

Kentucky Horse Racing and Gaming Corporation

Meeting Materials for Special Meeting

October 29, 2024



HORSE RACING AND
GAMING CORPORATION

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MINUTES OF THE AUGUST 20 & SEPTEMBER 6, 2024, KENTUCKY HORSE RACING AND GAMING CORPORATION MEETINGS

Date: August 20, 2024, at 1:30 p.m.

Place: Kentucky Horse Racing and Gaming Corporation Conference Room, 4047 Iron Works Parkway, Lexington, Kentucky 40511

Board Members Present: Chair Jonathan Rabinowitz, Mike Berry, Dr. Tiffany Daniels, Michael F. Dudgeon, Terry Finley, Frank Shoop, Kerry Harvey, Lesley Howard, William L.S. Landes, Catherine Parke, James E. Worley

Ex-officio Members Present: Jacob Walbourn for Secretary Ray Perry, Jansen Hammock for Secretary Jeff Noel and Mona Juett for Secretary Lindy Casebier

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
I. Call to Order and Roll Call	4 - 5	Chair Rabinowitz called the meeting of the Kentucky Horse Racing and Gaming Corporation (KHRGC) to order and performed the roll call. A quorum was recognized.	No action taken.
II. New Business Tab 1: Approve Minutes of the July 1 and July 30, 2024 Kentucky Horse Racing and Gaming Corporation Special Meetings	5 - 18 5 - 7	Chair Rabinowitz requested a motion from the Board to approve minutes of the July 1 and July 30, 2024 Kentucky Horse Racing and Gaming Corporation Special Meetings. Motion by Mr. Landes and second by Ms. Howard. KHRGC President & CEO Jamie Eads was assigned the floor and explained that the minutes from the July 1 and July 30 meetings were located behind the first tab of the materials. KHRGC staff recommended approval.	Chair Rabinowitz called for a vote to approve minutes of the July 1 and July 30, 2024 Kentucky Horse Racing and Gaming Corporation Special Meetings. Motion carried with no objections or abstentions.

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
		Chair Rabinowitz announced that the new COO Susan Speckert is present today and KHRGC President & CEO Jamie Eads introduced her.	
Tab 2: Set Corporation President's Compensation Pursuant to KRS 230.230(2)	7 - 9	<p>Chair Rabinowitz requested a motion from the Board to approve and adopt the KHRGC President & CEO's compensation recommended by the hiring and compensation committee. Motion by Mr. Worley and second by Mr. Shoop.</p> <p>KHRGC Hiring and Compensation Committee Chairman, Kerry Harvey, was assigned the floor and explained that this compensation is in the range they are targeting for other jobs, such as the COO. He reminded everyone that these are public dollars and that it is still a public agency. Circumstances will be reviewed annually, and adjustments can be made.</p>	Chair Rabinowitz called for a vote to approve and adopt KHRGC president's compensation recommended by the hiring and compensation committee. Motion carried with no objections or abstentions.
Tab 3: Churchill Downs Racetrack, LLC's Backside Improvement Fund Request	10 - 11	<p>Chair Rabinowitz requested a motion from the Board to approve Churchill Downs Racetrack, LLC's Backside Improvement Fund Request. Motion by Mr. Landes and second by Ms. Parke.</p> <p>KHRGC Incentives and Development Director, Drew Conners, was assigned the floor and explained that correspondence was received from Churchill Downs seeking permission to use backside improvement funds for painting and asphalt repairs. The total cost is estimated to be \$40,476. KHRGC staff confirmed that this project meets the statutory requirements and that the funding is available.</p>	Chair Rabinowitz called for a vote to approve Churchill Downs Racetrack, LLC's Backside Improvement Fund Request. Motion carried with no objections or abstentions.

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
		The Kentucky HBPA and the KTA-KTOB recommended approval along with the KHRGC staff.	
<p>Tab 4: 2024 KTDF Allotment Requests as Submitted to and Approved by the KTDF Advisory Committee on 7/31/2024</p>	11 - 14	<p>Chair Rabinowitz requested a motion from the Commission to approve 2024 KTDF allotment requests as submitted to and approved by the KTDF advisory committee on 7/31/2024. Motion by Mr. Landes and second by Ms. Howard.</p> <p>KHRGC Incentives and Development Director, Drew Conners, was assigned the floor and explained that the KTDF allotment requests will be grouped together. Kentucky Downs is seeking final approval to increase their KTDF allotment request from \$14.3 to \$15.1 million to a total of \$17 million. These additional funds will be used for stakes races only and they are seeking to transfer \$1.2 million to Keeneland for their upcoming fall meet.</p> <p>Churchill Downs is seeking final approval of KTDF purses in the range of \$3.5 to \$4.4 million and Keeneland is seeking final approval of KTDF purse allotments in the range of \$5.5 to \$5.8 million. This request also includes the KTDF transfer from Kentucky Downs of \$1.25 million and the use of \$122,380 to promote the race meet in accordance with KRS 230.400.</p> <p>Churchill Downs is also seeking final approval of their allotments for their fall meet in the range of \$6.3 to \$7.6 million.</p> <p>KTA-KTOB and the KTDF advisory committee recommend approval along with KHRGC staff.</p>	<p>Chair Rabinowitz called for a vote to approve 2024 KTDF allotment requests as submitted to and approved by the KTDF advisory committee on 7/31/2024. Motion carried with no objections or abstentions.</p>

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
Tab 5: Keeneland Association, Inc.'s Proposed 2024 Fall Race Meet Officials and Date Preference System	14 - 15	<p>Chair Rabinowitz requested a motion from the Board to approve Keeneland Association, Inc.'s Proposed 2024 fall race meet officials and date preference system. Motion by Mr. Worley and second by Mr. Shoop.</p> <p>KHRGC Chief State Steward Barbara Borden was assigned the floor and explained that Keeneland has requested approval of the roster of officials and date preference system. The officials have all previously performed the duties and are currently licensed; the stewards are ROAP accredited and there is no change to their date preference system. Approval was recommended by staff.</p>	<p>Chair Rabinowitz called for a vote to approve Keeneland Association, Inc.'s Proposed 2024 fall race meet officials and date preference system. Motion carried with no objections or abstentions.</p>
Tab 6: Churchill Downs Racetrack, LLC's Proposed 2024 Fall Race Meet Officials and Date Preference System	15 - 17	<p>Chair Rabinowitz requested a motion from the Board to approve Churchill Downs Racetrack, LLC's proposed 2024 fall race meet officials and date preference system. Motion by Mr. Shoop and second by Ms. Parke.</p> <p>KHRGC Chief State Steward Barbara Borden was assigned the floor and explained that Churchill Downs sent a request for racing officials that are all licensed and have worked those jobs previously. The stewards are ROAP accredited and there is no change to their date preference system. Staff recommended approval.</p>	<p>Chair Rabinowitz called for a vote to approve Churchill Downs Racetrack, LLC's proposed 2024 fall race meet officials and date preference system. Motion carried with no objections or abstentions.</p>
Tab 7: ECL Corbin, LLC's Proposed 2024 Cumberland Run Race Meet Officials	17 - 18	<p>Chair Rabinowitz requested a motion from the Board to approve ECL Corbin, LLC's Proposed 2024 Cumberland Run Race Meet Officials and Date Preference System. Motion by Ms. Parke and second by Mr. Landes.</p>	<p>Chair Rabinowitz called for a vote to approve ECL Corbin, LLC's Proposed 2024</p>

KHRGC Special Meeting

Date: September 6, 2024, at 8:45 a.m.

Place: Kentucky Horse Racing and Gaming Corporation Conference Room, 4047 Iron Works Parkway, Lexington, Kentucky 40511

Board Members Present: Chair Jonathan Rabinowitz, Vice Chair Charles O'Connor, Mike Berry, Dr. Tiffany Daniels, Michael F. Dudgeon, Terry Finley, Greg Harbut, Frank Shoop, Kerry Harvey, Lesley Howard, William L.S. Landes, William H. May, Catherine Parke, C. Frank Shoop, James E. Worley

Ex-officio Members Present: Chad Thompson for Secretary Ray Perry, Secretary Lindy Casebier

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
I. Call to Order and Roll Call	3 - 5	Chair Rabinowitz called the meeting of the Kentucky Horse Racing and Gaming Corporation (KHRGC) to order and performed the roll call. A quorum was recognized.	No action taken.
II. New Business Tab 1: Proposed Organizational Chart	5 - 9 5 - 7	Chair Rabinowitz requested a motion from the Board to approve the proposed organizational chart for the Kentucky Horse Racing and Gaming Corporation. Motion by Mr. Landes and second by Mr. Berry. Board Member Bill May and COO Susan Speckert were assigned the floor. Mr. May shared that the organizational chart is one that was developed by the transition committee with the help of Susan Speckert and President & CEO, Jamie Eads. The chart will evolve over time, but it is a good starting place and reflects where the KHRGC is now.	Chair Rabinowitz called for a vote to approve the proposed organizational chart for the Kentucky Horse Racing and Gaming Corporation. Motion carried with no objections or abstentions.

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
Tab 2: Request for Proposals for Outsourced Finance and Human Resource Services	7 -9	<p>Chair Rabinowitz requested a motion from the Board to approve the Request for Proposals for Outsourced Finance and Human Resource Services. Motion by Mr. Berry and second by Mr. O'Connor</p> <p>Board Member Bill May and COO Susan Speckert were assigned the floor. Mr. May shared that they have been working with the Hiring and Compensation Committee. Memorandums of Agreement are currently in place with the administration and the KHRGC needs to move forward from them. The KHRGC does not have the critical employees in place to do that yet, so it is best to proceed with getting help from some professionals to help with the transition process.</p>	<p>Chair Rabinowitz called for a vote to approve the Request for Proposals for Outsourced Finance and Human Resource Services. Motion carried with no objections or abstentions.</p>
III. Adjournment	9 - 10	<p>With no other business, Chair Rabinowitz requested a motion from the Board to adjourn this special meeting. Motion by Mr. Worley and second by Mr. O'Connor. Meeting adjourned.</p>	<p>Chair Rabinowitz called for a vote to adjourn. Motion carried with no objections or abstentions.</p>

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



Andy Beshear
GOVERNOR

Jamie Eads
PRESIDENT & CEO

Jacqueline Coleman
LIEUTENANT GOVERNOR

KENTUCKY HORSE RACING & GAMING CORPORATION

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Jonathan Rabinowitz
CHAIRMAN

TO: Kentucky Horse Racing and Gaming Corporation
FROM: Travers Manley, Interim General Counsel
DATE: October 17, 2024
RE: **PROPOSED CONDITIONS ON LICENSES TO CONDUCT LIVE HORSE RACING, SIMULCASTING, AND PARI-MUTUEL WAGERING FOR 2025**

KRS 230.260 states the Kentucky Horse Racing and Gaming Corporation “shall have full authority to prescribe...conditions under which horse racing at a horse race meeting shall be conducted in this state.” Further, KRS 230.290 states that all licenses granted under KRS Chapter 230 “shall be subject to all administrative regulations and conditions as may from time to time be prescribed by the corporation.” As a condition of licensure to conduct horse racing, simulcasting, and pari-mutuel wagering, it is recommended that each racing association shall certify that it shall comply with certain conditions proposed in the attached.

The conditions cover regulatory notifications, operational reporting, racing integrity requirements, and wagering integrity requirements. The KHRGC staff recommends approval of the proposed conditions.

BOARD ACTION

_____ Approve

_____ Defer

_____ Deny

Kentucky Horse Racing and Gaming Corporation

Conditions of Licensure Pursuant to KRS 230.260 and 230.290

Pursuant to KRS 230.260 and 230.290, the Kentucky Horse Racing and Gaming Corporation (“KHRGC”) is authorized to prescribe necessary and reasonable conditions under which horse racing, simulcasting, and pari-mutuel wagering is conducted in the Commonwealth of Kentucky. Therefore, as a condition of licensure by the KHRGC to conduct horse racing, simulcasting, and pari-mutuel wagering, each licensed association shall certify that it shall comply with the following requirements:

1. Regulatory Notifications

- a. Each licensed association shall notify the KHRGC of any communication, report, or investigation conducted or to be conducted by any federal, state, or local regulatory agency that relates to the safety, integrity, or security of the licensed association’s operations, its participants, facilities, or that would reasonably be deemed to affect public confidence in the licensed association. This notification includes, but is not limited to, communications, reports, or investigations involving the Thoroughbred Racing Association (“TRA”), Thoroughbred Racing Protective Bureau (“TRPB”), United States Trotting Association (“USTA”), American Quarter Horse Association (“AQHA”), Arabian Jockey Club (“AJC”), National Thoroughbred Racing Association (“NTRA”), the Horseracing Integrity and Safety Authority (“HISA”), the Horseracing Integrity and Welfare Unit (“HIWU”), or any agency relating to environmental, safety or public health matters. Notification to the KHRGC shall include or be supplemented by a copy of the communication, report, or investigation within twenty-four (24) hours of receipt by the licensed association.
- b. Each licensed association shall notify the KHRGC any time a member of a local, state, or federal law enforcement agency enters licensed association grounds for the purpose of questioning, investigating, or arresting a licensed individual. Such notice shall include or be supplemented by a copy of any report related to the questioning, investigation, or arrest prepared by the licensed association and/or prepared by the law enforcement agency. The report(s) shall be provided to the KHRGC within twenty- four (24) hours of preparation and/or receipt by the licensed association.

2. Operational Reporting

- a. Each licensed association shall send a copy of any self-reporting document, form, or correspondence to the KHRGC at the same time that the document, form, or correspondence is filed with the state or federal regulatory agency, or any other organization referenced in 1. The licensed association shall identify to the KHRGC any information contained in submitted reports that the licensed association considers to be confidential or proprietary.
- b. Pursuant to 810 KAR 8:010, Section 20, purse money in thoroughbred, flat racing, and standardbred racing shall be paid, distributed, or made available no later than

twenty-four (24) hours after notice from the Corporation that a final laboratory report has been issued.

- c. Each licensed association shall provide to the KHRGC a report of purse money no later than seven (7) calendar days after the conclusion of each live race meet. This report shall include the name of the licensed association, the date in which racing occurred, the race number, purse totals attributed to regular stakes, purse totals attributed to the association, purse totals attributed to horsemen, purse totals attributed to state funds, and total purse amounts.

