

KENTUCKY HORSE RACING COMMISSION
MINUTES OF THE MEETING

Date: February 18, 2020 at 1:30 PM

Place: Central Kentucky Riding for Hope Conference Room, 4185 Walt Robertson Road, Kentucky Horse Park, Lexington, Kentucky

Members Present: Chairman Franklin S. Kling, Jr.; Vice-Chairman Frank Jones, Jr.; Commissioner J. Gatewood Bell, Jr.; Commissioner Stuart E. Brown, II, DVM; Commissioner Kerry T. Cauthen; Commissioner Douglas A. Hendrickson; Commissioner Kenneth A. Jackson; and Commissioner Brereton C. Jones, Jr.; Commissioner Charles O'Connor; Commissioner J. David Richardson, M.D., and Commissioner Mark Simendinger

Ex-officio Members Present: Secretary Mike Berry, Tourism, Arts & Heritage Cabinet; Secretary Kerry B. Harvey, Public Protection Cabinet; and Interim Secretary Larry Hayes, Cabinet for Economic Development

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; Steve May, Director of Pari-Mutuel Wagering and Compliance; Bruce Howard, DVM, Interim Equine Medical Director and Chief Racing Veterinarian; and Barbara Borden, Chief State Steward

Others Participating: Mike Zeigler, Executive Director of Racing, Churchill Downs; Ken Mimmack, Ellis Park; Sarah Reeves on behalf of Vince Gabbert, Keeneland; Ted Nicholson, Senior Vice-President, Kentucky Downs; and Shannon Cobb, Chief Financial Officer, The Red Mile

<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	Meeting of the Kentucky Horse Racing Commission (KHRC) called to order and roll call performed by Chairman Kling. A quorum was recognized. Chairman Kling also welcomed Jennifer Wolsing as KHRC's new General Counsel. He also noted the arrival of Commissioner Brown for the record.	No action taken.
II. New Business Tab 1 Minutes from October 29, 2019 and December 9, 2019	5 – 143 5 – 6	Chairman Kling requested a motion from the Commission to address the request submitted by KHRC staff to approve the proposed	Chairman Kling called for a vote to approve the proposed minutes as

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	6 – 7	<p>minutes of the October 29, 2019 Commission meeting. Motion by Commissioner Richardson. Second by Commissioner Hendrickson.</p> <p>Ms. Eads presented the proposed minutes of the October 29, 2019 Commission meeting as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p> <p>Chairman Kling requested a motion from the Commission to address the request submitted by KHRC staff to approve the proposed minutes of the December 9, 2019 Commission meeting. Motion by Commissioner Jones. Second by Commissioner Brown.</p> <p>Ms. Eads presented the proposed minutes of the December 9, 2019 Commission meeting as outlined in the agenda materials. Commissioner Brown requested an amendment to the proposed December 9, 2019 minutes. Under Tab 6 on page 5 of 13, under #(5) on transcript page numbers 51 – 53, to amend the first sentence to read “Consideration of eliminating <i>electronic</i> therapeutic treatments on race day, <i>with the exception of nebulization.</i>”</p> <p>Approval was recommended by KHRC staff.</p>	<p>presented. Motion carried with no abstentions or objections.</p> <p>Chairman Kling called for a vote to approve the proposed minutes as amended. Motion carried with no abstentions or objections.</p>
<p>Tab 2 Keeneland’s 2020 Spring Meet KTDF Purse Structure</p>	8 – 9	<p>Chairman Kling requested a motion for the Commission to address the recommendation of the Kentucky Thoroughbred Development Fund Advisory Committee (KTDF Advisory Committee) to approve the proposed KTDF purse structure for Keeneland’s 2020 Spring meet. Motion by Commissioner Richardson. Second by Commissioner Bell.</p> <p>Ms. Eads presented Keeneland’s request dated January 24, 2020 as outlined in the agenda materials. Ms. Eads stated that at its January 28, 2020 meeting, the KTDF Advisory Committee approved the</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>

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		<p>recommendation. Keeneland will pay out KTDF funds through last place and in the event of a dead heat, the KTDF portion will be handled the same as the purses.</p> <p>Approval of the KTDF Advisory Committee's recommendation was recommended by KHRC staff.</p>	
<p>Tab 3 Churchill Downs' 2020 Spring Meet KTDF Purse Structure</p>	<p>9 – 11</p>	<p>Chairman Kling requested a motion for the Commission to address the recommendation of the KTDF Advisory Committee to approve the proposed KTDF purse structure for Churchill Downs' 2020 Spring meet. Motion by Commissioner Brown. Second by Commissioner Jackson.</p> <p>Ms. Eads presented Churchill Downs' request dated January 24, 2020 as outlined in the agenda materials. Ms. Eads stated that at its January 28, 2020 meeting, the KTDF Advisory Committee approved the recommendation. Churchill Downs will pay out KTDF funds through last place and in the event of a dead heat, the KTDF portion will be handled the same as the purses.</p> <p>Approval of the KTDF Advisory Committee's recommendation was recommended by KHRC staff.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>
<p>Tab 4 Churchill Downs' Proposed Backside Improvement Requests</p>	<p>11 – 12</p>	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Churchill Downs to approve the proposed Backside Improvement Fund expenditure of \$174,200. Motion by Commissioner Brown. Second by Commissioner Bell.</p> <p>Ms. Eads presented Churchill Downs' request dated January 30, 2020 as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>

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<p>Tab 5 Requested Approval of Wager Format Changes for the Keeneland Spring Meet, Fall Meet and Breeders' Cup Meet</p>	<p>12 – 17</p>	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Keeneland to amend their Super High 5 wager for the 2020 Spring and Fall meets and for the 2020 Breeders' Cup World Championship. Motion by Commissioner Simendinger. Second by Commissioner Richardson.</p> <p>Mr. May presented the request from Keeneland dated January 15, 2020 as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>
<p>Tab 6 Keeneland Red Mile Request to Offer PariMAX Historical Horse Racing Pari-Mutuel Wagering Pools Version 3.19</p>	<p>17 – 20</p>	<p>Chairman Kling requested a motion from the Commission to address the request submitted by KRM Wagering, LLC (KRM) to approve offering PariMAX Version 3.19, historical horse racing pari-mutuel wagering pools and associated entertainment themes. Motion by Commissioner Jackson. Second by Commissioner Jones.</p> <p>Mr. May presented the request from KRM dated February 4, 2020 as outlined in the agenda materials.</p> <p>Conditional approval was recommended by KHRC staff contingent upon the completion of the two (2) conditions as outlined in the agenda materials.</p>	<p>Chairman Kling called for a vote to approve the request as presented and contingent upon completion of the two (2) conditions set out in the agenda materials. Motion carried with no objections or abstentions.</p>
<p>Tab 7 Churchill Downs' Requested Approval to Add Ainsworth Game Technology Pools and Entertaining Game Themes</p>	<p>20 – 25</p>	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Churchill Downs Racetrack, LLC by and through its wholly owned subsidiary Derby City Gaming, LLC (Derby City Gaming) to approve four (4) additional Ainsworth game technology historical horse racing pari-mutuel wagering pools, five (5) additional associated entertaining game themes, and one (1) additional associated entertaining game theme based on previously approved pari-mutuel wagering pool. Motion by Commissioner Hendrickson. Second by Commissioner Richardson.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>

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		<p>Mr. May presented the request from Derby City Gaming dated February 4, 2020 as outlined in the agenda materials.</p> <p>Approval was recommended by KHRC staff.</p>	
N/A	25	Chairman Kling noted for the record, the arrival of Secretary Berry.	No action taken. Informational item only.
<p>Tab 8 Churchill Downs' Requested Approval of Scientific Games Historical Horse Racing Wagering Pools and Entertaining Game Themes</p>	25 – 37	<p>Chairman Kling requested a motion from the Commission to address the request for approval of the request submitted by Derby City Gaming to approve several HHR pari-mutuel wagering pools and entertaining game themes in Kentucky. Motion by Commissioner Cauthen. Second by Commissioner Jackson.</p> <p>Mr. May presented the request from Derby City Gaming dated February 4, 2020 as outlined in the agenda materials, noting a few typographical errors that were included in the meeting materials.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Chairman Kling called for a vote to approve five (5) Scientific Games Corporation historical horse racing pari-mutuel wagering pools and ten (10) associated entertainment game themes. Motion carried with no objections or abstentions.</p>
<p>Tab 9 Keeneland's Proposed 2020 Spring Race Meet Officials and Date Preference System</p>	37 – 38	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Keeneland to approve the proposed 2020 Spring meet roster and racing officials and dates preference system. Motion by Commissioner Brown. Second by Commissioner Jones.</p> <p>Ms. Borden presented Keeneland's request dated January 28, 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 is recommended by KHRC staff.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>
<p>Tab 10 Churchill Downs' Proposed 2020 Spring Race</p>	38 – 40	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Churchill Downs to approve the proposed</p>	<p>Chairman Kling called for a vote to approve the</p>

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Meet Officials and Date Preference System		<p>2020 Spring meet roster of racing officials and dates preference system. Motion by Commissioner Richardson. Second by Commissioner Jones.</p> <p>Ms. Borden presented Churchill Downs' request dated February 3, 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>	request as presented. Motion carried with no objections or abstentions.
Tab 11 Consideration of Funding Phase II of Research Study: Identification of Novel mRNA Targets in Catastrophically Injured Thoroughbred Racehorses Using RNA Sequencing	40 – 48	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Interim Equine Medical Director, Dr. Howard, to approve the recommendation of the Equine Drug Research Council (EDRC) to fund \$132,228 for a research study headed by Dr. Allen Page at the University of Kentucky. Motion by Commissioner Bell. Second by Commissioner Simendinger.</p> <p>Dr. Howard presented the EDRC's recommendation as outlined in the agenda materials. He noted that the EDRC's recommendation was approved at its January 27, 2020 meeting. Approval was recommended by KHRC staff.</p>	Chairman Kling called for a vote to approve the EDRC's recommendation as presented. Motion carried with no objections or abstentions.
Tab 12 Proposal for Amending 810 KAR 1:001 and 810 KAR 2:001	42 – 47	<p>Dr. Page addressed the Commission and answered questions from members.</p>	Chairman Kling called for a vote to approve the requested regulation amendments as presented. Motion carried with one (1)
	48 – 75	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Churchill Downs to approve the proposed amendment to 810 KAR 1:001 and 810 KAR 2:001. Motion by Commissioner Brown. Second by Commissioner Jackson.</p>	

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	<p>49</p> <p>50 – 61</p> <p>61 – 66</p>	<p>Ms. Wolsing presented the request as outlined in the agenda materials. The proposed amendments would expand the definition of the term “licensed premises” to include an option for an extension facility within a 60-mile radius of an association’s track. The extension facility could not exist within a sixty (60) mile radius of a live racing facility or a forty (40) mile radius of a simulcast facility unless the other facility agrees in writing to the extension facility. The proposed language of the amendments tracks the language in the authorizing statute: KRS 230.210(22). Approval was recommended by KHRC staff.</p> <p>Mr. Zeigler presented on behalf of Churchill Downs and answered questions from members.</p> <p>Ms. Wolsing addressed the Commission with an overview of how the regulation amendment process worked and answered questions from members.</p>	<p>objection by Commissioner Simendinger and no abstentions.</p>
<p>Tab 13 Presentations by Racetracks: Updates on Capital Improvements</p>	<p>67 – 126</p> <p>67 -73</p> <p>73 – 78</p> <p>78 – 88</p> <p>88 – 106</p>	<p>Chairman Kling announced the presentations of updates on capital improvements by the racetracks.</p> <p>Mr. Zeigler presented and answered questions from members on behalf of Churchill Downs.</p> <p>Mr. Zeigler presented and answered questions from members on behalf of Oak Grove Racing.</p> <p>Mr. Zeigler presented and answered questions from members on behalf of Turfway Park.</p> <p>Mr. Mimmack presented and answered questions from members on behalf of Ellis Park.</p>	<p>No action taken. Informational item only.</p>

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	106 – 107 107 – 109 109 – 113 113 – 126	Commissioner Simendinger requested a break. Chairman Kling granted the request and a break followed. Upon returning from a break, Ms. Reeves presented and answered questions from members on behalf of Keeneland. Mr. Nicholson presented and answered questions from members on behalf of Kentucky Downs. Ms. Cobb presented and answered questions from members on behalf of The Red Mile.	
Tab 14 Reports a. Thoroughbred Rulings b. Standardbred Rulings c. Veterinary Division d. Pari-Mutuel Wagering Division e. Confidential – Litigation	126 – 142 127 – 129 129 129 – 137 137 – 142 142	a. Ms. Borden presented the thoroughbred rulings reports as outlined in the agenda materials. Ms. Borden noted a correction to the “TB Rulings List by Category (through December 31, 2019)” report and the “2019 TB Rulings List by Category” report . She stated that the number of appeals for Class B medication violations was actually 5, and not 3. b. Chairman Kling noted that the Standardbred ruling activity report was informational. c. Dr. Howard presented the veterinary division report as outlined in the agenda materials. d. Mr. May presented the pari-mutuel wagering division report as outlined in the agenda materials. e. Litigation and Regulation report is for informational purposes only.	No action taken. Informational items only.

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		Deputy General Counsel, and of Larry Bisig and Kiki Courtelis as Commissioners. Also, he noted that Commissioner Simendinger would no longer serve as Vice-Chairman. He commended each for their contributions and thanked them for their service.	
IV. Adjournment	146 – 147	Chairman Kling requested a motion to adjourn. Motion by Commissioner Cauthen. Second by Commissioner Jackson. Meeting adjourned.	Chairman Kling 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.

KENTUCKY HORSE RACING COMMISSION
MINUTES OF THE SPECIAL MEETING CONDUCTED VIA VIDEO CONFERENCE

Date: March 19, 2020 at 2:00 PM

Location of Video Conference: Office of the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Kentucky Horse Park, Lexington, KY

Members Present: Chairman Franklin S. Kling, Jr.; Vice-Chairman Frank Jones, Jr.; Commissioner James Gatewood Bell, Jr.; Commissioner Stuart E. Brown, II, DVM; Commissioner Kerry T. Cauthen; Commissioner Patrick A. Day; Commissioner Douglas A. Hendrickson; Commissioner Lesley Ann May Howard; Commissioner Kenneth A. Jackson; Commissioner Brereton C. Jones, Jr.; and Commissioner Foster Northrop, DVM; Commissioner Charles O'Connor; Commissioner J. David Richardson, M.D.; and Commissioner Mark Simendinger

Ex-officio Members Present: Secretary Kerry B. Harvey, Public Protection Cabinet

KHRC Staff Participating/Present: Marc A. Guilfoil, Executive Director; Jennifer Wolsing, General Counsel; Waqas Ahmed, Resource Management Analyst; and Susan Nash, Executive Administrative Secretary

Others Participating: Mike Zeigler, Executive Director of Racing, Churchill Downs; Ted Nicholson, Senior Vice-President and General Manager, Kentucky Downs; Ken Mimmack, Board Manager, Ellis Park

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I. Call to Order and Roll Call	4 – 5	Meeting called to order and roll call performed by Chairman Kling. A quorum was recognized.	No action taken.
II. New Business Tab 1 Proposal for Ordinary Regulation and Emergency Regulation Related to Temporary Unsuitability of Licensed Premises	5 – 10 5 – 7	Chairman Kling requested a motion from the Commission to address the request submitted by Churchill Downs, Inc. to approve the proposed new emergency regulation, 810 KAR 2:090E, and the proposed new ordinary regulation, 810 KAR 2:090. Motion by Vice-Chairman Jones. Second by Commissioner Northrop. Ms. Wolsing presented Churchill Downs' request as outlined in the agenda materials.	Chairman Kling called for a roll call vote to approve the proposed emergency and ordinary regulation as presented. All Commissioners participating voted "yes." Motion carried

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			with no objections or abstentions.
<p>Tab 2. Churchill Downs' Presentation Regarding Proposed Alternate Premises</p>	<p>10 – 22</p> <p>10 – 18</p> <p>18</p> <p>18 – 21</p>	<p>Chairman Kling stated that Mike Ziegler has a presentation related to Turfway Park's Proposed Track Extension at the Newport Shopping Center, no action is required by the Commission for the 1st part of this agenda item.</p> <p>Mr. Ziegler presented on behalf of Turfway Park as outlined in the agenda materials and answered questions from the Commissioners.</p> <p>Chairman Kling requested a motion from the Commission on the second part of this agenda item to delegate the Commission's authority to Executive Director Guilfoil to address the request submitted by Churchill Downs, Inc. to approve the proposed alternative premises at the Newport Shopping Center. Motion by Vice-Chairman Jones. Second by Commissioner Richardson.</p> <p>Ms. Wolsing presented Churchill's proposal to occupy an alternate facility under 810 KAR 2:090E as outlined in the agenda materials. She noted that although the Commission voted to approve the proposed emergency regulation under Tab 1 above, that the emergency regulation would not become effective until signed by Governor Beshear and Secretary Harvey, and filed with the Legislative Research Commission (LRC).</p> <p>She further noted until the emergency regulation became effective there would be no regulation on the books pursuant to which the Commission could approve or deny Turfway Park's request. Therefore, and Turfway Park would not be able to proceed with their proposed alternative premises. Accordingly, to avoid the necessity of calling another special meeting, the Commission was asked to</p>	<p>Informational item only. No action taken.</p> <p>Chairman Kling called for a roll call vote to approve delegation of the Commission's authority to Executive Director Guilfoil to approve the request as presented. All Commissioners participating voted "yes." Motion carried, with no objections or abstentions.</p>

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		approve the delegation of their authority to approve or deny the request to Executive Director Guilfoil. The Commission would then be asked to consider and vote whether to ratify, or not, Executive Director Guilfoil's approval or denial at its next regularly scheduled meeting on April 21, 2020.	
<p>Tab 3. Churchill Downs' Request to Amend Section R of their Application to Shift Race Dates</p>	<p>22 – 27</p> <p>23 – 24</p> <p>24 – 25</p> <p>25</p>	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Churchill Downs, Inc. to approve their request to amend Section R of their application to move five (5) optional race days from the 2020 Spring meet, May 6, 13, 20, 27 and June 3, 2020, to September 1 through 5, 2020. Motion by Commissioner Day. Second by Commissioner Brown.</p> <p>Ms. Wolsing presented Churchill Downs' request dated March 17, 2020 as outlined in the agenda materials.</p> <p>In response to a statement from Vice-Chairman Jones encouraging Ellis Park to pick up days that they are losing in July or August, Mr. Mimmack stated that Ellis Park "certainly would be willing to entertain that."</p> <p>Approval was recommended by KHRC staff.</p>	<p>Chairman Kling called for a roll call vote to approve Churchill Downs' request. All Commissioners participating voted "yes." Motion carried with no objections or abstentions.</p>
<p>N/A</p>	<p>27 – 28</p>	<p>Chairman Kling made two announcements: 1) Due to the recent allegations of grievous misconduct in the industry, he wanted to assure Commission members that "we have been and will continue to work forward on these issues;" and 2) that the Race Dates Committee would meet to discuss disposition of undistributed purse money due to racetrack closures and will report back to the Commission in the near future. Additionally, that Race Date Committee members would be contacted to discuss and arrange a date to meet.</p>	<p>Informational item only. No action taken.</p>

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III. Adjournment	28 – 30	Chairman Kling requested a motion to adjourn. Motion by Commissioner Cauthen. Second by Commissioner Northrop. Meeting adjourned.	Chairman Kling called for a roll call vote to adjourn. All Commissioners participating voted “yes.” Motion carried with no objections or abstentions.

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DRAFT



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

PUBLIC PROTECTION CABINET
KENTUCKY HORSE RACING COMMISSION
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TO: ALL COMMISSION MEMBERS
From: Jamie H. Eads, Deputy Executive Director,
Director, Division of Incentives & Development
Date: April 5, 2020
Subject: **Kentucky Horse Breeders' Incentive Fund: Period V applications**

On February 18, 2018, the Commission approved ten applicants for participation in the Kentucky Horse Breeders' Incentive Fund (KHBIF) for 2018; and again on February 18, 2019 the Commission approved the same. The approval was for one-year, rather than the usual three-years, because it is KHRC's intention to re-write the KHBIF regulation. Although language was drafted, it is not to the satisfaction of all interested parties and we (KHBIF) continue to work with the entities involved in drafting new language.

This request is for approval of the third year in the three-year cycle of Period V. The approval will cover points earned in 2020 and paid in 2021. Below chart reflects the applicants and an estimated allocation.

Points earned in 2020 and distributed in 2021: estimated allocation of \$1M			
<u>KHBIF Verified Number</u>	<u>Breed</u>	<u>%</u>	<u>\$\$</u>
2,530	<i>Kentucky Appaloosa Owners Association, Inc.</i>	2.3%	\$ 23,349
3,870	<i>Kentucky Arabian & Half Arabian Breeders Alliance</i>	3.6%	\$ 35,715
5,249	<i>Kentucky Miniature Horse Breeders Club</i>	4.8%	\$ 48,442
6,354	<i>Kentucky Mountain Saddle Horse Association of KY</i>	5.9%	\$ 58,639
9,683	<i>Kentucky Paint Horse Club</i>	8.9%	\$ 89,362
30,684	<i>Kentucky Quarter Horse Association</i>	28.3%	\$ 283,175
8,970	<i>Kentucky Saddlebred Owners and Breeders Association</i>	8.3%	\$ 82,782
32,416	<i>Kentucky Walking Horse Breeders Incentive Fund</i>	29.9%	\$ 299,159
6,180	<i>Rocky Mountain Horse Association</i>	5.7%	\$ 57,034
1,564	<i>South Central Hackney Association</i>	1.4%	\$ 14,434
857	<i>Mountain Pleasure Horse Association</i>	0.8%	\$ 7,909
108,357		100.00%	\$ 1,000,000

COMMISSION ACTION

_____ Approved

_____ Denied

_____ Deferred





ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 14, 2020

Re: Request from Ellis Park to Approve Five Castle Hill Gaming Historical Horse Racing Pari-Mutuel Wagering Pools and 53 Entertaining Game Themes

On April 3, 2020, the Kentucky Horse Racing Commission (“KHRC”) received a request from Ellis Park to offer five new historical horse racing pari-mutuel wagering pools and 53 associated entertaining game themes. If approved, the new pool would be operated by Castle Hill Gaming.

