.6%	<u>\$ 494,206</u>	<u>\$ 3,168,320</u>	-84.4%
TB Development Fund	\$ 18,584	\$ 129,906	-85.7%	\$ 23,641	\$ 129,906	-81.8%
Equine Industry Program	\$ 4,956	\$ 34,642	-85.7%	\$ 6,304	\$ 34,642	-81.8%
Equine Drug Research	\$ 2,478	\$ 17,321	-85.7%	\$ 3,152	\$ 17,321	-81.8%
Higher Education Fund	\$ 2,478	\$ 17,321	-85.7%	\$ 3,152	\$ 17,321	-81.8%
Ky General Fund	\$ 8,673	\$ 60,623	-85.7%	\$ 11,033	\$ 60,623	-81.8%
Total Kentucky Excise Tax (1.5%)	<u>\$ 37,168</u>	<u>\$ 259,813</u>	-85.7%	<u>\$ 47,283</u>	<u>\$ 259,813</u>	-81.8%
Backside Improvement Fund	\$ 12,389	\$ 86,604	-85.7%	\$ 15,761	\$ 86,604	-81.8%
Net Commission	\$ 407,358	\$ 2,821,903	-85.6%	\$ 431,162	\$ 2,821,903	-84.7%
Off Track Handle From:						
Other Kentucky Tracks	\$ 884,893	\$ 1,361,340	-35.0%	\$ 1,041,783	\$ 1,361,340	-23.5%
Kentucky ADW's	\$ 11,210,227	\$ 10,108,626	10.9%	\$ 17,248,408	\$ 10,108,626	70.6%
Other Sources	\$ 133,656,698	\$ 131,417,098	1.7%	\$ 190,086,649	\$ 131,417,098	44.6%
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	<u>\$ 148,229,708</u>	<u>\$ 160,207,916</u>	-7.5%	<u>\$ 211,529,040</u>	<u>\$ 160,207,916</u>	32.0%
Average Daily Handle - On Track	\$ 145,758	\$ 1,018,874	-85.7%	\$ 143,282	\$ 1,018,874	-85.9%
Average Daily Handle - All Sources	\$ 8,719,395	\$ 9,423,995	-7.5%	\$ 9,614,956	\$ 9,423,995	2.0%
Simulcast						
Handle by Breed						
Thoroughbred	\$ 2,145,664	\$ 3,172,958	-32.4%	\$ 10,110,315	\$ 11,798,400	-14.3%
Standardbred						
Qtr/Arabian	\$ 9,552	\$ 176	5314.8%	\$ 36,697	\$ 24,091	52.3%
Total Handle	<u>\$ 2,155,215</u>	<u>\$ 3,173,135</u>	-32.1%	<u>\$ 10,147,012</u>	<u>\$ 11,822,490</u>	-14.2%
TB Development Fund	\$ 42,913	\$ 63,459	-32.4%	\$ 202,206	\$ 235,968	-14.3%
SB Development Fund						
QH Development Fund	\$ 191	\$ 4	5314.8%	\$ 734	\$ 482	52.3%
Equine Industry Program*	\$ 1,078	\$ 1,587	-32.1%	\$ 5,074	\$ 5,911	-14.2%
Equine Drug Research	\$ 2,155	\$ 3,173	-32.1%	\$ 10,147	\$ 11,822	-14.2%
Higher Education Fund	\$ 2,155	\$ 3,173	-32.1%	\$ 10,147	\$ 11,822	-14.2%
Ky General Fund	\$ 16,164	\$ 23,799	-32.1%	\$ 76,103	\$ 88,669	-14.2%
Total Kentucky Excise Tax (3%)	<u>\$ 64,656</u>	<u>\$ 95,194</u>	-32.1%	<u>\$ 304,410</u>	<u>\$ 354,675</u>	-14.2%

* Rate is .0005 for Simulcast only

Monthly Track Report - Kentucky Downs

October 2020

Live Racing

	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	0	0		6	5	20.0%
On Track Handle	\$ -	\$ -		\$ 332,301	\$ 1,634,072	-79.7%
Less: Return to the Public	\$ -	\$ -		\$ 273,475	\$ 1,342,661	-79.6%
Less: Breakage	\$ -	\$ -		\$ 1,706	\$ 9,723	-82.5%
Gross Commission	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 57,120</u>	<u>\$ 281,688</u>	-79.7%
TB Development Fund	\$ -	\$ -		\$ 2,492	\$ 12,256	-79.7%
Equine Industry Program	\$ -	\$ -		\$ 665	\$ 3,268	-79.7%
Equine Drug Research	\$ -	\$ -		\$ 332	\$ 1,634	-79.7%
Higher Education Fund	\$ -	\$ -		\$ 332	\$ 1,634	-79.7%
Ky General Fund	\$ -	\$ -		\$ 1,163	\$ 5,719	-79.7%
Total Kentucky Excise Tax (1.5%)	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 4,985</u>	<u>\$ 24,511</u>	-79.7%
Backside Improvement Fund	\$ -	\$ -		\$ 1,662	\$ 8,170	-79.7%
Net Commission	\$ -	\$ -		\$ 50,474	\$ 249,006	-79.7%
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ 271,022	\$ 639,152	-57.6%
Kentucky ADW's	\$ -	\$ -		\$ 3,451,557	\$ 1,843,305	87.2%
Other Sources	\$ -	\$ -		\$ 55,773,563	\$ 37,123,080	50.2%
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 59,828,443</u>	<u>\$ 41,239,609</u>	45.1%
Average Daily Handle - On Track				\$ 55,384	\$ 326,814	-83.1%
Average Daily Handle - All Sources				\$ 9,971,407	\$ 8,247,922	20.9%