3. Racing Integrity Requirements

- a. Each licensed association shall record the date and time (in hours, minutes, and seconds) on all live video feeds originating from a Kentucky track. Each licensed association shall be responsible for recording (in hours, minutes, and seconds) the start/off time of each race. Further, each licensed association shall require the tote company with whom it does business to certify, and provide evidence of such certification, to the Chief State Steward or Presiding Judge of the closure time (in hours, minutes, and seconds) of the betting windows for each race. Records shall be retained for two years after the date of the race. Records shall be submitted to the KHRGC upon request.
- b. Each of the timing systems mentioned in 3.a. shall be synchronized with the U.S. Naval Observatory Clock at the beginning of each race day.
- c. Each licensed association offering thoroughbred racing shall require owners to deposit the fee for the administration of race-day furosemide, as permitted under Title 810 of the Kentucky Administrative Regulations, into the owner's account with the horsemen's bookkeeper by 12:00 p.m. Eastern Time on the day of the race. Failure of the owner to deposit such a fee may result in the owner being subjected to penalties, including fines or suspension. Each licensed association shall debit the owner's account for the furosemide fee to the credit of the KHRGC.
- d. Each licensed association for thoroughbred racing shall abide by the applicable safety and security requirements mandated by the Horseracing Integrity and Safety Act of 2020, as set forth in 15 U.S.C. 3051 *et seq.* ("HISA"), unless otherwise notified in writing by KHRGC's President. Each licensed association for any type of horse racing shall abide by all requirements set forth in KHRGC statutes and regulations, to the extent that KHRGC statutes and regulations are not preempted by HISA.
- e. All licensed associations shall be subject to inspection by KHRGC officials and shall be required to make any repairs or improvements necessary to comply with the applicable safety and security regulations.

4. Wagering Integrity Requirements

- a. Each licensed association shall notify the KHRGC if it becomes aware of a wagering anomaly related to racing conducted at that licensed association or related to a race

imported for simulcast wagering at the licensed association, even if a report has not been filed with any of the organizations referenced in 1. The licensed association shall provide transactional data and video of the race to the KHRGC. Wagering anomalies are defined as any incident that might reasonably affect the public's confidence in the licensed association's wagering pools. Such incidents include, but are not limited to:

- i. Past posting, cancel delay, and other instances when wagering occurs after the horses have left the gate;
- ii. Off-shore and account wagering fraud;
- iii. Suspected manipulation through computerized robotic wagering;
- iv. Pool odds manipulation;
- v. Quick pick or random pick malfunction;
- vi. Unusually large cancellation of wagers (especially right as the betting stops);
- vii. Outlets that are habitually late getting into the pools;
- viii. Manual merges;
- ix. Unusual payoffs;
- x. Failing to remove a scratched horse from the pools (which would then require a re-calculation of payoffs);
- xi. Re-entering a scratched horse to the pools without approval from the Stewards or Judges;
- xii. Suspicious wagering patterns;
- xiii. Totalizator or data communications malfunctions; and/or
- xiv. Substantial late ticket cancellations.

The list of wagering anomalies above is meant to be illustrative and not exclusive. It is the licensed association's responsibility to ensure that all wagering anomalies are communicated in a detailed and timely manner to the KHRGC, whether by the licensed association or related vendor.

- b. Each licensed association shall ensure that the totalizator and video provider are available at least one week prior to the start of the live race meet for testing by the KHRGC. Each licensed association shall ensure that the totalizator and video provider for its live meet are operating correctly at least 24 hours prior to the start of the live meet. Each licensed association shall ensure the video provider for its live meet performs its duties to the satisfaction of the KHRGC, including, but not limited to, by having functional cameras and displaying all notifications timely and legibly for the wagering public.
- c. Each licensed association shall require its totalizator, video provider, and teletimer provider to share all racing and wagering data requested by the KHRGC.
- d. Each licensed association shall post policies and procedures related to pari-mutuel wagering, including the licensed association's refund policy, on the licensed association's website. Each licensed association shall also post a notice in the racing program and a sign at the association's information window informing patrons

where they can access a complete copy of the association's policies and procedures related to pari-mutuel wagering, including the association's refund policy.

- e. Each licensed association shall provide a copy of its mutuel department policies and procedures to the KHRGC.
- f. Each licensed association shall have protocols in place that mandate exclusion of any receiving track's wagering pool when the licensed association cannot verify that all wagers in the receiving track's pool were received prior to the official start of the race. Copies of these protocols shall be provided to the KHRGC.
- g. Each licensed association shall have protocols in place and shall publicize to its wagering patrons when, as a receiving track, it is excluded from a host track's wagering pool. These protocols shall include an immediate public announcement and immediate posting on the licensed association's video monitors and websites. Copies of these protocols shall be provided to the KHRGC.
- h. In the event of exotic wagering hosted by another jurisdiction on a licensed association's race date, whereby a KHRGC official's actions pursuant to 810 KAR 2:040 or 810 KAR 2:050 may impact the outcome of the wager, the licensed association must inform the KHRGC of the following information at least three (3) calendar days prior to such wagering:
 - i. Type, number, and denomination of the wager;
 - ii. The specific performance (including, but not limited to, number, type of race, etc.) and racetrack(s) involved in the wager; and
 - iii. Name and direct phone number for the person responsible for operating the wager for the host site and totalizator company.

Further, any such wager shall be included in the official race program of the licensed association with the wager for each applicable race date.

- i. Each licensed association that does business with any individual, person, or entity that offers advance deposit account wagering ("ADW") to Kentucky residents shall ensure that the ADW is licensed by the KHRGC prior to doing business with that ADW.
- j. Each licensed association shall submit an electronic copy of the Kentucky Department of Revenue Forms 73A100 and 73A101 to KHRGC.Reports@ky.gov no later than 4:30 p.m. on the 5th business day (excluding Saturday and Sunday) following the close of each racing week. Note that each licensed association must report its wagers, including any wagers conducted through a subsidiary, on a single return for each period.
- k. Each licensed association shall settle (and pay, as required) all wagering accounts with simulcast partners on a timely basis, in no event exceeding 60 days past any respective due date.
- l. Each licensed association shall ensure sufficient printed copies of the program are made available to KHRGC staff and shall provide a digital copy of the program to the

KHRGC via e-mail no later than six (6) hours prior to the first race of the program.

- m. All licensed associations are required to have a licensed tote employee on the premises during live racing.
- 5. Each licensed association shall submit to the KHRGC a full employee list that includes the official title of the employee at the licensed association and the date of the employee's hire. This shall be submitted in a format approved by the KHRGC on a monthly basis, no later than the 5th business day of the month.
- 6. Each licensed association shall report to the KHRGC in writing, as required by 810 KAR 3:020, Section 11, the discharge of any licensed employee within 24 hours of the event.
- 7. Each licensed association shall ensure that all vendors and vendor employees utilized for the licensed association's operations are properly licensed by the KHRGC.
- 8. Each licensed association shall require that all vendors and vendor employees display a KHRGC identification badge while on licensed association grounds.
- 9. All licensed associations must pay for allocated expenses of the Corporation pursuant to invoice terms, as set forth in KRS 230.240(3).

All notices required to be given to the KHRGC under this condition of licensure, unless otherwise stated, shall be provided to the KHRGC President, Chief Operating Officer, Chief State Steward/ Presiding Judge, and Director of Pari-Mutuel Wagering via hand delivery or electronic mail. In the event a licensed association does not comply with the requirements, the KHRGC has the authority to assess fines and/or penalties, including, but not limited to, licensure revocation. Additional conditions may be added to an association's license at any time at the discretion of the KHRGC.

CERTIFICATION

I, _____ (Full Name of Authorized Representative), a duly authorized representative of _____ (Legal Name of Licensed Association), hereby acknowledge and certify acceptance of the above conditions to the licensed association's license to conduct a horse racing meeting in the Commonwealth of Kentucky. Furthermore, I certify that these requirements shall remain in place for subsequent renewals of the license unless the KHRGC provides otherwise.

X _____

Authorized Representative of Association



Andy Beshear
GOVERNOR

Jamie Eads
PRESIDENT & CEO

Jacqueline Coleman
LIEUTENANT GOVERNOR

KENTUCKY HORSE RACING & GAMING CORPORATION

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Jonathan Rabinowitz
CHAIRMAN

TO: Kentucky Horse Racing and Gaming Corporation

FROM: Travers Manley, Interim General Counsel

DATE: October 17, 2024

RE: **LICENSES TO CONDUCT HORSE RACING, SIMULCASTING, PARI-MUTUEL WAGERING, AND SPORTS WAGERING FOR 2025**

All nine licensed racetracks in Kentucky submitted applications to renew their licenses to conduct horse racing and associated wagering activities in 2025. Additionally, all eight of the racetracks currently holding operator licenses for sports wagering submitted renewal applications for 2025.

The Kentucky Horse Racing and Gaming Corporation (KHRGC) staff, including the divisions of Pari-Mutuel Wagering and Compliance, Sports Wagering, Incentives and Development, Racing Licensing, Stewards, and Legal, along with President Jamie Eads, Chairman Jon Rabinowitz, and other members of the KHRGC Board, thoroughly reviewed each application. Today, the KHRGC staff recommends approval of the following nine applications for licenses to conduct horse racing, simulcasting, and pari-mutuel wagering and eight applications for sports wagering operator licenses.

Churchill Downs Racetrack, LLC (“Churchill Downs”)

Churchill Downs conducts thoroughbred racing, simulcasting, pari-mutuel wagering on live and historical horse racing, and sports wagering. In addition to the main track site, Churchill Downs offers wagering at Derby City Gaming and Derby City Gaming Downtown in Louisville, Kentucky and at a simulcast facility, Louisville Thoroughbred Society (“LTS”). On October 20, 2020, the Kentucky Horse Racing Commission (“KHRC”) voted unanimously to approve Churchill Downs’ request to establish a simulcast facility. This facility was launched in Fall 2020. Churchill Downs will continue to operate the facility at LTS. Keeneland Association, Inc. (“Keeneland”) is a thoroughbred racetrack within 75 miles of the facility. Pursuant to 810 KAR 3:050, Keeneland endorsed this renewal and provides consent to Churchill Downs to operate the simulcast facility. Simulcast offerings at the facility will be identical to those approved for Churchill Downs in its renewal application to conduct live horse racing, simulcasting and pari-mutuel wagering for 2025.

KHRGC staff recommends approval of the following race dates:

- 2025 Spring Meet: April 26 – June 29, 2025 (43 race days)
- 2025 September Meet: September 11 – September 28, 2025 (14 race days)
- 2025 Fall Meet: October 26 – November 30, 2025 (26 race days)
- Total Race Days: 83 race days
 - 2024: 83 race days

Churchill Downs conducts retail sports wagering through an agreement with Sports Information Services Limited d/b/a Kambi and has requested the renewal of its sports wagering operator license for 2025. KHRGC staff recommends approval.

ECL Corbin, LLC (“Cumberland Run”)

Cumberland Run conducts harness horse racing, simulcasting, pari-mutuel wagering on live and historical horse racing, and sports wagering. In addition to the main track site, the track conducts wagering operations at its Williamsburg, Kentucky location. KHRGC staff recommends approval of the following race dates:

- 2025 Meet: October 11 – November 4, 2025 (12 race days plus 4 optional)
- Total Days: 12 race days (plus 4 optional)
 - 2024: 12 race days

Cumberland Run conducts retail and mobile sports wagering through agreements with Crown KY Gaming, LLC d/b/a DraftKings and Circa Sports KY, LLC d/b/a Circa Sportsbook. Cumberland Run has requested for a renewal of its operator license to continue conducting sports wagering in 2025. KHRGC staff recommends approval.

Ellis Entertainment, LLC (“Ellis Park”)

Ellis Park conducts thoroughbred racing, simulcasting, pari-mutuel wagering on live and historical horse racing, and sports wagering at its main track site. It plans to conduct wagering operations at its Owensboro, Kentucky facility in 2025. KHRGC staff recommends approval of the following race dates:

- 2025 Meet: July 3 – August 24, 2025 (18 race days; plus 14 optional)
- Total Days: 18 race days (plus 14 optional)
 - 2024: 18 races days plus 30 optional

Ellis Park conducts retail sports wagering through an agreement with Kambi and mobile sports wagering through Penn Sports Interactive, LLC d/b/a ESPN Bet. It has requested the renewal of its sports wagering operator license for 2025. KHRGC staff recommends approval.

Keeneland Association, Inc. (“Keeneland”)

Keeneland conducts thoroughbred racing, simulcasting, and pari-mutuel wagering on live horse racing at its track in Lexington, Kentucky. It is also part of a joint-venture agreement related to pari-mutuel wagering on historical horse racing conducted by Lexington Trots Breeders Association, LLC. Keeneland also conducts simulcasting on leased premises at the same facility while not conducting a racing meet. KHRGC staff recommends approval of the following race dates:

- 2025 Spring Meet: April 4 - 25, 2025 (15 race days)
- 2025 Fall Meet: October 3 - 25, 2025 (17 race days)
- Total Days: 32 race days
 - 2024: 33 race days

Keeneland does not hold an operator license for sports wagering and did not file an application to obtain one in 2025.

Kentucky Downs, LLC (“Kentucky Downs”)

Kentucky Downs conducts thoroughbred racing, simulcasting, and pari-mutuel wagering on live and historical horse racing at its site in Franklin, Kentucky. Additionally, the track conducts wagering operations at its facility in Bowling Green, Kentucky. KHRGC staff recommends approval of the following race dates:

- 2025 Meet: August 28 – September 10, 2025 (7 race days plus 6 optional)
- Total Days: 7 race days (plus 6 optional)
 - 2024 – 7 race days

Kentucky Downs conducts sports wagering through agreements with DraftKings and Circa Sportsbook. Circa Sportsbook operates the retail sites. Kentucky Downs has requested renewal of its sports wagering operator license for 2025. KHRGC staff recommends approval.

WKY Development, LLC (“Oak Grove”)

Oak Grove conducts harness racing in Oak Grove, Kentucky and offers simulcasting, pari-mutuel wagering on live and historical horse racing, and sports wagering. KHRGC staff recommends approval of the following race dates:

- 2025 Meet: March 24 – July 16, 2025 (33 race days plus 8 optional)
- Total Race Days: 33 race days (plus 8 optional)
 - 2024: 34 race days

Oak Grove conducts retail sports wagering through an agreement with Kambi and mobile sports wagering through an agreement with FBG Enterprise OpCo, LLC d/b/a Fanatics. Oak Grove has requested renewal of its operator license to continue conducting sports wagering in 2025. KHRGC staff recommends approval.

Lexington Trots Breeders Association, LLC (“Red Mile”)

Red Mile is a harness racetrack located in Lexington, Kentucky and conducts simulcasting and pari-mutuel wagering. Red Mile also conducts pari-mutuel wagering on historical horse racing through a joint-venture agreement with Keeneland. KHRGC staff recommends approval of the following race dates:

- 2025 Meet: July 20 – October 5, 2025 (39 race days)
- Total Race Days: 39 race days
 - 2024: 33 race days

Red Mile conducts retail and mobile sports wagering through an agreement with American Wagering, Inc. d/b/a Caesars Sportsbook. It has requested renewal of its operator license to continue conducting sports wagering in 2025. KHRGC staff recommends approval.