The requested pools and entertaining game themes are as follows:

- One additional pari-mutuel wagering pool (HHR_3R002 Version 2.1-6) and the following 16 entertaining game themes:
 - 10,000 Diamonds v31.2.1
 - 10,000 Gems v31.2.1
 - 10,000 Rubies v31.2.1
 - Captain Bacon v31.2.1
 - Daddy Morebucks v31.2.1
 - Double Hotness v31.2.1
 - Genie’s Gems v31.2.1
 - Hot New Cash v31.2.1
 - Mr. Martini Vegas Baby v31.2.1
 - Neon 7’s v31.2.1
 - 20,000 Diamonds v31.2.1
 - 20,000 Shamrocks v31.2.1
 - Double Neon 7’s v31.2.1
 - Genie’s Delight v31.2.1
 - Jungle Jungle v31.2.1
 - Neon Panda v31.2.1

- One additional pari-mutuel wagering pool (HHR_5R001_M600 Version 2.2-8.01 (and the following 7 entertaining game themes:
 - Amazing Hot Shamrocks M600 v31.2.2
 - Backyard Bandits M600 v31.2.2
 - Free Squelin' M600 v31.2.2
 - Fun Slinger M600 v31.2.2
 - Hotness M600 v31.2.2
 - Max Money M600 v31.2.2
 - SS Wins-A-Lot M600 v31.2.2

- One additional pari-mutuel wagering pool (HHR_5R002_M450_2X Version 1.2-8) the following 8 entertaining game themes:
 - Amazing Dollars M450 2X v31.2.2
 - Bronco Bucks M450 2X v31.2.2
 - Cash Monkey M450 2X v31.2.2
 - Cashtastic M450 2X v31.2.2
 - Dynamite Dollars M450 2X v31.2.2
 - Neon Diamonds M450 2X v31.2.2
 - Neon Leprechaun M450 2X v31.2.2
 - Neon Wolf M450 2X v31.2.2

- One additional pari-mutuel wagering pool (HHR_3R001_5C_5L_M176 Version 1.1-6) and the following 8 entertaining game themes:
 - Amazing Cash Winner's Edition M176 v31.2.2
 - Banzai Winner's Edition M176 v31.2.2
 - Coin Sling Winner's Edition M176 v31.2.2
 - Daddy Morebucks Winner's Edition M176 v31.2.2
 - Genies Gems Winner's Edition M176 v31.2.2
 - Hot New Cash Winner's Edition M176 v31.2.2
 - Lucky Bunny Winner's Edition M176 v31.2.2
 - Smash The Cash Winner's Edition M176 v31.2.2

- One additional pari-mutuel wagering pool (HHR_3R001_5C_5L Version 1.1-6) and the following 14 entertaining game themes:
 - Coin Slinger Winner's Edition v31.2.1
 - Daddy Morebucks Winner's Edition v31.2.1
 - Everyone's Favorite v31.2.1
 - Genies Gems Winner's Edition v31.2.1
 - Hot New Cash Winner's Edition v31.2.1
 - Lucky Bunny Winner's Edition v31.2.1
 - Smash The Cash Winner's Edition v31.2.1
 - Superfecta v31.2.1
 - 10,000 Diamonds Winner's Edition v31.2.1
 - 10,000 Gems Winner's Edition v31.2.1
 - 10,000 Leprechaun Winner's Edition v31.2.1
 - 10,000 Rubies Winner's Edition v31.2.1
 - Amazing Cash Winner's Edition v31.2.1
 - Sir Wins-A-Lot Winner's Edition v31.2.1

Although the formal request was submitted to the KHRC in early April, KHRC staff has been actively reviewing features of the Castle Hill Gaming system for several months. Gaming Laboratories International ("GLI"), one of the independent, third party testing laboratories that provides contractual services for the KHRC, has tested the requested historical horse racing pari-mutuel wagering pools and entertaining game themes against current Kentucky statutes and regulations and provided a report to the KHRC. KHRC staff has reviewed the compliance report and supporting documentation submitted by Castle Hill Gaming and the KHRC staff believes that the additional wagering pools and entertaining game themes comply with all relevant

Kentucky statues and regulations. The GLI report for is pool and supporting documentation submitted by Castle Hill Gaming will be forwarded to the KHRC members prior to the meeting for review.

These additional pools will require additional initial seed pool funds to be established by Ellis Park and any other racing association the chooses to operate these pools. If approved, KHRC staff would continue to monitor the initial seed pool to ensure that the amount remains sufficient and if at any time KHRC staff were to believe the initial seed pool is not sufficient to operate the pools corrective action would be instructed.

If approved, Ellis Park staff would be required to submit a final floor layout and pool commingling list that includes all pari-mutuel wagering pools at Ellis Park to the KHRC for review and approval prior to the final reconfiguration.

Castle Hill Gaming and Ellis Park staff have been very forthcoming with information, and KHRC staff has had the opportunity to visually inspect and test the Castle Hill Gaming pools via videoconferencing due to the COVID-19 pandemic. Additional compliance testing of the Castle Hill Gaming pari-mutuel wagering terminals will be conducted by KHRC staff prior to the operation of the terminals when operations resume at Ellis Park.

After a thorough review of this request, KHRC staff recommends approval of the aforementioned historical horse racing pari-mutuel wagering pool and associated entertaining game theme operated by Castle Hill gaming as requested by Ellis Park, with the following conditions:

1. The entertaining game themes on the Castle Hill Gaming system shall only use video animations, and no physical animations for the entertaining game themes.
2. All daily wagering reports shall be approved by the KHRC Pari-Mutuel Wagering Division staff prior to operation of the Castle Hill Gaming pari-mutuel wagering pool.

COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**



Jeffery Inman
General Manager
Ellis Entertainment
3300 Highway 41 N
Henderson KY 42420

March 31, 2020

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

RE: Request to the Kentucky Horse Racing Commission (the "Commission") for approval of Castle Hill Gaming Pari-Mutuel Wagering System and to offer related entertaining game themes (pari-mutuel wagering pools) at Ellis Park Racing & Gaming.

Dear Mr. Guilfoil:

Ellis Park Racing and Gaming respectfully requests the Commissioner's approval of the Castle Hill Gaming's pari-mutuel wagering system, pari-mutuel wagering pools, and entertaining game themes to be offered at our facility located at 3300 US-41, Henderon, KY 42420.

Pari-Mutuel Wagering System Components:

- HHR Totalizer Server Version 1.2.0
- HHR Racedatabase Version 6.0.0
- HHR Platform Version 8.1.4

Pari-Mutuel Wagering Pools with Entertaining Themes:

HHR_3R002 Version 2.1-6

- 10,000 Diamonds v31.2.1
- 10,000 Gems v31.2.1
- 10,000 Rubies v31.2.1
- Captain Bacon v31.2.1
- Daddy Morebucks v31.2.1
- Double Hotness v31.2.1
- Genie's Gems v31.2.1
- Hot New Cash v31.2.1
- Mr. Martini Vegas Baby v31.2.1

Ellis Park

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- Neon 7's v31.2.1
- 20,000 Diamonds v31.2.1
- 20,000 Shamrocks v31.2.1
- Double Neon 7's v31.2.1
- Genie's Delight v31.2.1
- Jungle Jungle v31.2.1
- Neon Panda v31.2.1

HHR_5R001_M600 Version 2.2-8.01

- Amazing Hot Shamrocks M600 v31.2.2
- Backyard Bandits M600 v31.2.2
- Free Squelin' M600 v31.2.2
- Fun Slinger M600 v31.2.2
- Hotness M600 v31.2.2
- Max Money M600 v31.2.2
- SS Wins-A-Lot M600 v31.2.2

HHR_5R002_M450_2X Version 1.2-8

- Amazing Dollars M450 2X v31.2.2
- Bronco Bucks M450 2X v31.2.2
- Cash Monkey M450 2X v31.2.2
- Cashtastic M450 2X v31.2.2
- Dynamite Dollars M450 2X v31.2.2
- Neon Diamonds M450 2X v31.2.2
- Neon Leprechaun M450 2X v31.2.2
- Neon Wolf M450 2X v31.2.2

HHR_3R001_5C_5L_M176 Version 1.1-6

- Amazing Cash Winner's Edition M176 v31.2.2
- Banzai Winner's Edition M176 v31.2.2
- Coin Sling Winner's Edition M176 v31.2.2
- Genies Gems Winner's Edition M176 v31.2.2
- Hot New Cash Winner's Edition M176 v31.2.2
- Lucky Bunny Winner's Edition M176 v31.2.2
- Smash The Cash Winner's Edition M176 v31.2.2
- Daddy Morebucks Winner's Edition M176 v31.2.2

HHR_3R001_5C_5L Version 1.6-5

- Coin Slinger Winner's Edition v31.2.1
- Daddy Morebucks Winner's Edition v31.2.1
- Everyone's Favorite v31.2.1

Ellis Park

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- Genies Gems Winner's Edition v31.2.1
- Hot New Cash Winner's Edition v31.2.1
- Lucky Bunny Winner's Edition v31.2.1
- Smash The Cash Winner's Edition v31.2.1
- Superfecta v31.2.1
- 10,000 Diamonds Winner's Edition v31.2.1
- 10,000 Gems Winner's Edition v31.2.1
- 10,000 Leprechaun Winner's Edition v31.2.1
- 10,000 Rubies Winner's Edition v31.2.1
- Amazing Cash Winner's Edition v31.2.1
- Sir Wins-A-Lot Winner's Edition v31.2.1

The platform components, pari-mutuel wagering pools, and entertaining game themes outlined above have been fully tested and certified by GLI, an independent testing laboratory. For the reasons set forth herein, Ellis Park Racing & Gaming respectfully requests the Commission's approval of the pari-mutuel system, entertaining game themes and Pari-mutuel wagering pools included in the letter.

Sincerely,

Jeffery Inman
General Manager
Ellis Entertainment

cc: Steve May, KHRC



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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

To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 10, 2020

Re: Request from Derby City Gaming to Approve One International Game Technology Historical Horse Racing Pari-Mutuel Wagering Pool and One Entertaining Game Theme

On April 3, 2020, the Kentucky Horse Racing Commission (“KHRC”) received a request from Churchill Downs, through its wholly-owned subsidiary Derby City Gaming, LLC, to offer one new historical horse racing pari-mutuel wagering pool and one associated entertaining game theme. If approved, the new pool would be operated by International Game Technology (“IGT”).

The requested pool and entertaining game theme is as follows:

- One new pari-mutuel wagering pool to operate the **Dangerous Beauty**¹ entertaining game theme;

If approved, the requested pari-mutuel wagering pool will be hosted on the computer servers operated by Ainsworth Game Technology (“AGT”), through a technology provider agreement between AGT and IGT. The pool utilizes the structure of AGT pools that have been approved by the KHRC. This includes all of the wagering-related features of the AGT pools, including but not limited to the auto handicapping methods, the manual handicapping methods, the handicapping data that is presented to the patron, the wager split, the outcome determination based on the 10 races in which the patron is placing the wager, and the presentation of race results.

Although the formal request was submitted to the KHRC in early April, KHRC staff has been actively reviewing features of the IGT system for several months. BMM Testlabs (“BMM”), one of the independent, third party testing laboratories that provides contractual services for the KHRC, has tested the requested

¹ BMM Testlabs Report IGTU20311KY

historical horse racing pari-mutuel wagering pool and entertaining game theme against current Kentucky statutes and regulations. KHRC staff has reviewed the compliance reports produced by BMM and believes that the additional wagering pool and entertaining game theme complies with all relevant Kentucky statutes and regulations. The BMM report for is pool will be forwarded to the KHRC members prior to the meeting for review.

Due to the operation of these pools on the AGT system, this pool will operate with the same seed pool funds as the current AGT pools and will be monitored by AGT and Derby City Gaming staff. KHRC staff believes the current initial seed pool amount for the Derby City Gaming property is sufficient to operate this additional pari-mutuel wagering pool, and if approved no adjustment would be required to the initial seed pool amount. If approved, KHRC staff would continue to monitor the initial seed pool to ensure that the amount remains sufficient and if at any time KHRC staff were to believe the initial seed pool is not sufficient to operate the pools corrective action would be instructed.

If approved, Derby City Gaming staff would be required to submit a final floor layout and pool commingling list that includes all pari-mutuel wagering pools at Derby City Gaming to KHRC staff for review and approval prior to the final reconfiguration.

IGT and Derby City Gaming staff have been very forthcoming with information, and KHRC staff has had the opportunity to visually inspect and test the IGT pool via videoconferencing due to the COVID-19 pandemic. Additional compliance testing of the IGT pari-mutuel wagering terminals will be conducted by KHRC staff prior to the operation of the IGT terminals when operations resume at Derby City Gaming.

After a thorough review of this request, KHRC staff recommends approval of the aforementioned historical horse racing pari-mutuel wagering pool and associated entertaining game theme operated by International Game Technology, on the Ainsworth Game Technology historical horse racing pari-mutuel wagering system, as requested by Derby City Gaming.

COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**





Patrick Duggan
Derby City Gaming, LLC
4520 Poplar Level Rd
Louisville, KY 40213
Patrick.Duggan@derbycitygaming.com
502-961-7680

April 3rd, 2020

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

RE: Request to the Kentucky Horse Racing Commission (the “Commission”) to offer entertaining game themes (pari-mutuel wagering pools) at the Derby City Gaming Historical Horse Racing Facility.

Dear Mr. Guilfoil:

As you know, on July 17, 2018 and August 21, 2018, the Kentucky Horse Racing Commission (“Commission”) approved Churchill Downs Racetrack, by and through its wholly owned subsidiary Derby City Gaming, LLC, to offer exotic wagers on historical horse races at our Derby City Gaming location at 4520 Poplar Level Road, Louisville, KY 40213 (previously referred to as Trackside). At the same time, the Commission approved the Ainsworth Game Technology Historical Horse Racing Pari-Mutuel Wagering System (the “Ainsworth System”), along with sixty-four (64) entertaining game themes, all of which had been evaluated and certified by an approved independent testing lab. In subsequent meetings the Commission has approved an additional entertaining game themes bringing our current total offering to one hundred and twelve (112) game themes.

Derby City Gaming respectfully requests the Commission’s approval of the following additional entertaining game theme to be offered at our Historical Horse Racing Facility at our Derby City Gaming location at 4520 Poplar Level Road, Louisville, KY 40213. This will be the first entertaining game theme offered by International Game Technology, PLC (IGT) on the Ainsworth System.

IGT:

- Dangerous Beauty - GAME020001MNMX02

It is our understanding that this game theme has been tested by BMM, an independent testing laboratory. For the reasons set forth herein, Churchill Downs respectfully requests the Commission's approval of the entertaining game theme included in this letter.

Sincerely,



Patrick Duggan
Senior Director of Gaming Operations – Derby City Gaming

cc: Steve May, KHRC
Justin Paul
Tim Bryant



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

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EXECUTIVE DIRECTOR

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

To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 10, 2020

Re: Request from Derby City Gaming to Approve Two Additional Ainsworth Game Technology Historical Horse Racing Pools and Two Entertaining Game Themes

On April 3, 2020, the Kentucky Horse Racing Commission (“KHRC”) received a letter from Churchill Downs Race Track, through their wholly-owned subsidiary Derby City Gaming, LLC, seeking approval of additional pari-mutuel wagering pools and associated entertaining game themes, all of which would be operated by the technology vendor Ainsworth Game Technology (“Ainsworth”). The requested changes are as follows:

- One new pari-mutuel wagering pool to operate the **Dollar Action v2020.1.16.8**¹ entertaining game theme, and
- One new pari-mutuel wagering pool to operate the **Dollar Chief v2019.12.17.8**² entertaining game theme;

Gaming Laboratories International (“GLI”), one of the independent, third party testing laboratories that provides contractual services for the KHRC, has tested both of the requested historical horse racing pari-mutuel wagering pools and entertaining game themes against current Kentucky statutes and regulations. KHRC staff has reviewed the compliance reports produced by GLI and believes that the wagering pools and entertaining game themes comply with all relevant Kentucky statutes and regulations. All GLI reports for these pools will be forwarded to the KHRC commissioners prior to the meeting for review.

¹ Gaming Laboratories International Report MO-399-AWG-20-01

² Gaming Laboratories International Report MO-399-AWG-20-02

KHRC staff believes the current initial seed pool amount for Derby City Gaming is sufficient to operate these additional pari-mutuel wagering pools, and if approved no adjustment would be required to the initial seed pool amount. If approved, KHRC staff would continue to monitor the initial seed pool to ensure that the amount remains sufficient and if at any time KHRC staff were to believe the initial seed pool is not sufficient to operate the pools corrective action would be instructed.

If approved, Derby City Gaming staff would be required to submit a final floor layout and pool commingling list that includes these all pari-mutuel wagering pools to KHRC staff for review and approval prior to the final reconfiguration.

After a thorough review of this request, KHRC staff recommends approval of the aforementioned historical horse racing pari-mutuel wagering pools and associated entertaining game themes operated by Ainsworth Game Technology as requested by Churchill Downs.

COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**



Patrick Duggan
Derby City Gaming, LLC
4520 Poplar Level Rd
Louisville, KY 40213
Patrick.Duggan@derbycitygaming.com
502-961-7680

April 3rd, 2020

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

RE: Request to the Kentucky Horse Racing Commission (the “Commission”) to offer entertaining game themes (pari-mutuel wagering pools) at the Derby City Gaming Historical Horse Racing Facility.

Dear Mr. Guilfoil:

As you know, on July 17, 2018 and August 21, 2018, the Kentucky Horse Racing Commission (“Commission”) approved Churchill Downs Racetrack, by and through its wholly owned subsidiary Derby City Gaming, LLC, to offer exotic wagers on historical horse races at our Derby City Gaming location at 4520 Poplar Level Road, Louisville, KY 40213 (previously referred to as Trackside). At the same time, the Commission approved the Ainsworth Game Technology Historical Horse Racing Pari-Mutuel Wagering System (the “Ainsworth System”), along with sixty-four (64) entertaining game themes, all of which had been evaluated and certified by an approved independent testing lab. In subsequent meetings the Commission has approved an additional entertaining game themes bringing our current total offering to one hundred and twelve (112) game themes.

Derby City Gaming respectfully requests the Commission’s approval of the following additional entertaining game themes to be offered at our Historical Horse Racing Facility at our Derby City Gaming location at 4520 Poplar Level Road, Louisville, KY 40213. In the case that the game theme shares its math with another game theme it will be noted in parenthesis.

Ainsworth:

- Dollar Action 2020.1.16.8 (HHR Game Info 9.0.2.29)
- Dollar Chief 2019.12.17.8 (HHR Game Info 9.0.2.28)

It is our understanding that each of these game themes have been tested by BMM or GLI, both are independent testing laboratories. For the reasons set forth herein, Churchill Downs respectfully requests the Commission's approval of the entertaining game themes included in this letter.

Sincerely,



Patrick Duggan
Senior Director of Gaming Operations – Derby City Gaming

cc: Steve May, KHRC
Justin Paul
Tim Bryant



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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

To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 10, 2020

Re: Request from Derby City Gaming to Approve Four Additional Ainsworth Game Technology Historical Horse Racing Pools, Eight New Entertaining Game Themes, and Seven Updates to Previously-Approved Historical Horse Racing Pools

On April 3, 2020, the Kentucky Horse Racing Commission (“KHRC”) received a letter from Churchill Downs Race Track, through their wholly-owned subsidiary Derby City Gaming, LLC, seeking approval of additional pari-mutuel wagering pools and associated entertaining game themes, all of which would be operated by the Scientific Game Corporation, through a technology vendor agreement with Ainsworth Game Technology (“Ainsworth”). The requested changes are as follows:

- Additional pool configuration options for the pari-mutuel wagering pools utilized to operate the **Aloha Luau v272965B¹** and **Aloha Treasures v272963A²** entertaining game themes;
- Additional pool configuration options for the pari-mutuel wagering pools utilized to operate the **Celestial King v272949C³** and **Romance of the Nile v272950B⁴** entertaining game themes;

¹ Gaming Laboratories International Report MO-399-BLY-20-028

² Gaming Laboratories International Report MO-399-BLY-20-028

³ Gaming Laboratories International Report MO-399-BLY-20-033

⁴ Gaming Laboratories International Report MO-399-BLY-20-033

- Additional pool configuration options for the pari-mutuel wagering pools utilized to operate the **Quick Hits Riches Triple Blazing 7's Wild v272937A⁵** and **Quick Hit Riches Black Gold Wild v272956A⁶** entertaining game themes;
- Additional pool configuration options for the pari-mutuel wagering pool utilized to operate the **Quick Hit Treasures v272959A⁷** entertaining game theme,
- The addition of the **Enchanting Dreams v272951A⁸** entertaining game theme, which operates on a previously-approved historical horse racing pari-mutuel wagering pool;
- The addition of the **Quick Hit Dragon Super Wheel v272938A⁹** and **Quick Hit Las Vegas Super Wheel v272939B¹⁰** entertaining game themes, which operates off of a previously-approved historical horse racing pari-mutuel wagering pool;
- One new historical horse racing pari-mutuel wagering pool which would be used to operate the **Ultimate Fire Link Glacier Gold v272946A¹¹** and **Ultimate Fire Link By The Bay v272944A¹²** entertaining game theme;
- One new historical horse racing pari-mutuel wagering pool which would be used to operate the **Lock It Link Cats Hats and More Bats v272966A¹³** entertaining game theme;
- One new historical horse racing pari-mutuel wagering pool which would be used to operate the **Lock It Link Eureka Reel Blast v272961A¹⁴** entertaining game theme; and

⁵Gaming Laboratories International Report MO-399-BLY-20-029

⁶Gaming Laboratories International Report MO-399-BLY-20-029

⁷Gaming Laboratories International Report MO-399-BLY-20-034

⁸ Gaming Laboratories International Report MO-399-BLY-20-016

⁹ Gaming Laboratories International Report MO-399-BLY-20-014

¹⁰ Gaming Laboratories International Report MO-399-BLY-20-015

¹¹ Gaming Laboratories International Report MO-399-BLY-20-021

¹² Gaming Laboratories International Report MO-399-BLY-20-022

¹³ Gaming Laboratories International Report MO-399-BLY-20-020

¹⁴ Gaming Laboratories International Report MO-399-BLY-20-024

- One new historical horse racing pari-mutuel wagering pool which would be used to operate the **Lock It Link Diamonds v272960A¹⁵** entertaining game theme;

Gaming Laboratories International (“GLI”), one of the independent, third party testing laboratories that provides contractual services for the KHRC, has tested both of the requested historical horse racing pari-mutuel wagering pools and entertaining game themes against current Kentucky statutes and regulations. KHRC staff has reviewed the compliance reports produced by GLI and believes that the wagering pools and entertaining game themes comply with all relevant Kentucky statutes and regulations. All GLI reports for these pools will be forwarded to the KHRC commissioners prior to the meeting for review.