Simulcast

Handle by Breed						
Thoroughbred	\$ 805,640	\$ 757,917	6.3%	\$ 3,540,112	\$ 3,787,398	-6.5%
Standardbred	\$ 74,474	\$ 59,570	25.0%	\$ 347,781	\$ 240,225	44.8%
Qtr/Arabian	\$ 24,543	\$ 28,135	-12.8%	\$ 105,784	\$ 75,369	40.4%
Total Handle	<u>\$ 904,657</u>	<u>\$ 845,622</u>	<u>7.0%</u>	<u>\$ 3,993,678</u>	<u>\$ 4,102,993</u>	-2.7%
TB Development Fund	\$ 16,113	\$ 15,158	6.3%	\$ 70,802	\$ 75,748	-6.5%
SB Development Fund	\$ 1,489	\$ 1,191	25.0%	\$ 6,956	\$ 4,805	44.8%
QH Development Fund	\$ 491	\$ 563	-12.8%	\$ 2,116	\$ 1,507	40.4%
Equine Industry Program*	\$ 452	\$ 423	7.0%	\$ 1,997	\$ 2,051	-2.7%
Equine Drug Research	\$ 905	\$ 846	7.0%	\$ 3,994	\$ 4,103	-2.7%
Higher Education Fund	\$ 905	\$ 846	7.0%	\$ 3,994	\$ 4,103	-2.7%
Ky General Fund	\$ 6,785	\$ 6,342	7.0%	\$ 29,953	\$ 30,772	-2.7%
Total Kentucky Excise Tax (3%)	<u>\$ 27,140</u>	<u>\$ 25,369</u>	<u>7.0%</u>	<u>\$ 119,810</u>	<u>\$ 123,090</u>	-2.7%

* Rate is .0005 for Simulcast only

Monthly Track Report - Oak Grove

October 2020

Live Racing

	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	3	5	-40.0%	3	5	-40.0%
On Track Handle	\$ 16,165	\$ 21,871	-26.1%	\$ 16,165	\$ 21,871	-26.1%
Less: Return to the Public	\$ 12,611	\$ 17,139	-26.4%	\$ 12,611	\$ 17,139	-26.4%
Less: Breakage	\$ 128	\$ 217	-41.1%	\$ 128	\$ 217	-41.1%
Gross Commission	<u>\$ 3,427</u>	<u>\$ 4,515</u>	<u>-24.1%</u>	<u>\$ 3,427</u>	<u>\$ 4,515</u>	<u>-24.1%</u>
SB Development Fund	\$ 202	\$ 273	-26.1%	\$ 202	\$ 273	-26.1%
Equine Industry Program	\$ 32	\$ 44	-26.1%	\$ 32	\$ 44	-26.1%
Equine Drug Research	\$ 16	\$ 22	-26.1%	\$ 16	\$ 22	-26.1%
Higher Education Fund	\$ 16	\$ 22	-26.1%	\$ 16	\$ 22	-26.1%
Ky General Fund	\$ 16	\$ 22	-26.1%	\$ 16	\$ 22	-26.1%
Total Kentucky Excise Tax (1.75%)	<u>\$ 283</u>	<u>\$ 383</u>	<u>-26.1%</u>	<u>\$ 283</u>	<u>\$ 383</u>	<u>-26.1%</u>
Net Commission	\$ 3,144	\$ 4,132	-23.9%	\$ 3,144	\$ 4,132	-23.9%
Off Track Handle From:						
Other Kentucky Tracks	\$ 8,914	\$ 1,405	534.4%	\$ 8,914	\$ 1,405	534.4%
Kentucky ADW's	\$ 5,987	\$ 3,897	53.6%	\$ 5,987	\$ 3,897	53.6%
Other Sources	\$ 123,690	\$ 9,756	1167.8%	\$ 123,690	\$ 9,756	1167.8%
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	<u>\$ 154,756</u>	<u>\$ 36,929</u>	<u>319.1%</u>	<u>\$ 154,756</u>	<u>\$ 36,929</u>	<u>319.1%</u>
Average Daily Handle - On Track	\$ 5,388	\$ 4,374	23.2%	\$ 5,388	\$ 4,374	23.2%
Average Daily Handle - All Sources	\$ 51,585	\$ 7,386	598.4%	\$ 51,585	\$ 7,386	598.4%

Simulcast

Handle by Breed						
Thoroughbred	\$ 99,935	\$ -		\$ 135,213	\$ -	
Standardbred	\$ 19,027	\$ -		\$ 24,197	\$ -	
Qtr/Arabian	\$ 2,500	\$ -		\$ 3,194	\$ -	
Total Handle	<u>\$ 121,461</u>	<u>\$ -</u>		<u>\$ 162,604</u>	<u>\$ -</u>	
TB Development Fund						
SB Development Fund						
QH Development Fund			ONLY TAXED ON LIVE RACING			
Equine Industry Program						
Equine Drug Research						
Higher Education Fund						
Ky General Fund						
Total Kentucky Excise Tax	<u>_____</u>	<u>_____</u>		<u>_____</u>	<u>_____</u>	