Revolutionary Racing Kentucky, LLC (“Sandy’s”)

Sandy’s conducts quarter horse racing and, once built, will operate a track in Ashland, Kentucky. Until then, racing will be conducted through an agreement with Red Mile at its facility in Lexington, Kentucky. Sandy’s currently conducts simulcasting, pari-mutuel wagering on live and historical horse racing, and sports wagering in Ashland. KHRGC staff recommends approval of the following race dates:

- 2025 Meet: March 16 – March 25, 2025 (6 race days)
- Total Race Days: 6 race days
 - 2024 – 6 race days

Sandy’s is licensed to conduct retail and mobile sports wagering through an agreement with BetMGM, LLC d/b/a BetMGM and mobile sports wagering through Hillside Kentucky, LLC d/b/a Bet365. It has requested renewal of its operator license to continue conducting sports wagering in 2025. KHRGC staff recommends approval.

Turfway Park, LLC (“Turfway Park”)

Turfway Park conducts thoroughbred racing, simulcasting, pari-mutuel wagering on live and historical horse racing, and sports wagering at its main track site in Florence, Kentucky. It also conducts simulcasting, pari-mutuel wagering on historical horse racing, and sports wagering at a second location in Newport, Kentucky. KHRGC staff recommends approval of the following race dates:

- 2025 Winter/Spring Meet: January 1 – March 29, 2025 (52 race days)
- 2025 Holiday Meet: December 3 – December 31, 2025 (14 race days; 1 optional day)
- Total Race Days: 66 race days (plus 1 optional day)
 - 2024 – 67 race days

Turfway Park conducts retail sports wagering through an agreement with Kambi and mobile sports wagering through Betfair Interactive US, LLC d/b/a FanDuel. It has requested the renewal of its sports wagering operator license for 2025. KHRGC staff recommends approval.

KHRGC staff recommends approval of licenses to conduct horse racing, pari-mutuel wagering, and simulcasting with the aforementioned race dates to Churchill Downs, Cumberland Run, Ellis Park, Keeneland, Kentucky Downs, Oak Grove, Red Mile, Sandy’s, and Turfway Park. KHRGC staff further recommends approval of sports wagering operator licenses for Churchill Downs, Cumberland Run, Ellis Park, Kentucky Downs, Oak Grove, Red Mile, Sandy’s, and Turfway Park.

BOARD ACTION

- _____ Approve
- _____ Defer
- _____ Deny



January 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			<u>New Years Day</u> 1 Turfway Park Race Date	2 Turfway Park Race Date	3 Turfway Park Race Date	4 Turfway Park Race Date
5	6	7	8 Turfway Park Race Date	9 Turfway Park Race Date	10 Turfway Park Race Date	11 Turfway Park Race Date
12	13	14	15 Turfway Park Race Date	16 Turfway Park Race Date	17 Turfway Park Race Date	18 Turfway Park Race Date
19	20	21	22 Turfway Park Race Date	23 Turfway Park Race Date	24 Turfway Park Race Date	25 Turfway Park Race Date
26	27	28	29 Turfway Park Race Date	30 Turfway Park Race Date	31 Turfway Park Race Date	

February 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 Turfway Park Race Date
2	3	4	5 Turfway Park Race Date	6 Turfway Park Race Date	7 Turfway Park Race Date	8 Turfway Park Race Date
9	10	11	12 Turfway Park Race Date	13 Turfway Park Race Date	14 Turfway Park Race Date	15 Turfway Park Race Date
16	17	18	19 Turfway Park Race Date	20 Turfway Park Race Date	21 Turfway Park Race Date	22 Turfway Park Race Date
23	24	25	26 Turfway Park Race Date	27 Turfway Park Race Date	28 Turfway Park Race Date	

March 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 Turfway Park Race Date
2	3	4	5 Turfway Park Race Date	6 Turfway Park Race Date	7 Turfway Park Race Date	8 Turfway Park Race Date
9	10	11	12 Turfway Park Race Date	13 Turfway Park Race Date	14 Turfway Park Race Date	15 Turfway Park Race Date
16	17	18	19 Turfway Park Race Date	20 Turfway Park Race Date	21 Turfway Park Race Date	22 Turfway Park Race Date
Sandy's at Red Mile	Sandy's at Red Mile	Sandy's at Red Mile				
23	24	25	26 Turfway Park Race Date	27 Turfway Park Race Date	28 Turfway Park Race Date	29 Turfway Park Race Date
Sandy's at Red Mile	Oak Grove Race Date Sandy's at Red Mile Race Date	Oak Grove Race Date Sandy's at Red Mile Race Date				
30	31					
	Oak Grove Race Date					

April 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 Oak Grove Race Date	2	3	4 Keeneland Race Date	5 Keeneland Race Date
6 Keeneland Race Date	7 Oak Grove Race Date	8 Oak Grove Race Date	9 Keeneland Race Date	10 Keeneland Race Date	11 Keeneland Race Date	12 Keeneland Race Date
13 Keeneland Race Date	14 Oak Grove Race Date	15 Oak Grove Race Date	16 Keeneland Race Date	17 Keeneland Race Date	18 Keeneland Race Date	19 Keeneland Race Date
Easter 20	21 Oak Grove Race Date	22 Oak Grove Race Date	23 Keeneland Race Date	24 Keeneland Race Date	25 Keeneland Race Date	26 Churchill Downs Race Date
27	28 Oak Grove Race Date	29 Churchill Downs Race Date Oak Grove Race Date	30 Churchill Downs Race Date			

May 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 Churchill Downs Race Date	<u>Kentucky Oaks</u> 2 Churchill Downs Race Date	<u>Kentucky Derby</u> 3 Churchill Downs Race Date Oak Grove Optional
4	5 Oak Grove Race Date	6 Oak Grove Optional	7	8 Churchill Downs Race Date	9 Churchill Downs Race Date	10 Churchill Downs Race Date
11 Churchill Downs Race Date Oak Grove Race Date	12 Oak Grove Race Date	13 Oak Grove Optional	14	15 Churchill Downs Race Date	16 Churchill Downs Race Date	17 Churchill Downs Race Date
18 Churchill Downs Race Date	19 Oak Grove Race Date	20 Oak Grove Race Date	21	22 Churchill Downs Race Date	23 Churchill Downs Race Date	24 Churchill Downs Race Date
25 Churchill Downs Race Date Oak Grove Race Date	<u>Memorial Day</u> 26 Churchill Downs Race Date Oak Grove Race Date	27 Oak Grove Optional	28	29 Churchill Downs Race Date	30 Churchill Downs Race Date	31 Churchill Downs Race Date

June 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Churchill Downs Race Date	2 Oak Grove Race Date	3 Oak Grove Race Date	4 Churchill Downs Race Date	5 Churchill Downs Race Date	6 Churchill Downs Race Date	7 Churchill Downs Race Date
8 Churchill Downs Race Date	9 Oak Grove Race Date	10 Oak Grove Race Date	11 Churchill Downs Race Date	12 Churchill Downs Race Date	13 Churchill Downs Race Date	14 Churchill Downs Race Date
15 Churchill Downs Race Date	16 Oak Grove Race Date	17 Oak Grove Race Date	18 Churchill Downs Race Date Oak Grove Optional	19 Churchill Downs Race Date	20 Churchill Downs Race Date	21 Churchill Downs Race Date
22 Churchill Downs Race Date	23 Oak Grove Race Date	24 Oak Grove Race Date	25 Churchill Downs Race Date Oak Grove Optional	26 Churchill Downs Race Date	27 Churchill Downs Race Date	28 Churchill Downs Race Date
29 Churchill Downs Race Date	30 Oak Grove Race Date					

July 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 Oak Grove Race Date	2	3 Ellis Park Race Date	Independence Day 4 Ellis Park Race Date	5 Ellis Park Race Date
6 Ellis Park Race Date	7 Ellis Park Optional Oak Grove Race Date	8 Oak Grove Race Date	9	10	11 Ellis Park Optional	12 Ellis Park Race Date
13 Ellis Park Race Date Oak Grove Optional	14 Ellis Park Optional Oak Grove Race Date	15 Oak Grove Race Date	16 Oak Grove Optional	17	18 Ellis Park Optional	19 Ellis Park Race Date
20 Ellis Park Race Date Red Mile Race Date	21 Ellis Park Optional Red Mile Race Date	22 Red Mile Race Date	23	24	25 Ellis Park Optional	26 Ellis Park Race Date
27 Ellis Park Race Date Red Mile Race Date	28 Ellis Park Optional Red Mile Race Date	29 Red Mile Race Date	30 Red Mile Race Date	31		

August 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 Ellis Park Optional	2 Ellis Park Race Date
3 Ellis Park Race Date Red Mile Race Date	4 Ellis Park Optional Red Mile Race Date	5 Red Mile Race Date	6 Red Mile Race Date	7	8 Ellis Park Optional	9 Ellis Park Race Date
10 Ellis Park Race Date Red Mile Race Date	11 Ellis Park Optional Red Mile Race Date	12 Red Mile Race Date	13 Red Mile Race Date	14	15 Ellis Park Optional	16 Ellis Park Race Date
17 Ellis Park Race Date Red Mile Race Date	18 Ellis Park Optional Red Mile Race Date	19 Red Mile Race Date	20 Red Mile Race Date	21	22 Ellis Park Optional	23 Ellis Park Race Date
24 Ellis Park Race Date Red Mile Race Date	25 Red Mile Race Date	26 Red Mile Race Date	27 Red Mile Race Date	28 Kentucky Downs Race Date	29	30 Kentucky Downs Race Date
31 Kentucky Downs Race Date Red Mile Race Date						

September 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Labor Day 1 Kentucky Downs Optional Red Mile Race Date	2 Kentucky Downs Optional Red Mile Race Date	3 Kentucky Downs Optional Red Mile Race Date	4 Kentucky Downs Race Date	5 Kentucky Downs Optional	6 Kentucky Downs Race Date
7 Kentucky Downs Race Date Red Mile Race Date	8 Kentucky Downs Optional Red Mile Race Date	9 Kentucky Downs Optional Red Mile Race Date	10 Kentucky Downs Race Date	11 Churchill Downs Race Date	12 Churchill Downs Race Date	13 Churchill Downs Race Date
14 Churchill Downs Race Date Red Mile Race Date	15 Red Mile Race Date	16 Red Mile Race Date	17 Churchill Downs Race Date	18 Churchill Downs Race Date	19 Churchill Downs Race Date	20 Churchill Downs Race Date
21 Churchill Downs Race Date	22	23	24 Churchill Downs Race Date	25 Churchill Downs Race Date Red Mile Race Date	26 Churchill Downs Race Date Red Mile Race Date	27 Churchill Downs Race Date Red Mile Race Date
28 Churchill Downs Race Date	29	30				

October 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3 Keeneland Race Date Red Mile Race Date	4 Keeneland Race Date Red Mile Race Date
5 Keeneland Race Date Red Mile Race Date	6	7	8 Keeneland Race Date	9 Keeneland Race Date	10 Keeneland Race Date	11 Keeneland Race Date ECL Corbin Optional
12 Keeneland Race Date ECL Corbin Race Date	13 ECL Corbin Race Date	14 ECL Corbin Race Date	15 Keeneland Race Date	16 Keeneland Race Date	17 Keeneland Race Date	18 Keeneland Race Date ECL Corbin Optional
19 Keeneland Race Date ECL Corbin Race Date	20 ECL Corbin Race Date	21 ECL Corbin Race Date	22 Keeneland Race Date	23 Keeneland Race Date	24 Keeneland Race Date	25 Keeneland Race Date ECL Corbin Optional
26 Churchill Downs Race Date ECL Corbin Race Date	27 ECL Corbin Race Date	28 ECL Corbin Race Date	29 Churchill Downs Race Date	30 Churchill Downs Race Date	31 Churchill Downs Race Date	

November 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 Churchill Downs Race Date ECL Corbin Optional
2 Churchill Downs Race Date ECL Corbin Race Date	3 ECL Corbin Race Date	4 ECL Corbin Race Date	5 Churchill Downs Race Date	6 Churchill Downs Race Date	7 Churchill Downs Race Date	8 Churchill Downs Race Date
9 Churchill Downs Race Date	10	11	12 Churchill Downs Race Date	13 Churchill Downs Race Date	14 Churchill Downs Race Date	15 Churchill Downs Race Date
16 Churchill Downs Race Date	17	18	19 Churchill Downs Race Date	20 Churchill Downs Race Date	21 Churchill Downs Race Date	22 Churchill Downs Race Date
23 Churchill Downs Race Date	24	25	26 Churchill Downs Race Date	<u>Thanksgiving Day</u> 27 Churchill Downs Race Date	28 Churchill Downs Race Date	29 Churchill Downs Race Date
30 Churchill Downs Race Date						

December 2025



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3 Turfway Park Race Date	4 Turfway Park Race Date	5 Turfway Park Race Date	6 Turfway Park Race Date
7	8	9	10 Turfway Park Race Date	11 Turfway Park Race Date	12 Turfway Park Race Date	13 Turfway Park Race Date
14	15	16	17 Turfway Park Race Date	18 Turfway Park Race Date	19 Turfway Park Race Date	20 Turfway Park Race Date
21	22	23	<u>Christmas Eve</u> 24	<u>Christmas Day</u> 25	26 Turfway Park Race Date	27 Turfway Park Race Date
28	29	30	<u>New Years Eve</u> 31 Turfway Park Optional			



Andy Beshear
GOVERNOR

Jamie Eads
PRESIDENT & CEO

Jacqueline Coleman
LIEUTENANT GOVERNOR

KENTUCKY HORSE RACING & GAMING CORPORATION

Jonathan Rabinowitz
CHAIRMAN

4047 Iron Works Parkway
Lexington, KY 40511
Phone: (859) 246-2040
Fax: (859) 246-2039

TO: Kentucky Horse Racing and Gaming Corporation
FROM: Travers Manley, Interim General Counsel
DATE: October 28, 2024
RE: **PROPOSED AMENDMENTS TO 810 KAR 2:070**

On September 4, 2024, the Kentucky Horse Racing and Gaming Corporation Rules Committee recommended the KHRGC Board approve the following amendments to 810 KAR 2:070. A copy of the regulation with the proposed changes is enclosed.

810 KAR 2:070, Section 16.

- Add “or a board-certified athletic trainer” after “nurse” in (1)(b).
- Add “or make arrangements to transport” after “transport” in (2)(a).

810 KAR 2:070, Section 33.

- Delete (1) regarding 2-year-old races.

The KHRGC staff recommends approval of the proposed amendments.