KHRC staff believes the current initial seed pool amount for Derby City Gaming is sufficient to operate these additional pari-mutuel wagering pools, and if approved no adjustment would be required to the initial seed pool amount. If approved, KHRC staff would continue to monitor the initial seed pool to ensure that the amount remains sufficient and if at any time KHRC staff were to believe the initial seed pool is not sufficient to operate the pools corrective action would be instructed.

If approved, Derby City Gaming staff would be required to submit a final floor layout and pool commingling list that includes these all pari-mutuel wagering pools to KHRC staff for review and approval prior to the final reconfiguration.

After a thorough review of this request, KHRC staff recommends approval of the aforementioned historical horse racing pari-mutuel wagering pools and associated entertaining game themes operated by Ainsworth Game Technology as requested by Churchill Downs.

COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**

¹⁵ Gaming Laboratories International Report MO-399-BLY-20-023





Patrick Duggan
Derby City Gaming, LLC
4520 Poplar Level Rd
Louisville, KY 40213
Patrick.Duggan@derbycitygaming.com
502-961-7680

April 3rd, 2020

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

RE: Request to the Kentucky Horse Racing Commission (the “Commission”) to offer entertaining game themes (pari-mutuel wagering pools) at the Derby City Gaming Historical Horse Racing Facility.

Dear Mr. Guilfoil:

As you know, on July 17, 2018 and August 21, 2018, the Kentucky Horse Racing Commission (“Commission”) approved Churchill Downs Racetrack, by and through its wholly owned subsidiary Derby City Gaming, LLC, to offer exotic wagers on historical horse races at our Derby City Gaming location at 4520 Poplar Level Road, Louisville, KY 40213 (previously referred to as Trackside). At the same time, the Commission approved the Ainsworth Game Technology Historical Horse Racing Pari-Mutuel Wagering System (the “Ainsworth System”), along with sixty-four (64) entertaining game themes, all of which had been evaluated and certified by an approved independent testing lab. In subsequent meetings the Commission has approved an additional entertaining game themes bringing our current total offering to one hundred and twelve (112) game themes.

Derby City Gaming respectfully requests the Commission’s approval of the following additional entertaining game themes to be offered at our Historical Horse Racing Facility at our Derby City Gaming location at 4520 Poplar Level Road, Louisville, KY 40213. In the case that the game theme shares its math with another game theme it will be noted in parenthesis.

Bally new game themes and additional pools for prior approved games themes: (grouped by shared pools):

Group 1:

- Aloha Luau – 272965B (additional pools)
- Aloha Treasures – 272963A (additional pools)

Group 2:

- Celestial King – 272949C (additional pools)
- Romance of the Nile – 272950B (additional pools)
- Enchanting Dreams – 272951A

Group 3:

- Quick Hit Riches Triple Blazing 777 Wild – 272937A (additional pools)
- Quick Hit Riches Black Gold Wild – 272956A (additional pools)

Group 4:

- Quick Hit Treasures – 272959A (additional pools)
- Quick Hit Dragon Super Wheel – 272938A
- Quick Hit Las Vegas Super Wheel – 272939B

Group 5:

- Ultimate Fire Link Glacier Gold – 272946A
- Ultimate Fire Link By The Bay – 272944A

Individual Pools:

- Lock it Link Cats Hats and More Bats – 272966A
- Lock it Link Eureka Reel Blast – 272961A
- Lock it Link Diamonds – 272960A

It is our understanding that each of these game themes have been tested by BMM or GLI, both are independent testing laboratories. For the reasons set forth herein, Churchill Downs respectfully requests the Commission's approval of the entertaining game themes included in this letter.

Sincerely,



Patrick Duggan
Senior Director of Gaming Operations – Derby City Gaming

cc: Steve May, KHRC
Justin Paul
Tim Bryant



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

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

To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 10, 2020

Re: Request from Kentucky Downs to Approve One New Exacta Systems Pari-Mutuel Wagering Pool, Four Associated New Entertaining Game Themes, and Three New Entertaining Game Themes for Existing Pari-Mutuel Wagering Pools

On April 1, 2020, the Kentucky Horse Racing Commission (“KHRC”) received a letter from Kentucky Downs seeking approval of one new historical horse racing pari-mutuel wagering pool, four associated entertaining game themes, and three additional entertaining game themes that operate on existing historical horse racing pari-mutuel wagering pools. If approved, the technology vendor Exacta Systems (“Exacta”) would operate all of these pools and entertaining game themes. A complete list of the requested pools and entertaining game themes are as follows:

- New Pari-Mutuel Wagering Pool **TRM3014**¹
 - Entertaining Game Theme “**Dos Luchadores**”
 - Entertaining Game Theme “**Double Luck Panda**” and “**Double Luck Panda 3-Screen**”
 - Entertaining Game Theme “**Wild Vegas Double Luck**” and “**Wild Vegas Double Luck 3-Screen**”
 - Entertaining Game Theme “**Music City Money**”

- New Entertaining Game Themes Based on Existing Pari-Mutuel Wagering Pool **TRM1028**²
 - **Booty Calls**

¹ Gaming Laboratories International Report MO-399-ENR-20-01

² Gaming Laboratories International Report MO-399-ENR-20-01

- New Entertaining Game Theme Based on Existing Pari-Mutuel Wagering Pool **TRM1050**³
 - **Jade Wilds**

- New Entertaining Game Theme Based on Existing Pari-Mutuel Wagering Pool **TRM3010**⁴
 - **Sapphire Solitaire**

Gaming Laboratories International (“GLI”), one of the independent, third-party testing laboratories that provides contractual services for the KHRC, has tested the requested pools and requested entertaining game themes and has provided a compliance report. KHRC staff has reviewed this report and believes that these additional wagering pools and entertaining game themes comply with all relevant Kentucky statutes and regulations. All GLI reports for these pools will be forwarded to the KHRC members prior to the meeting for review.

If approved, Kentucky Downs and/or any other association that desires to operate these pools and/or entertaining game themes would be required to submit a final floor layout that includes the new wagering pools and entertaining game theme changes to the KHRC for review and approval prior to the final reconfiguration. In addition, any racing association will be required to add additional funds to the initial seed pool account for use at the association in order to operate the additional pari-mutuel wagering pool prior to operating the pool.

After a thorough review of these requests, KHRC staff recommends approval of TRM 3014 and all requested entertaining game themes operated.

COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**

³ Gaming Laboratories International Report MO-399-ENR-20-01

⁴ Gaming Laboratories International Report MO-399-ENR-20-01





April 1st 2020

Marc Guilfoil, Executive Director
Kentucky Horse Racing Commission
4063 Ironworks Parkway, Building B
Lexington, KY 40511

5629 Nashville Road
Franklin, Kentucky 42134

270-586-7778

KentuckyDowns.com

Dear Marc,

Attached you will find specifications for new Exacta pari-mutuel pools, TRM3014 as well as new themes for the already approved TRM1028, TRM1050 and TRM3010. Gaming Laboratories International (GLI) has tested and confirmed that the submitted Exacta System pari-mutuel pools and game themes comply with the requirements set forth in the Kentucky regulations.

The following games on existing math models are ready for request:

- TRM 1028_BootyCalls_CDT
- TRM 1050_JadeWilds_CDT
- TRM 3010_SapphireSolitaire_CDT

The following new math model and themes are ready for request:

- TRM 3014: DosLuchadores, DoubleLuckPanda, DoubleLuckPanda3Screen, WildVegasDoubleLuck, WildVegasDoubleLuck3Screen, 3014_MusicCityMoney_CDT

The "Pool Split/Seed Pool/Minimum Pay" section provided in each specification contains confidential and proprietary information, "which if openly disclosed would permit an unfair commercial advantage to competitors." KRS § 61.878(1)(C)(1). As such, all pages in the "Pool Split/Seed Pool/Minimum Pay" sections have been designated as "Confidential."

Once these pools have been approved at the upcoming KHRC meeting and prior to any installation we will send to the KHRC a new layout, game mix and master list as applicable.

Sincerely,

A handwritten signature in black ink, appearing to read "Valeria Strafe", written over a horizontal line.

Valeria Strafe
VP of Operations



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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

To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 10, 2020

Re: Request from Keeneland/Red Mile to offer PariMAX Historical Horse Racing Version 3.20

On March 20, 2020, the Kentucky Horse Racing Commission (“KHRC”) received a request from Keeneland/Red Mile (“KRM”) to offer PariMAX Version 3.20 historical horse racing pari-mutuel wagering pools. As of March 15, 2020, KRM will operate 938 historical horse racing pari-mutuel wagering terminals, of which 476 terminals utilize the PariMAX system. If PariMAX Version 3.20 is approved, KRM will be required to submit an exact floor layout and a list of the terminals that will offer wagering on the PariMAX Version 3.20 for KHRC staff review and approval.

The PariMAX system is operated by PariMAX Holdings, LLC (“PariMAX”), a division of AmTote International, LLC (“AmTote”). AmTote is currently one of the three providers of historical horse racing pools at KRM. PariMAX currently offers similar exotic wagering pools in Alabama, Oregon, and Wyoming. Prior to KRM submitting this request, PariMAX Version 3.20, along with all previous versions, underwent testing at Gaming Laboratories International (“GLI”), one of the independent, third-part testing laboratories under contract with the KHRC.

GLI has reviewed PariMAX Version 3.20 and affirms that the system complies with all applicable Kentucky statutes and regulations. The GLI report¹ for PariMAX version 3.20 will be sent to all KHRC members prior to the April meeting for review.

If approved by the Commission, KRM and PariMAX staff will transition the affected wagering terminals to the appropriate wagering pools in a secure manner and with guidance from Commission staff.

¹ Gaming Laboratories International Report SY-399-AMT-20-03

PariMAX Version 3.20 includes the following updates to the PariMAX wagering system:

- The "Sea of Fortune" game theme has been added and utilizes the previously tested "P6.P3P5_Plus.P2P5_Plus_COJ" wager profile.
- Previously, the "Autopick" automatic handicapping option was omitted from the "Red's Tale" and "Snow's Tale" game themes. This option has been added to these themes.
- Previously, the way the automatic handicapping options were displayed in the "Nimbus Strike" and "Space Strike" game themes caused the options' graphics to overlap one another. This has been fixed so the options no longer overlap.
- Previously, a grid outcome for the "Aztec Super Storm", "Nimbus Strike", "Cowboy Wilds" and "Aphrodite's Favor" game themes contained a symbol ID that did not match any symbol in the game and, if the outcome were to occur, would cause the game to crash. This has been fixed to display the originally intended symbol.
- Previously, a file that is sometimes automatically generated by Microsoft Windows, thumbs.db, could be generated in a critical directory and become included in that directory-ing software verification hash. This has been fixed so these files are always excluded from the software verification hash.

Prior to KRM offering pari-mutuel wagering on the new pool, Commission staff will perform on-site testing of this new pool. The testing will be conducted to ensure that the pool functioned as described and that the payouts complied with the documentation provided to the Commission by GLI.

Commission staff recommends approval of the Keeneland/Red Mile request to authorize PariMAX Version 3.20 and the exotic wagering pools and entertaining game themes associated with Version 3.20 with the following conditions:

- 1) The "Higher Jackpot" option for all PariMAX wager profiles shall not be implemented without prior written approval of the Kentucky Horse Racing Commission.
- 2) Similar to the approval granted in April 2019, the configurable options in previous PariMAX versions shall not be implemented without prior written approval of the Kentucky Horse Racing Commission.

COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**





KRM Wagering, LLC

March 18, 2020

Mr. Marc Guilfoil, Executive Director
Kentucky Horse Racing Commission
4063 Ironworks Pkwy, Building B
Lexington, KY 40511

Re: Approval request for Parimax 3.20

Dear Mr. Guilfoil:

KRM Wagering would like to request approval for Parimax/Amtote release 3.20 at the upcoming April commission meeting. This release has the following features:

- one new game theme on an existing Wager Profile: Sea of Fortune on the 'WP.P6.P3P5_Plus.P2P5_Plus_COJ' wager profile.
- several bug fixes to games and update to manage new terminals.

I have attached the 3.20 release notes, and I will forward the individual game specs separately, due to file size. It is my understanding that you will receive GLI reports on this release prior to the due date for meeting materials. Please let me know if additional information is needed regarding this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shannon M. Cobb".

Shannon M. Cobb
Chief Operating and Financial Officer

Cc: Steve May
Vince Gabbert
Joe Costa
Steve Jimenez



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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

To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 10, 2020

Re: Ratification of Kentucky Downs Approval to Amend Operational Hours

On February 28, 2020, the Kentucky Horse Racing Commission (“KHRC”) received a letter from Valeria Strafe, Vice President of Operations at Kentucky Downs, requesting to amend the operational hours that were approved by the KHRC as part of the application for race dates for the association. The new operational hours in the request from Kentucky Downs would be from 9:00 a.m. Central through 5:00 a.m. Central Monday through Thursday. Kentucky Downs will continue to operate the hours approved by the KHRC Friday, Saturday, and Sunday.

On March 10, 2020, Executive Director Marc A. Guilfoil approved the request from Kentucky Downs to amend their operational hours after discussions with Chairman Kling. Since this is a permanent change to the operational hours at the association that were approved by the KHRC, KHRC staff is seeking a ratification of this approval by the commission.

COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**





5629 Nashville Road
Franklin, Kentucky 42134

270-586-7778

KentuckyDowns.com

February 28, 2020

Steve May
Pari-Mutuel Wagering & Compliance Supervisor
Kentucky Horse Racing Commission
4603 Iron Works Parkway, Building B
Lexington, KY 40511

Dear Steve,

We are writing you at this time to inform you that Kentucky Downs would like to amend its hours of operations starting on March 15th for Sunday to Thursday, opening at 9am and closing now at 5am. Friday and Saturday's hours will remain the same.

For the purpose of this request, "a gaming day" will be considered from 9am to 5am.

Our money collection and count procedure will not need any modifications.

Sincerely,

A handwritten signature in black ink, appearing to read "Valeria Strafe", written over a horizontal line.

Valeria Strafe
VP of Operations



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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March 10, 2020

Attention Valeria Strafe
Kentucky Downs
5629 Nashville Road
Franklin, KY 42134

Re: Request to Amend Operational Hours

Dear Ms. Strafe:

Pursuant to the authority granted to the Executive Director by the Kentucky Horse Racing Commission ("KHRC") on October 18, 2011, the request submitted via letter dated February 28, 2020 to amend the normal operational hours at Kentucky Downs is hereby approved. This approval will be placed on a future KHRC meeting agenda for ratification.

Please contact Steve May, KHRC Director of Pari-Mutuel Wagering and Compliance, to coordinate the logistical details of the changes, and do not hesitate to contact me should you have any questions or concerns.

With best regards,

A handwritten signature in blue ink, appearing to read "Marc A. Guilfoil".

Marc A. Guilfoil
Executive Director
Kentucky Horse Racing Commission

cc:

Franklin S. Kling, KHRC
Jennifer Wolsing, KHRC
Steve May, KHRC

Ted Nicholson, Kentucky Downs
Jeremy Stein, Exacta Systems



ANDY BESHEAR
GOVERNOR

FRANKLIN S. KLING, JR.
CHAIRMAN

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To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 3, 2020

Re: Ratification of Executive Director Approval of Turfway Park Participation in Cross Country Pick 5 on Saturday, March 14, 2020

On Wednesday, March 11, 2020, the Kentucky Horse Racing Commission received a request via email from Patrick Troutman, a representative of Churchill Downs, Inc., on behalf of Turfway Park. In the email, Turfway Park was requesting approval to include 2 races on Saturday, March 14, 2020 in a multitrack Pick-5 hosted and operated by the New York Racing Association ("NYRA"). The wager, which was called the Cross Country Pick 5, also included one NYRA race and 2 races from Oaklawn Park.

Due to the timing of this request in relation to the date of the races involved, Executive Director Marc Guilfoil granted an approval of this request. A copy of the approval letter is included with this memorandum. In the approval letter, it was stated that the approval would be added to a Kentucky Horse Racing Commission meeting agenda for ratification by the Commission.

There were no problems encountered with this wager, and the procedures developed by the Kentucky Horse Racing Commission for multitrack Pick-5 wagers were used to ensure adequate communication between all racetracks involved.

Kentucky Horse Racing Commission staff recommends ratification of the approval granted by the Executive Director on March 13, 2020.



COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**

May, Steve (KHRC)

From: Patrick Troutman (CDI) <Patrick.Troutman@kyderby.com>
Sent: Wednesday, March 11, 2020 4:55 PM
To: May, Steve (KHRC)
Subject: Cross Country Pick N Wager

Hello Steve,

Thank you for taking my call this afternoon. As I mentioned, NYRA is hosting a Pick 5 wager this Saturday and would like to use two of the Turfway Park races as part of this cross country wager (see races and sequence below). Since we have never participated in this wager with any of our races at Churchill Downs, we'd like to see how this goes as we may want to do the same thing during the 2020 Spring Meet at CDRT.

If I can answer any other questions for you, please do not hesitate to call.

Thank you in advance for your consideration.

Kind Regards,

Patrick

<u>Leg</u>	<u>Track</u>	<u>Race</u>	<u>Post Time</u>	<u>Condition</u>	<u>Field Size</u>
A	Aqueduct	9	5:35	NY Bred Maiden	11
B	Turfway Park	10	5:55	Stake-Bourbonette Oaks	12
C	Oaklawn Park	10	6:23	Stake-Rebel	8
D	Turfway Park	11	6:42	Jeff Ruby Steaks	12
E	Oaklawn	11	6:55	Maiden	12

Patrick Troutman
Vice President
Churchill Downs Incorporated
600 N. Hurstbourne Parkway, Suite 400
Louisville, Kentucky 40222

This Churchill Downs Incorporated communication (including any attachments) is for the use of the intended recipient(s) only and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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March 13, 2020

Attention Daniel "Chip" Bach
Turfway Park
7500 Turfway Road
Florence, KY 41022

RE: Turfway Park participation in Cross Country Pick-5 on Saturday, March 14, 2020

Dear Mr. Bach:

Pursuant to the authority granted the Executive Director by the Kentucky Horse Racing Commission ("KHRC") on October 18, 2011, the request submitted via letter from Patrick Troutman on behalf of Turfway Park and Churchill Downs, Incorporated dated March 12, 2020 to participate in the Cross Country Pick-5 on Saturday, March 14, 2020 is hereby approved.

Please contact Steve May, KHRC Director of Pari-Mutuel Wagering and Compliance, to coordinate the logistical details of the wagering or to relay any changes to the wager format, and do not hesitate to contact me should you have any questions or concerns.

Sincerely,

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

Marc A. Guilfoil
Executive Director
Kentucky Horse Racing Commission

cc: Franklin S. Kling, Kentucky Horse Racing Commission
Jennifer Wolsing, Kentucky Horse Racing Commission
Steve May, Kentucky Horse Racing Commission
Patrick Troutman, Churchill Downs, Inc.
Kevin Flanery, Turfway Park



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
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To: Kentucky Horse Racing Commission

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 3, 2020

Re: Agreement between Keeneland Association and Players Bluegrass Down Regarding Uncashed Pari-Mutuel Wagering Tickets and Vouchers

Upon the 2019 closure of Players Bluegrass Downs (“PBD”) in Paducah, KY, there were a number of outstanding pari-mutuel tickets and vouchers that remained unpaid to wagering patrons. Since PBD utilized the totalizator services of United Tote, which also operates at Churchill Downs, Keeneland, Oak Grove Racing, The Red Mile, and Turfway Park, patrons were instructed to cash the tickets and vouchers at one of those facilities. All outstanding tickets and vouchers continue to be honored, and a standard inter-association cashing and settlement between all Kentucky associations utilizing United Tote continues to function, meaning that the patron does has not been negatively impacted other than the location of the cashing option.

Since PBD operated through October 2019, there are outstanding pari-mutuel wagering tickets that will not expire until October 2020, and then will be part of the statutory unclaimed pari-mutuel ticket plan to fund the Kentucky racing fairs until 2022.

PBD was owned and operated by the Caesars Entertainment Corporation and is currently involved in an acquisition plan by Eldorado Resorts, Inc. Due to this plan, and the fact that PBD is the only Caesars Entertainment operation in Kentucky, Caesars has sought to close all outstanding business in Kentucky. In order to close this outstanding business in Kentucky, Caesars Entertainment Corporation has entered into an agreement with Keeneland Association to handle the settlement of outstanding pari-mutuel wagering tickets and vouchers on behalf of Caesars Entertainment Corporation.

An overview of this agreement is outlined in the letter sent from Tom Griffith, the Finance Representative from Players Bluegrass Downs, was submitted to the Kentucky Horse Racing Commission on March 31, 2020. In summary, Players Bluegrass Downs has sent a check for \$34,114.11 to Keeneland Association for all



outstanding pari-mutuel wagering tickets and vouchers. Keeneland will then use this money to either pay those patrons or will submit the unclaimed pari-mutuel tickets through the statutory process to fund the Kentucky racing fairs.