Monthly Track Report - The Red Mile

October 2020

Live Racing

	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	6	4	50.0%	30	35	-14.3%
On Track Handle	\$ 286,838	\$ 325,058	-11.8%	\$ 756,104	\$ 1,234,783	-38.8%
Less: Return to the Public	\$ 221,319	\$ 251,676	-12.1%	\$ 584,448	\$ 951,977	-38.6%
Less: Breakage	\$ 203	\$ 330	-38.6%	\$ (2,879)	\$ 1,215	-337.0%
Gross Commission	<u>\$ 65,316</u>	<u>\$ 73,051</u>	<u>-10.6%</u>	<u>\$ 174,535</u>	<u>\$ 281,590</u>	<u>-38.0%</u>
SB Development Fund	\$ 3,585	\$ 4,063	-11.8%	\$ 9,451	\$ 15,435	-38.8%
Equine Industry Program	\$ 574	\$ 650	-11.8%	\$ 1,512	\$ 2,470	-38.8%
Equine Drug Research	\$ 287	\$ 325	-11.8%	\$ 756	\$ 1,235	-38.8%
Higher Education Fund	\$ 287	\$ 325	-11.8%	\$ 756	\$ 1,235	-38.8%
Ky General Fund	\$ 287	\$ 325	-11.8%	\$ 756	\$ 1,235	-38.8%
Total Kentucky Excise Tax (1.75%)	<u>\$ 5,020</u>	<u>\$ 5,689</u>	<u>-11.8%</u>	<u>\$ 13,232</u>	<u>\$ 21,609</u>	<u>-38.8%</u>
Net Commission	\$ 60,297	\$ 67,362	-10.5%	\$ 161,303	\$ 259,982	-38.0%
Off Track Handle From:						
Other Kentucky Tracks	\$ 10,138	\$ 8,717	16.3%	\$ 37,080	\$ 49,755	-25.5%
Kentucky ADW's	\$ 52,347	\$ 29,959	74.7%	\$ 211,311	\$ 168,660	25.3%
Other Sources	\$ 2,988,689	\$ 1,472,207	103.0%	\$ 9,989,466	\$ 6,343,091	57.5%
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	<u>\$ 3,338,011</u>	<u>\$ 1,835,941</u>	<u>81.8%</u>	<u>\$ 10,993,960</u>	<u>\$ 7,796,289</u>	<u>41.0%</u>
Average Daily Handle - On Track	\$ 47,806	\$ 81,264	-41.2%	\$ 25,203	\$ 35,280	-28.6%
Average Daily Handle - All Sources	\$ 556,335	\$ 458,985	21.2%	\$ 366,465	\$ 222,751	64.5%

Simulcast

Handle by Breed						
Thoroughbred	\$ -	\$ -		\$ -	\$ -	
Standardbred	\$ 1,673,568	\$ 1,736,160	-3.6%	\$ 7,561,268	\$ 7,536,004	0.3%
Qtr/Arabian	\$ 13,187	\$ 9,588	37.5%	\$ 46,165	\$ 42,079	9.7%
Total Handle	<u>\$ 1,686,755</u>	<u>\$ 1,745,748</u>	<u>-3.4%</u>	<u>\$ 7,607,433</u>	<u>\$ 7,578,083</u>	<u>0.4%</u>
TB Development Fund						
SB Development Fund						
QH Development Fund			ONLY TAXED ON LIVE RACING			
Equine Industry Program						
Equine Drug Research						
Higher Education Fund						
Ky General Fund						
Total Kentucky Excise Tax	<u>_____</u>	<u>_____</u>		<u>_____</u>	<u>_____</u>	

Monthly Track Report - Turfway

October 2020

Live Racing

	Oct-20	Oct-19	% Change	FYTD - 2021	FYTD - 2020	% Change
Race Dates	0	0		0	0	
On Track Handle	\$ -	\$ -		\$ -	\$ -	
Less: Return to the Public	\$ -	\$ -		\$ -	\$ -	
Less: Breakage	\$ -	\$ -		\$ -	\$ -	
Gross Commission	\$ -	\$ -		\$ -	\$ -	
TB Development Fund	\$ -	\$ -		\$ -	\$ -	
Equine Industry Program	\$ -	\$ -		\$ -	\$ -	
Equine Drug Research	\$ -	\$ -		\$ -	\$ -	
Higher Education Fund	\$ -	\$ -		\$ -	\$ -	
Ky General Fund	\$ -	\$ -		\$ -	\$ -	
Total Kentucky Excise Tax (1.5%)	\$ -	\$ -		\$ -	\$ -	
Backside Improvement Fund	\$ -	\$ -		\$ -	\$ -	
Net Commission	\$ -	\$ -		\$ -	\$ -	
Off Track Handle From:						
Other Kentucky Tracks	\$ -	\$ -		\$ -	\$ -	
Kentucky ADW's	\$ -	\$ -		\$ -	\$ -	
Other Sources	\$ -	\$ -		\$ -	\$ -	
(Non-Ky Tracks, OTB's, Other ADW's)						
All Sources Handle	\$ -	\$ -		\$ -	\$ -	
Average Daily Handle - On Track						
Average Daily Handle - All Sources						

Simulcast

Handle by Breed						
Thoroughbred	\$ 496,448	\$ 1,169,810	-57.6%	\$ 501,297	\$ 4,639,225	-89.2%
Standardbred	\$ 522	\$ 32,624	-98.4%	\$ 522	\$ 157,581	-99.7%
Qtr/Arabian	\$ 6,037	\$ 7,654	-21.1%	\$ 6,163	\$ 23,283	-73.5%
Total Handle	\$ 503,008	\$ 1,210,087	-58.4%	\$ 507,981	\$ 4,820,089	-89.5%
TB Development Fund	\$ 9,929	\$ 23,396	-57.6%	\$ 10,026	\$ 92,785	-89.2%
SB Development Fund	\$ 10	\$ 652	-98.4%	\$ 10	\$ 3,152	-99.7%
QH Development Fund	\$ 121	\$ 153	-21.1%	\$ 123	\$ 466	-73.5%
Equine Industry Program*	\$ 252	\$ 605	-58.4%	\$ 254	\$ 2,410	-89.5%
Equine Drug Research	\$ 503	\$ 1,210	-58.4%	\$ 508	\$ 4,820	-89.5%
Higher Education Fund	\$ 503	\$ 1,210	-58.4%	\$ 508	\$ 4,820	-89.5%
Ky General Fund	\$ 3,773	\$ 9,076	-58.4%	\$ 3,810	\$ 36,151	-89.5%
Total Kentucky Excise Tax (3%)	\$ 15,090	\$ 36,303	-58.4%	\$ 15,239	\$ 144,603	-89.5%