BOARD ACTION

_____ Approve
 _____ Defer
 _____ Deny

KENTUCKY HORSE RACING AND GAMING CORPORATION

(Amendment)

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

RELATES TO: KRS 230.215(2), 230.260(8)

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

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

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

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

(a) Comfort and safety of patrons, employees, and other persons whose business requires their attendance; and

(b) Health and safety of horses that are stabled, exercised, or entered to race at the association.

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

(a) Neat and clean;

(b) Painted; and

(c) In good repair.

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

Section 2.

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

Section 3. Starting Gate.

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

Section 4. Stabling.

- (1) An association barn and stall shall be:

~~[(a) Constructed of fire-resistant material;]~~

- (b) Clean, sanitary, and equipped for adequate drainage; and
- (c) Maintained in good repair.

- (2)

- (a) Prior to the opening of a race meeting, the corporation shall submit to the racing secretary a list of locations of approved off-track stabling facilities from which horses shall be permitted to race.
- (b) The locations shall be considered association grounds.

Section 5. Stands for Officials.

(1) An association shall provide and maintain stands commanding an uninterrupted view of the entire racing strip for racing officials.

(2) The stands and their locations shall be approved by the corporation.

(3) The floor of patrol judge stands shall be at least six (6) feet higher than the track rail.

Section 6. Distance Pole Markings.

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

(a) Red and white quarter poles;

(b) Green and white eighth poles; and

(c) Black and white 16th poles.

(2) Permanent markers shall be located at each standard Arabian, quarter horse, paint horse, and appaloosa distance as applicable. Distance pole markers and permanent markers shall be located where they can be seen clearly from the stewards' stand. Each post shall be identified by color as follows: 110 yds., black and white stripes; 220 yds., white; 250 yds., blue; 300 yds., yellow; 330 yds., green; 350 yds., red; 400 yds., black; 440 yds., orange; 550 yds., blue and white stripe; 660 yds., yellow and white stripes; 770 yds., green and white stripes; 870 yds., red and white stripes; and 1,000 yds., red and blue stripes. In addition, for appaloosa races, markers shall be located at six (6) and six and one-half (6 1/2) furlongs to be painted yellow and white and orange and white, respectively.

Section 7. Lighting.

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

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

Section 8. Facilities for Stable Employees.

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

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

Section 9. Facilities for Jockeys.

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

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

Section 10. Facilities for Corporation.

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

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

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

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

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

Section 11. Sanitary Facilities for Patrons. An association shall, on every racing day, provide sanitary toilets and wash rooms, and free drinking water adequate for the number of patrons and

persons having business at the association that comply with applicable statutes, administrative regulations, codes, or ordinances.

Section 12. Manure Removal.

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

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

Section 13. Photo Finish Cameras.

(1) An association shall provide and maintain at the finish line two (2) photo finish cameras for photographing the finish of races. For Quarter Horse races, the photo finish cameras shall be equipped with mirror image to photograph the finish of each race and shall record the running time for each horse to the nearest 1/1000th second.

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

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

Section 14. Race Replays.

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

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

(3)

(a) A race replay shall be:

1. Retained and secured by an association for at least one (1) year; and
 2. Made available to the corporation and stewards upon demand.
- (b) Upon order of the stewards, a visual record of a race that has raised a question, dispute, or controversy shall be filed with the corporation.
- (4) Race replays shall be made available:
- (a) For viewing at the track by licensees who owned, trained, or rode a horse in the race requested to be viewed; and
 - (b) To members of the press.

Section 15. Ambulances.

- (1) An association shall provide and maintain at least one (1) human ambulance and one (1) horse-ambulance whenever horses are permitted to exercise or race.
- (2) An ambulance shall be:
 - (a) Equipped;
 - (b) Manned;
 - (c) Ready for immediate duty; and
 - (d) Located at an entrance to the racing strip.

Section 16.

- (1) Except as provided by subsection (2) of this section, an association shall equip and maintain a first aid facility that is:
 - (a) Equipped with at least two (2) beds; and
 - (b) Attended by a licensed physician and registered nurse or a board-certified athletic trainer during race hours.

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

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

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

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

(a) Heart monitor and defibrillator;

(b) Cellular phone; and

(c) Airways intubation equipment.

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

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

(1) Outriders;

(2) Pari-mutuel department;

(3) Starting gate;

(4) Public address announcer; and

(5) Clerk of the scales.

Section 19. Fire Prevention.

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

(2) The corporation shall not approve the commencement of a race meeting unless, within fifteen

(15) days before commencement of the race meeting, the state or local fire marshal:

- (a) Has inspected the association; and
 - (b) Certified that the association plant and stable area meets fire safety requirements.
- (3) An association shall maintain a firefighting unit of trained personnel that has high-expansion foam fire extinguishers and other equipment required by the local fire inspection authority.
- (4) An association shall prohibit:
- (a) Smoking in stalls, under shed rows, and in feed rooms;
 - (b) Open fires and oil or gas lamps in the stable area; and
 - (c) Locking of stalls occupied by horses.

Section 20. Association Security.

- (1) An association shall provide and maintain security services, night and day, on and about association grounds.
- (2) An association shall furnish to the stewards a report on any disturbances or disorderly conduct committed by a person on association grounds.
- (3) An association shall exclude from association grounds a person designated to be denied access by order of the corporation or stewards.
- (4) An association shall implement security measures to protect a horse on association grounds from being injured by being frightened or tampered with.
- (5) An association shall exclude from the paddock area, race strip, and winner's entrance a person who:
- (a) Does not have an immediate connection with the horses entered; and
 - (b) Is not a corporation member, racing official, or accredited member of the news media.

Section 21. Vendors and Suppliers.

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

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

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

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

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

Section 22. Ejection or Exclusion From Association Grounds.

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

(a) Believed to be engaged in:

1. A bookmaking activity;
2. Solicitation of bets; or
3. Touting;

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

1. Accepted anything of value to be wagered, transmitted, or delivered for wager to a pari-mutuel wagering enterprise; or
2. Participated in the transaction; or

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

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

- (a) Licensed to conduct an activity that requires his presence in the stable area;
- (b) An accredited member of the news media;

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

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

1. Racing official;
2. Association security guard; or
3. Association public relations department representative.

(3)

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

(b) A report shall state the:

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

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

Section 24. Plan of Association Grounds.

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

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

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

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

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

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

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

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

(2) A comparison to the prior year.

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

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

(a) Be separate from its other accounts;

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

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

1. Purses;

2. Stakes;

3. Rewards;

4. Claims; and

5. Deposits.

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

(3)

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

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

or

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

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

(4)

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

1. Person to whom purse money is payable; or

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

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

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

Section 28. Outriders.

- (1) An association shall employ at least two (2) outriders.
- (2) An outrider shall:
 - (a) Escort starters to the post;
 - (b) Assist in the returning of horses to the unsaddling area;
 - (c) Only lead a horse that has demonstrated unruliness; and
 - (d) Assist in the control of a horse that might cause injury to a jockey or others.
- (3) Whenever horses are permitted on the racing strip for exercising or racing, an outrider shall be:
 - (a) Present on the racing strip;
 - (b) Mounted; and
 - (c) Ready to assist in the:
 1. Control of an unruly horse; or
 2. Recapture of a loose horse.

Section 29. Safety Equipment.

- (1) A person mounted on a horse or stable pony at a location under the jurisdiction of the corporation shall wear a properly secured safety helmet at all times. If requested by a corporation official, the person shall provide sufficient evidence that his helmet has a tag, stamp, or similar identifying marker indicating that it meets one of the following safety standards:
 - (a) ASTM International Standard, ASTM F1163-04a;
 - (b) British Standards, BS EN 1384:1997 or PAS 015:1999; or
 - (c) Australian/New Zealand Standard, AS/NZS 3838:2006.
- (2) A person mounted on a horse or stable pony on a location under the jurisdiction of the corporation, assistant starters, and a person handling a horse in a starting gate shall wear a safety

vest at all times. If requested by a corporation official, the person shall provide sufficient evidence that his safety vest has a tag, stamp, or similar identifying marker indicating that it meets or exceeds one (1) of the following safety standards:

- (a) British Equestrian Trade Association (BETA):2000 Level 1;
 - (b) Euro Norm (EN) 13158:2000 Level 1;
 - (c) ASTM International Standard, ASTM F2681-08;
 - (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3;
- or
- (e) Australian Racing Board (ARB) Standard 1.1998.

Section 30. Valets.

- (1) An association shall employ a number of licensed valets sufficient to attend each rider on a day's racing program.
- (2) A valet shall be under the immediate supervision and control of the clerk of scales.
- (3) A rider shall not employ a valet or be attended by a person other than the valet assigned to him by the clerk of scales.
- (4) A valet shall:
 - (a) Be responsible for the care and cleaning up of the apparel and equipment of his assigned rider;
 - (b) Ensure his rider has the proper equipment and colors for a race;
 - (c) Present the proper equipment and attend the saddling of his rider's mount; and
 - (d) Attend the weighing out of his rider.
- (5) A valet or other jockey room attendant shall not place a wager, directly or indirectly, on races run while he serves as a valet for himself or another.

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

Section 31. Minimum Purse and Stakes Values.

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

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

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

- (a) Nomination;
- (b) Eligibility;
- (c) Entrance;
- (d) Starting fees;
- (e) Cash awards;
- (f) Premiums;
- (g) Prizes; or
- (h) Objects of value.

Section 32. Maximum Number of Races. An association shall not program or run more than nine

(9) races on a racing day without permission of the corporation.

Section 33. Two (2) Year Old Races.

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

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

Section 34.

(1)

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

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

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

(2) Constructive notice to and consent of licensees. Persons licensed by the Kentucky Horse Racing and Gaming Corporation shall be deemed, as a condition of licensure, to have notice of and to have consented to exculpatory provisions, which comply with the limitations set forth in this administrative regulation, included in agreements between licensees and in conditions of

racing established by a licensed association. Exculpatory provisions that exceed the limitations set forth in this administrative regulation shall be void and unenforceable in their entirety.

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

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

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

(45 Ky.R. 1881; 3088; eff. 5-31-2019; 50 Ky.R. 458, 1120; eff. 3-5-2024; TAm eff. 7-1-2024.)

APPROVED

Jonathan Rabinowitz
Chair, Kentucky Horse Racing and Gaming Corporation

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on {Month ##, 2024}, at {time}, at {location of the meeting}. 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 was received by that date, the hearing may be cancelled. 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 {Month ##, 2024}. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact Person: Travers Manley

Title: Interim General Counsel

Address: Kentucky Horse Racing Commission, 4047 Iron Works Parkway, Lexington, Kentucky 40511

Phone: (859) 246-2040

Fax: (859) 246-2039

Email: travers.manley@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

810 KAR 2:070

Contact Person: Travers Manley

Phone: 859-246-2040

Email: travers.manley@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

(b) The necessity of this administrative regulation:

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

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

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

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

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

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

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

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

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

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

of the entities identified in question (3):

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

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

(a) Initially:

(b) On a continuing basis:

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

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

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

(9) TIERING: Is tiering applied? (Explain why or why not)

FISCAL IMPACT STATEMENT

810 KAR 2:070

Contact Person: Travers Manley

Phone: 859-246-2040

Email: travers.manley@ky.gov

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

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:

(a) Estimate the following for the first year:

Expenditures:

Revenues:

Cost Savings:

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

(a) Estimate the following for the first year:

Expenditures:

Revenues:

Cost Savings:

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

(4) Identify additional regulated entities not listed in questions (2) or (3):

(a) Estimate the following for the first year:

Expenditures:

Revenues:

Cost Savings:

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

(b) Methodology and resources used to determine the fiscal impact:

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

(b) The methodology and resources used to reach this conclusion:

FEDERAL MANDATE ANALYSIS COMPARISON

810 KAR 2:070

Contact Person: Travers Manley

Phone: 859-246-2040

Email: travers.manley@ky.gov

- (1) Federal statute or regulation constituting the federal mandate.
- (2) State compliance standards.
- (3) Minimum or uniform standards contained in the federal mandate.
- (4) Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?
- (5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.

Andy Beshear
GOVERNOR

Jacqueline Coleman
LIEUTENANT GOVERNOR



Jamie Eads
PRESIDENT & CEO

Jonathan Rabinowitz
CHAIRMAN

KENTUCKY HORSE RACING & GAMING CORPORATION

4047 Iron Works Parkway
Lexington, KY 40511
Phone: (859) 246-2040
Fax: (859) 246-2039

TO: Kentucky Horse Racing and Gaming Corporation
FROM: Travers Manley, Interim General Counsel
DATE: October 28, 2024
RE: **PROPOSED AMENDMENTS TO 810 KAR 4:030**

On September 4, 2024, the Kentucky Horse Racing and Gaming Corporation Rules Committee recommended the KHRGC Board approve the following amendments to 810 KAR 4:030. A copy of the regulation with the proposed changes is enclosed.

810 KAR 4:030, Section 3. Procedure for Making Entries.

- Add circumstances under which a horse may be entered to run in two (2) races on the same day. Both races must be graded-stakes races, the horse is not in the body of both races, and the horse is not entered in either race to the exclusion of any other horse.
- Following the Rules Committee meeting, KHRGC stewards recommended adding language requiring a horse entering two races to scratch from one of the races at the earliest posted scratch time applicable to either race.

810 KAR 4:030, Section 5. Mutuel Entries.

- Add "ownership or" after "through" in (1).
- Delete "or having common ties through training" in (3).
- Delete "or training" in (4)(a).

The Kentucky HBPA polled its members on the proposed changes and received 102 responses. The results for each proposed change to this section are below:

- Add "ownership or" after "through" in (1).
 - 48 in favor; 38 against; 15 undecided; 1 other.

- Delete “or having common ties through training” in (3).
 - 50 in favor; 39 against; 12 undecided; 1 other.
- Delete “or training” in (4)(a).
 - 57 in favor; 38 against; 7 undecided.

810 KAR 4:030, Section 11. Also-Eligible List.

- Corrects an error regarding comma placement in (1).
- Add “not” before “forfeit” in (3)(a).
- The Rules Committee had recommended adding the words, “The horse shall retain its previously established date” after the first sentence in (3)(a), deleting the last sentence in (3)(a), and deleting all of (3)(b). Following the meeting, KHRGC stewards suggested simplifying the change by adding “not” and keeping the rest of the regulation.

810 KAR 4:030, Section 17. Examination by Attending Veterinarian.

- Amends the timing and procedure for the examination of an entry by the attending veterinarian. A horse shall only start if the horse has been examined by an attending veterinarian within three (3) days after the close of entries and no later than two (2) days before the race. The examination shall include, at a minimum, examination of the legs and observation of the horse at rest and while jogging. This version varies slightly from the version presented at the Rules Committee meeting as the words “while jogging” have replaced “jogging in motion.”

The KHRGC staff recommends approval of the proposed amendments.