Patrons will still be able to cash tickets at any of the racetracks listed in Paragraph 1. When this is done, the payment for the cashed wager will be handled by Keeneland Association with the other racing association so that the racing association paying the patron for their winning wager or voucher amount is made whole. This is then handled in an account settlement the same way that other inter-association cashing of tickets is handled. Patrons are also able to submit uncashed pari-mutuel wagering tickets and vouchers by mail to Keeneland for processing.

No action is required by the Kentucky Horse Racing Commission related to this matter, but I did want to provide this explanation to all commissioners and to wagering patrons from Players Bluegrass Downs.





March 31, 2020

Jim Goodman, Director of Wagering Development

Keeneland Association, Inc.

4201 Versailles Road

Lexington, Kentucky 40510

Dear Mr. Goodman,

In response to our conversation and information exchanged with Jeff Murphy from United Tote, all parties appear to agree to a transfer of outstanding tickets and vouchers from Players Bluegrass Downs, LLC to Keeneland Association, Inc. This total liability amount is \$34,114.11 supported by the attached United Tote report. Enclosed is a corresponding check in this amount.

Therefore, this releases Players Bluegrass Down, LLC, Caesars Entertainment Corporation, and their affiliates and subsidiaries of any liability or payments associated with Bluegrass Downs outstanding tickets and vouchers. Going forward, any settlements or payments related to the redeeming of these vouchers will be handled by Keeneland Association, Inc.

If there are any further questions or concerns, please contact me via email or phone (twgriffi@caesars.com 618-638-8514). Thank you.

Sincerely,

Thomas Griffith

Players Bluegrass Downs Finance Representative



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
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To: Kentucky Horse Racing Commission Members

From: Steve May, Director of Pari-Mutuel Wagering and Compliance

Date: April 13, 2020

Re: Turfway Park Request to Offer Wagering on Historical Horse Races at Newport Racing & Gaming

On Friday, March 20, 2020, Executive Director Marc A. Guilfoil approved a request from Turfway Park to extend the Turfway Park racing enclosure to include a facility that will be known as Newport Racing & Gaming ("Newport"). Newport is a facility located at the Newport Shopping Center, 1727 Monmouth Street, Newport, Kentucky. As described in the request, several existing suites within this shopping center would be combined for the Newport facility. A copy of this approval is included with this memorandum.

On April 3, 2020, the Kentucky Horse Racing Commission ("KHRC") received a request from Kevin Flanery, General Manager at Turfway Park, to offer pari-mutuel wagering on historical horse races at Newport. The following is excerpted from the executive summary of the request:

- Applicant (Turfway Park) intends to offer wagering on historical horse races at our Newport Racing & Gaming location in Newport, KY.
- Applicant will initially deploy 500 HHR machines, with multiple different cabinet styles, games and themes, at our Newport Racing & Gaming location; these 500 HHR machines represent a portion of the 2,500 HHR machines previously approved to be deployed by Turfway Park, LLC at the Commission's October 29, 2019 meeting.
- As with other facilities offering wagering on historical horse races in Kentucky, all games not yet approved will be tested by an approved third-party testing laboratory, and will be submitted to the Commission for final approval.
- Applicant will draw upon the expertise of Turfway Park, LLC in operating Turfway Park; Churchill Downs Racetrack, LLC in operating Churchill Downs Racetrack; and Derby City Gaming, LLC in



operating Derby City Gaming; plus its affiliates' experience in operating other racing and gaming facilities, to provide our patrons with a safe, secure and first class wagering and entertainment experience.

- Turfway Park, LLC will construct the simulcasting and HHR facility with state-of-the art gaming machines, simulcasting, and other modern amenities.
- More than 70 new jobs will be created to support Applicant's simulcasting and HHR facility.
- The introduction of wagering on historical horse racing by Applicant will strengthen the horse racing industry in Kentucky and provide additional purse funds to ensure Kentucky thoroughbred racing remains competitive.

810 KAR 1:120 (4) establishes requirements that must be met in order for the KHRC to approve a written request from an association to offer exotic wagering on historical horse races. The written submission must include the following:

- (a) The types, number, and denominations of pari-mutuel wagers to be offered;*
- (b) A detailed description of the rules that apply to the pari-mutuel wager and the method of calculating payouts, including how money will be allocated to the seed pool;*
- (c) The days and hours of operation during which wagering on historical horse races will be offered;*
- (d) A detailed description of the proposed designated area and the terminal or terminals on which the pari-mutuel wagers will be made, including an architect's rendering of the proposed designated area which describes the size, construction, layout, capacity, number of terminals, and location of surveillance and other security equipment, and at least one (1) photograph of the designated area when construction is completed;*
- (e) The practices and procedures that will ensure the security, safety, and comfort of patrons in the designated area;*
- (f) The manufacturer, make, and model of the terminal, including a copy of all literature supplied by the manufacturer of the terminal;*
- (g) The maintenance and repair procedures that will ensure the integrity of the terminals;*
- (h) A complete list of individuals who are authorized to examine and repair the terminals for any reason; and*
- (i) A memorandum outlining the terms of the agreement between the association and either the Kentucky Horsemen's Benevolent and Protective Association or the Kentucky Thoroughbred Association/Kentucky Thoroughbred Owners and Breeders referenced in Section 6(2) of this administrative regulation.*

In evaluating the Newport request, KHRC staff has found the following:

- (a) Pari-mutuel wagering on historical horse racing will occur on wagering terminals described in Section (f) below. Turfway Park is requesting a maximum of 500 terminals at the Newport location, which will be part of the 2,500 terminals that have been approved for operation at Turfway Park. The Newport request does not indicate a change to the denominations offered;*

- (b) The rules that apply to the pari-mutuel wagers and the methods of calculating payouts, including how money will be allocated to the seed pool, were not included, but an explanation that the Newport facility will only use pools that have been approved by the KHRC was included in the request;
- (c) The days and hours of operation during which wagering on historical horse races will be offered at Newport was included;
- (d) A description of the proposed designated area at Newport was included. An architect's rendering of the proposed designated area was included. The required photograph of the designated area when construction is completed has not been included as the designated area has not been constructed;
- (e) An overview of the practices and procedures that will ensure the security, safety, and comfort of patrons in the designated area at Newport was included but, but additional details will need to be submitted to the KHRC practices and procedures at Newport are finalized;
- (f) An overview of the information related to the manufacturer, make, and model of the terminals used for pari-mutuel wagering on historical horse races was provided, but additional details will need to be submitted to the KHRC once the plans are finalized. After that, KHRC staff will review the literature supplied by the manufacturer of the terminal once a final determination of the models that will be used in the designated area is made;
- (g) An overview of the maintenance and repair procedures that will ensure the integrity of the terminals at Newport has been provided, but additional details will need to be submitted to the KHRC once the plans are finalized;
- (h) Since construction has just begun at Newport for pari-mutuel wagering on historical horse races, Turfway Park has not yet hired the full staff of the facility. Turfway Park has provided a list of employment types at Turfway Park and Newport, and the position descriptions are expected to be similar to those descriptions at Derby City Gaming; and
- (i) Turfway Park and the Kentucky Horsemen's Benevolent and Protective Association reached an agreement on revenue derived from historical horse racing operations at Turfway Park on December 16, 2019. This agreement would extend from the pari-mutuel wagering on historical horse races at Turfway Park to the wagering at Newport.

Based on this review of the written request by Turfway Park to offer pari-mutuel wagering on historical horse races at the Newport facility, KHRC staff recommends approval of the request with the following conditions:

1. Notification and KHRC staff approval of any changes to the material submitted in the application material;
2. Approval of any new technology providers used to offer pari-mutuel wagering on historical horse races and associated entertaining game themes or the selection of a KHRC-approved historical horse racing pari-mutuel wagering system and associated entertaining game themes;
3. Final inspection and approval by KHRC staff upon completion of the construction of the Newport designated area, and submission of at least one photograph of the designated area;
4. Final inspection and approval by KHRC staff of the internal control policies and procedures that will ensure the security, safety, and comfort of patrons in the designated area;
5. Final inspection and approval by KHRC staff of the terminals that Newport intends to use to offer wagering on historical horse races;
6. Final inspection and approval by KHRC staff of maintenance and repair procedures that will ensure the integrity of the terminals;

7. Final inspection and approval of a list of the complete list of individuals who are authorized to examine and repair the terminals;
8. Receipt of documents confirming the establishment of a non-refundable trust account used to operate the seed pool(s) for any new historical horse racing pari-mutuel wagering pools operated at Newport;
9. Receipt of a report from an independent, third party testing laboratory confirming that the amount in the non-refundable trust account is sufficient to ensure that the pools operate as designed, and
10. A detailed description of how the pari-mutuel wagering pools will be commingled between the Turfway Park designated area and the Newport designated area.

COMMISSION ACTION

_____ **Approved**

_____ **Denied**

_____ **Deferred**



Kevin Flanery
Turfway Park, LLC
7500 Turfway Road
Florence, KY 41042
kevin.flanery@kyderby.com
Main: 502-636-4400

April 3, 2020

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

RE: Request to the Kentucky Horse Racing Commission (the "Commission") to Offer Exotic Wagers on Historical Horse Races at Newport Racing & Gaming

Dear Mr. Guilfoil:

As you and the Commission are aware, pari-mutuel wagering on historical horse races ("HHR") is classified as an exotic wager. Per 810 KAR 1:120, Section 2 and 810 KAR 1:120, Section 4, Turfway Park, LLC, respectfully requests the Commission's approval of exotic wagers on historical horse races to be offered at our Newport Racing & Gaming location at Newport Shopping Center, 1727 Monmouth St., Newport, KY 41071. Several existing suites within this shopping center will be combined as part of our construction plans, including suites 1719, 1721, 1723 and 1735, while suite 1697-A will serve as administrative office space. Subject to ratification by the Commission at its next meeting, this location has been approved by Commission staff to offer wagering under 810 KAR 2:090E (Temporary Unsuitability of Licensed Premises). In addition to exotic wagers on historical horse racing, we plan to offer simulcast wagering at Newport Racing & Gaming, pursuant to 810 KAR 2:090E and as previously approved at Turfway Park Racetrack, in accordance with KRS Chapter 230 and applicable regulations 810 KAR 1:011 and 810 KAR 1:120.

For reference, we have created the following executive summary. We intend to further refine our plans for our HHR facility, processes, machines and games once we have this initial approval from the Commission, and we will provide supplemental information to the Commission's request and as we continue to draw closer to opening.

Executive Summary:

- Applicant intends to offer wagering on historical horse races at our Newport Racing & Gaming location in Newport, KY.
- Applicant will initially deploy 500 HHR machines, with multiple different cabinet styles, games and themes, at our Newport Racing & Gaming location; these 500 HHR machines represent a portion of the 2,500 HHR machines previously approved to be deployed by Turfway Park, LLC at the Commission's October 29, 2019 meeting.
- As with other facilities offering wagering on historical horse races in Kentucky, all games not yet approved will be tested by an approved third-party testing laboratory, and will be submitted to the Commission for final approval.
- Applicant will draw upon the expertise of Turfway Park, LLC in operating Turfway Park; Churchill Downs Racetrack, LLC in operating Churchill Downs Racetrack; and Derby City Gaming, LLC in operating Derby City Gaming; plus its affiliates' experience in operating other racing and gaming facilities, to provide our patrons with a safe, secure and first class wagering and entertainment experience.
- Turfway Park, LLC will construct the simulcasting and HHR facility with state-of-the art gaming machines, simulcasting, and other modern amenities.
- More than 70 new jobs will be created to support Applicant's simulcasting and HHR facility.
- The introduction of wagering on historical horse racing by Applicant will strengthen the horse racing industry in Kentucky and provide additional purse funds to ensure Kentucky thoroughbred racing remains competitive.

Pursuant to 810 KAR 1:120 § 4(1), prior to accepting exotic wagers on historical horse races, an applicant shall submit a written request with the information listed below. For convenience, we have prepared separate exhibits addressing each one of these topics, and we will supplement our disclosures as additional information becomes known.

- (a) The types, number, and denominations of pari-mutuel wagers to be offered;*
- (b) A detailed description of the rules that apply to the pari-mutuel wager and the method of calculating payouts, including how money will be allocated to the seed pool;*
- (c) The days and hours of operation during which wagering on historical horse races will be offered;*
- (d) A detailed description of the proposed designated area and the terminal or terminals on which the pari-mutuel wagers will be made, including an architect's rendering of the proposed designated area which describes the size, construction, layout, capacity, number of terminals, and location of surveillance and other security equipment, and at least one (1) photograph of the designated area when construction is completed;*

- (e) *The practices and procedures that will ensure the security, safety, and comfort of patrons in the designated area;*
- (f) *The manufacturer, make, and model of the terminal, including a copy of all literature supplied by the manufacturer of the terminal;*
- (g) *The maintenance and repair procedures that will ensure the integrity of the terminals;*
- (h) *A complete list of individuals who are authorized to examine and repair the terminals for any reason; and*
- (i) *A memorandum outlining the terms of the agreement between the association and either the Kentucky Horsemen's Benevolent and Protective Association or the Kentucky Thoroughbred Association/Kentucky Thoroughbred Owners and Breeders referenced in Section 6(2) of this administrative regulation.*

The enclosed information is submitted in accordance with the Kentucky Revised Statutes and Kentucky Administrative Regulations, and the financial and business information contained herein is confidential, proprietary and exempt from disclosure under the Open Records Act, KRS 61.878(c).

For the reasons set forth herein, Applicant believes that it has satisfied the requirements for approval of its request to offer exotic wagers on historical horse races, and respectfully requests the Commission's approval.

Sincerely,

A handwritten signature in black ink that reads "Kevin Flanery". The signature is written in a cursive style with a large, sweeping flourish at the end.

Kevin Flanery
President – Turfway Park, LLC

cc: Mike Ziegler – Executive Director of Racing, Churchill Downs
Chip Bach – General Manager, Turfway Park, LLC

Enclosures

REQUEST TO OFFER EXOTIC WAGERS ON
HISTORICAL HORSE RACES AT NEWPORT RACING & GAMING
ADDITIONAL DOCUMENTATION

SECTION A - Types, Number, and Denominations of Pari-Mutuel Wager to be offered

Applicant plans to utilize a variety of games, all based on the outcome of historical horse races. We are planning to open our HHR facility with 500 machines. These machines will be offered in at least five different cabinet styles and at least four different denominations. The exact mix has not been finalized, but Applicant expects that all machines and games put in operation at the Newport Racing & Gaming facility as of its opening date will operate on the previously-approved Ainsworth historical horse racing system. As with the HHR games currently in operation at other Kentucky facilities, all games will be tested by an independent testing laboratory and approved by the Kentucky Horse Racing Commission prior to installation and operation.



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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

To: Kentucky Horse Racing Commission
From: Jennifer Wolsing, General Counsel
Date: April 7, 2020
Re: *Jamgotchian v. Kentucky Horse Racing Commission*, Franklin Circuit Court No. 19-CI-1041

Litigation ensued after the Commission denied Mr. Jamgotchian’s license under 810 KAR 3:020 Section 12(3). That decision was based on his failure to satisfy a domesticated California judgment against him for \$538,154.00, which was owed to Linley Investments.

On or about February 18, 2020, the Commission determined that it would require Mr. Jamgotchian to submit evidence of fiscal responsibility, as allowed under 810 KAR 3:020 Section 12(4). Mr. Jamgotchian timely submitted documents pursuant to the Commission’s request. Shortly thereafter, the Commission ran a credit check on Mr. Jamgotchian. Mr. Jamgotchian agreed to this background check on or about January 27, 2020, when he applied for an owners’ license with the Commission. See Jan. 27, 2020 Jerry Jamgotchian application at 2.

Mr. Jamgotchian’s credit check did not reveal any final judgments rendered against him by a Kentucky court or any domesticated judgments from another jurisdiction regarding “goods, supplies, services, or fees used in the course of any occupation for which a license is required” by 810 KAR 3:020. Therefore, there was no evidence that Mr. Jamgotchian currently lacks financial responsibility.

As a result, the Commission issued a license to Mr. Jamgotchian on or about March 4, 2020 through the typical process. Specifically, Marc Guilfoil directed the licensing staff to issue an ordinary license to Mr. Jamgotchian. I advised each Commissioner of that action on that date.

The Commission is now asked to ratify that decision.

COMMISSION ACTION:

_____ Approved
_____ Denied
_____ Deferred



ANDY BESHEAR
GOVERNOR

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To: Kentucky Horse Racing Commission, Race Dates Committee
From: Jennifer Wolsing, General Counsel
Date: April 20, 2020
Re: Discussion of 2020 Race Dates and Recommendations for Racing Calendar

The Commission has legal authority to approve the proposed September 2020 race date swap between Kentucky Downs and Churchill Downs. The Commission also has the legal authority to approve the proposed September 2020 host track date swaps among Kentucky Downs, Ellis Park, and Churchill Downs.

As you know, Churchill Downs shifted five optional days from the Spring 2020 meet to five dates in September: specifically, September 1 through 5. There were conflicts with both Ellis Park and Kentucky Downs, so an agreement was made that would benefit all parties involved. The Commission met on March 19 in a special session and approved Churchill Downs' proposed shift.

There were two trades made that were not properly documented at the March 19 special session meeting:

- First, Ellis Park is currently the host track on September 7, 2020. Kentucky Downs and Ellis Park have agreed to share hosting duties on that date.
- Second, Churchill Downs is currently the host track on September 16. Churchill Downs and Kentucky Downs have agreed that Kentucky Downs will be the host track on September 16.

I conducted a thorough review of Kentucky statutes and regulations. I also checked Kentucky Attorney General opinions, Kentucky court cases, and even the Kentucky Constitution. I could find nothing prohibiting the Commission from allowing tracks to change host track duty dates, as per a joint agreement.

KRS 230.377 states that the Commission shall meet and award intertrack wagering dates to all tracks for the entire succeeding calendar year. Nothing states that the Commission may not amend that award, particularly when, as here: all parties agree to the amendment, the proposed host track dates match the proposed live racing dates (as per our customary practice), and the Commonwealth is in a state of emergency.

My recommendation is that the Race Dates Committee may approve the host track duty agreement among Ellis Park, Churchill Downs, and Kentucky Downs, and recommend that agreement to the full Commission.

COMMITTEE ACTION:

_____	Approved
_____	Denied
_____	Deferred

September 2020

August '20							October '20						
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 Churchill Downs	2 Churchill Downs	3 Churchill Downs	4 Churchill Downs	5 Churchill Downs
		The Red Mile			Oaks Day	KY Derby Day
6	7 * Kentucky Downs	8	9 Kentucky Downs	10 Kentucky Downs	11	12 Kentucky Downs
The Red Mile	The Red Mile Labor Day	The Red Mile				
13 Kentucky Downs	14	15	16 Kentucky Downs	17 Churchill Downs	18 Churchill Downs	19 Churchill Downs
The Red Mile	The Red Mile	The Red Mile				
20 Churchill Downs	21	22	23 Churchill Downs	24 Churchill Downs	25 Churchill Downs	26 Churchill Downs
The Red Mile	The Red Mile	The Red Mile				
27 Churchill Downs	28	29	30	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> <p><small>* Simulcast host fees for Monday 9/7 will be split 50-50 between Ellis Park and Kentucky Downs</small></p>				



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

To: Kentucky Horse Racing Commission
From: Marc Guilfoil, Executive Director
Date: April 14, 2020
Re: Approval of Churchill Downs, Inc.'s proposed alternate facility at Newport Shopping Center

On Tuesday, March 19, 2020, the Kentucky Horse Racing Commission approved 810 KAR 2:090E, an emergency regulation relating to the temporary unsuitability of licensed premises. ON that same date, the Commission also validly delegated its authority to Executive Director Marc Guilfoil to approve Churchill Downs, Inc.'s proposed alternate facility at Newport Shopping Center.

The next day, March 20, Governor Andy Beshear approved and signed 810 KAR 2:090E. The emergency regulation was filed with the Legislative Research Commission on the same day.

Pursuant to 810 KAR 2:090E and the Commission's delegation of authority, Mr. Guilfoil approved Churchill Down's, Inc.'s proposed alternate facility, which is set for construction in the Newport Shopping Center. Mr. Guilfoil found numerous facts in rendering his decision, which are set forth in the attached Memorandum of Approval.

The Commission retains the power to withdraw its delegation of authority. Specifically, the Commission is now asked to ratify Mr. Guilfoil's decision.

COMMISSION ACTION:

_____ Approved
_____ Denied
_____ Deferred

Memorandum of Approval

To: Kevin Flannery, Churchill Downs Racing President
Kentucky Horse Racing Commission Members
Cc: KHRC General Counsel Jennifer Wolsing
From: KHRC Executive Director Marc A. Guilfoil
Date: Friday, March 20, 2020
Re: Approval of Churchill Down, Inc.'s proposed track extension at Newport Shopping Center

On Thursday, March 19, 2020, the Kentucky Horse Racing Commission approved 810 KAR 2:090E, an emergency regulation relating to the Temporary Unsuitability of Licensed Premises. On that same date, the Commission also validly delegated its authority to me to approve Churchill Downs, Inc.'s proposed alternate facility at Newport Shopping Center.

Subsequently, on Friday, March 20, 2020, Governor Andy Beshear approved and signed 810 KAR 2:090E. The emergency regulation was filed with the Legislative Research Commission on the same day.

Pursuant to 810 KAR 2:090E and the Commission's delegation of authority, I hereby approve Churchill Downs, Inc.'s proposed alternate facility, which is set for construction at the Newport Shopping Center.