* Rate is .0005 for Simulcast only

Kentucky Resident Advance Deposit Wagering Report October, 2020

	Oct-20	Oct-19	% Change	FYTD-2021	FYTD-2020	% Change
Total In-State Handle	\$ 13,604,115	\$ 11,088,397	22.7%	\$ 51,490,767	\$ 19,344,942	166.2%
Total Out-of State Handle	\$ 20,130,956	\$ 10,036,808	100.6%	\$ 110,345,916	\$ 61,533,940	79.3%
Total Handle (TH)	\$ 33,735,071	\$ 21,125,205	59.7%	\$ 161,836,683	\$ 80,878,882	100.1%
Host Track (42.5% Allocation)	\$ 71,687	\$ 44,891	59.7%	\$ 343,903	\$ 171,868	100.1%
Purse (42.5% Allocation)	\$ 71,687	\$ 44,891	59.7%	\$ 343,903	\$ 171,868	100.1%
KY General Fund (15% Allocation)	\$ 25,301	\$ 15,844	59.7%	\$ 121,378	\$ 60,659	100.1%
Total KY Excise Tax (.05% of TH)	\$ 168,675	\$ 105,626	59.7%	\$ 809,183	\$ 404,394	100.1%



Kentucky Resident Advance Deposit Wagering Report for October 2020

AmWest Entertainment	<u>% of Total</u>	<u>Oct-20</u>	<u>Oct-19</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2021</u>	<u>FYTD-2020</u>	<u>% Change</u>
Total In-State Handle	0.25%	\$ 34,655	\$ 78,115	-55.6%	0.14%	\$ 70,176	\$ 103,003	-31.9%
Total Out-of State Handle	0.33%	\$ 66,282	\$ 36,362	82.3%	0.46%	\$ 502,351	\$ 248,523	102.1%
Total Handle (TH)	0.30%	\$ 100,936	\$ 114,477	-11.8%	0.35%	\$ 572,527	\$ 351,526	62.9%
Host Track (42.5% Allocation)		\$ 214	\$ 243	-11.8%		\$ 1,217	\$ 747	62.9%
Purse (42.5% Allocation)		\$ 214	\$ 243	-11.8%		\$ 1,217	\$ 747	62.9%
KY General Fund (15% Allocation)		\$ 76	\$ 86	-11.8%		\$ 429	\$ 264	62.9%
Total KY Excise Tax (.05% of TH)		\$ 505	\$ 572	-11.8%		\$ 2,863	\$ 1,758	62.9%

eBet	<u>% of Total</u>	<u>Oct-20</u>	<u>Oct-19</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2021</u>	<u>FYTD-2020</u>	<u>% Change</u>
Total In-State Handle	0.08%	\$ 11,479	\$ 10,489	9.4%	0.08%	\$ 38,807	\$ 20,058	93.5%
Total Out-of State Handle	0.33%	\$ 66,940	\$ 44,501	50.4%	0.30%	\$ 332,938	\$ 268,513	24.0%
Total Handle (TH)	0.23%	\$ 78,419	\$ 54,990	42.6%	0.23%	\$ 371,745	\$ 288,571	28.8%
Host Track (42.5% Allocation)		\$ 167	\$ 117	42.6%		\$ 790	\$ 613	28.8%
Purse (42.5% Allocation)		\$ 167	\$ 117	42.6%		\$ 790	\$ 613	28.8%
KY General Fund (15% Allocation)		\$ 59	\$ 41	42.6%		\$ 279	\$ 216	28.8%
Total KY Excise Tax (.05% of TH)		\$ 392	\$ 275	42.6%		\$ 1,859	\$ 1,443	28.8%

Lien Games	<u>% of Total</u>	<u>Oct-20</u>	<u>Oct-19</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2021</u>	<u>FYTD-2020</u>	<u>% Change</u>
Total In-State Handle	0.04%	\$ 5,550	\$ 4,691	18.3%	0.02%	\$ 10,524	\$ 5,929	77.5%
Total Out-of State Handle	0.10%	\$ 19,779	\$ 8,189	141.5%	0.08%	\$ 89,525	\$ 56,476	58.5%
Total Handle (TH)	0.08%	\$ 25,328	\$ 12,880	96.6%	0.06%	\$ 100,049	\$ 62,405	60.3%
Host Track (42.5% Allocation)		\$ 54	\$ 27	96.6%		\$ 213	\$ 133	60.3%
Purse (42.5% Allocation)		\$ 54	\$ 27	96.6%		\$ 213	\$ 133	60.3%
KY General Fund (15% Allocation)		\$ 19	\$ 10	96.6%		\$ 75	\$ 47	60.3%
Total KY Excise Tax (.05% of TH)		\$ 127	\$ 64	96.6%		\$ 500	\$ 312	60.3%

Kentucky Resident Advance Deposit Wagering Report for October 2020 (Cont)

NYRAbets	% of Total	Oct-20	Oct-19	% Change	% of Total	FYTD-2021	FYTD-2020	% Change
Total In-State Handle	2.23%	\$ 303,693	\$ 170,656	78.0%	2.20%	\$ 1,132,359	\$ 333,289	239.8%
Total Out-of State Handle	2.69%	\$ 542,328	\$ 145,576	272.5%	2.94%	\$ 3,246,543	\$ 1,643,468	97.5%
Total Handle (TH)	2.51%	\$ 846,021	\$ 316,232	167.5%	2.71%	\$ 4,378,902	\$ 1,976,757	121.5%
Host Track (42.5% Allocation)		\$ 1,798	\$ 672	167.5%		\$ 9,305	\$ 4,201	121.5%
Purse (42.5% Allocation)		\$ 1,798	\$ 672	167.5%		\$ 9,305	\$ 4,201	121.5%
KY General Fund (15% Allocation)		\$ 635	\$ 237	167.5%		\$ 3,284	\$ 1,483	121.5%
Total KY Excise Tax (.05% of TH)		\$ 4,230	\$ 1,581	167.5%		\$ 21,895	\$ 9,884	121.5%