BOARD ACTION

_____ Approve
 _____ Defer
 _____ Deny

KENTUCKY HORSE RACING AND GAMING CORPORATION

(Amendment)

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

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

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2)(a) and (c) authorize the Kentucky Horse Racing and Gaming Corporation to promulgate administrative regulations prescribing the conditions under which all horse racing is conducted in Kentucky. KRS 230.260(8) authorizes the corporation to regulate conditions under which horse racing shall be conducted in Kentucky. This administrative regulation establishes requirements for entry, subscription, and declaration of horses in order to race.

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

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

Section 3. Procedure for Making Entries.

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

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

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

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

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

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

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

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

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

(a) Both races are graded-stakes races;

(b) The horse will not be in the body of both races; and

(c) The horse is not entered in either race to the exclusion of any horse.

Regardless of Section 15(1)(a), a horse entered in two races to be run on the same day must scratch from at least one of the races at the earliest posted scratch time applicable to either race.

(8)

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

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

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

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

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

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

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

(g) Quarter horses that have never raced around a turn shall have completed at least one (1) workout at 660 yards or farther within thirty (30) days prior to entry.

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

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

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

(11) As a condition of entry, quarter horses shall either submit negative hair samples with a test date within thirty (30) days of the race or have a hair sample pulled by a corporation veterinarian prior to the race and sent to a testing laboratory. If a hair sample taken by a corporation veterinarian returns a positive finding, the horse shall be disqualified and the owner and trainer may incur penalties established in 810 KAR 8:030. In addition, all quarter horses shall submit to out-of-competition testing as established by 810 KAR 8:040.

Section 4. Limitation as to Spouses.

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

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

Section 5. Mutuel Entries.

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

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

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

(4)

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

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

Section 6. Subscriptions.

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

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

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

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

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

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

Section 7. Closings.

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

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

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

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

Section 8. Number of Starters in a Race.

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

(2)

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

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

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

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

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

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

Section 9. Split or Divided Races.

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

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

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

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

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

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

Section 10. Post Positions.

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

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

Section 11. Also-Eligible List.

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

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

(3)

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

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

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

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

(6) If there is a scratch in a straightaway quarter horse race that has an also eligible list, the also eligible horse shall take the post position of the scratched horse. If there is a scratch in a quarter horse race around a turn, the also eligible horse shall take the outside post position in the order drawn from the also eligible list.

Section 12. Preferred List.

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

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

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

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

Section 14. Declarations.

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

(2) Declarations shall be irrevocable.

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

Section 15. Scratches.

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

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

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

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

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

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

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

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

excuses at scratch time, down to a minimum of eight (8) betting interests. This privilege shall be determined by lot if an excessive number of owners or trainers wish to scratch their horses.

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

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

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

Section 17. Entry Examination by Attending Veterinarian.

(1) A [~~Subject to the exception in subsection (4) of this section, a~~] horse shall only start [~~be entered~~] if:

(a) The horse has been examined by an attending veterinarian licensed by the veterinary regulatory body in the jurisdiction where the examination occurs within [~~no more than~~] three

(3) days after the close of entries and no later than two (2) days before the race; and [~~prior to entry;~~]

(b) The attending veterinarian certifies and electronically submits a report to the Equine Medical Director or its designee ~~[in writing]~~ that the horse is in serviceable, sound racing condition.~~;~~~~and]~~

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

(2) The examination required by subsection (1)(a) of this section shall include, at a minimum, examination of the legs and observation of the horse at rest and while jogging. ~~[watching the horse jog in hand.]~~

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

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

(45 Ky.R. 1919; 3116; eff. 5-31-2019; 46 Ky.R. 2522; 2973; 47 Ky.R. 69; eff. 8-25-2020; 47 Ky.R. 1277; eff. 7-6-2021; 48 Ky.R. 2629; eff. 10-4-2022; 50 Ky.R. 473, 1125, 1286; eff. 3-5-2024; TAm eff. 7-1-2024.)

APPROVED

Jonathan Rabinowitz
Chair, Kentucky Horse Racing and Gaming Corporation

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on {Month ##, 2024}, at {time}, at {location of the meeting}. 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 was received by that date, the hearing may be cancelled. 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 {Month ##, 2024}. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact Person: Travers Manley

Title: Interim General Counsel

Address: Kentucky Horse Racing Commission, 4047 Iron Works Parkway, Lexington, Kentucky 40511

Phone: (859) 246-2040

Fax: (859) 246-2039

Email: travers.manley@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

810 KAR 2:070

Contact Person: Travers Manley

Phone: 859-246-2040

Email: travers.manley@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

(b) The necessity of this administrative regulation:

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

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

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

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

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

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

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

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

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

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

(a) Initially:

(b) On a continuing basis:

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

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

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

(9) TIERING: Is tiering applied? (Explain why or why not)

FISCAL IMPACT STATEMENT

810 KAR 2:070

Contact Person: Travers Manley

Phone: 859-246-2040

Email: travers.manley@ky.gov

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

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:

(a) Estimate the following for the first year:

Expenditures:

Revenues:

Cost Savings:

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

(a) Estimate the following for the first year:

Expenditures:

Revenues:

Cost Savings:

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

(4) Identify additional regulated entities not listed in questions (2) or (3):

(a) Estimate the following for the first year:

Expenditures:

Revenues:

Cost Savings:

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

(b) Methodology and resources used to determine the fiscal impact:

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

(b) The methodology and resources used to reach this conclusion:

FEDERAL MANDATE ANALYSIS COMPARISON

810 KAR 2:070

Contact Person: Travers Manley

Phone: 859-246-2040

Email: travers.manley@ky.gov

- (1) Federal statute or regulation constituting the federal mandate.
- (2) State compliance standards.
- (3) Minimum or uniform standards contained in the federal mandate.
- (4) Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?
- (5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.



Andy Beshear
GOVERNOR

Jamie Eads
PRESIDENT & CEO

Jacqueline Coleman
LIEUTENANT GOVERNOR

KENTUCKY HORSE RACING & GAMING CORPORATION

Jonathan Rabinowitz
CHAIRMAN

4047 Iron Works Parkway
Lexington, KY 40511
Phone: (859) 246-2040
Fax: (859) 246-2039

TO: Kentucky Horse Racing & Gaming Corporation
FROM: Susan B. Speckert, Chief Operating Officer
DATE: October 28, 2024
RE: **NEW KHRGC BRANDING PROPOSAL**

Pursuant to Senate Bill 299, the Kentucky Horse Racing Commission was abolished, and all its responsibilities assumed by the newly established Kentucky Horse Racing and Gaming Corporation (“Corporation”) effective July 1, 2024.

One step in creating the new Corporation is to update our logo and branded materials. Other independent government organizations, such as the Kentucky Lottery Corporation, KEMI, Kentucky Housing Corporation and Kentucky Fish & Wildlife, have branding that reflects their activities and organizations.

Three well-respected advertising agencies have master contracts with the state. We met with and asked for proposals from each. While we received strong proposals from each, there was one clear standout, BCH. We are requesting approval to accept BCH’s proposal to create new branding, including a logo and tagline, that reflects not only the new name of the organization, but that better expresses our regulatory duties and captures the excitement around Kentucky racing, breeding and gaming.

Highlights of BCH’s proposal are as follows:

- Extensive public sector experience, including the Lottery
- Intensive process to examine the organization, our activities and obligations
- Deliverables include creating a minimum of 3 logo and tagline options from which to choose
- Reasonable timeline (approximately 90 days)
- Best value for the Corporation (\$26,000 quote)

The Board will be involved in the process.

KHRGC Staff recommends approval.

BOARD ACTION

_____ Approve

_____ Defer

_____ Deny

@kyhorseracing | KHRC.KY.GOV

An Equal Opportunity Employer M/F/D





Andy Beshear
GOVERNOR

Jamie Eads
PRESIDENT & CEO

Jacqueline Coleman
LIEUTENANT GOVERNOR

KENTUCKY HORSE RACING & GAMING CORPORATION

Jonathan Rabinowitz
CHAIRMAN

4047 Iron Works Parkway
Lexington, KY 40511
Phone: (859) 246-2040
Fax: (859) 246-2039

TO: Kentucky Horse Racing and Gaming Corporation
FROM: Drew Conners, Director of Incentives & Development
DATE: October 28, 2024
RE: **2024 KTDF ALLOTMENT REQUESTS AS SUBMITTED AND APPROVED BY THE KTDF ADVISORY COMMITTEE ON 10/15/2024**

The KTDF Advisory Committee met on Tuesday, October 15, 2024 and approved the following KTDF Allotment Requests.

- 2024 Kentucky Downs' KTDF Request to Supplement its 2024 Stakes Purses;
- 2024 Kentucky Downs' KTDF Transfer to Turfway Park; and
- 2024/2025 Turfway Park's Holiday & Winter/Spring KTDF Allotment Request, including a request to use \$100,000 for advertising.

A summary of all details pertaining to these requests follow this memorandum.

The KTDF Advisory Committee along with Kentucky HBPA and KTA-KTOB recommend KHRGC Board approval.

KHRGC staff also recommends approval.

BOARD ACTION

_____ Approve

_____ Defer

_____ Deny

**Summary of KTDF Allotment Requests at the October 15, 2024, KTDF Advisory
Committee Meeting**

2024 Kentucky Downs' KTDF Request to Supplement its 2024 Stakes Purses

In accordance with 810 KAR 7:030, Section 3(3)(b), Kentucky Downs ended their 2024 race meet with a KTDF surplus. They have requested to use a portion of that surplus, between \$2 million and \$2.1 million, to supplement their 18 stakes races. For the three stakes races that carried a total purse of \$500,000, Kentucky Downs will re-distribute \$50,000 to all KTDF registered horses through last place at the same distribution percentage used during their race meet. For the remaining 15 stakes races that carried a total purse of at least \$1 million, they plan to re-distribute \$125,000 to all KTDF registered horses through last place at the same distribution percentage used during their race meet.

2024 Kentucky Downs' KTDF Transfer Request to Turfway Park

In accordance with 810 KAR 7:030, Section 3(3)(c), Kentucky Downs ended their 2024 race meet with a KTDF surplus and has requested to transfer a total of \$1 million dollars in KTDF to Turfway Park to be used during their 2024/2025 Holiday & Winter/Spring race meet(s).

2024/2025 Turfway Park's Holiday & Winter/Spring KTDF Allotment Request

The KTDF purse structure for Turfway Park's 2024 Holiday race meet will consist of 15 racing days beginning Wednesday, December 4, 2024, and ending Saturday, December 28, 2024. For their 2025 Winter/Spring meet they will have 52 racing days beginning January 1, 2024, and ending March 29, 2025. For the entirety of their meet(s) Turfway Park plans to card KTDF purses in the range of \$8.8 million to \$9.4 million. Their projections are based on a KTDF earned balance of \$835 dollars at the conclusion of their 2024 Winter/Spring meet. They are also projecting additional earnings totaling \$7.3 million from HHR at both their Turfway and Newport locations. Additionally, they expect earnings of \$2 million from Oak Grove accumulated between May 2024 and March 2025, per their contract. To encourage participation during the meet, Turfway Park will pay out KTDF purses through last place to all KTDF eligible horses.

To help Turfway Park fund their KTDF purses while increasing the strength of the overall Kentucky Racing Circuit, they are also seeking final approval of a \$1 million KTDF transfer from Kentucky Downs.

In accordance with KRS.230.400, Turfway Park is requesting the use of \$100,000 in KTDF to promote, enhance, improve and encourage the further and continued development of the Kentucky Thoroughbred breeding and racing industry in Kentucky.

Charlie O'Conner
Chairman
Kentucky Thoroughbred Development Fund
4047 Iron Works Parkway
Lexington, KY 40511

October 9, 2024

To the KTDF advisory board,

Pursuant to 810 KAR 7:030, Section 3(3)(b), a licensed association that has a surplus of Kentucky Thoroughbred Development Fund monies may request to distribute a portion of that balance, contingent on the recommendation of the KTDF Advisory Committee and the approval of the corporation, to fund supplemental purse structures approved by the corporation for a previous live racing meet held by the licensed association to the recipients of the original purse allocation. Therefore, Kentucky Downs requests to distribute between \$2 million and \$2.1 million of its KTDF surplus as follows:

Kentucky Downs plans to redistribute the surplus to the horses that participated in the 18 stakes during the 2024 racing season. For the 3 stakes races that carried a total purse of \$500,000, \$50,000 will be re-distributed in each of those 3 races along the same KTDF percentages as any other stakes race. For the remaining 15 stakes races that carried a purse of at least \$1 million, Kentucky Downs plans to re-distribute \$125,000 in each race along similar KTDF distribution percentages. We also plan to re-distribute KTDF monies down to last place for all 18 stakes races.

Kentucky Downs respectfully requests the recommendation of the KTDF Advisory Committee and the approval of the Kentucky Horse Racing and Gaming Corporation Board of this proposal.

Kind Regards,

Ted Nicholson
Vice President of Racing

kentuckydowns.com - 5629 Nashville Rd - Franklin, KY 42134 - (270) 586-7778

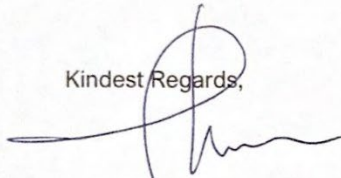
Charlie O'Conner
Chairman
Kentucky Thoroughbred Development Fund
4047 Iron Works Parkway
Lexington, KY 40511

October 9, 2024

To the KTDF advisory board,

Kentucky Downs would like to formally request the transfer of \$1 million of KTDF purse money to Turfway Park for their upcoming Winter/Spring meeting. Thank you in advance for the support of this transfer.

Kindest Regards,



Ted Nicholson
Vice President of Racing



October 10, 2024

**KTDF Advisory Committee (KHRGC)
4047 Iron Works Parkway
Lexington, Kentucky 40511**

Committee Members:

Turfway Park Racing & Gaming has reviewed our purses and would like to card KTDF purses in the range of \$8.8 million to \$9.4 million for our upcoming Holiday/Winter Spring Meet(s). We have based the range on the following information:

1. At the end of April 2024, Turfway Park ended with a KTDF earned balance of \$831.
2. The source(s) of Turfway's KTDF to be used over this period are as follows:
 - a. Turfway Park/Newport HRM: \$7.3 million accumulated from May 2024 through March 2025.
 - i. (HRM + \$250K live racing wagers).
 - b. Oak Grove: \$2 million accumulated from May 2024 through March 2025.
 - c. Kentucky Downs: \$1 million.
3. Our 2024 Holiday Meet will consist of 15 racing days beginning Wednesday, December 4th and ending Saturday, December 28th, 2024. Our 2025 Winter/Spring meet will consist of 52 racing days. The 2025 Winter/Spring Meet begins on January 1st, 2025, and ends on March 29th, 2025.
4. We anticipate that KTDF will be approximately 31% of total purses. Of the requested KTDF allotment, we anticipate the following payouts:

- a. ALW, AOC, SMSW, MDN: approximately 62% of the KTDF allotment.
 - b. BCL, CLM, MCL, STR, WMC: approximately 24% of the KTDF allotment; and
 - c. Stakes: approximately 14% of the KTDF allotment.
5. For December 2024 through March 2025, we are assuming a KTDF payout percentage of 95% with anticipated KTDF disbursements of \$9.1 million, which is consistent with the amount paid out last year over the same period.
 6. Turfway Park will be requesting \$100K for marketing our on-track experience.
 7. To encourage participation during the Meet, we are again planning to pay KTDF purses from first to last for all eligible horses.