I have found at least the following facts in rendering my decision:

1. Due to the demolition and renovation of Turfway Park's grandstand, the racing association will be unsuitable for its intended use for approximately eighteen (18) months: from April 2020 through Summer 2021.
2. The proposed alternate facility is within a sixty (60) mile radius of Turfway.
3. The proposed alternate facility is not contiguous to Turfway.
4. The proposed alternate facility is not within sixty (60) miles of another Kentucky racing association's licensed premises where racing is conducted, nor is it within forty (40) miles of a Kentucky simulcast facility.
5. The proposed alternate facility will begin generating much-needed purses for Turfway Park's 2020-21 race meet and will also begin to generate tax revenue for the Commonwealth and industry-related funds.
6. The proposed alternate facility will create job opportunities for Turfway workers who otherwise would have been laid off during the demotion and renovation period. It is anticipated that approximately seventy-two (72) workers will retain their employment.

Please be advised that the Commission retains the power to withdraw its delegation of authority. Specifically, the Commission will determine whether to ratify my decision at its upcoming April 21, 2020 regular meeting.

3/20/2020
Date


KHRC Executive Director Marc A. Guilfoil



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

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

TO: Kentucky Horse Racing Commission members

FROM: Bruce A. Howard, DVM

DATE: April 9, 2020

SUBJECT: Approval of changes of Withdrawal Guidelines KHRC 8-020-2

The KHRC Withdrawal Guidelines have been revised to bring them into compliance with the regulation changes regarding medications which were approved at December 9, 2019 KHRC meeting.

Thresholds and withdrawals have been modified to be in-line with RMTC and EHSLC (European Horserace Scientific Liason Committee) research and guidance.

The staff at the KHRC recommends approval.

KHRC Action:

_____ **Approved**
_____ **Deferred**
_____ **Denied**



**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 14 days prior to the scheduled post time of the race in which the horse is to compete as long as its use follows the general notice on page 1 of these withdrawal guidelines:

- 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	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 elected NSAID then 7 days.***	4.4 mg/kg IV

	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 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 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 <u>of procaine</u> 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.

SENATE MEMBERS

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David Givens
President Pro Tempore
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LEGISLATIVE RESEARCH COMMISSION

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Majority Whip
Angie Hatton
Minority Whip

MEMORANDUM

TO: Jennifer Wolsing, General Counsel
Horse Racing Commission

FROM: Emily Caudill, Regulations Compiler

RE: Proposed Amendment or New Regulation – 810 KAR 008:020

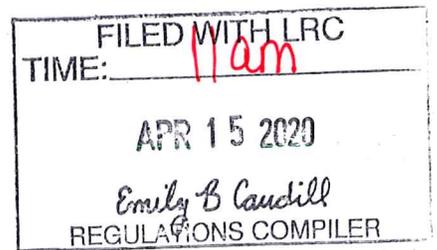
DATE: April 15, 2020

A copy of the administrative regulation listed above is enclosed for your files. This regulation is **tentatively** scheduled for review by the Administrative Regulation Review Subcommittee at its **July 2020** meeting. We will notify you of the date and time of this meeting once it has been scheduled.

Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration or a one-month extension request for this regulation is due **by noon on July 15, 2020**. Please reference KRS 13A.270 and 13A.280 for other requirements relating to the public hearing and public comment period and Statements of Consideration.

If you have questions, please contact us at RegsCompiler@LRC.ky.gov or (502) 564-8100.

Enclosures



1 PUBLIC PROTECTION CABINET

2 Kentucky Horse Racing Commission

3 (Amendment)

4 810 KAR 8:020. Drug, medication, and substance classification schedule and withdrawal
5 guidelines.

6 RELATES TO: KRS 230.215, 230.225, 230.240, 230.260, 230.265, 230.290, 230.320,
7 230.370

8 STATUTORY AUTHORITY: KRS 230.215(2), 230.225, 230.240(2), 230.260, 230.320,
9 230.370

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) authorizes the
11 Kentucky Horse Racing Commission to promulgate administrative regulations prescribing
12 conditions under which all legitimate horse racing and wagering thereon is conducted in Kentucky.
13 KRS 230.240(2) requires the commission to promulgate administrative regulations restricting or
14 prohibiting the administration of drugs or stimulants or other improper acts to horses prior to the
15 horse participating in a race. This administrative regulation establishes the drug classification
16 schedule in effect in Kentucky and the withdrawal guidelines for permitted drugs, medications,
17 and substances that may be administered to race horses competing in Kentucky.

18 Section 1. The Kentucky Horse Racing Commission Uniform Drug, Medication, and
19 Substance Classification Schedule, KHRC 8-020-1, shall establish the respective classifications of
20 all substances contained therein. The Kentucky Horse Racing Commission Withdrawal Guidelines
21 Thoroughbred; Standardbred; Quarter Horse, Appaloosa, and Arabian, KHRC 8-020-2, shall

1 provide certain mandatory treatment requirements and guidance and advice on withdrawal
2 intervals as contained therein.

3 Section 2. Incorporation by Reference.

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

5 (a) "Kentucky Horse Racing Commission Uniform Drug, Medication, and Substance
6 Classification Schedule", KHRC 8-020-1, 11/2018; and

7 (b) "Kentucky Horse Racing Commission Withdrawal Guidelines Thoroughbred;
8 Standardbred; Quarter Horse, Appaloosa, and Arabian", KHRC 8-020-2, 04/2020[~~11/2018~~].

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

810 KAR 8:020
READ AND APPROVED:

Franklin S. Kling Jr 4/11/20

Franklin S. Kling, Jr.

Date

Chairman, Kentucky Horse Racing Commission

Kerry B. Harvey signed by Jennifer 04/14/2020
Welshing w/ permission

Kerry B. Harvey

Date

Secretary, Public Protection Cabinet

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held at 9:00 AM on June 22, 2020 at 4063 Iron Works Parkway, Building B, Lexington KY 40511. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on June 30, 2020. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Jennifer Wolsing

Title: General Counsel

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

Phone: +1 (859) 246-2040

Fax: +1 (859) 246-2039

Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 810 KAR 8:020
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This regulation sets a medication classification schedule, as well as recommended medication withdrawal guidelines. It also sets mandatory medication threshold levels associated with those withdrawal guidelines.

(b) The necessity of this administrative regulation: This regulation is necessary to clearly establish requirements and prohibitions concerning the use of medications before and during race meetings.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 230.215(2) authorizes the Kentucky Horse Racing Commission to promulgate administrative regulations prescribing conditions under which all legitimate horse racing and wagering thereon is conducted in Kentucky. KRS 230.240(2) requires the commission to promulgate administrative regulations restricting or prohibiting the administration of drugs or stimulants or other improper acts to horses prior to the horse participating in a race. This administrative regulation establishes the drug classification schedule in effect in Kentucky, as well as the withdrawal guidelines and maximum thresholds for permitted drugs, medications, and substances that may be administered to race horses competing in Kentucky.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation ensures that medications are used appropriately on and before racing dates, and in a manner that is consistent with the integrity of racing.

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

(a) How the amendment will change this existing administrative regulation: This amendment updates the regulation's incorporated material: "Kentucky Horse Racing Commission Withdrawal Guidelines Thoroughbred; Standard-bred; Quarter Horse, Appaloosa, and Arabian", KHRC 8-020-2 ("Withdrawal Guidelines and Available Threshold Levels"). If this amendment is approved, the Withdrawal Guidelines and Available Threshold Levels will be brought into agreement with the regulation changes regarding medication, which were approved at the December 9, 2019 Kentucky Horse Racing Commission meeting. Specifically, this regulation will match the proposed changes to 810 KAR 8:010. It will also come in line with research and guidelines established by the Racing Medication and Testing Consortium ("RMTC") and the European Horserace Scientific Liason Committee ("EHSLC").

(b) The necessity of the amendment to this administrative regulation: First, this amendment is necessary to conform to an emerging industry consensus about proper medication usage in horse racing. Additionally, the incorporated Withdrawal Guidelines and Available Threshold Levels currently do not match the proposed changes in 810 KAR 8:010. This incorporated document must be amended to ensure regulatory and enforcement consistency regarding medication safety violations.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 230.215(2) and 230.260(8) authorize the commission to promulgate administrative regulations prescribing the conditions under which racing shall be conducted in Kentucky. KRS 230.240(2) authorizes the commission to promulgate administrative regulations restricting or prohibiting the use and administration of drugs or stimulants or other improper acts to horses prior to horses participating in a race. The amendment to this administrative regulation establishes additional requirements, prohibitions, and procedures pertaining to the use of medications on and leading up to racing days during horse race meetings in Kentucky.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in the effective administration of KRS 230.215(2), 230.260(8), KRS 230.240(2) by establishing appropriate requirements and prohibitions pertaining to the use of medications in horse racing in Kentucky.

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

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

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: Participants in horse racing, and especially owners, trainers and veterinarians, will be required to adhere to the requirements and rules set forth in the Withdrawal Guidelines and Available Threshold Levels, which pertain to the use of medications in horse racing. Trainers, owners, and veterinarians will have to alter their medication administration practices to comply with the amendments to this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: No new costs are anticipated to comply with this administrative regulation, as Kentucky's licensees have operated in accordance with similar requirements for many years.

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

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

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

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

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Kentucky's racing associations are required by KRS 230.240(2) to pay for the cost of testing for prohibited medications. The Kentucky Horse Racing Commission covers other costs of implementing and enforcing this administrative regulation.

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

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

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

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 810 KAR 8:020
Contact Person: Jennifer Wolsing
Phone: +1 (859) 246-2040
Email: jennifer.wolsing@ky.gov

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

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 230.215, 230.225, 230.240, 230.260, KRS 230.290, KRS 230.300.

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

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

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

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

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

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

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None.

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

Summary of Amendments to Material Incorporated by Reference (1) The “Kentucky Horse Racing Commission Withdrawal Guidelines Thoroughbred; Standardbred; Quarter Horse; Appaloosa; and Arabian,” KHRC 8-020-2 (04/2020) is the thirteen (13) page form that provides certain mandatory treatment requirements and guidance and advice on withdrawal intervals as contained therein and provides guidance to licensees regarding the regulated administration of certain medications and other substances prior to a horse competing in a race in Kentucky. The amendments incorporate the national uniform medication policy as recommended by the Racing Medication Testing Consortium and the Association of Racing Commissioners International.



ANDY BESHEAR
GOVERNOR

KERRY B. HARVEY
SECRETARY

FRANKLIN S. KLING, JR.
CHAIRMAN

MARC A. GUILFOIL
EXECUTIVE DIRECTOR

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

TO: KENTUCKY HORSE RACING COMMISSION

FROM: Barbara Borden, Chief State Steward

DATE: April 6, 2020

RE: ELLIS PARK'S PROPOSED 2020 SUMMER MEET RACE OFFICIALS & DATE PREFERENCE SYSTEM

By a letter dated April 2, 2020, Daniel P Bork, Ellis Park Racing Secretary, requests approval of the attached Roster of Racing Officials and Date Preference System for their 2020 Summer Meet. Please be advised all Stewards have been accredited by ROAP (Racing Officials Accreditation Program) and all officials will be licensed by the meet opening.

Approval is recommended.

COMMISSION ACTION:

_____ Approved

_____ Deferred

_____ Denied





Thursday, April 2, 2020

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

Mr. Marc Guilfoil,

Ellis Park requests approval for the following Racing Officials for the upcoming 2020 Thoroughbred Race Meet. We have also included a copy of our date preference system that will be utilized.

Daniel Bork – Racing Secretary
Tia Murphy – Assistant Racing Secretary
Tyler Pickelsimer – Steward
Darrell Foster – Clerk of Scales
Scott Jordan - Starter
Beth Bungert – Placing Judge
Ed Vomacka – Placing Judge
Melinda Vest – Horse I.D.
Billy Pettingel – Clocker
Baley Hare – Program Coordinator/Claims Clerk
Tim Richardson-Placing Judge
Lauren Cannon– Paddock Judge
John Wells – Outrider
TBD - Outrider
TBD - Outrider
Carol Renn – Horsemen’s Bookkeeper
Ron Patterson – Security Manager
Announcer – Jimmy McNerney
James Gloria- Stall Manager
Mutuels Manager – Sherri Romero
Timer – American Teletimer

Respectfully Submitted,
Daniel P. Bork – Racing Secretary

DATE PREFERENCE SYSTEM

The Date System of preference will be used at Ellis Park as described below:

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

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

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

E-Date

This date will correspond to:

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

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

R-Date

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

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

9. A horse which has been placed on a list (veterinarian, steward, starter or paddock judge) will lose their date and be assigned an R-Date corresponding to the day removed from list..
10. A horse which is a scheduled starter in a cancelled race will not receive an R-Date for that race but will retain its previous date.
11. The draw of stakes and handicap race is not subject to date preference.
12. Preference dates are transferred through change of ownership and changes in trainer after the proper transfer procedure have been completed through the Steward's office and delivered to the Racing Secretary's office.
13. Date preference rules will not supersede KHRA rules regarding preference, eligibility or scratches.
14. Winners will be preferred in all non maiden races.

2020 THOROUGHBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG CLASS	PENALTY OR ACTION	FINE	STATUS
20-0009	1/31/2020	1/25/2020	Abel Lezcano	Careless riding		Suspended 3 days February 8, February 13 and February 14, 2020		APPEALED
20-0010	2/14/2020	11/23/2019	Diane Connell (owner)	Levamisole #E356583	B	STREET DAZZLE disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed
20-0011	2/22/2020	1/30/2020	Susan L. Anderson	Omeprazole #E360934	D	Fined	\$ 250	Paid
20-0012	2/27/2020	11/30/2019	Brad M. Kelley (owner)	Levamisole #E356583	B	BLACKBERRY WINE disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed
20-0013	2/27/2020	11/30/2019	w. Bruce Lunsford (owner)	Levamisole #E357065	B	ART COLLECTOR disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed
20-0014	2/28/2020	11/6/2019	Jacob J. Radosevich	Provided documentation of the disposition of criminal case		Restored to good standing		License issued
20-0015	3/4/2020	2/28/2020	Odhair Mayta	Careless riding		Suspended 3 days March 7, March 12 and March 13, 2020		Suspension served

2020 THOROUGHBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG CLASS	PENALTY OR ACTION	FINE	STATUS
20-0016	3/4/2020	3/2/2020	Odhair Mayta	Formal ejection from a location under the jurisdiction of the KHRC - The Thoroughbred Center		Suspended pending appearance		Current suspension
20-0017	3/13/2020	2/22/2015	Edward H. Frederick and (owner) Stephen R. Baker	Opinion and Order of the Franklin Circuit Court upheld KHRC Final Order #KHRC-15-TB-005	B	Edward H. Frederick fined and suspended 135 days (April 6 through August 18, 2020) and NIGHT LEAGUE DQ'd (Turfway Park February 22, 2015)	\$ 500	Current suspension and DQ and purse redistribution completed - Fine Not Paid
20-0018	3/14/2020	1/1/2020	Rey Hernandez	Dexamethasone #E360689	C	Fined	\$ 500	Paid
20-0019	3/14/2020	1/1/2020	Rey Hernandez (owner)	Dexamethasone #E360689	C	Blue Mesa disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed
20-0020	3/25/2020	4/24/2015	H. Graham Motion and (owner) George Strawbridge, Jr.	Opinion of Court of Appeals' affirmed KHRC Final Order #KHRC-15-TB-011	C	H. Graham Motion fined and KITTEN'S POINT DQ'd (Keeneland April 24, 2015)	\$ 500	DQ and purse redistribution completed - Fine Not Paid
20-0021	3/28/2020	3/12/2020	Steven F. Cahill	Ketoprofen #E362658	C	Warning letter		Warning letter issued
20-0022	4/3/2020	3/13/2020	Danny W. Turner	Gabapentin #E370754	B	Suspended 30 days, 15 to be served April 4 through April 18, 2020 (inclusive). (Remaining 15 days stayed pending no further medication violation in 365 days)	\$ 500	Suspension served Not Paid Fine

2020 THOROUGHBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	DRUG CLASS	PENALTY OR ACTION	FINE	STATUS
20-0023	4/3/2020	3/13/2020	Leslie A. Ritchie (owner)	Gabapentin #E370754	B	Fides Ratio (FR) disqualified and purse redistributed. All purse monies must be returned to the association.		DQ and purse redistribution completed

2020 TB RULINGS LIST BY CATEGORY (Through April 10, 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	0	0	0	0	0	
Class B	1	1	1	1	0	Gabapentin
Class C	4	3	0	3	0	Naproxen, Dexamethasone, Ketoprofen (warning letter)
Class D	1	1	0	0	0	Omeprazole
NSAIDS	2	2	0	0	0	Phenylbutazone
Multiple NSAIDS	0	0	0	0	0	
TCO2	0	0	0	0	0	
Subtotal	<u>8</u>	(total \$3,750)				

NON-MEDICATION VIOLATIONS

Jockey Violations

Careless Riding	3	0	3	0	1	Routine riding offenses
Overly Aggressive Riding	0	0	0	0	0	
Other Disciplinary Violations	0	0	0	0	0	
Subtotal	<u>3</u>	(total \$0)				

Other Licensee Violations

Misc. violations by licensees	0	0	0	0	0	
Disorderly conduct and formal ejections	1	0	1	0	0	Formal ejection from TTC
Suspended for non payment of fines	0	0	0	0	0	
Subtotal	<u>1</u>	(total \$0)				

Other Rulings Issued 11 0 0 0 0 The remaining 11 rulings that have been issued in 2020 are for information only and include purse redistributions and penalty applied after withdrawal of appeal, restored to good standing and Court Order affirming KHRC Final Order.

TOTAL 2020 RULINGS 23 \$3,750

2020 STANDARD BRED 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			



RULING

Kentucky Horse Racing Commission

NAME: Nick Surick
ADDRESS: [REDACTED]

USTA No: 296J29
YEAR OF BIRTH: 1988
STATE LIC ID: 464732
RULING NO.: J2020-001

USTA REF #: 1-6W8H-5213 **ACTION DATE:** 3/14/2020 **INFRACTION DATE:** 3/9/2020

REASON CODE: IRV6 **STATE:** KY - US **RACE NO:** **FINISH:**

Conduct detrimental to the best interest of horse racing

HORSE:

PHARMACEUTICALS

PENALTY DESCRIPTION

ADDITIONAL INFORMATION

801 KAR 3:020 Sec. 15(1)(c), (d): The Chief Racing Steward may revoke a license in accordance with KRS 230.320(1) if a licensee has pending criminal charges or is criminally charged during the licensing period in any jurisdiction, or if the licensee has had a license issued by the legally constituted racing or gaming commission of a state denied, suspended, or revoked. Nick Surick was indicted on 03/09/2020 for 2 counts of drug alteration and misbranding conspiracy and 2 counts of obstruction of justice. His license was revoked by Ohio, Penn., and Del. during Mar. 2020. Any future occupational license that Nick Surick applies for from the KHRC will be sent to the License Review Committee.

03/19/2020 _____
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Presiding Judge

Copy: USTA
 RCI
 KHRC
 Judges/Stewards
 Nick Surick

KHRC Veterinary Report

Turfway Park Spring Meet 2020

Total Starts	2897
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Post Race Samples	664
tCO ₂	398

Veterinary Scratches	52
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Pre-Race	27
On-Track	25
Soundness related	11
Gate/paddock Injury	14

KHRC Veterinary List	63
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Scratches	52
Race Injuries/post race lame/test barn lame	9
EIPH	2
Heat distress	0

Claimed horses	76
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Voided Claims	4
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Ambulance Runs	8
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Racing Fatalities	5
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musculo-skeletal	2
paddock flip	1
gate accident	1
sudden death	1

Training Fatalities	4
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musculo-skeletal	3
sudden death	1

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	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Starts (Equibase)	Fatalities per 1,000 starts
	Non-musculoskeletal: EIPH, Sudden Death, Racing Accident															
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	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Starts (Equibase)	Fatalities per 1,000 starts
	Non-musculoskeletal: EIPH, Sudden Death, Racing Accident															
2020	Musculoskeletal	1	0	1										2	2,897	0.69
	Non-musculoskeletal	0	0	3										3		1.04
	TOTAL	1	0	4										5		1.73

Kentucky Pari-Mutuel Excise Tax and BIF by Source, FY 2020 (Through March 31, 2020)