TVG	% of Total	Oct-20	Oct-19	% Change	% of Total	FYTD-2021	FYTD-2020	% Change
Total In-State Handle	28.75%	\$ 3,910,824	\$ 3,128,322	25.0%	26.81%	\$ 13,804,988	\$ 5,214,187	164.8%
Total Out-of State Handle	35.86%	\$ 7,218,511	\$ 3,939,669	83.2%	35.77%	\$ 39,466,945	\$ 21,113,944	86.9%
Total Handle (TH)	32.99%	\$ 11,129,335	\$ 7,067,991	57.5%	32.92%	\$ 53,271,933	\$ 26,328,131	102.3%
Host Track (42.5% Allocation)		\$ 23,650	\$ 15,019	57.5%		\$ 113,203	\$ 55,947	102.3%
Purse (42.5% Allocation)		\$ 23,650	\$ 15,019	57.5%		\$ 113,203	\$ 55,947	102.3%
KY General Fund (15% Allocation)		\$ 8,347	\$ 5,301	57.5%		\$ 39,954	\$ 19,746	102.3%
Total KY Excise Tax (.05% of TH)		\$ 55,647	\$ 35,340	57.5%		\$ 266,360	\$ 131,641	102.3%

TwinSpire	% of Total	Oct-20	Oct-19	% Change	% of Total	FYTD-2021	FYTD-2020	% Change
Total In-State Handle	56.92%	\$ 7,743,643	\$ 6,173,029	25.4%	60.47%	\$ 31,135,578	\$ 10,944,944	184.5%
Total Out-of State Handle	51.41%	\$ 10,349,414	\$ 4,910,392	110.8%	50.07%	\$ 55,244,988	\$ 30,751,864	79.6%
Total Handle (TH)	53.63%	\$ 18,093,057	\$ 11,083,421	63.2%	53.38%	\$ 86,380,566	\$ 41,696,808	107.2%
Host Track (42.5% Allocation)		\$ 38,448	\$ 23,552	63.2%		\$ 183,559	\$ 88,606	107.2%
Purse (42.5% Allocation)		\$ 38,448	\$ 23,552	63.2%		\$ 183,559	\$ 88,606	107.2%
KY General Fund (15% Allocation)		\$ 13,570	\$ 8,313	63.2%		\$ 64,785	\$ 31,273	107.2%
Total KY Excise Tax (.05% of TH)		\$ 90,465	\$ 55,417	63.2%		\$ 431,903	\$ 208,484	107.2%

Kentucky Resident Advance Deposit Wagering Report for October 2020 (Cont)

Watch and Wager	% of Total	Oct-20	Oct-19	% Change	% of Total	FYTD-2021	FYTD-2020	% Change
Total In-State Handle	0.04%	\$ 5,851	\$ 13,289	-56.0%	0.05%	\$ 27,761	\$ 31,165	-10.9%
Total Out-of State Handle	0.10%	\$ 20,414	\$ 16,069	27.0%	0.10%	\$ 108,852	\$ 144,913	-24.9%
Total Handle (TH)	0.08%	\$ 26,265	\$ 29,358	-10.5%	0.08%	\$ 136,612	\$ 176,078	-22.4%
Host Track (42.5% Allocation)		\$ 56	\$ 62	-10.5%		\$ 290	\$ 374	-22.4%
Purse (42.5% Allocation)		\$ 56	\$ 62	-10.5%		\$ 290	\$ 374	-22.4%
KY General Fund (15% Allocation)		\$ 20	\$ 22	-10.5%		\$ 102	\$ 132	-22.4%
Total KY Excise Tax (.05% of TH)		\$ 131	\$ 147	-10.5%		\$ 683	\$ 880	-22.4%

Xpressbet	% of Total	Oct-20	Oct-19	% Change	% of Total	FYTD-2021	FYTD-2020	% Change
Total In-State Handle	11.68%	\$ 1,588,421	\$ 1,509,806	5.2%	10.24%	\$ 5,270,573	\$ 2,692,367	95.8%
Total Out-of State Handle	9.18%	\$ 1,847,289	\$ 936,050	97.3%	10.29%	\$ 11,353,775	\$ 7,306,239	55.4%
Total Handle (TH)	10.18%	\$ 3,435,710	\$ 2,445,856	40.5%	10.27%	\$ 16,624,348	\$ 9,998,606	66.3%
Host Track (42.5% Allocation)		\$ 7,301	\$ 5,197	40.5%		\$ 35,327	\$ 21,247	66.3%
Purse (42.5% Allocation)		\$ 7,301	\$ 5,197	40.5%		\$ 35,327	\$ 21,247	66.3%
KY General Fund (15% Allocation)		\$ 2,577	\$ 1,834	40.5%		\$ 12,468	\$ 7,499	66.3%
Total KY Excise Tax (.05% of TH)		\$ 17,179	\$ 12,229	40.5%		\$ 83,122	\$ 49,993	66.3%