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

Sincerely,



Daniel "Chip" Bach, Jr.

General Manager
Turfway Park, LLC



General Manager

Allotment Requests are Subject to Kentucky Horse Racing Commission (KHRC) Approval

Summary of improvements:

- Included summer stabling, providing stalls for 850 horses to support the Churchill Downs, Ellis Park, Kentucky Downs, and Keeneland meet(s),

The following information will be included in Turfway Park Racing & Gaming Condition Book(s) related to the Kentucky Thoroughbred Development Fund (KTDF).

TURFWAY PARK RACING & GAMING

KENTUCKY THOROUGHBRED DEVELOPMENT FUND (KTDF)

ALLOCATION OF FUND BASED ON NUMBER OF STARTERS AND FINISH

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

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



Example:

Date	Race	# of Starts	KTDF Offered
11/30/2022		5	11 \$32,000.00

KTDF:	Finish										
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th
Eligible Payout	Yes \$19,200.00	Yes \$6,400.00	Yes \$3,200.00	Yes \$1,600.00	Yes \$960.00	Yes \$106.67	No \$0.00	Yes \$106.67	Yes \$106.67	Yes \$106.67	Yes \$106.67
	KTDF Reverts \$106.67										

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

KTDF:	2nd	3rd	Total
Payout	\$6,400.00	\$3,200.00	\$9,600.00 → Eligible horse would receive 50% of the Total for 2nd and 3rd
	KTDF Payout	KTDF Reverts	
	\$4,800.00	\$4,800.00	

THE KENTUCKY THOROUGHBRED DEVELOPMENT FUND (KTDF)

Horsemen with Kentucky-sired Kentucky bred have over \$30 million more in purse money to run in for designated stakes, handicap, allowance, non-claiming maiden races, and claiming races contested at licensed Thoroughbred race meetings in Kentucky.

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

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

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

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

Mrs. Jenny McGaughey, Director of KTDF Registration
 Kentucky Thoroughbred Owners and Breeders
 4079 Iron Works Parkway
 Lexington, Kentucky 40511
 (T) 859-259-1643

(M) 859-361-6002
 www.kta-ktob.com

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



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

- 60%.....to the winner
 - 20%..... to second
 - 10%.....to third
 - 5%..... to fourth
 - 3%.....to fifth
- Remaining 2% divided evenly among starters.

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

2025 Racing Season

Turfway Park Racing & Gaming and KTDF



Wager & Win-Brought to you by KTDF

Free Bet Friday's at Turfway Park

One (1) Winner each Friday for \$250 Free Bet (\$4,250 total)

Jeff Ruby Steaks Race: Dream Bet

One (1) Winner on 3/22 to place a "Dream Bet" of \$5,000 on the Jeff Ruby Steaks Race

DJ Bets for a Better Tomorrow

\$375 Bet-Winnings go to charity of choice

\$375 Bet-Winnings go to charity of choice

\$10,000 in Free Bets for 2025



2



Radio Giveaways & Messaging

“Brought to you by KTDF”

Week #	December	January	February	March
1	50 General Admission Jeff Ruby Steak Tickets. (5 Pairs) per station	Autographed Racing Item(s)	Autographed Racing Item(s)	50 General Admission Jeff Ruby Steak Tickets. (5 Pairs) per station
2	Dinner for 2 at Homestretch (\$75 Value) 5x-1 per station	50 General Admission Jeff Ruby Steak Tickets. (5 Pairs) per station	50 General Admission Jeff Ruby Steak Tickets. (5 Pairs) per station	Dinner for 2 at Homestretch (\$75 Value) 5x-1 per station
3	Dinner for 2 with a Jockey or Racing Personality	Dinner for 2 at Homestretch (\$75 Value) 5x-1 per station	Dinner for 2 at Homestretch (\$75 Value) 5x-1 per station	Named Race and Private Tour w/ Chip
4	Named Race and Private Tour w/ Chip	Named Race and Private Tour w/ Chip	Named Race and Private Tour w/ Chip	N/A



3

Season Point Race Opportunities

Jeff Ruby Steaks VIP

- Top two (2) point earners receive two (2) VIP Tickets (\$550 value per winner)
- Based on December & January points earned
- Two (2) VIP tickets for a Players Club Members (drawing)

Kentucky Derby Tickets

- Top point earner receives two (2) Kentucky Derby Tickets & Hotel Accommodations for 2025 KY Derby
- Based on February & March Racing Points Earned

Logo'd Merch Giveaways

- One (1) Promotion for Merch item per month with (XX) points earned
- TBD Dates (December, January, February)



4

KTDF Spend Summary-Advertising

Digital Spend

- November
 - Google Search- \$550
 - Google Display- \$350
 - FB Web Click- \$350
 - FB Promoted Post- \$800
- December
 - Google Search- \$1,000
 - Google Display- \$1,500
 - FB Web Click- \$1,500
 - FB Promoted Post- \$2,000
- January
 - Google Search- \$1,285
 - Google Display- \$1,000
 - FB Web Click- \$1,000
 - FB Promoted Post- \$2,000
- February
 - Google Search- \$1,285
 - Google Display- \$1,000
 - FB Web Click- \$1,000
 - FB Promoted Post- \$2,000
- March
 - Google Search- \$1,285
 - Google Display- \$1,000
 - FB Web Click- \$1,000
 - FB Promoted Post- \$2,000

\$23,905 Total Spend

Radio Spend

- Weather and Traffic :15 Sponsorships
"Brought to you by KTDF and Turfway Park Racing & Gaming"
- 9 weeks of 12/2, 12/9, 12/16, 1/6, 1/13, 2/3, 2/10, 3/3, 3/10
- 59 Spots per week- 45.5% reach/5.4 frequency
- :15 second spots to run Monday-Friday
- Stations: WGRR-FM, WKTF-FM, WNNF-FM, WOEX-FM, WRRM-FM



5

ORGANIC REACH EFFORTS



"X"

- Focus on Racing Fan earning Points
- Promote Monthly/Weekly Events
- Messaging to push card sign-ups (NM Offer, Members Only Offers)

FACEBOOK

- Live Feeds (interview setting) discussing racing programming and promos "Brought to you by KTDF"
- Weekly Posts about months promo for racing

FLYERS/SIGNAGE

- Backside (Flyers)
- Local Bars/Restaurants w/ Target Audience (Flyers)
- Hotels (Flyers)
- On property signage (digital and print)
- Marquee feature for racing promotions
- Encompass screen to feature racing promotion on HRM machines

6

Spend	Cost	Dates
Free Bets	\$ 10,000.00	12/6, 12/13, 12/20, 12/27,1/3,1/10,
Radio Personality Fee	\$ 1,100.00	December & February
Promo Items	\$ 15,000.00	December, January, February
Radio Buys (On-Air weeks)	\$ 20,000.00	12/2,12/9,12/16,1/6,1/13,2/3,2/10,3/3,3/10
Digital Buys (Google display & search,FB promoted post & web click ads)	\$ 23,900.00	November-March
Horse Racing Nation	\$ 15,000.00	
Workout Videos	\$ 15,000.00	
	\$ 100,000.00	
Added Programming		Radio Giveaways
6	VIP Tickets to JRS	
2	KY Derby Tickets & Accomodations	
250	GA JRS Tickets 5 Pair per Station (50tix x4 months)	
20	Dinner for 2 @ Homestretch	
1	Dinner for 2 w/ Racing Personality	
4	Named Race & Private Tour	
2	Autographed Racing Item	





Andy Beshear
GOVERNOR

Jamie Eads
PRESIDENT & CEO

Jacqueline Coleman
LIEUTENANT GOVERNOR

KENTUCKY HORSE RACING & GAMING CORPORATION

Jonathan Rabinowitz
CHAIRMAN

4047 Iron Works Parkway
Lexington, KY 40511
Phone: (859) 246-2040
Fax: (859) 246-2039

TO: Kentucky Horse Racing and Gaming Corporation
FROM: Barbara Borden, Chief State Steward
DATE: October 28, 2024
RE: **TURFWAY PARK, LLC'S PROPOSED 2024 HOLIDAY RACE MEET & 2025 WINTER/SPRING RACE MEET OFFICIALS AND DATE PREFERENCE SYSTEM**

By letter dated September 20, 2024, Tyler Picklesimer, Director of Racing/Racing Secretary at Turfway Park, LLC (Turfway Park), requests approval of the attached roster of Racing Officials and Date Preference System for Turfway Park's 2024 Holiday Race Meet and 2025 Winter Spring Race Meet conducted at Turfway Park. Please be advised that all Stewards have been accredited by Racing Officials Accreditation Program (ROAP) and all officials will be licensed by the opening day of its meet.

KHRGC staff recommends approval.

BOARD ACTION

_____ Approve
_____ Defer
_____ Deny



Friday, September 20, 2024

Jamie Eads, President and CEO
Kentucky Horse Racing and Gaming Corporation
4047 Ironworks Parkway
Lexington, KY 40511

Ms. Eads:

Turfway Park nominates the following racing officials for approval by the Kentucky Horse Racing and Gaming Corporation for the 2024 Holiday Meet and 2025 Winter Spring Meet.

Association Steward	William D. Troilo*
Director of Racing and Racing Secretary	Tyler B. Picklesimer*
Assistant Racing Secretary	W. Randolph Wehrman
Placing Judges / Entry Clerks	Ed Meyer
	David Pate*
	Mary Troilo
Paddock Judge / Entry Clerk	Ron Anthony*
Clocker	Gerard P. O'Brien
Clerk of Scales / Entry Clerk	Vincent P. Clark*
Entry Clerk	Michael Trotter
Starter	Calcb Hays
Jockey Room Custodian	Kathy Lowry
Outriders	Adrian Vicencio
	Kim Martin
	John Lee Wells
Stakes Coordinator / Claims Clerk	Jackie Herbstreit
Identifier	Jose Siracusano
Stall Superintendent	Peggy Pate
Announcer	Tony Calo
Back Side Security Manager	Darren Piccirillo
Mutuel Manager	Aaron Spurlock
Horsemens Bookkeeper	Tia M. Murphy
Track Superintendent	Jeff Chapman
Paddock Blacksmith	Art Tearl
Teletimer and Photo Finish / Entry Clerk	Vince Cyster
Alternate Official	Claude Freije
(*Accredited – Stewards Accreditation Program)	

Respectfully submitted,


Tyler B. Picklesimer
Director of Racing / Racing Secretary

7500 Turfway Road | PO Box 8 | Florence, KY 41022
(859) 371-0200 | (800) 733-0200 | Fax: (859) 647-4739

Must be 21 or older. Gambling problem?
Call 1.800.GAMBLER

TURFWAY.COM

Date Preference System:

The following date system of preference is used at Turfway Park:

Foal certificates no longer are required to be on file in the racing office to enter or start at Turfway Park; however, foal certificates must be on file to obtain a preference date and to have 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 into 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 Turfway Park will be assigned a preference date. A horse can have only one date at any particular time. Dates assigned will be of two types:

E-Date

This date will correspond to: (a) the date on which a horse's foal papers and name card are submitted to the Identifier (the earliest date being the day when entries are first taken for the meeting). The deadline to submit foal papers/digital foal certificates to receive a date on day of entry is 9:30 a.m. Eastern. (b) The day on which a horse is first entered if his papers are not on file with the Identifier. To qualify for the latter E-Date, a horse must have been excluded from a race that appears on the overnight or he must have been entered in a condition book race that failed to fill through insufficient entries.

R-Date

This date will correspond to the day of a horse's most recent race at Turfway Park. An R-Date will also be assigned to a horse that scratches, providing the foal papers are on file with the identifier.

3. A horse retains his R-Date until he receives a newer R-Date. No horse with an established R-Date may receive an E-Date. A horse whose papers are removed from the Identifier's office will lose his date and must subsequently re-establish a date in order to receive preference. A horse with an E-Date cannot receive a newer E-Date. Horses starting at another racetrack will forfeit any date they may have at Turfway Park. Additionally, horses racing at Turfway Park without foal papers on site will not retain their R-Date.
4. Preference dates are good for any type of race or distance (other than maiden dates).
5. Maiden dates will be kept separately and will not have preference in winners' races.
6. No E-Date will be assigned to the second choice of an un-split same-owner entry.
7. A horse that has been placed on a list (Veterinarian, Steward, Starter, or Paddock Judge) will lose his date and be assigned an R-Date corresponding to the day he is removed from the list.
8. Horses on the Also-Eligible list shall be permitted to draw into races and will be assigned post positions in the order of their dates, earliest dates first.
9. A horse that is a scheduled starter in a canceled race will not receive an R-Date for that race but will retain his previous date.
10. The draw of stake and handicap races is not subject to date preference.
11. Preference dates are transferred through change in ownership and changes in trainer only after the proper transfer procedures have been completed through the Stewards' Office and delivered to the Racing Secretary's Office.
12. Date preference rules will not supersede KHRC rules regarding preference, eligibility, or scratches.