Racetrack/ADW	Thoroughbred Development Fund		Standardbred Development Fund		QH/Other Development Fund		Equine Industry Program		Equine Drug Research		Higher Education Fund		Backside Improvement Fund		ADW Host Track Allocation		ADW Purse Allocation		Kentucky General Fund		Total Excise Tax and BIF FY-20		
	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	% of Fund Total	FY-20	Total Excise Tax	
Live	\$275,110	1.7%	\$16,039	0.9%			\$75,929	9.9%	\$37,964	8.8%	\$37,964	8.8%	\$183,407	100.0%					\$129,668	0.9%	\$756,082	2.2%	
Blue Grass Downs			\$74	0.0%			\$12	0.0%	\$6	0.0%	\$6	0.0%							\$6	0.0%	\$104	0.0%	
Churchill Downs	\$81,124	0.5%					\$21,633	2.8%	\$10,817	2.5%	\$10,817	2.5%	\$54,083	29.5%					\$37,858	0.3%	\$216,331	0.6%	
Ellis Park	\$29,592	0.2%					\$7,891	1.0%	\$3,946	0.9%	\$3,946	0.9%	\$19,728	10.8%					\$13,810	0.1%	\$78,912	0.2%	
Keeneland	\$129,906	0.8%					\$34,642	4.5%	\$17,321	4.0%	\$17,321	4.0%	\$86,604	47.2%					\$60,623	0.4%	\$346,417	1.0%	
Kentucky Downs	\$12,256	0.1%					\$3,268	0.4%	\$1,634	0.4%	\$1,634	0.4%	\$8,170	4.5%					\$5,719	0.0%	\$32,681	0.1%	
Oak Grove Racing			\$530	0.0%			\$85	0.0%	\$42	0.0%	\$42	0.0%							\$42	0.0%	\$742	0.0%	
The Red Mile			\$15,435	0.9%			\$2,470	0.3%	\$1,235	0.3%	\$1,235	0.3%							\$1,235	0.0%	\$21,609	0.1%	
Turfway Park	\$22,232	0.1%					\$5,929	0.8%	\$2,964	0.7%	\$2,964	0.7%	\$14,821	8.1%					\$10,375	0.1%	\$59,286	0.2%	
Simulcast	\$1,447,871	9.1%	\$35,078	2.1%	\$6,970	100.0%	\$37,248	4.9%	\$74,496	17.2%	\$74,496	17.2%							\$558,720	3.9%	\$2,234,878	6.5%	
Blue Grass Downs			\$2,400	0.1%	\$1,799	25.8%	\$10,062	1.3%	\$20,125	4.7%	\$20,125	4.7%							\$150,936	1.0%	\$603,744	1.7%	
Churchill Downs	\$398,296	2.5%					\$5,340	0.7%	\$10,681	2.5%	\$10,681	2.5%							\$80,105	0.6%	\$320,419	0.9%	
Ellis Park	\$196,838	1.2%	\$16,759	1.0%	\$16	0.2%	\$12,079	1.6%	\$24,158	5.6%	\$24,158	5.6%							\$181,189	1.3%	\$724,754	2.1%	
Keeneland	\$482,104	3.0%			\$3,268	46.9%	\$4,313	0.6%	\$8,627	2.0%	\$8,627	2.0%							\$64,701	0.4%	\$258,803	0.7%	
Kentucky Downs	\$158,599	1.0%	\$10,668	0.6%																			
Oak Grove Racing																							
The Red Mile																							
Turfway Park	\$212,034	1.3%	\$5,251	0.3%	\$821	11.8%	\$5,453	0.7%	\$10,905	2.5%	\$10,905	2.5%							\$81,790	0.6%	\$327,159	0.9%	
ADW														\$367,444	100.0%	\$367,444	100.0%			\$129,686	0.9%	\$864,575	2.5%
AmWest Entertainment														\$1,223	0.3%	\$1,223	0.3%			\$432	0.0%	\$2,877	0.0%
eBet														\$1,129	0.3%	\$1,129	0.3%			\$398	0.0%	\$2,656	0.0%
Lien Games														\$268	0.1%	\$268	0.1%			\$95	0.0%	\$631	0.0%
NYRAbets														\$7,817	2.1%	\$7,817	2.1%			\$2,759	0.0%	\$18,393	0.1%
TVG														\$121,644	33.1%	\$121,644	33.1%			\$42,933	0.3%	\$286,222	0.8%
TwinSpires														\$190,017	51.7%	\$190,017	51.7%			\$67,065	0.5%	\$447,099	1.3%
Watch And Wager														\$594	0.2%	\$594	0.2%			\$210	0.0%	\$1,398	0.0%
XpressBet														\$44,752	12.2%	\$44,752	12.2%			\$15,795	0.1%	\$105,298	0.3%
HHR	\$14,113,006	89.1%	\$1,656,296	97.0%			\$650,000	85.2%	\$320,000	74.0%	\$320,000	74.0%							\$13,651,154	94.3%	\$30,710,456	88.8%	
Derby City Gaming	\$6,501,113	41.1%					\$271,057	35.5%	\$133,443	30.9%	\$133,443	30.9%							\$5,963,169	41.2%	\$13,002,225	37.6%	
Ellis Park	\$652,210	4.1%					\$28,250	3.7%	\$13,908	3.2%	\$13,908	3.2%							\$596,145	4.1%	\$1,304,420	3.8%	
Keeneland/Red Mile	\$1,242,222	7.8%	\$1,656,296	97.0%			\$93,004	12.2%	\$45,787	10.6%	\$45,787	10.6%							\$1,885,792	13.0%	\$4,968,887	14.4%	
Kentucky Downs	\$5,717,462	36.1%					\$257,689	33.8%	\$126,862	29.3%	\$126,862	29.3%							\$5,206,048	36.0%	\$11,434,923	33.1%	
Grand Total	\$15,835,987	100.0%	\$1,707,413	100.0%	\$6,970	100.0%	\$763,177	100.0%	\$432,460	100.0%	\$432,460	100.0%	\$183,407	100.0%	\$367,444	100.0%	\$367,444	100.0%	\$14,469,228	100.0%	\$34,565,990	100.0%	



Kentucky Handle and Excise Tax Report for March, 2020

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Live Racing Dates	9	14	-35.7%	189	172	9.9%
On-Track Live Handle	\$ 247,993	\$ 1,170,072	-78.8%	\$ 37,964,470	\$ 36,948,924	2.7%
On-Track Simulcast Handle	\$ 4,376,710	\$ 12,108,118	-63.9%	\$ 89,782,046	\$ 99,884,906	-10.1%
Kentucky Resident ADW Handle	\$ 21,618,161	\$ 16,449,746	31.4%	\$ 172,915,005	\$ 155,717,683	11.0%
Historical Horse Racing Handle	\$ 132,401,726	\$ 234,015,320	-43.4%	\$ 2,047,363,706	\$ 1,382,239,780	48.1%
Total Taxable Handle	\$ 158,644,590	\$ 263,743,257	-39.8%	\$ 2,348,025,226	\$ 1,674,791,293	40.2%
TB Development Fund	\$ 989,304	\$ 1,833,697	-46.0%	\$ 15,835,987	\$ 11,371,197	39.3%
SB Development Fund	\$ 105,458	\$ 173,696	-39.3%	\$ 1,707,413	\$ 1,217,470	40.2%
QH/Arabian Development Fund	\$ 470	\$ 1,520	-69.1%	\$ 6,970	\$ 10,977	-36.5%
Backside Improvement Fund	\$ 1,240	\$ 5,850	-78.8%	\$ 183,407	\$ 177,800	3.2%
Equine Industry Program	\$ 2,358	\$ 7,409	-68.2%	\$ 763,177	\$ 765,371	-0.3%
Equine Drug Research	\$ 3,972	\$ 11,307	-64.9%	\$ 432,460	\$ 439,896	-1.7%
Higher Education Fund	\$ 3,972	\$ 11,307	-64.9%	\$ 432,460	\$ 439,896	-1.7%
ADW Host Track Allocation (Note 1)	\$ 45,939	\$ 34,956	31.4%	\$ 367,444	\$ 330,900	11.0%
ADW Purse Allocation (Note 1)	\$ 45,939	\$ 34,956	31.4%	\$ 367,444	\$ 330,900	11.0%
KY General Fund	\$ 1,012,146	\$ 1,805,292	-43.9%	\$ 14,469,228	\$ 9,651,683	49.9%
Total KY Excise Tax	\$ 2,210,796	\$ 3,919,990	-43.6%	\$ 34,565,991	\$ 24,736,089	39.7%



Note 1 - As per KRS 138.530

Kentucky Live and Simulcast Wagering Report for March, 2020

Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates	9	14	-35.7%	189	172	9.9%
On-Track Handle on All Kentucky Races (OTH)	\$ 247,993	\$ 1,170,072	-78.8%	\$ 37,964,470	\$ 36,948,924	2.7%
Less: Return to Public	\$ 198,480	\$ 930,228		\$ 30,512,771	\$ 29,623,358	
Less: Breakage	\$ 1,302	\$ 9,793		\$ 236,944	\$ 241,879	
Gross Commission	<u>\$ 48,211</u>	<u>\$ 230,051</u>	-79.0%	<u>\$ 7,214,754</u>	<u>\$ 7,083,686</u>	1.9%
TB Development Fund (0.75% of On-Track TB Handle)	\$ 1,860	\$ 8,776	-78.8%	\$ 275,110	\$ 266,700	3.2%
SB Development Fund (1.25% of On-Track SB Handle)				\$ 16,039	\$ 17,362	-7.6%
Equine Industry Program (0.2% of OTH)	\$ 496	\$ 2,340	-78.8%	\$ 75,929	\$ 73,898	2.7%
Equine Drug Research (0.1% of OTH)	\$ 248	\$ 1,170	-78.8%	\$ 37,964	\$ 36,949	2.7%
Higher Education Fund (0.1% of OTH)	\$ 248	\$ 1,170	-78.8%	\$ 37,964	\$ 36,949	2.7%
KY General Fund (0.35% of OTH TB, 0.1% OTH SB)	\$ 868	\$ 4,095	-78.8%	\$ 129,668	\$ 125,849	3.0%
Total KY Excise Tax (1.5% of OTH TB, 1.75% of OTH SB)	<u>\$ 3,720</u>	<u>\$ 17,551</u>	-78.8%	<u>\$ 572,675</u>	<u>\$ 557,706</u>	2.7%
% of Gross Commission	7.72%	7.63%		7.94%	7.87%	
Backside Improvement Fund (0.5% of Total OTH at TB Tracks)	\$ 1,240	\$ 5,850	-78.8%	\$ 183,407	\$ 177,800	3.2%
Net Commission	\$ 43,251	\$ 206,650	-79.1%	\$ 6,458,673	\$ 6,348,180	1.7%
% of On-Track Handle	17.44%	17.66%		17.01%	17.18%	
Off-Track Handle on All Kentucky Races From						
Other KY Tracks	\$ 240,678	\$ 392,636	-38.7%	\$ 8,632,764	\$ 8,544,376	1.0%
Kentucky Licensed ADW's	\$ 1,467,799	\$ 866,203	69.5%	\$ 33,097,359	\$ 26,067,123	27.0%
Other Sources	\$ 15,700,104	\$ 16,548,582	-5.1%	\$ 438,246,425	\$ 383,166,989	14.4%
All Sources Handle on Live Racing	<u>\$ 17,656,573</u>	<u>\$ 18,977,493</u>	-7.0%	<u>\$ 517,941,017</u>	<u>\$ 454,727,412</u>	13.9%
Average Daily Handle - On Track	\$ 27,555	\$ 83,577	-67.0%	\$ 200,870	\$ 214,819	-6.5%
Average Daily Handle - All Sources	\$ 1,961,841	\$ 1,355,535	44.7%	\$ 2,740,429	\$ 2,643,764	3.7%

Simulcast Wagering on Other Tracks (Note: Standardbred Facilities Only Taxed on Live Racing)

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)	\$ 3,603,338	\$ 10,134,529	-64.4%	\$ 73,033,141	\$ 83,041,623	-12.1%
Standardbred Simulcast Handle (SBSH)	\$ 734,659	\$ 1,876,993	-60.9%	\$ 16,322,511	\$ 16,170,944	0.9%
Quarter Horse/Arabian/Paint/Mule Simulcast Handle (QHSH)	\$ 38,713	\$ 96,595	-59.9%	\$ 426,394	\$ 672,338	-36.6%
All-Breed Total Simulcast Handle (TSH)	<u>\$ 4,376,710</u>	<u>\$ 12,108,118</u>	-63.9%	<u>\$ 89,782,046</u>	<u>\$ 99,884,906</u>	-10.1%
TB Development Fund (2% of TBSH at TB Tracks)	\$ 72,067	\$ 196,657	-63.4%	\$ 1,447,871	\$ 1,607,253	-9.9%
SB Development Fund (2% of SBSH at TB Tracks)	\$ 1,943	\$ 4,563	-57.4%	\$ 35,078	\$ 40,702	-13.8%
QH/Arabian Development Fund (2% of QHSH at TB Tracks)	\$ 470	\$ 1,520	-69.1%	\$ 6,970	\$ 10,977	-36.5%
Equine Industry Program (0.05% of TSH at TB Tracks)	\$ 1,862	\$ 5,068	-63.3%	\$ 37,248	\$ 41,473	-10.2%
Equine Drug Research (0.1% of TSH at TB Tracks)	\$ 3,724	\$ 10,137	-63.3%	\$ 74,496	\$ 82,947	-10.2%
Higher Education Fund (0.1% of TSH at TB Tracks)	\$ 3,724	\$ 10,137	-63.3%	\$ 74,496	\$ 82,947	-10.2%
KY General Fund (0.75% of TSH at TB Tracks)	\$ 27,930	\$ 76,027	-63.3%	\$ 558,720	\$ 622,099	-10.2%
Total KY Excise Tax (3% of TSH at TB Tracks)	<u>\$ 111,719</u>	<u>\$ 304,110</u>	-63.3%	<u>\$ 2,234,878</u>	<u>\$ 2,488,398</u>	-10.2%

Blue Grass Downs Live and Simulcast Wagering Report for March, 2020
Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates				6		
On-Track Handle (OTH)				\$ 5,930		
Less: Return to Public				\$ 4,659		
Less: Breakage				\$ 43		
Gross Commission				\$ 1,228		
SB Development Fund (1.25% of OTH)				\$ 74		
Equine Industry Program (0.2% of OTH)				\$ 12		
Equine Drug Research (0.1% of OTH)				\$ 6		
Higher Education Fund (0.1% of OTH)				\$ 6		
KY General Fund (0.1% of OTH)				\$ 6		
Total KY Excise Tax (1.75% of OTH)				\$ 104		
% of Gross Commission				8.45%		
Net Commission				\$ 1,124		
% of On-Track Handle				18.96%		
Off-Track Handle on Kentucky Races From						
Other KY Tracks						
Kentucky Licensed ADW's						
Other Sources						
All Sources Handle on Live Racing (On- and Off-Track)				\$ 5,930		
Average Daily Handle - On Track				\$ 988		
Average Daily Handle - All Sources				\$ 988		

Simulcast Wagering on Other Tracks (Note: Standardbred Facilities Only Taxed on Live Racing)

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)		\$ 301,679	-100.0%	\$ 639,580	\$ 2,678,988	-76.1%
Standardbred Simulcast Handle (SBSH)		\$ 828	-100.0%	\$ 24,049	\$ 60,212	-60.1%
Quarter Horse/Other Simulcast Handle (QSHS)		\$ 1,798	-100.0%	\$ 1,243	\$ 9,419	-86.8%
All-Breed Total Simulcast Handle (TSH)		\$ 304,305	-100.0%	\$ 664,872	\$ 2,748,618	-75.8%

Churchill Downs Live and Simulcast Wagering Report for March, 2020

Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates				36	30	20.0%
On-Track Handle (OTH)				\$ 10,816,547	\$ 10,538,654	2.6%
Less: Return to Public				\$ 8,629,523	\$ 8,392,579	
Less: Breakage				\$ 69,731	\$ 67,330	
Gross Commission				<u>\$ 2,117,293</u>	<u>\$ 2,078,744</u>	1.9%
TB Development Fund (0.75% of OTH)				\$ 81,124	\$ 79,040	2.6%
Equine Industry Program (0.2% of OTH)				\$ 21,633	\$ 21,077	2.6%
Equine Drug Research (0.1% of OTH)				\$ 10,817	\$ 10,539	2.6%
Higher Education Fund (0.1% of OTH)				\$ 10,817	\$ 10,539	2.6%
KY General Fund (0.35% of OTH)				\$ 37,858	\$ 36,885	2.6%
Total KY Excise Tax (1.5% of OTH)				<u>\$ 162,248</u>	<u>\$ 158,080</u>	2.6%
% of Gross Commission				7.66%	7.60%	
Backside Improvement Fund (0.5% of OTH)				\$ 54,083	\$ 52,693	2.6%
Net Commission				\$ 1,900,963	\$ 1,867,971	1.8%
% of On-Track Handle				17.57%	17.72%	
Off-Track Handle on Kentucky Races From						
Other KY Tracks				\$ 2,812,521	\$ 2,364,342	19.0%
Kentucky Licensed ADW's				\$ 12,854,449	\$ 9,817,472	30.9%
Other Sources				\$ 152,433,232	\$ 129,137,874	18.0%
All Sources Handle on Live Racing (On- and Off-Track)				<u>\$ 178,916,748</u>	<u>\$ 151,858,341</u>	17.8%
Average Daily Handle - On Track				\$ 300,460	\$ 351,288	-14.5%
Average Daily Handle - All Sources				\$ 4,969,910	\$ 5,061,945	-1.8%

Simulcast Wagering on Other Tracks

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)	\$ 1,023,817	\$ 2,747,696	-62.7%	\$ 19,914,811	\$ 21,729,011	-8.3%
Standardbred Simulcast Handle (SBSH)	\$ 6,561	\$ 21,525	-69.5%	\$ 120,009	\$ 105,055	14.2%
Quarter Horse/Other Simulcast Handle (QSHS)	\$ 2,946	\$ 10,679	-72.4%	\$ 89,972	\$ 183,879	-51.1%
All-Breed Total Simulcast Handle (TSH)	<u>\$ 1,033,324</u>	<u>\$ 2,779,900</u>	-62.8%	<u>\$ 20,124,792</u>	<u>\$ 22,017,945</u>	-8.6%
TB Development Fund (2% of TBSH)	\$ 20,476	\$ 54,954	-62.7%	\$ 398,296	\$ 434,580	-8.3%
SB Development Fund (2% of SBSH)	\$ 131	\$ 431	-69.5%	\$ 2,400	\$ 2,101	14.2%
QH/Other Development Fund (2% of QSHS)	\$ 59	\$ 214	-72.4%	\$ 1,799	\$ 3,678	-51.1%
Equine Industry Program (0.05% of TSH)	\$ 517	\$ 1,390	-62.8%	\$ 10,062	\$ 11,009	-8.6%
Equine Drug Research (0.1% of TSH)	\$ 1,033	\$ 2,780	-62.8%	\$ 20,125	\$ 22,018	-8.6%
Higher Education Fund (0.1% of TSH)	\$ 1,033	\$ 2,780	-62.8%	\$ 20,125	\$ 22,018	-8.6%
KY General Fund (0.75% of TSH)	\$ 7,750	\$ 20,849	-62.8%	\$ 150,936	\$ 165,135	-8.6%
Total KY Excise Tax (3% of TSH)	<u>\$ 31,000</u>	<u>\$ 83,397</u>	-62.8%	<u>\$ 603,744</u>	<u>\$ 660,538</u>	-8.6%

Ellis Park Live and Simulcast Wagering Report for March, 2020

Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates				26	29	-10.3%
On-Track Handle (OTH)				\$ 3,945,581	\$ 4,130,485	-4.5%
Less: Return to Public				\$ 3,137,478	\$ 3,283,472	
Less: Breakage				\$ 30,804	\$ 32,897	
Gross Commission				\$ 777,300	\$ 814,116	-4.5%
TB Development Fund (0.75% of OTH)				\$ 29,592	\$ 30,979	-4.5%
Equine Industry Program (0.2% of OTH)				\$ 7,891	\$ 8,261	-4.5%
Equine Drug Research (0.1% of OTH)				\$ 3,946	\$ 4,130	-4.5%
Higher Education Fund (0.1% of OTH)				\$ 3,946	\$ 4,130	-4.5%
KY General Fund (0.35% of OTH)				\$ 13,810	\$ 14,457	-4.5%
Total KY Excise Tax (1.5% of OTH)				\$ 59,184	\$ 61,957	-4.5%
% of Gross Commission				7.61%	7.61%	
Backside Improvement Fund (0.5% of OTH)				\$ 19,728	\$ 20,652	-4.5%
Net Commission				\$ 698,388	\$ 731,506	-4.5%
% of On-Track Handle				17.70%	17.71%	
Off-Track Handle on Kentucky Races From						
Other KY Tracks				\$ 1,538,255	\$ 1,593,040	-3.4%
Kentucky Licensed ADW's				\$ 2,641,941	\$ 2,231,809	18.4%
Other Sources				\$ 37,736,553	\$ 31,118,533	21.3%
All Sources Handle on Live Racing (On- and Off-Track)				\$ 45,862,331	\$ 39,073,868	17.4%
Average Daily Handle - On Track				\$ 151,753	\$ 142,431	6.5%
Average Daily Handle - All Sources				\$ 1,763,936	\$ 1,347,375	30.9%

Simulcast Wagering on Other Tracks

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)	\$ 615,686	\$ 1,289,571	-52.3%	\$ 9,841,876	\$ 11,218,955	-12.3%
Standardbred Simulcast Handle (SBSH)	\$ 50,448	\$ 121,176	-58.4%	\$ 837,951	\$ 1,013,040	-17.3%
Quarter Horse/Other Simulcast Handle (QSHS)	\$ 656			\$ 796	\$ 2,518	-68.4%
All-Breed Total Simulcast Handle (TSH)	\$ 666,790	\$ 1,410,747	-52.7%	\$ 10,680,623	\$ 12,234,513	-12.7%
TB Development Fund (2% of TBSH)	\$ 12,314	\$ 25,791	-52.3%	\$ 196,838	\$ 224,379	-12.3%
SB Development Fund (2% of SBSH)	\$ 1,009	\$ 2,424	-58.4%	\$ 16,759	\$ 20,261	-17.3%
QH/Other Development Fund (2% of QSHS)	\$ 13			\$ 16	\$ 50	-68.4%
Equine Industry Program (0.05% of TSH)	\$ 333	\$ 705	-52.7%	\$ 5,340	\$ 6,117	-12.7%
Equine Drug Research (0.1% of TSH)	\$ 667	\$ 1,411	-52.7%	\$ 10,681	\$ 12,235	-12.7%
Higher Education Fund (0.1% of TSH)	\$ 667	\$ 1,411	-52.7%	\$ 10,681	\$ 12,235	-12.7%
KY General Fund (0.75% of TSH)	\$ 5,001	\$ 10,581	-52.7%	\$ 80,105	\$ 91,759	-12.7%
Total KY Excise Tax (3% of TSH)	\$ 20,004	\$ 42,322	-52.7%	\$ 320,419	\$ 367,035	-12.7%