Kentucky Historical Horse Racing Report for October, 2020

	October -20	October - 19	% Change	FYTD - 2021	FYTD - 2020	% Change
Total Handle	\$ 352,950,171	\$ 227,687,297	55.0%	\$ 1,191,252,391	\$ 908,826,915	31.1%
Less: Returned to Public	\$ 321,202,948	\$ 208,228,610	54.3%	\$ 1,086,174,133	\$ 831,791,133	30.6%
Less: Breakage	\$ 107,932	\$ 96,648		\$ 358,730	\$ 388,116	
Less: Change in Pools (Note 6)	\$ 654,932	\$ 290,501		\$ 2,505,065	\$ 741,450	
Gross Commission	<u>\$ 30,984,359</u>	<u>\$ 19,071,538</u>	62.5%	<u>\$ 102,214,463</u>	<u>\$ 75,906,216</u>	34.7%
TB Development Fund (Note 1)	\$ 2,054,810	\$ 1,554,348	32.2%	\$ 7,638,076	\$ 6,269,512	21.8%
SB Development Fund (Note 2)	\$ 789,755	\$ 204,409	286.4%	\$ 1,728,423	\$ 728,920	137.1%
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 703,908	\$ 650,000	8.3%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 351,597	\$ 320,000	9.9%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 351,597	\$ 320,000	9.9%
Kentucky General Fund (Note 5)	\$ 2,449,688	\$ 1,656,552	47.9%	\$ 7,095,185	\$ 5,343,972	32.8%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 5,294,253</u>	<u>\$ 3,415,309</u>	55.0%	<u>\$ 17,868,786</u>	<u>\$ 13,632,404</u>	31.1%
% of Gross Commission	17.1%	17.9%		17.5%	18.0%	
Net Commission + Breakage	\$ 25,798,038	\$ 15,752,876	63.8%	\$ 84,704,408	\$ 62,661,928	35.2%
% of Total Handle	7.31%	6.92%		7.11%	6.89%	
Number of HHR Terminals	\$ 3,820	\$ 2,870	33.1%	\$ 3,445	\$ 2,870	20.0%
Average Daily Handle	\$ 11,385,489	\$ 7,344,752	55.0%	\$ 9,684,979	\$ 7,388,837	31.1%
Handle/Day/Terminal	\$ 2,980	\$ 2,559	16.5%	\$ 2,811	\$ 2,575	9.2%
Gross Commission / Day /Terminal	\$ 262	\$ 214	22.1%	\$ 241	\$ 215	12.2%
	October -20	September - 20	% Change	Since Inception		
Total Handle	\$ 352,950,171	\$ 302,706,385	16.6%	Total Handle	\$ 9,226,892,500	
Total Kentucky Excise Tax	\$ 5,294,253	\$ 4,540,596	16.6%	Total Kentucky Excise Tax	\$ 138,403,388	
Average Daily Handle	\$ 11,385,489	\$ 10,090,213	12.8%	Total KY General Fund	\$ 54,968,306	

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

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

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

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

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

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

Derby City Gaming Historical Horse Racing Report for October, 2020

	October -20	October - 19	% Change	FYTD - 2021	FYTD - 2020	% Change
Total Handle	\$ 106,515,657	\$ 96,876,926	9.9%	\$ 411,177,377	\$ 380,737,395	8.0%
Less: Returned to Public	\$ 96,939,953	\$ 87,968,255	10.2%	\$ 373,853,810	\$ 345,720,247	8.1%
Less: Breakage	\$ -	\$ -		\$ -	\$ -	
Less: Change in Pools (Note 6)	\$ 54,791	\$ 42,454		\$ 611,077	\$ 85,840	
Gross Commission	<u>\$ 9,520,913</u>	<u>\$ 8,866,217</u>	7.4%	<u>\$ 36,712,490</u>	<u>\$ 34,931,309</u>	5.1%
TB Development Fund (Note 1)	\$ 798,867	\$ 726,577	9.9%	\$ 3,083,830	\$ 2,855,530	8.0%
SB Development Fund (Note 2)						
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 272,870	\$ 271,057	0.7%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 136,435	\$ 133,443	2.2%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 136,435	\$ 133,443	2.2%
Kentucky General Fund (Note 5)	\$ 798,867	\$ 726,577	9.9%	\$ 2,538,091	\$ 2,317,587	9.5%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 1,597,735</u>	<u>\$ 1,453,154</u>	9.9%	<u>\$ 6,167,661</u>	<u>\$ 5,711,061</u>	8.0%
% of Gross Commission	16.8%	16.4%		16.8%	16.3%	
Net Commission + Breakage	\$ 7,923,179	\$ 7,413,063	6.9%	\$ 30,544,829	\$ 29,220,248	4.5%
% of Total Handle	7.44%	7.65%		7.43%	7.67%	
Number of HHR Terminals	750	1,000	-25.0%	701	1,000	-30.0%
Average Daily Handle	\$ 3,435,989	\$ 3,125,062	9.9%	\$ 4,469,319	\$ 3,095,426	44.4%
Handle/Day/Terminal	\$ 4,581	\$ 3,125	46.6%	\$ 5,959	\$ 3,095	92.5%
Gross Commission / Day /Terminal	\$ 410	\$ 286	43.2%	\$ 532	\$ 284	87.4%
	October -20	September - 20	% Change	Since Inception (September 10, 2018)		
Total Handle	\$ 106,515,657	\$ 95,879,857	11.09%	Total Handle	\$ 2,035,560,709	
Total Kentucky Excise Tax	\$ 1,597,735	\$ 1,438,198	11.09%	Total Kentucky Excise Tax	\$ 30,533,411	
Average Daily Handle	\$ 3,435,989	\$ 3,195,995	7.51%	Total KY General Fund	\$ 14,078,123	

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

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

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

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

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

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

Ellis Park Historical Horse Racing Report for October, 2020

	October -20	October - 19	% Change	FYTD - 2021	FYTD - 2020	% Change
Total Handle	\$ 18,725,604	\$ 9,538,623	96.3%	\$ 74,166,494	\$ 37,704,428	96.7%
Less: Returned to Public	\$ 17,245,102	\$ 8,766,791	96.7%	\$ 67,665,517	\$ 34,608,150	95.5%
Less: Breakage	\$ 2,312	\$ 591		\$ 7,657	\$ 2,882	
Less: Change in Pools (Note 6)	\$ (118,932)	\$ 13,097		\$ 54,757	\$ 91,122	
Gross Commission	<u>\$ 1,597,123</u>	<u>\$ 758,144</u>	110.7%	<u>\$ 6,438,565</u>	<u>\$ 3,002,274</u>	114.5%
TB Development Fund (Note 1)	\$ 140,442	\$ 71,540	96.3%	\$ 556,249	\$ 282,783	96.7%
SB Development Fund (Note 2)						
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 46,371	\$ 28,250	64.1%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 22,829	\$ 13,908	64.1%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 22,829	\$ 13,908	64.1%
Kentucky General Fund (Note 5)	\$ 140,442	\$ 71,540	96.3%	\$ 464,221	\$ 226,718	104.8%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 280,884</u>	<u>\$ 143,079</u>	96.3%	<u>\$ 1,112,497</u>	<u>\$ 565,566</u>	96.7%
% of Gross Commission	17.6%	18.9%		17.3%	18.8%	
Net Commission + Breakage	\$ 1,318,550	\$ 615,655	114.2%	\$ 5,333,724	\$ 2,439,590	118.6%
% of Total Handle	7.04%	6.45%		7.19%	6.47%	
Number of HHR Terminals	184	179	2.8%	177	179	-1.4%
Average Daily Handle	\$ 604,052	\$ 307,698	96.3%	\$ 602,980	\$ 306,540	96.7%
Handle/Day/Terminal	\$ 3,283	\$ 1,719	91.0%	\$ 3,277	\$ 1,713	91.4%
Gross Commission / Day /Terminal	\$ 280	\$ 137	104.9%	\$ 284	\$ 136	108.6%
	October -20	September - 20	% Change	<u>Since Inception (August 31, 2012)</u>		
Total Handle	\$ 18,725,604	\$ 17,967,724	4.2%	Total Handle	\$ 608,907,243	
Total Kentucky Excise Tax	\$ 280,884	\$ 269,516	4.2%	Total Kentucky Excise Tax	\$ 9,133,609	
Average Daily Handle	\$ 604,052	\$ 598,924	0.9%	Total KY General Fund	\$ 3,555,576	