THOROUGHBRED RULINGS

2024 TB RULINGS LIST BY CATEGORY (through October 18, 2024)

NON-MEDICATION VIOLATIONS

	<u>Total</u>	<u>Fines</u>	<u>Suspensions</u>	<u>Disqualifications</u>	<u>Appeals</u>	
<u>Jockey Violations</u>						
Careless Riding	15	0	15	0	0	Routine riding offense
Overly Aggressive Riding	0	0	0	0	0	
Other Disciplinary Violations	6	6	1	0	0	Failure to fulfill riding engagement, failure to appear for race replay review, display of temper, touched rival while approaching finish, removed helmet while aboard mount, eased up approaching finish and failed to obtain best placing
Subtotal	<u>21</u>	\$6,200				
<u>Other Licensee Violations</u>						
Misc. violations by licensees	8	7	1	0	0	Fined for falsification of license application, violated scratch regulation, prohibited electronic treatment, failed to have entrant at track, prohibited oral administration
Disorderly conduct and formal ejections	13	3	11	0	0	Tampered with human drug test, failure to heed directive of outriders, suspended for falsification of license application, assault on security guard, drug possession and failed drug test, interfering with commission employees while in the course of performing their duties, pending criminal charges, criminal conviction
Suspended for non payment of fines	0	0	0	0	0	
Subtotal	<u>21</u>	\$4,850				
Other Rulings Issued	4	0	0	0	0	The remaining ruling that has been issued in 2024 is for information only and includes purse redistribution, license type change, license rescinded
TOTAL 2024 RULINGS	<u>37</u>	\$7,050				

2024 THOROUGHBRED RULINGS

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	DETERMINATION	PENALTY OR ACTION	FINE	STATUS
24-0038	8/12/2024	8/5/2024	Rashawn Williams	Criminal conviction	Suspended pending appearance before Stewards		Current suspension
24-0039	8/12/2024	8/11/2024	Jonayker Arcaya	Pending criminal charges and formal ejection from Ellis Park	Suspended pending appearance before Stewards		Current suspension
24-0040	8/29/2024	8/25/2024	Erik Asmussen	careless riding	Suspended 3 days September 5, September 7 and September 8, 2024		Suspension served
24-0041	9/19/2024	9/14/2024	Walter A. Rodriguez	careless riding	Suspended 3 days September 27 through September 29, 2024 (inclusive)		Suspension served
24-0042	9/20/2024	9/18/2024	Gregory D. Foley	Prohibited electronic treatment within 24 hours prior to post time, necessitating late scratch	Fined	\$ 500	Paid
24-0043	9/27/2024	9/25/2024	Kenneth G. McPeek	Failed to have his entrant at Churchill Downs, necessitating late scratch.	Fined	\$ 500	Paid
24-0044	10/10/2024	10/6/2024	Matt Kordenbrock	Prohibited oral administration prior to post time, necessitating late scratch	Fined	\$ 500	Not Paid
24-0045	10/10/2024	n/a	Colby C.Lavergne	No longer working as Racing Official	Rescinded license		Unlicensed
24-0046	10/17/2024	10/16/2024	Luan Machado	Error in judgment. Eased up approaching finish and failed to obtain best placing	Suspended 3 days October 27, October 30, and October 31, 2024	\$ 2,500	Not Paid

STANDARD BRED RULINGS

STANDARD BRED RULINGS 2024

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	COMMENTS	PENALTY/ ACTION	FINE	STATUS
J2024-001	4/30/2024	6/30/2013	Luke A McCarthy	Failure to drive when programmed	Fine	\$200	Paid
J2024-002	4/15/2024	4/2/2024	Chris A Brown	Excessive Use of Whip	Fine	\$200	Paid
J2024-003	4/30/2024	4/22/2024	Jacob T Stillwell	Excessive Use of Whip	Fine	\$200	Paid
J2024-004	4/30/2024	4/22/2024	Jafari S Frazier	Excessive Use of Whip	Fine	\$200	Paid
J2024-005	4/22/2024	4/22/2024	Jim T Brinson	Excessive Use of Whip	Fine	\$200	Paid
J2024-006	4/30/2024	4/29/2024	Marcus D Hill	Excessive Use of Whip	Fine	\$200	Paid
J2024-007	6/6/2024	5/27/2024	Emanuel Miller	Interference During the Running of the Race	Fine	\$200	Paid
J2024-008	5/7/2024	5/9/2024	Tyler Shehan	Excessive Use of Whip	Fine	\$200	Paid
J2024-009	5/13/2024	5/14/2024	Devon Tharps	Leaning back in sulky	Fine	\$100	Paid
J2024-010	6/6/2024	5/13/2024	Andy R Miller	Excessive Use of Whip	Fine	\$500	Paid
J2024-011	6/6/2024	5/20/2024	Cordarius Stewart	Excessive Use of Whip	Fine	\$200	Paid
J2024-012	6/6/2024	5/13/2024	Devon Tharps	Leaning back in sulky	Fine	\$100	Paid
J2024-013	6/6/2024	5/20/2024	Jamaal Denson	Interference During the Running of the Race	Fine	\$200	Paid
J2024-014	6/6/2024	5/13/2024	Patrick Curtin	Excessive Use of Whip	Fine	\$200	Paid

STANDARD BRED RULINGS 2024

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	COMMENTS	PENALTY/ ACTION	FINE	STATUS
J2024-015	6/6/2024	6/11/2024	Shae Vandervort	Excessive Use of Whip	Fine	\$200	Paid
J2024-016	6/6/2024	5/27/2024	Roy Marohn	Excessive Use of Whip	Fine	\$200	Paid
KYPS2024-01	5/25/2024	5/29/2024	S Bernard Demars	Excessive Use of Whip	Fine	\$200	Paid
J2024-017	6/25/2024	6/19/2024	Terry L Skinner	Excessive Use of Whip	Fine, suspended 5 days - 6/27/24-7/1/24	\$500	Paid
KYPS2024-02							
KYPS2024-03	6/21/2024	6/19/2024	Tyler Shehan	Inside the euro rail/pylon violation	Fine	\$100	Paid
KYPS2024-04	6/21/2024	6/19/2024	Emanuel Miller	Inside the euro rail/pylon violation	Fine	\$100	Paid
KYPS2024-05	6/21/2024	6/19/2024	Curtis Bradford	Indiscriminate Use of Whip	Fine	\$100	Paid
KYPS2024-06	6/21/2024	6/19/2024	Greg Powell	Late to Paddock	Fine	\$50	Paid
KYPS2024-07	6/28/2024	6/26/2024	Mike A Hollenback	Excessive Use of Whip	Fine	\$200	Paid
J2024-018	7/5/2024	7/2/2024	Wyatt Avenatti	Excessive Use of Whip	Fine	\$200	Paid
J2024-019	7/7/2024	6/25/2024	David S Miller	Failure to drive when programmed	Fine	\$200	Paid
J2024-020	7/7/2024	6/25/2024	Peter M Wrenn	Failure to Drive when Programmed	Fine	\$50	Paid
J2024-021	7/9/2024	7/8/2024	Jimmy R Watson	Late Driver Change	Fine	\$100	Paid

STANDARD BRED RULINGS 2024

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	COMMENTS	PENALTY/ ACTION	FINE	STATUS
J2024-022	7/9/2024	7/8/2024	Carson M Conrad	Excessive Use of Whip	Fine	\$100	Paid
RM2024-001	8/6/2024	8/4/2024	Ronnie H. Wrenn Jr.	Excessive Use of Whip	Fine, suspended 3 days - 8/5/24-8/7/24	\$500	Paid, Suspension Served
RM2024-002	8/11/2024	7/21/2024	Carson M Conrad	Excessive Use of Whip	Fine, 2nd offense	\$300	Paid
RM2024-003	8/11/2024	7/30/2024	Tony A Hall	Unconventional Use of Whip	Fine	\$200	Paid
RM2024-004	8/12/2024	7/30/2024	Andy R Miller	Excessive Use of Whip	Fine	\$300	Paid
RM2024-005	8/18/2024	8/6/2024	Jamaal D Denson	Failure to obey judges orders, careless driving not keeping reins taut, excessive use of whip causing welts	21 days suspension with 14 days held in abeyance pending no further violations		7 Days Served 8/21-8/27/24
RM2024-006	8/25/2024	7/21/2024	James Edward Stiltner II	Excessive Use of Whip	Fine	\$200	
RM2024-007	8/25/2024	7/21/2024	James Edward Stiltner II	Excessive Use of Whip	Fine	\$300	
RM2024-008	9/14/2024	8/13/2024	Marcus D Hill	Impeding the progress of another horse	Fine	\$200	
RM2024-009	8/25/2024	8/20/2024	Graham Lewis	Excessive Use of Whip	Fine & Suspended 7 days	\$300	Paid, Suspension Served
RM2024-010	9/9/2024	8/20/2024	James Edward Stiltner II	Excessive Use of Whip	Fine	\$300	
RM2024-011	9/10/2024	8/20/2024	James Edward Stiltner II	Excessive Use of Whip	Fine	\$300	
RM2024-012	8/25/2024	8/12/2024	Bruce A Sturgeon	Caused Interference	Fine	\$100	Paid
RM2024-013	8/25/2024	8/13/2024	Don C Campbell	Late Driver Change	Fine	\$100	Paid

STANDARD BRED RULINGS 2024

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	COMMENTS	PENALTY/ ACTION	FINE	STATUS
RM2024-014	9/11/2024	8/6/2024	Andy R Miller	Excessive Use of Whip in Stakes	Fine	\$500	Paid
RM2024-015	9/11/2024	8/6/2024	Andy R Miller	Excessive Use of Whip	Fine	\$500	Paid
RM2024-016	9/11/2024	8/5/2024	Todd P McCarthy	Excessive Use of Whip	Fine	\$500	
RM2024-017	9/11/2024	8/13/2024	Fernand Paquet Jr	Causing Interference/Horse DQ'd	Fine	\$200	lvm 10/21
RM2024-018	9/11/2024	8/20/2024	Nicolas Roussel	Excessive Use of Whip	Fine	\$200	Paid
RM2024-019	9/12/2024	8/11/2024	Kyle A Husted	Excessive Use of Whip	Fine	\$200	Paid
RM2024-020	9/12/2024	9/3/2024	Devon Tharps	Leaning Back in Sulky	Fine, 2nd offense	\$300	Paid
RM2024-021	9/14/2024	8/18/2024	Robert A Stewart	Disorderly conduct, using insulting and profane language to, and harassing a KHRGC official, (vet) disturbing the peace, compromising the integrity of a secure area	Fine	\$2,500	Paid
RM2024-022	9/20/2024	9/15/2024	Travis Alexander	Late to Paddock Necessitating a Late Scratch	Fine	\$500	
RM2024-023	9/23/2024	4/22/2024	Jacob T Stillwell	License suspended pending payment of fine	Suspension		Paid/Restored to good standing
RM2024-024	9/20/2024	9/16/2024	Jim T Brinson	Late Driver Change	Fine	\$100	Paid
RM2024-025	9/11/2024	9/2/2024	Devon Tharps	Leaning Back in Sulky	Fine	\$200	

STANDARD BRED RULINGS 2024

RULING NUMBER	RULING DATE	INFRACTION DATE	ISSUED TO	COMMENTS	PENALTY/ ACTION	FINE	STATUS
RM2024-026	9/30/2024	9/26/2024	Anibal Borjas	Excessive Use of Whip	Fine, suspended 3 days (10/1-10/3)	\$500	Paid/Suspension Served
RM2024-027	9/10/2024	9/2/2024	Katricia Adams	Failed to honor declaration	Fine	\$300	will pay 10/21
RM2024-028	8/25/2024	8/13/2024	Randy D Crisler	Late to paddock necessitation a late scratch	Fine	\$100	hand delivered 10/14
RM2024-029	8/25/2024	8/13/2024	Randy D Crisler	Late Driver Change	Fine	\$100	hand delivered 10/14

KHRC Veterinary Report

Ellis Park 2024

Total Starts	1937
Post Race Samples	501
tCO ₂	246
Veterinary Scratches	47
Pre-Race	33
On-Track	14
Soundness related	9
Gate/paddock Injury	5
KHRC Veterinary List	87
Scratches	47
Race Injuries/post race lame/test barn lame	27
EIPH	4
Heat Distress	9
Claimed horses	92
Voided Claims	11
Ambulance Runs	19
Racing Fatalities	2
Musculo-skeletal	2
Training Fatalities	2
Musculo-skeletal	1
Traumatic Injury	1

KHRC Veterinary Report

Kentucky Downs 2024

Total Starts	828
Post Race Samples	173
tCO ₂	152
Veterinary Scratches	23
Pre-Race	13
On-Track	10
Soundness related	6
Gate/paddock Injury	4
KHRC Veterinary List	27
Scratches	23
Race Injuries/post race lame/test barn lame	3
EIPH	0
Heat Distress	1
Claimed horses	2
Voided Claims	0
Ambulance Runs	0
Racing Fatalities	0
Training Fatalities	0

KHRC Veterinary Report

Churchill Downs September Meet 2024

Total Starts	1116
Post Race Samples	313
tCO ₂	148
Veterinary Scratches	28
Pre-Race	19
On-Track	9
Soundness related	5
Gate/paddock Injury	4
KHRC Veterinary List	47
Scratches	28
Race Injuries/post race lame/test barn lame	15
EIPH	2
Heat Distress	2
Claimed horses	101
Voided Claims	9
Ambulance Runs	4
Racing Fatalities	0
Training Fatalities	2
Musculo-skeletal	2

KHRC Veterinary Report

Red Mile 2024

Total Starts	4070
Post Race Tested	703
tCO ₂	229
Veterinary Scratches	7
On-Track	7
Soundness related	7
KHRC Veterinary List	13
Scratches	7
Race Injuries/post race lame/test barn lame	2
EIPH	1
Physical Distress	3
Claimed horses	2
Voided Claims	0
Ambulance Runs	1
Racing Fatalities	1
Musculo-skeletal	1
Training Fatalities	0

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

Year	Category Non-musculoskeletal: EIPH, Sudden Death, Racing Accident	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Starts (incompass)	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
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

Year	Category Non-musculoskeletal: EIPH, Sudden Death, Racing Accident	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Starts (incompass)	Fatalities per 1,000 starts
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
2020	Musculoskeletal	1	0	1	0	1	0	0	3	4	1	4	1	16	13,872	1.15
	Non-musculoskeletal	0	0	3	0	0	0	0	0	0	0	0	0	3		0.22
	TOTAL	1	0	4	0	1	0	0	3	4	1	4	1	19		1.37
2021	Musculoskeletal	2	1	0	0	1	2	1	1	4	3	2	2	19	14,676	1.29
	Non-musculoskeletal	0	0	0	0	0	0	0	0	0	0	0	0	0		0
	TOTAL	2	1	0	0	1	2	1	1	4	3	2	2	19		1.29

Year	Category Non-musculoskeletal: EIPH, Sudden Death, Racing Accident	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Starts (incompass)	Fatalities per 1,000 starts
2022	Musculoskeletal	0	1	0	1	2	1	2	2	0	1	3	0	13	15,913	0.82
	Non-Musculoskeletal	0	1	0	0	0	1	0	0	0	0	0	0	2		0.13
	TOTAL	0	2	0	1	2	2	2	2	0	1	3	0	15		0.94
2023	Musculoskeletal	1	2	3	3	8	1	1	0	0	1	2	1	23	16,699	1.38
	Non-Musculoskeletal	0	0	0	1	1	0	0	0	0	0	0	0	2		0.12
	TOTAL	1	2	3	4	9	1	1	0	0	1	3	1	25		1.49
2024	Musculoskeletal	0	0	1	1	1	1	0	2	0				6	12,673	0.47
	Non-Musculoskeletal	1	0	0	0	0	0	0	0	0				1		0.08
	TOTAL	1	0	1	1	1	1	0	2	0				7		0.55