Keeneland Live and Simulcast Wagering Report for March, 2020
Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates				17	17	
On-Track Handle (OTH)				\$ 17,320,852	\$ 16,419,870	5.5%
Less: Return to Public				\$ 14,044,361	\$ 13,294,951	
Less: Breakage				\$ 108,172	\$ 104,472	
Gross Commission				\$ 3,168,320	\$ 3,020,447	4.9%
TB Development Fund (0.75% of OTH)				\$ 129,906	\$ 123,149	5.5%
Equine Industry Program (0.2% of OTH)				\$ 34,642	\$ 32,840	5.5%
Equine Drug Research (0.1% of OTH)				\$ 17,321	\$ 16,420	5.5%
Higher Education Fund (0.1% of OTH)				\$ 17,321	\$ 16,420	5.5%
KY General Fund (0.35% of OTH)				\$ 60,623	\$ 57,470	5.5%
Total KY Excise Tax (1.5% of OTH)				\$ 259,813	\$ 246,298	5.5%
% of Gross Commission				8.20%	8.15%	
Backside Improvement Fund (0.5% of OTH)				\$ 86,604	\$ 82,099	5.5%
Net Commission				\$ 2,821,903	\$ 2,692,050	4.8%
% of On-Track Handle				16.29%	16.40%	
Off-Track Handle on Kentucky Races From						
Other KY Tracks				\$ 1,759,919	\$ 2,237,530	-21.3%
Kentucky Licensed ADW's				\$ 10,108,626	\$ 8,950,097	12.9%
Other Sources				\$ 131,018,519	\$ 116,703,614	12.3%
All Sources Handle on Live Racing (On- and Off-Track)				\$ 160,207,916	\$ 144,311,112	11.0%
Average Daily Handle - On Track				\$ 1,018,874	\$ 965,875	5.5%
Average Daily Handle - All Sources				\$ 9,423,995	\$ 8,488,889	11.0%

Simulcast Wagering on Other Tracks

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)	\$ 1,107,777	\$ 3,127,523	-64.6%	\$ 24,105,210	\$ 25,736,457	-6.3%
Standardbred Simulcast Handle (SBSH)						
Quarter Horse/Other Simulcast Handle (QSHS)	\$ 4,341	\$ 30,456	-85.7%	\$ 53,259	\$ 103,801	-48.7%
All-Breed Total Simulcast Handle (TSH)	\$ 1,112,118	\$ 3,157,979	-64.8%	\$ 24,158,469	\$ 25,840,258	-6.5%
TB Development Fund (2% of TBSH)	\$ 22,156	\$ 62,550	-64.6%	\$ 482,104	\$ 514,729	-6.3%
SB Development Fund (2% of SBSH)						
QH/Other Development Fund (2% of QSHS)	\$ 87	\$ 609	-85.7%	\$ 1,065	\$ 2,076	-48.7%
Equine Industry Program (0.05% of TSH)	\$ 556	\$ 1,579	-64.8%	\$ 12,079	\$ 12,920	-6.5%
Equine Drug Research (0.1% of TSH)	\$ 1,112	\$ 3,158	-64.8%	\$ 24,158	\$ 25,840	-6.5%
Higher Education Fund (0.1% of TSH)	\$ 1,112	\$ 3,158	-64.8%	\$ 24,158	\$ 25,840	-6.5%
KY General Fund (0.75% of TSH)	\$ 8,341	\$ 23,685	-64.8%	\$ 181,189	\$ 193,802	-6.5%
Total KY Excise Tax (3% of TSH)	\$ 33,364	\$ 94,739	-64.8%	\$ 724,754	\$ 775,208	-6.5%

Kentucky Downs Live and Simulcast Wagering Report for March, 2020

Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates				5	5	
On-Track Handle (OTH)				\$ 1,634,072	\$ 1,118,276	46.1%
Less: Return to Public				\$ 1,342,662	\$ 918,080	
Less: Breakage				\$ 9,723	\$ 7,285	
Gross Commission				<u>\$ 281,688</u>	<u>\$ 192,912</u>	46.0%
TB Development Fund (0.75% of OTH)				\$ 12,256	\$ 8,387	46.1%
Equine Industry Program (0.2% of OTH)				\$ 3,268	\$ 2,237	46.1%
Equine Drug Research (0.1% of OTH)				\$ 1,634	\$ 1,118	46.1%
Higher Education Fund (0.1% of OTH)				\$ 1,634	\$ 1,118	46.1%
KY General Fund (0.35% of OTH)				\$ 5,719	\$ 3,914	46.1%
Total KY Excise Tax (1.5% of OTH)				<u>\$ 24,511</u>	<u>\$ 16,774</u>	46.1%
% of Gross Commission				8.70%	8.70%	
Backside Improvement Fund (0.5% of OTH)				\$ 8,170	\$ 5,591	46.1%
Net Commission				\$ 249,006	\$ 170,547	46.0%
% of On-Track Handle				15.24%	15.25%	
Off-Track Handle on Kentucky Races From						
Other KY Tracks				\$ 746,220	\$ 654,322	14.0%
Kentucky Licensed ADW's				\$ 1,843,304	\$ 1,577,862	16.8%
Other Sources				\$ 37,016,011	\$ 33,084,045	11.9%
All Sources Handle on Live Racing (On- and Off-Track)				<u>\$ 41,239,607</u>	<u>\$ 36,434,505</u>	13.2%
Average Daily Handle - On Track				\$ 326,814	\$ 223,655	46.1%
Average Daily Handle - All Sources				\$ 8,247,921	\$ 7,286,901	13.2%

Simulcast Wagering on Other Tracks

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)	\$ 401,492	\$ 919,705	-56.3%	\$ 7,929,952	\$ 7,878,792	0.6%
Standardbred Simulcast Handle (SBSH)	\$ 30,545	\$ 53,384	-42.8%	\$ 533,416	\$ 559,494	-4.7%
Quarter Horse/Other Simulcast Handle (QSHS)	\$ 13,126	\$ 23,653	-44.5%	\$ 163,410	\$ 181,859	-10.1%
All-Breed Total Simulcast Handle (TSH)	<u>\$ 445,163</u>	<u>\$ 996,742</u>	-55.3%	<u>\$ 8,626,777</u>	<u>\$ 8,620,144</u>	0.1%
TB Development Fund (2% of TBSH)	\$ 8,030	\$ 18,394	-56.3%	\$ 158,599	\$ 157,576	0.6%
SB Development Fund (2% of SBSH)	\$ 611	\$ 1,068	-42.8%	\$ 10,668	\$ 11,190	-4.7%
QH/Other Development Fund (2% of QSHS)	\$ 263	\$ 473	-44.5%	\$ 3,268	\$ 3,637	-10.1%
Equine Industry Program (0.05% of TSH)	\$ 223	\$ 498	-55.3%	\$ 4,313	\$ 4,310	0.1%
Equine Drug Research (0.1% of TSH)	\$ 445	\$ 997	-55.3%	\$ 8,627	\$ 8,620	0.1%
Higher Education Fund (0.1% of TSH)	\$ 445	\$ 997	-55.3%	\$ 8,627	\$ 8,620	0.1%
KY General Fund (0.75% of TSH)	\$ 3,339	\$ 7,476	-55.3%	\$ 64,701	\$ 64,651	0.1%
Total KY Excise Tax (3% of TSH)	<u>\$ 13,355</u>	<u>\$ 29,902</u>	-55.3%	<u>\$ 258,803</u>	<u>\$ 258,604</u>	0.1%

Oak Grove Racing Live and Simulcast Wagering Report for March, 2020
Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates				11		
On-Track Handle (OTH)				\$ 42,408		
Less: Return to Public				\$ 33,069		
Less: Breakage				\$ 369		
Gross Commission				\$ 8,970		
SB Development Fund (1.25% of OTH)				\$ 530		
Equine Industry Program (0.2% of OTH)				\$ 85		
Equine Drug Research (0.1% of OTH)				\$ 42		
Higher Education Fund (0.1% of OTH)				\$ 42		
KY General Fund (0.1% of OTH)				\$ 42		
Total KY Excise Tax (1.75% of OTH)				\$ 742		
% of Gross Commission				8.27%		
Net Commission				\$ 8,228		
% of On-Track Handle				19.40%		
Off-Track Handle on Kentucky Races From						
Other KY Tracks				\$ 3,729		
Kentucky Licensed ADW's				\$ 6,596		
Other Sources				\$ 19,762		
All Sources Handle on Live Racing (On- and Off-Track)				\$ 72,495		
Average Daily Handle - On Track				\$ 3,855		
Average Daily Handle - All Sources				\$ 6,590		

Simulcast Wagering on Other Tracks (Note: Standardbred Facilities Only Taxed on Live Racing)

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)						
Standardbred Simulcast Handle (SBSH)						
Quarter Horse/Other Simulcast Handle (QSHS)						
All-Breed Total Simulcast Handle (TSH)						

The Red Mile Live and Simulcast Wagering Report for March, 2020
Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates				35	35	
On-Track Handle (OTH)				\$ 1,234,783	\$ 1,388,990	-11.1%
Less: Return to Public				\$ 951,978	\$ 1,065,834	
Less: Breakage				\$ 1,215	\$ 5,960	
Gross Commission				\$ 281,590	\$ 317,197	-11.2%
SB Development Fund (1.25% of OTH)				\$ 15,435	\$ 17,362	-11.1%
Equine Industry Program (0.2% of OTH)				\$ 2,470	\$ 2,778	-11.1%
Equine Drug Research (0.1% of OTH)				\$ 1,235	\$ 1,389	-11.1%
Higher Education Fund (0.1% of OTH)				\$ 1,235	\$ 1,389	-11.1%
KY General Fund (0.1% of OTH)				\$ 1,235	\$ 1,389	-11.1%
Total KY Excise Tax (1.75% of OTH)				\$ 21,609	\$ 24,307	-11.1%
% of Gross Commission				7.67%	7.66%	
Net Commission				\$ 259,982	\$ 292,889	-11.2%
% of On-Track Handle				21.05%	21.09%	
Off-Track Handle on Kentucky Races From						
Other KY Tracks				\$ 61,612	\$ 85,572	-28.0%
Kentucky Licensed ADW's				\$ 168,660	\$ 184,092	-8.4%
Other Sources				\$ 6,331,235	\$ 6,857,759	-7.7%
All Sources Handle on Live Racing (On- and Off-Track)				\$ 7,796,289	\$ 8,516,413	-8.5%
Average Daily Handle - On Track				\$ 35,280	\$ 39,685	-11.1%
Average Daily Handle - All Sources				\$ 222,751	\$ 243,326	-8.5%

Simulcast Wagering on Other Tracks (Note: Standardbred Facilities Only Taxed on Live Racing)

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)						
Standardbred Simulcast Handle (SBSH)	\$ 637,505	\$ 1,648,027	-61.3%	\$ 14,544,559	\$ 14,075,615	3.3%
Quarter Horse/Other Simulcast Handle (QSHS)	\$ 15,230	\$ 18,790	-18.9%	\$ 76,669	\$ 114,078	-32.8%
All-Breed Total Simulcast Handle (TSH)	\$ 652,735	\$ 1,666,818	-60.8%	\$ 14,621,228	\$ 14,189,693	3.0%

Turfway Park Live and Simulcast Wagering Report for March, 2020

Live Racing

	March-20	March-19	% Change	FYTD - 2020	FYTD - 2019	% Change
Race Dates	9	14	-35.7%	53	56	-5.4%
On-Track Handle (OTH)	\$ 247,993	\$ 1,170,072	-78.8%	\$ 2,964,297	\$ 3,352,648	-11.6%
Less: Return to Public	\$ 198,480	\$ 930,228		\$ 2,369,042	\$ 2,668,442	
Less: Breakage	\$ 1,302	\$ 9,793		\$ 16,890	\$ 23,936	
Gross Commission	<u>\$ 48,211</u>	<u>\$ 230,051</u>	-79.0%	<u>\$ 578,366</u>	<u>\$ 660,269</u>	-12.4%
TB Development Fund (0.75% of OTH)	\$ 1,860	\$ 8,776	-78.8%	\$ 22,232	\$ 25,145	-11.6%
Equine Industry Program (0.2% of OTH)	\$ 496	\$ 2,340	-78.8%	\$ 5,929	\$ 6,705	-11.6%
Equine Drug Research (0.1% of OTH)	\$ 248	\$ 1,170	-78.8%	\$ 2,964	\$ 3,353	-11.6%
Higher Education Fund (0.1% of OTH)	\$ 248	\$ 1,170	-78.8%	\$ 2,964	\$ 3,353	-11.6%
KY General Fund (0.35% of OTH)	\$ 868	\$ 4,095	-78.8%	\$ 10,375	\$ 11,734	-11.6%
Total KY Excise Tax (1.5% of OTH)	<u>\$ 3,720</u>	<u>\$ 17,551</u>	-78.8%	<u>\$ 44,464</u>	<u>\$ 50,290</u>	-11.6%
% of Gross Commission	7.72%	7.63%		7.69%	7.62%	
Backside Improvement Fund (0.5% of OTH)	\$ 1,240	\$ 5,850	-78.8%	\$ 14,821	\$ 16,763	-11.6%
Net Commission	\$ 43,251	\$ 206,650	-79.1%	\$ 519,080	\$ 593,216	-12.5%
% of On-Track Handle	17.44%	17.66%		17.51%	17.69%	
Off-Track Handle on Kentucky Races From						
Other KY Tracks	\$ 240,678	\$ 392,636	-38.7%	\$ 1,710,508	\$ 1,609,571	6.3%
Kentucky Licensed ADW's	\$ 1,467,799	\$ 866,203	69.5%	\$ 5,473,783	\$ 3,305,790	65.6%
Other Sources	\$ 15,700,104	\$ 16,548,582	-5.1%	\$ 73,691,113	\$ 66,265,164	11.2%
All Sources Handle on Live Racing (On- and Off-Track)	<u>\$ 17,656,573</u>	<u>\$ 18,977,493</u>	-7.0%	<u>\$ 83,839,701</u>	<u>\$ 74,533,173</u>	12.5%
Average Daily Handle - On Track	\$ 27,555	\$ 83,577	-67.0%	\$ 55,930	\$ 59,869	-6.6%
Average Daily Handle - All Sources	\$ 1,961,841	\$ 1,355,535	44.7%	\$ 1,581,881	\$ 1,330,950	18.9%

Simulcast Wagering on Other Tracks

Handle by Breed						
Thoroughbred Simulcast Handle (TBSH)	\$ 454,565	\$ 1,748,356	-74.0%	\$ 10,601,712	\$ 13,799,421	-23.2%
Standardbred Simulcast Handle (SBSH)	\$ 9,599	\$ 32,053	-70.1%	\$ 262,528	\$ 357,528	-26.6%
Quarter Horse/Other Simulcast Handle (QSHS)	\$ 2,414	\$ 11,218	-78.5%	\$ 41,046	\$ 76,785	-46.5%
All-Breed Total Simulcast Handle (TSH)	<u>\$ 466,579</u>	<u>\$ 1,791,628</u>	-74.0%	<u>\$ 10,905,285</u>	<u>\$ 14,233,735</u>	-23.4%
TB Development Fund (2% of TBSH)	\$ 9,091	\$ 34,967	-74.0%	\$ 212,034	\$ 275,988	-23.2%
SB Development Fund (2% of SBSH)	\$ 192	\$ 641	-70.1%	\$ 5,251	\$ 7,151	-26.6%
QH/Other Development Fund (2% of QSHS)	\$ 48	\$ 224	-78.5%	\$ 821	\$ 1,536	-46.5%
Equine Industry Program (0.05% of TSH)	\$ 233	\$ 896	-74.0%	\$ 5,453	\$ 7,117	-23.4%
Equine Drug Research (0.1% of TSH)	\$ 467	\$ 1,792	-74.0%	\$ 10,905	\$ 14,234	-23.4%
Higher Education Fund (0.1% of TSH)	\$ 467	\$ 1,792	-74.0%	\$ 10,905	\$ 14,234	-23.4%
KY General Fund (0.75% of TSH)	\$ 3,499	\$ 13,437	-74.0%	\$ 81,790	\$ 106,753	-23.4%
Total KY Excise Tax (3% of TSH)	<u>\$ 13,997</u>	<u>\$ 53,749</u>	-74.0%	<u>\$ 327,159</u>	<u>\$ 427,012</u>	-23.4%

Kentucky Resident Advance Deposit Wagering Report for March, 2020

	Mar-20	Mar-19	% Change	FYTD-2020	FYTD-2019	% Change
Total In-State Handle	\$ 1,467,799	\$ 866,115	69.5%	\$ 33,097,251	\$ 26,066,639	27.0%
Total Out-of-State Handle	\$ 20,150,363	\$ 15,583,632	29.3%	\$ 139,817,754	\$ 129,651,044	7.8%
Total ADW Handle (TAH)	\$ 21,618,161	\$ 16,449,746	31.4%	\$ 172,915,005	\$ 155,717,683	11.0%
Host Track (42.5% Allocation)	\$ 45,939	\$ 34,956	31.4%	\$ 367,444	\$ 330,900	11.0%
Purse (42.5% Allocation)	\$ 45,939	\$ 34,956	31.4%	\$ 367,444	\$ 330,900	11.0%
KY General Fund (15% Allocation)	\$ 16,214	\$ 12,337	31.4%	\$ 129,686	\$ 116,788	11.0%
Total KY Excise Tax (0.5% of TAH)	\$ 108,091	\$ 82,249	31.4%	\$ 864,575	\$ 778,588	11.0%



Kentucky Resident Advance Deposit Wagering Report for March, 2020

AmWest Entertainment	% of Total	Mar-20	Mar-19	% Change	% of Total	FYTD-2020	FYTD-2019	% Change
Total In-State Handle	0.00%		\$ 790	-100.0%	0.31%	\$ 103,002	\$ 36,875	179.3%
Total Out-of-State Handle	0.31%	\$ 61,886	\$ 60,760	1.9%	0.34%	\$ 472,501	\$ 347,207	36.1%
Total Handle	0.29%	\$ 61,886	\$ 61,549	0.5%	0.33%	\$ 575,503	\$ 384,082	49.8%
Host Track (42.5% Allocation)	0.29%	\$ 132	\$ 131	0.5%	0.33%	\$ 1,223	\$ 816	49.8%
Purse (42.5% Allocation)	0.29%	\$ 132	\$ 131	0.5%	0.33%	\$ 1,223	\$ 816	49.8%
KY General Fund (15% Allocation)	0.29%	\$ 46	\$ 46	0.5%	0.33%	\$ 432	\$ 288	49.8%
Total KY Excise Tax (0.5% of TAH)	0.29%	\$ 309	\$ 308	0.5%	0.33%	\$ 2,878	\$ 1,920	49.8%

eBet	% of Total	Mar-20	Mar-19	% Change	% of Total	FYTD-2020	FYTD-2019	% Change
Total In-State Handle	0.20%	\$ 2,887	\$ 5,057	-42.9%	0.09%	\$ 28,341	\$ 71,323	-60.3%
Total Out-of-State Handle	0.23%	\$ 46,016	\$ 71,789	-35.9%	0.36%	\$ 502,774	\$ 840,475	-40.2%
Total Handle	0.23%	\$ 48,903	\$ 76,846	-36.4%	0.31%	\$ 531,114	\$ 911,798	-41.8%
Host Track (42.5% Allocation)	0.23%	\$ 104	\$ 163	-36.4%	0.31%	\$ 1,129	\$ 1,938	-41.8%
Purse (42.5% Allocation)	0.23%	\$ 104	\$ 163	-36.4%	0.31%	\$ 1,129	\$ 1,938	-41.8%
KY General Fund (15% Allocation)	0.23%	\$ 37	\$ 58	-36.4%	0.31%	\$ 398	\$ 684	-41.8%
Total KY Excise Tax (0.5% of TAH)	0.23%	\$ 245	\$ 384	-36.4%	0.31%	\$ 2,656	\$ 4,559	-41.8%

Horse Races Now	% of Total	Mar-20	Mar-19	% Change	% of Total	FYTD-2020	FYTD-2019	% Change
Total In-State Handle							\$ 1,127	
Total Out-of-State Handle							\$ 3,699	
Total Handle							\$ 4,826	
Host Track (42.5% Allocation)							\$ 10	
Purse (42.5% Allocation)							\$ 10	
KY General Fund (15% Allocation)							\$ 4	
Total KY Excise Tax (0.5% of TAH)							\$ 24	

Kentucky Resident Advance Deposit Wagering Report for March, 2020 (Cont)

Lien Games	<u>% of Total</u>	<u>Mar-20</u>	<u>Mar-19</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2020</u>	<u>FYTD-2019</u>	<u>% Change</u>
Total In-State Handle	0.00%	\$ 222	\$ 222	-100.0%	0.02%	\$ 5,929	\$ 5,420	9.4%
Total Out-of-State Handle	0.06%	\$ 12,707	\$ 15,002	-15.3%	0.09%	\$ 120,238	\$ 111,411	7.9%
Total Handle	0.06%	\$ 12,707	\$ 15,224	-16.5%	0.07%	\$ 126,167	\$ 116,831	8.0%
Host Track (42.5% Allocation)	0.06%	\$ 27	\$ 32	-16.5%	0.07%	\$ 268	\$ 248	8.0%
Purse (42.5% Allocation)	0.06%	\$ 27	\$ 32	-16.5%	0.07%	\$ 268	\$ 248	8.0%
KY General Fund (15% Allocation)	0.06%	\$ 10	\$ 11	-16.5%	0.07%	\$ 95	\$ 88	8.0%
Total KY Excise Tax (0.5% of TAH)	0.06%	\$ 64	\$ 76	-16.5%	0.07%	\$ 631	\$ 584	8.0%

NYRabets	<u>% of Total</u>	<u>Mar-20</u>	<u>Mar-19</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2020</u>	<u>FYTD-2019</u>	<u>% Change</u>
Total In-State Handle	1.25%	\$ 18,310	\$ 8,837	107.2%	1.77%	\$ 585,245	\$ 279,669	109.3%
Total Out-of-State Handle	1.81%	\$ 364,312	\$ 110,365	230.1%	2.21%	\$ 3,093,384	\$ 2,325,797	33.0%
Total Handle	1.77%	\$ 382,621	\$ 119,203	221.0%	2.13%	\$ 3,678,629	\$ 2,605,466	41.2%
Host Track (42.5% Allocation)	3.25%	\$ 813	\$ 253	489.2%	2.13%	\$ 7,817	\$ 5,537	41.2%
Purse (42.5% Allocation)	3.25%	\$ 813	\$ 253	489.2%	2.13%	\$ 7,817	\$ 5,537	41.2%
KY General Fund (15% Allocation)	3.25%	\$ 287	\$ 89	489.2%	2.13%	\$ 2,759	\$ 1,954	41.2%
Total KY Excise Tax (0.5% of TAH)	3.25%	\$ 3,512	\$ 596	489.2%	2.13%	\$ 18,393	\$ 13,027	41.2%