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

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

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

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

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

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

Kentucky Downs Historical Horse Racing Report for October, 2020

	October -20	October - 19	% Change	FYTD - 2021	FYTD - 2020	% Change
Total Handle	\$ 109,265,936	\$ 80,389,950	35.9%	\$ 426,221,071	\$ 344,601,179	23.7%
Less: Returned to Public	\$ 99,398,486	\$ 74,133,762	34.1%	\$ 390,253,685	\$ 317,631,032	22.9%
Less: Breakage	\$ 21,042	\$ 14,118		\$ 81,476	\$ 54,552	
Less: Change in Pools (Note 6)	\$ 177,631	\$ (87,037)		\$ 27,193	\$ (136,625)	
Gross Commission	<u>\$ 9,668,776</u>	<u>\$ 6,329,106</u>	52.8%	<u>\$ 35,858,715</u>	<u>\$ 27,052,221</u>	32.6%
TB Development Fund (Note 1)	\$ 819,495	\$ 602,925	35.9%	\$ 3,196,658	\$ 2,584,509	23.7%
SB Development Fund (Note 2)						
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 268,968	\$ 257,689	4.4%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 134,484	\$ 126,862	6.0%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 134,484	\$ 126,862	6.0%
Kentucky General Fund (Note 5)	\$ 819,495	\$ 602,925	35.9%	\$ 2,658,723	\$ 2,073,095	28.2%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 1,638,989</u>	<u>\$ 1,205,849</u>	35.9%	<u>\$ 6,393,316</u>	<u>\$ 5,169,018</u>	23.7%
% of Gross Commission	17.0%	19.1%		17.8%	19.1%	
Net Commission + Breakage	\$ 8,050,829	\$ 5,137,375	56.7%	\$ 29,546,875	\$ 21,937,755	34.7%
% of Total Handle	7.37%	6.39%		6.93%	6.37%	
Number of HHR Terminals	919	753	22.0%	695	753	-7.8%
Average Daily Handle	\$ 3,524,708	\$ 2,593,224	35.9%	\$ 3,465,212	\$ 2,801,636	23.7%
Handle/Day/Terminal	\$ 3,835	\$ 3,444	11.4%	\$ 3,771	\$ 3,721	1.3%
Gross Commission / Day /Terminal	\$ 339	\$ 271	25.2%	\$ 317	\$ 292	8.6%
	October -20	September - 20	% Change	Since Inception (September 1, 2011)		
Total Handle	\$ 109,265,936	\$ 115,818,410	-5.7%	Total Handle	\$ 4,897,420,007	
Total Kentucky Excise Tax	\$ 1,638,989	\$ 1,737,276	-5.7%	Total Kentucky Excise Tax	\$ 73,461,300	
Average Daily Handle	\$ 3,524,708	\$ 3,860,614	-8.7%	Total KY General Fund	\$ 28,541,629	

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

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

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

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

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

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

Keeneland/Red Mile Historical Horse Racing Report for October, 2020

	October -20	October - 19	% Change	FYTD - 2021	FYTD - 2020	% Change
Total Handle	\$ 46,506,896	\$ 40,881,799	13.8%	\$ 181,045,140	\$ 145,783,912	24.2%
Less: Returned to Public	\$ 42,512,841	\$ 37,359,803	13.8%	\$ 165,356,292	\$ 133,831,705	23.6%
Less: Breakage	\$ 84,579	\$ 81,939		\$ 269,598	\$ 330,682	
Less: Change in Pools (Note 6)	\$ 224,632	\$ 321,986		\$ 1,127,025	\$ 701,113	
Gross Commission	<u>\$ 3,684,844</u>	<u>\$ 3,118,071</u>	18.2%	<u>\$ 14,292,225</u>	<u>\$ 10,920,412</u>	30.9%
TB Development Fund (Note 1)	\$ 174,401	\$ 153,307	13.8%	\$ 678,919	\$ 546,690	24.2%
SB Development Fund (Note 2)	\$ 232,534	\$ 204,409	13.8%	\$ 905,226	\$ 728,920	24.2%
Equine Industry Program (Note 3)	\$ -	\$ -		\$ 115,700	\$ 93,004	24.4%
Equine Drug Research (Note 4)	\$ -	\$ -		\$ 57,850	\$ 45,787	26.3%
Higher Education Fund (Note 4)	\$ -	\$ -		\$ 57,850	\$ 45,787	26.3%
Kentucky General Fund (Note 5)	\$ 290,668	\$ 255,511	13.8%	\$ 900,133	\$ 726,572	23.9%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 697,603</u>	<u>\$ 613,227</u>	13.8%	<u>\$ 2,715,677</u>	<u>\$ 2,186,759</u>	24.2%
% of Gross Commission	18.9%	19.7%		19.0%	20.0%	
Net Commission + Breakage	\$ 3,071,819	\$ 2,586,783	18.8%	\$ 11,846,146	\$ 9,064,336	30.7%
% of Total Handle	6.61%	6.33%		6.54%	6.22%	
Number of HHR Terminals	473	938	-49.6%	452	938	-51.8%
Average Daily Handle	\$ 1,500,222	\$ 1,318,768	13.8%	\$ 1,471,912	\$ 1,185,235	24.2%
Handle/Day/Terminal	\$ 3,172	\$ 1,406	125.6%	\$ 3,112	\$ 1,264	146.3%
Gross Commission / Day /Terminal	\$ 251	\$ 107	134.4%	\$ 246	\$ 95	159.5%
	October -20	September - 20	% Change	Since Inception (September 8, 2015)		
Total Handle	\$ 46,506,896	\$ 46,334,163	0.4%	Total Handle	\$ 1,586,362,232	
Total Kentucky Excise Tax	\$ 697,603	\$ 695,012	0.4%	Total Kentucky Excise Tax	\$ 23,795,433	
Average Daily Handle	\$ 1,500,222	\$ 1,544,472	-2.9%	Total KY General Fund	\$ 8,258,959	