TVG	<u>% of Total</u>	<u>Mar-20</u>	<u>Mar-19</u>	<u>% Change</u>	<u>% of Total</u>	<u>FYTD-2020</u>	<u>FYTD-2019</u>	<u>% Change</u>
Total In-State Handle	35.59%	\$ 522,356	\$ 304,693	71.4%	27.58%	\$ 9,129,040	\$ 6,838,396	33.5%
Total Out-of-State Handle	35.30%	\$ 7,112,472	\$ 5,174,115	37.5%	34.41%	\$ 48,115,426	\$ 42,208,898	14.0%
Total Handle	35.32%	\$ 7,634,828	\$ 5,478,808	39.4%	33.11%	\$ 57,244,466	\$ 49,047,294	16.7%
Host Track (42.5% Allocation)	35.32%	\$ 16,224	\$ 11,642	39.4%	33.11%	\$ 121,644	\$ 104,225	16.7%
Purse (42.5% Allocation)	35.32%	\$ 16,224	\$ 11,642	39.4%	33.11%	\$ 121,644	\$ 104,225	16.7%
KY General Fund (15% Allocation)	35.32%	\$ 5,726	\$ 4,109	39.4%	33.11%	\$ 42,933	\$ 36,785	16.7%
Total KY Excise Tax (0.5% of TAH)	35.32%	\$ 38,174	\$ 27,394	39.4%	33.11%	\$ 286,222	\$ 245,236	16.7%

Kentucky Resident Advance Deposit Wagering Report for March, 2020 (Cont)

TwinSpires	% of Total	Mar-20	Mar-19	% Change	% of Total	FYTD-2020	FYTD-2019	% Change
Total In-State Handle	56.37%	\$ 827,371	\$ 489,999	68.9%	57.52%	\$ 19,038,841	\$ 14,775,854	28.9%
Total Out-of-State Handle	49.89%	\$ 10,052,750	\$ 8,443,020	19.1%	50.34%	\$ 70,380,962	\$ 66,559,487	5.7%
Total Handle	50.33%	\$ 10,880,121	\$ 8,933,019	21.8%	51.71%	\$ 89,419,803	\$ 81,335,340	9.9%
Host Track (42.5% Allocation)	50.33%	\$ 23,120	\$ 18,983	21.8%	51.71%	\$ 190,017	\$ 172,838	9.9%
Purse (42.5% Allocation)	50.33%	\$ 23,120	\$ 18,983	21.8%	51.71%	\$ 190,017	\$ 172,838	9.9%
KY General Fund (15% Allocation)	50.33%	\$ 8,160	\$ 6,700	21.8%	51.71%	\$ 67,065	\$ 61,002	9.9%
Total KY Excise Tax (0.5% of TAH)	50.33%	\$ 54,401	\$ 44,665	21.8%	51.71%	\$ 447,099	\$ 406,677	9.9%

Watch and Wager	% of Total	Mar-20	Mar-19	% Change	% of Total	FYTD-2020	FYTD-2019	% Change
Total In-State Handle	0.16%	\$ 2,338	\$ 438	433.6%	0.14%	\$ 44,860	\$ 26,922	66.6%
Total Out-of-State Handle	0.13%	\$ 25,469	\$ 10,746	137.0%	0.17%	\$ 234,811	\$ 104,130	125.5%
Total Handle	0.13%	\$ 27,807	\$ 11,185	148.6%	0.16%	\$ 279,672	\$ 131,052	113.4%
Host Track (42.5% Allocation)	0.13%	\$ 59	\$ 24	148.6%	0.16%	\$ 594	\$ 278	113.4%
Purse (42.5% Allocation)	0.13%	\$ 59	\$ 24	148.6%	0.16%	\$ 594	\$ 278	113.4%
KY General Fund (15% Allocation)	0.13%	\$ 21	\$ 8	148.6%	0.16%	\$ 210	\$ 98	113.4%
Total KY Excise Tax (0.5% of TAH)	0.13%	\$ 139	\$ 56	148.6%	0.16%	\$ 1,398	\$ 655	113.4%

Xpressbet	% of Total	Mar-20	Mar-19	% Change	% of Total	FYTD-2020	FYTD-2019	% Change
Total In-State Handle	6.44%	\$ 94,537	\$ 56,079	68.6%	12.58%	\$ 4,161,994	\$ 4,031,052	3.2%
Total Out-of-State Handle	12.28%	\$ 2,474,751	\$ 1,697,835	45.8%	12.09%	\$ 16,897,658	\$ 17,149,942	-1.5%
Total Handle	11.88%	\$ 2,569,288	\$ 1,753,913	46.5%	12.18%	\$ 21,059,651	\$ 21,180,994	-0.6%
Host Track (42.5% Allocation)	11.88%	\$ 5,460	\$ 3,727	46.5%	12.18%	\$ 44,752	\$ 45,010	-0.6%
Purse (42.5% Allocation)	11.88%	\$ 5,460	\$ 3,727	46.5%	12.18%	\$ 44,752	\$ 45,010	-0.6%
KY General Fund (15% Allocation)	11.88%	\$ 1,927	\$ 1,315	46.5%	12.18%	\$ 15,795	\$ 15,886	-0.6%
Total KY Excise Tax (0.5% of TAH)	11.88%	\$ 12,846	\$ 8,770	46.5%	12.18%	\$ 105,298	\$ 105,905	-0.6%

Note: Due to the COVID-19 pandemic, all racing associations ceased historical horse racing operations on at 11:59 p.m. EST on Sunday, March 15, 2020. Therefore, the following reports only include 15 days of wagering operations.



Kentucky Historical Horse Racing Report for March, 2020

	March-20	March-19	% Change	FYTD-2020	FYTD-2019	% Change
Total Handle	\$ 132,401,726	\$ 234,015,320	-43.4%	\$2,047,363,706	\$1,382,239,780	48.1%
Less: Returned to Public	\$ 121,081,138	\$ 213,952,275	-43.4%	\$1,873,282,154	\$1,264,749,577	48.1%
Less: Breakage	\$ 53,611	\$ 149,331		\$ 861,761	\$ 863,813	
Less: Settlement	\$ 211,118	\$ 241,818		\$ 1,968,890	\$ 1,682,161	
Gross Commission	\$ 11,055,859	\$ 19,671,897	-43.8%	\$ 171,250,902	\$ 114,944,229	49.0%
TB Development Fund (See Note 1)	\$ 915,377	\$ 1,628,265	-43.8%	\$ 14,113,006	\$ 9,497,244	48.6%
SB Development Fund (See Note 2)	\$ 103,515	\$ 169,133	-38.8%	\$ 1,656,296	\$ 1,159,405	42.9%
Equine Industry Program (See Note 3)	\$ -	\$ -	-	\$ 650,000	\$ 650,000	0.0%
Equine Drug Research (See Note 4)	\$ -	\$ -	-	\$ 320,000	\$ 320,000	0.0%
Higher Education Fund (See Note 4)	\$ -	\$ -	-	\$ 320,000	\$ 320,000	0.0%
Kentucky General Fund (Note 5)	\$ 967,134	\$ 1,712,832	-43.5%	\$ 13,651,154	\$ 8,786,947	55.4%
Total KY Excise Tax (1.5% of Total Handle)	\$ 1,986,026	\$ 3,510,230	-43.4%	\$ 30,710,456	\$ 20,733,597	48.1%
% of Gross Commission	18.0%	17.8%		17.9%	18.0%	
Net Commission + Breakage	\$ 9,123,445	\$ 16,310,998	-44.1%	\$ 141,402,208	\$ 95,074,446	48.7%
% of Total Handle	6.89%	6.97%		6.91%	6.88%	
Number of HHR Terminals	2,991	2,734	9.4%	2,991	2,734	9.4%
Average Daily Handle	\$ 8,826,782	\$ 7,548,881	16.9%	\$ 7,904,879	\$ 5,420,548	45.8%
Handle / Day / Machine	\$ 2,951	\$ 2,761	6.9%	\$ 2,643	\$ 1,983	33.3%
Gross Commission / Day / Machine	\$ 246	\$ 232	6.2%	\$ 221	\$ 165	34.1%

	March-20	Feb-20	% Change	Since Inception	
Total Handle	\$ 132,401,726	\$ 270,360,707	-51.0%	Total Handle	\$7,826,366,383
Total Kentucky Excise Tax	\$ 1,986,026	\$ 4,055,411	-51.0%	Total Kentucky Excise Tax	\$117,395,496
Average Daily Handle	\$ 8,826,782	\$ 9,322,783	-5.3%	Total KY General Fund	\$46,338,501

Note 1: Thoroughbred Development Fund receives .75% of Total Handle at Kentucky Downs and Ellis Park. The rate applies to half of the Total Handle at KRM.

Note 2: The Standardbred Development Fund receives 1.0% of half of the Total Handle at KRM.

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

Note 4: EDR and HEF each receive .1% of 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.

Derby City Gaming Historical Horse Racing Report for March, 2020

	March-20	March-19	% Change	FYTD-2020	FYTD-2019	% Change
Total Handle	\$ 56,584,550	\$ 92,602,595	-38.9%	\$ 866,815,033	\$ 406,902,164	113.0%
Less: Returned to Public	\$ 51,480,694	\$ 83,888,722	-38.6%	\$ 787,735,371	\$ 367,608,865	114.3%
Less: Breakage	\$ 0	\$ 0		\$ 0	\$ 0	50.0%
Less: Settlement	\$ 109,442	\$ 40,331		\$ 301,384	\$ 440,770	-31.6%
Gross Commission	\$ 4,994,414	\$ 8,673,542	-42.4%	\$ 78,778,278	\$ 38,852,528	102.8%
TB Development Fund (See Note 1)	\$ 424,384	\$ 694,519	-38.9%	\$ 6,501,113	\$ 3,051,766	113.0%
SB Development Fund (See Note 2)	-	\$ -	-	\$ -	\$ -	-
Equine Industry Program (See Note 3)	-	\$ -	-	\$ 271,057	\$ 52,856	412.8%
Equine Drug Research (See Note 4)	-	\$ -	-	\$ 133,443	\$ 26,021	412.8%
Higher Education Fund (See Note 4)	-	\$ -	-	\$ 133,443	\$ 26,022	412.8%
Kentucky General Fund (Note 5)	\$ 424,384	\$ 694,519	-38.9%	\$ 5,963,169	\$ 2,946,867	102.4%
Total KY Excise Tax (1.5% of Total Handle)	\$ 848,768	\$ 1,389,039	-38.9%	\$ 13,002,225	\$ 6,103,532	113.0%
% of Gross Commission	17.0%	16.0%		16.5%	15.7%	
Net Commission + Breakage	\$ 4,145,646	\$ 7,284,503	-43.1%	\$ 65,776,052	\$ 32,748,996	100.8%
% of Total Handle	7.33%	7.87%		7.59%	8.05%	
Number of HHR Terminals	1000	900	11.1%	1000	900	11.1%
Average Daily Handle	\$ 3,772,303	\$ 2,987,180	26.3%	\$ 3,346,776	\$ 2,014,367	66.1%
Handle / Day / Machine	\$ 3,772	\$ 3,319	13.7%	\$ 3,347	\$ 2,238	49.5%
Gross Commission / Day / Machine	\$ 333	\$ 311	7.1%	\$ 304	\$ 214	42.3%

	March-20	Feb-20	% Change	Since Inception (September 10, 2018)	
Total Handle	\$ 56,584,550	\$ 113,107,910	-50.0%	Total Handle	\$1,537,110,306
Total Kentucky Excise Tax	\$ 848,768	\$ 1,696,619	-50.0%	Total Kentucky Excise Tax	\$23,056,655
Average Daily Handle	\$ 3,772,303	\$ 3,900,273	-3.3%	Total KY General Fund	\$10,885,484

Note 1: Thoroughbred Development Fund receives .75% of Total Handle at Kentucky Downs and Ellis Park. The rate applies to half of the Total Handle at KRM.

Note 2: The Standardbred Development Fund receives 1.0% of half of the Total Handle at KRM.

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

Note 4: EDR and HEF each receive .1% of 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.

Ellis Park Historical Horse Racing Report for March, 2020

	March-20	March-19	% Change	FYTD-2020	FYTD-2019	% Change
Total Handle	\$ 7,309,480	\$ 9,532,446	-23.3%	\$ 86,961,352	\$ 70,566,595	23.2%
Less: Returned to Public	\$ 6,664,719	\$ 8,775,534	-24.1%	\$ 79,755,473	\$ 64,976,170	22.7%
Less: Breakage	\$ 385	\$ 835		\$ 7,345	\$ 6,707	9.5%
Less: Settlement	\$ (14,731)	\$ (974)		\$ (12,882)	\$ (54,859)	-76.5%
Gross Commission	<u>\$ 659,108</u>	<u>\$ 757,051</u>	-12.9%	<u>\$ 7,211,416</u>	<u>\$ 5,638,576</u>	27.9%
TB Development Fund (See Note 1)	\$ 54,821	\$ 71,493	-23.3%	\$ 652,210	\$ 529,249	23.2%
SB Development Fund (See Note 2)	-	\$ -	-	\$ -	\$ -	-
Equine Industry Program (See Note 3)	-	\$ -	-	\$ 28,250	\$ 45,123	-37.4%
Equine Drug Research (See Note 4)	-	\$ -	-	\$ 13,908	\$ 22,214	-37.4%
Higher Education Fund (See Note 4)	-	\$ -	-	\$ 13,908	\$ 22,214	-37.4%
Kentucky General Fund (Note 5)	\$ 54,821	\$ 71,493	-23.3%	\$ 596,145	\$ 439,698	35.6%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 109,642</u>	<u>\$ 142,987</u>	-23.3%	<u>\$ 1,304,420</u>	<u>\$ 1,058,499</u>	23.2%
% of Gross Commission	16.6%	18.9%		18.1%	18.8%	
Net Commission + Breakage	\$ 549,850	\$ 614,900	-10.6%	\$ 5,914,340	\$ 4,586,784	28.9%
% of Total Handle	7.52%	6.45%		6.80%	6.50%	
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Number of HHR Terminals	300	179	67.6%	300	179	67.6%
Average Daily Handle	\$ 487,299	\$ 307,498	58.5%	\$ 335,758	\$ 259,436	29.4%
Handle / Day / Machine	\$ 1,624	\$ 1,718	-5.4%	\$ 1,119	\$ 1,449	-22.8%
Gross Commission / Day / Machine	\$ 146	\$ 136	7.4%	\$ 93	\$ 116	-19.9%
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	March-20	Feb-20	% Change	Since Inception (August 31, 2012)		
Total Handle	\$ 7,309,480	\$ 12,864,804	-43.2%	Total Handle		\$516,455,169
Total Kentucky Excise Tax	\$ 109,642	\$ 192,972	-43.2%	Total Kentucky Excise Tax		\$7,746,828
Average Daily Handle	\$ 487,299	\$ 443,614	9.8%	Total KY General Fund		\$2,954,214

Note 1: Thoroughbred Development Fund receives .75% of Total Handle at Kentucky Downs and Ellis Park. The rate applies to half of the Total Handle at KRM.

Note 2: The Standardbred Development Fund receives 1.0% of half of the Total Handle at KRM.

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

Note 4: EDR and HEF each receive .1% of 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.

Keeneland/Red Mile Historical Horse Racing Report for March, 2020

	March-20	March-19	% Change	FYTD-2020	FYTD-2019	% Change
Total Handle	\$ 20,702,951	\$ 33,826,695	-38.8%	\$ 331,259,103	\$ 231,881,067	42.9%
Less: Returned to Public	\$ 18,992,305	\$ 31,037,250	-38.8%	\$ 303,819,792	\$ 212,728,934	42.8%
Less: Breakage	\$ 37,155	\$ 117,069		\$ 700,929	\$ 717,737	-2.3%
Less: Settlement	\$ 54,523	\$ 185,080		\$ 1,520,389	\$ 1,236,712	22.9%
Gross Commission	<u>\$ 1,618,968</u>	<u>\$ 2,487,296</u>	-34.9%	<u>\$ 25,217,994</u>	<u>\$ 17,197,685</u>	46.6%
TB Development Fund (See Note 1)	\$ 77,636	\$ 126,850	-38.8%	\$ 1,242,222	\$ 869,554	42.9%
SB Development Fund (See Note 2)	\$ 103,515	\$ 169,133	-38.8%	\$ 1,656,296	\$ 1,159,405	42.9%
Equine Industry Program (See Note 3)	-	\$ -	-	\$ 93,004	\$ 136,605	-31.9%
Equine Drug Research (See Note 4)	-	\$ -	-	\$ 45,787	\$ 67,251	-31.9%
Higher Education Fund (See Note 4)	-	\$ -	-	\$ 45,787	\$ 67,251	-31.9%
Kentucky General Fund (Note 5)	\$ 129,393	\$ 211,417	-38.8%	\$ 1,885,792	\$ 1,178,149	60.1%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 310,544</u>	<u>\$ 507,400</u>	-38.8%	<u>\$ 4,968,887</u>	<u>\$ 3,478,216</u>	42.9%
% of Gross Commission	19.2%	20.4%		19.7%	20.2%	
Net Commission + Breakage	\$ 1,345,578	\$ 2,096,964	-35.8%	\$ 20,950,037	\$ 14,437,206	45.1%
% of Total Handle	6.50%	6.20%		6.32%	6.23%	
Number of HHR Terminals	938	902	4.0%	938	902	4.0%
Average Daily Handle	\$ 1,380,197	\$ 1,091,184	26.5%	\$ 1,278,993	\$ 849,381	50.6%
Handle / Day / Machine	\$ 1,471	\$ 1,210	21.6%	\$ 1,364	\$ 942	44.8%
Gross Commission / Day / Machine	\$ 115	\$ 89	29.4%	\$ 104	\$ 70	48.6%

	March-20	Feb-20	% Change	Since Inception (September 8, 2015)	
Total Handle	\$ 20,702,951	\$ 43,042,958	-51.9%	Total Handle	\$1,377,367,584
Total Kentucky Excise Tax	\$ 310,544	\$ 645,644	-51.9%	Total Kentucky Excise Tax	\$20,660,514
Average Daily Handle	\$ 1,380,197	\$ 1,484,240	-7.0%	Total KY General Fund	\$7,184,139

Note 1: Thoroughbred Development Fund receives .75% of Total Handle at Kentucky Downs and Ellis Park. The rate applies to half of the Total Handle at KRM.

Note 2: The Standardbred Development Fund receives 1.0% of half of the Total Handle at KRM.

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

Note 4: EDR and HEF each receive .1% of 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.

Kentucky Downs Historical Horse Racing Report for March, 2020

	March-20	March-19	% Change	FYTD-2020	FYTD-2019	% Change
Total Handle	\$ 47,804,745	\$ 98,053,585	-51.2%	\$ 762,328,217	\$ 672,889,955	13.3%
Less: Returned to Public	\$ 43,943,420	\$ 90,250,770	-51.3%	\$ 701,971,517	\$ 619,435,608	13.3%
Less: Breakage	\$ 16,072	\$ 31,427		\$ 153,487	\$ 139,369	10.1%
Less: Settlement	\$ 61,883	\$ 17,381		\$ 159,999	\$ 59,538	168.7%
Gross Commission	<u>\$ 3,783,370</u>	<u>\$ 7,754,007</u>	-51.2%	<u>\$ 60,043,214</u>	<u>\$ 53,255,440</u>	12.7%
TB Development Fund (See Note 1)	\$ 358,536	\$ 735,402	-51.2%	\$ 5,717,462	\$ 5,046,675	13.3%
SB Development Fund (See Note 2)	-	\$ -	-	\$ -	\$ -	-
Equine Industry Program (See Note 3)	-	\$ -	-	\$ 257,689	\$ 415,416	-38.0%
Equine Drug Research (See Note 4)	-	\$ -	-	\$ 126,862	\$ 204,513	-38.0%
Higher Education Fund (See Note 4)	-	\$ -	-	\$ 126,862	\$ 204,513	-38.0%
Kentucky General Fund (Note 5)	\$ 358,536	\$ 735,402	-51.2%	\$ 5,206,048	\$ 4,222,233	23.3%
Total KY Excise Tax (1.5% of Total Handle)	<u>\$ 717,071</u>	<u>\$ 1,470,804</u>	-51.2%	<u>\$ 11,434,923</u>	<u>\$ 10,093,349</u>	13.3%
% of Gross Commission	19.0%	19.0%		19.0%	19.0%	
Net Commission + Breakage	\$ 3,082,370	\$ 6,314,631	-51.2%	\$ 48,761,778	\$ 43,301,460	12.6%
% of Total Handle	6.45%	6.44%		6.40%	6.44%	
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Number of HHR Terminals	753	753	0.0%	753	753	0.0%
Average Daily Handle	\$ 3,186,983	\$ 3,163,019	0.8%	\$ 2,943,352	\$ 2,464,798	19.4%
Handle / Day / Machine	\$ 4,232	\$ 4,201	0.8%	\$ 3,909	\$ 3,273	19.4%
Gross Commission / Day / Machine	\$ 335	\$ 332	0.8%	\$ 308	\$ 259	18.8%

	March-20	Feb-20	% Change	Since Inception (September 1, 2011)	
Total Handle	\$ 47,804,745	\$ 101,345,034	-52.8%	Total Handle	\$4,395,433,325
Total Kentucky Excise Tax	\$ 717,071	\$ 1,520,176	-52.8%	Total Kentucky Excise Tax	\$65,931,500
Average Daily Handle	\$ 3,186,983	\$ 3,494,656	-8.8%	Total KY General Fund	\$25,314,664

Note 1: Thoroughbred Development Fund receives .75% of Total Handle at Kentucky Downs and Ellis Park. The rate applies to half of the Total Handle at KRM.

Note 2: The Standardbred Development Fund receives 1.0% of half of the Total Handle at KRM.

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

Note 4: EDR and HEF each receive .1% of 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.