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

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

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

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

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

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

Newport Racing and Gaming Historical Horse Racing Report for October, 2020

	October -20	October - 19	% Change	FYTD - 2021	FYTD - 2020	% Change
Total Handle	\$ 16,214,028	\$ -		\$ 16,322,589	\$ -	
Less: Returned to Public	\$ 14,532,975	\$ -		\$ 14,628,270	\$ -	
Less: Breakage	\$ -	\$ -		\$ -	\$ -	
Less: Change in Pools (Note 6)	\$ 127,140	\$ -		\$ 130,100	\$ -	
Gross Commission	<u>\$ 1,553,912</u>	<u>\$ -</u>		<u>\$ 1,564,219</u>	<u>\$ -</u>	
TB Development Fund (Note 1)	\$ 121,605	\$ -		\$ 122,419	\$ -	
SB Development Fund (Note 2)						
Equine Industry Program (Note 3)	\$ -	\$ -		\$ -	\$ -	
Equine Drug Research (Note 4)	\$ -	\$ -		\$ -	\$ -	
Higher Education Fund (Note 4)	\$ -	\$ -		\$ -	\$ -	
Kentucky General Fund (Note 5)	\$ 121,605	\$ -		\$ 122,419	\$ -	
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 243,210</u>	<u>\$ -</u>		<u>\$ 244,839</u>	<u>\$ -</u>	
% of Gross Commission	15.7%			15.7%		
Net Commission + Breakage	\$ 1,310,702	\$ -		\$ 1,319,381	\$ -	
% of Total Handle	8.08%			8.08%		
Number of HHR Terminals	500			500		
Average Daily Handle	\$ 540,468			\$ 526,535		
Handle/Day/Terminal	\$ 1,081			\$ 1,053		
Gross Commission / Day /Terminal	\$ 104			\$ 101		

	October -20	September - 20	% Change	Since Inception (September 30, 2020)	
Total Handle	\$ 16,214,028	\$ 108,562	14835.3%	Total Handle	\$ 16,322,589
Total Kentucky Excise Tax	\$ 243,210	\$ 1,628	14835.3%	Total Kentucky Excise Tax	\$ 244,839
Average Daily Handle	\$ 540,468	\$ 108,562	397.8%	Total KY General Fund	\$ 122,419

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

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

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

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

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

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

Oak Grove Historical Horse Racing Report for October, 2020

	October -20	October - 19	% Change	FYTD - 2021	FYTD - 2020	% Change
Total Handle	\$ 55,722,051	\$ -		\$ 82,319,720	\$ -	
Less: Returned to Public	\$ 50,573,591	\$ -		\$ 74,416,558	\$ -	
Less: Breakage	\$ -	\$ -		\$ -	\$ -	
Less: Change in Pools (Note 6)	\$ 189,669	\$ -		\$ 554,913	\$ -	
Gross Commission	<u>\$ 4,958,790</u>	<u>\$ -</u>		<u>\$ 7,348,249</u>	<u>\$ -</u>	
TB Development Fund (Note 1)	\$ -	\$ -		\$ -	\$ -	
SB Development Fund (Note 2)	\$ 557,221	\$ -		\$ 823,197.20	\$ -	
Equine Industry Program (Note 3)	\$ -	\$ -		\$ -	\$ -	
Equine Drug Research (Note 4)	\$ -	\$ -		\$ -	\$ -	
Higher Education Fund (Note 4)	\$ -	\$ -		\$ -	\$ -	
Kentucky General Fund (Note 5)	\$ 278,610	\$ -		\$ 411,599	\$ -	
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 835,831</u>	<u>\$ -</u>		<u>\$ 1,234,796</u>	<u>\$ -</u>	
% of Gross Commission	16.9%			16.8%		
Net Commission + Breakage	\$ 4,122,960	\$ -		\$ 6,113,453	\$ -	
% of Total Handle	7.40%			7.43%		
<hr/>						
Number of HHR Terminals	994			922		
Average Daily Handle	\$ 1,797,486			\$ 1,829,327		
Handle/Day/Terminal	\$ 1,808			\$ 1,840		
Gross Commission / Day /Terminal	\$ 161			\$ 164		

	October -20	September - 20	% Change	Since Inception (September 16, 2020)	
Total Handle	\$ 55,722,051	\$ 26,597,669	109.5%	Total Handle	\$ 82,319,720
Total Kentucky Excise Tax	\$ 835,831	\$ 398,965	109.5%	Total Kentucky Excise Tax	\$ 1,234,796
Average Daily Handle	\$ 1,797,486	\$ 1,899,834	-5.4%	Total KY General Fund	\$ 411,599

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

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

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

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

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

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