PARI-MUTUEL WAGERING DIVISION

1 2 3 4

Pari-Mutuel Wagering for August 2024

August

2024

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

On-Track Wagers on Live Horse Racing

	Churchill Downs Racetrack, LLC	ECL Corbin, LLC	Ellis Entertainment, LLC	Keeneland Association, Inc.	Kentucky Downs, LLC	Lexington Trots Breeders Association, LLC	Revolutionary Racing Kentucky, LLC	Turfway Park, LLC	WKY Development, LLC	Grand Total
Race Dates	0	0	12	0	2	12	0	0	0	26
On-Track Handle	\$0	\$0	\$1,430,714	\$0	\$527,615	\$341,083	\$0	\$0	\$0	\$2,299,412
Return to Public	\$0	\$0	\$1,089,997	\$0	\$336,384	\$289,052	\$0	\$0	\$0	\$1,715,432
Commission	\$0	\$0	\$277,373	\$0	\$95,244	\$70,535	\$0	\$0	\$0	\$443,152
Settlement	\$0	\$0	\$62,470	\$0	\$95,562	(\$16,738)	\$0	\$0	\$0	\$141,294
Breakage	\$0	\$0	\$1,056	\$0	\$426	\$235	\$0	\$0	\$0	\$1,716
Minus Pools	\$0	\$0	(\$182)	\$0	\$0	(\$2,001)	\$0	\$0	\$0	(\$2,183)
Daily Average Live Handle			\$119,226		\$263,808	\$28,424				\$88,439
Backside Improvement Fund	\$0	\$0	\$7,154	\$0	\$2,638	\$0	\$0	\$0	\$0	\$9,792
Excise Tax	\$0	\$0	\$21,461	\$0	\$7,914	\$5,116	\$0	\$0	\$0	\$34,491
Thoroughbred Development Fund	\$0	\$0	\$10,730	\$0	\$3,957	\$0	\$0	\$0	\$0	\$14,687
Standardbred Development Fund	\$0	\$0	\$0	\$0	\$0	\$3,411	\$0	\$0	\$0	\$3,411
Quarter Horse Development Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equine Drug Research	\$0	\$0	\$1,431	\$0	\$528	\$341	\$0	\$0	\$0	\$2,299
Higher Ed Equine Trust	\$0	\$0	\$1,431	\$0	\$528	\$341	\$0	\$0	\$0	\$2,299
Equine Industry Programs	\$0	\$0	\$2,861	\$0	\$1,055	\$682	\$0	\$0	\$0	\$4,599
General Fund	\$0	\$0	\$5,007	\$0	\$1,847	\$341	\$0	\$0	\$0	\$7,195

Simulcast Wagers on Interstate and Intertrack Live Horse Racing

	Churchill Downs Racetrack, LLC		ECL Corbin, LLC	Ellis Entertainment, LLC	Keeneland Association, Inc.	Kentucky Downs, LLC	Lexington Trots Breeders Association, LLC	Revolutionary Racing Kentucky, LLC	Turfway Park, LLC	WKY Development, LLC	Grand Total
	Churchill Downs Racetrack	Louisville Thoroughbred Society	Cumberland Run Racetrack	Ellis Park Racetrack	Keeneland Racetrack	Kentucky Downs Racetrack	Red Mile Racetrack	Revolutionary Racing Kentucky, LLC	Turfway Park Racetrack	Oak Grove Racetrack	
Off-Track Handle (Simulcast)	\$1,953,216	\$8,675	\$48,715	\$855,541	\$2,103,015	\$850,359	\$1,300,924	\$101,683	\$1,000,893	\$319,883	\$8,542,904
Thoroughbred	\$1,869,079	\$7,995	\$45,154	\$787,089	\$2,099,469	\$766,431	\$0	\$91,296	\$959,446	\$270,888	\$6,896,846
Standardbred	\$59,672	\$597	\$2,858	\$61,159	\$0	\$62,089	\$1,294,782	\$8,783	\$27,963	\$40,482	\$1,558,386
Quarter Horse	\$24,465	\$82	\$637	\$7,293	\$3,546	\$20,673	\$6,106	\$1,604	\$13,485	\$8,513	\$86,403
All Other Breeds	\$0	\$0	\$66	\$0	\$0	\$1,167	\$36	\$0	\$0	\$0	\$1,269
Excise Tax - Simulcast	\$29,298	\$0	\$0	\$12,833	\$31,545	\$0	\$0	\$1,525	\$15,013	\$0	\$102,971
Thoroughbred Dev. Fund	\$18,691	\$0	\$0	\$7,871	\$20,995	\$7,664	\$0	\$913	\$9,594	\$0	\$65,728
Standardbred Dev. Fund	\$597	\$0	\$0	\$612	\$0	\$621	\$0	\$88	\$280	\$0	\$2,197
Quarter Horse Dev. Fund	\$245	\$0	\$0	\$73	\$35	\$218	\$0	\$16	\$135	\$0	\$722
Equine Drug Research	\$977	\$0	\$0	\$428	\$1,052	\$425	\$0	\$51	\$500	\$0	\$3,432
Higher Education Equine Trust	\$977	\$0	\$0	\$428	\$1,052	\$425	\$0	\$51	\$500	\$0	\$3,432
Equine Industry Programs	\$488	\$0	\$0	\$214	\$526	\$213	\$0	\$25	\$250	\$0	\$1,716
General Fund	\$7,325	\$0	\$0	\$3,208	\$7,886	\$3,189	\$0	\$381	\$3,753	\$0	\$25,743

Pari-Mutuel Wagering for August 2024

August

THE FOLLOWING REPORTING IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE AMENDED AS DEEMED SUITABLE BY THE KENTUCKY HORSE RACING COMMISSION. THE DISTRIBUTIONS FROM THE EXCISE TAX HAVE BEEN CALCULATED PURSUANT TO KRS 138 AND GUIDANCE FROM THE DEPARTMENT OF REVENUE. 2024

On-Track Wagers on Historical Horse Racing

	Churchill Downs Racetrack, LLC		ECL Corbin, LLC		Ellis Entertainment, LLC	Kentucky Downs, LLC		Lexington Tots Breeders Association, LLC	Revolutionary Racing Kentucky, LLC	Turfway Park, LLC		WKY Development, LLC	Grand Total
	Derby City Gaming	Derby City Gaming Downtown	Corbin	Williamsburg	Henderson	Bowling Green	Franklin	Red Mile	Sandy's Racing and Gaming	Newport	Turfway Park	Oak Grove	
On-Track Handle	\$190,258,085	\$16,087,684	\$3,524,228	\$47,626,987	\$22,662,714	\$42,914,240	\$168,827,075	\$87,019,372	\$31,806,817	\$31,203,464	\$60,185,098	\$155,853,091	\$857,988,854
Return to Public	\$172,684,331	\$14,471,480	\$3,148,903	\$42,918,409	\$20,378,817	\$38,697,286	\$153,064,188	\$79,501,665	\$28,747,692	\$28,259,048	\$54,319,682	\$141,604,210	\$777,795,709
Pool Growth	\$360,283	\$115,736	\$37,698	\$168,375	\$108,632	\$192,285	\$925,447	(\$230,881)	\$209,214	\$30,278	\$84,581	\$349,522	\$2,351,169
Breakage	\$410	\$74	\$72	\$985	\$527	\$564	\$4,689	\$4,677	\$624	\$133	\$44	\$548	\$13,349
Gross Commission - Win	\$17,213,061	\$1,500,394	\$337,555	\$4,539,218	\$2,174,739	\$4,024,104	\$14,832,750	\$7,743,913	\$2,849,287	\$2,914,005	\$5,780,791	\$13,898,811	\$77,808,629
Excise Tax - HHR	\$2,853,871	\$241,315	\$52,863	\$714,405	\$339,941	\$643,714	\$2,532,406	\$1,305,291	\$477,102	\$468,052	\$902,776	\$2,337,796	\$12,869,533
Thoroughbred Dev. Fund	\$1,426,936	\$120,658	\$0	\$0	\$169,970	\$321,857	\$1,266,203	\$326,323	\$0	\$234,026	\$451,388	\$584,449	\$4,901,809
Standardbred Dev. Fund	\$0	\$0	\$35,242	\$476,270	\$0	\$0	\$0	\$435,097	\$0	\$0	\$0	\$779,265	\$1,725,874
Quarter Horse Dev. Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$318,068	\$0	\$0	\$0	\$318,068
General Fund and Other	\$1,426,936	\$120,658	\$17,621	\$238,135	\$169,970	\$321,857	\$1,266,203	\$543,871	\$159,034	\$234,026	\$451,388	\$974,082	\$5,923,781
Adjusted Commission - Win	\$14,359,190	\$1,259,079	\$284,692	\$3,824,814	\$1,834,798	\$3,380,391	\$12,300,344	\$6,438,623	\$2,372,184	\$2,445,953	\$4,878,014	\$11,561,014	\$64,939,096
Avg. Terminal Count	1,290	473	51	447	297	449	1,094	833	532	453	760	1,228	7,907
Adjusted Commission - Win/Avg. T...	\$11,132	\$2,660	\$5,544	\$8,550	\$6,172	\$7,536	\$11,248	\$7,727	\$4,463	\$5,397	\$6,419	\$9,414	\$86,261

Advance Deposit Account Wagering

	AmWest Entertainment	eBet Technologies	Lien Games Racing	NYRABets	TVG	Twinspires	WatchandWager.com	Xpressbet	Grand Total
Total Handle	\$142,238	\$14,316	\$170,938	\$1,507,841	\$10,923,440	\$15,977,511	\$41,741	\$2,878,693	\$31,656,717
In-State Races	\$6,987	\$1,140	\$3,987	\$138,335	\$1,177,284	\$2,464,311	\$3,920	\$512,413	\$4,308,378
Out-of-State Races	\$135,251	\$13,175	\$166,951	\$1,369,506	\$9,746,156	\$13,513,200	\$37,821	\$2,366,280	\$27,348,340
Excise Tax - ADW	\$2,134	\$215	\$2,564	\$22,618	\$163,852	\$239,663	\$626	\$43,180	\$474,851
Host Track - Purses	\$907	\$91	\$1,090	\$9,612	\$69,637	\$101,857	\$266	\$18,352	\$201,812
Host Tracks	\$907	\$91	\$1,090	\$9,612	\$69,637	\$101,857	\$266	\$18,352	\$201,812
General Fund	\$320	\$32	\$385	\$3,393	\$24,578	\$35,949	\$94	\$6,477	\$71,228

Total Distributions by Account

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

Total Excise Tax	\$15,837,783
Equine Drug Research	\$325,732
Equine Industry Program	\$1,722,253
Higher Education Program	\$325,732
K. Thoroughbred Development Fund	\$4,982,225
K. Standardbred Development Fund	\$1,731,482
K. Quarter Horse Development Fund	\$318,790
Host Track - Purses	\$201,812
Host Tracks	\$201,812
General Fund (See Note on Caps)	\$6,027,946
Backside Improvement Fund	\$9,792

Pari-Mutuel Wagering for FY 2025 (YTD)

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

On-Track Wagers on Live Horse Racing

	Churchill Downs Racetrack, LLC	ECL Corbin, LLC	Ellis Entertainment, LLC	Keeneland Association, Inc.	Kentucky Downs, LLC	Lexington Trots Breeders Association, LLC	Revolutionary Racing Kentucky, LLC	Turfway Park, LLC	WKY Development, LLC	Grand Total
Race Dates	0	0	25	0	2	18	0	0	8	53
On-Track Handle	\$0	\$0	\$2,816,334	\$0	\$527,615	\$475,061	\$0	\$0	\$38,719	\$3,857,730
Return to Public	\$0	\$0	\$2,205,822	\$0	\$336,384	\$400,375	\$0	\$0	\$26,195	\$2,968,775
Commission	\$0	\$0	\$545,597	\$0	\$95,244	\$97,800	\$0	\$0	\$8,428	\$747,069
Settlement	\$0	\$0	\$63,171	\$0	\$95,562	(\$20,522)	\$0	\$0	\$4,048	\$142,259
Breakage	\$0	\$0	\$2,179	\$0	\$426	\$334	\$0	\$0	\$53	\$2,992
Minus Pools	\$0	\$0	(\$434)	\$0	\$0	(\$2,925)	\$0	\$0	(\$6)	(\$3,366)
Daily Average Live Handle			\$112,653		\$263,808	\$26,392			\$4,840	\$72,787
Backside Improvement Fund	\$0	\$0	\$14,082	\$0	\$2,638	\$0	\$0	\$0	\$0	\$16,720
Excise Tax	\$0	\$0	\$42,245	\$0	\$7,914	\$7,126	\$0	\$0	\$581	\$57,866
Thoroughbred Development Fund	\$0	\$0	\$21,123	\$0	\$3,957	\$0	\$0	\$0	\$0	\$25,080
Standardbred Development Fund	\$0	\$0	\$0	\$0	\$0	\$4,751	\$0	\$0	\$387	\$5,138
Quarter Horse Development Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equine Drug Research	\$0	\$0	\$2,816	\$0	\$528	\$475	\$0	\$0	\$39	\$3,858
Higher Ed Equine Trust	\$0	\$0	\$2,816	\$0	\$528	\$475	\$0	\$0	\$39	\$3,858
Equine Industry Programs	\$0	\$0	\$5,633	\$0	\$1,055	\$950	\$0	\$0	\$77	\$7,715
General Fund	\$0	\$0	\$9,857	\$0	\$1,847	\$475	\$0	\$0	\$39	\$12,218

Simulcast Wagers on Interstate and Intertrack Live Horse Racing

	Churchill Downs Racetrack, LLC		ECL Corbin, LLC	Ellis Entertainment, LLC	Keeneland Association, Inc.	Kentucky Downs, LLC	Lexington Trots Breeders Association, LLC	Revolutionary Racing Kentucky, LLC	Turfway Park, LLC	WKY Development, LLC	Grand Total
	Churchill Downs Racetrack	Louisville Thoroughbred Society	Cumberland Run Racetrack	Ellis Park Racetrack	Keeneland Racetrack	Kentucky Downs Racetrack	Red Mile Racetrack	Revolutionary Racing Kentucky, LLC	Turfway Park Racetrack	Oak Grove Racetrack	
Off-Track Handle (Simulcast)	\$3,490,923	\$11,147	\$93,762	\$1,648,778	\$3,832,083	\$2,214,137	\$2,123,225	\$174,299	\$1,792,981	\$651,106	\$16,032,440
Thoroughbred	\$3,354,034	\$10,264	\$83,587	\$1,506,778	\$3,822,600	\$2,073,497	\$0	\$159,125	\$1,714,318	\$527,570	\$13,251,773
Standardbred	\$103,592	\$783	\$8,763	\$129,201	\$0	\$106,851	\$2,113,045	\$13,298	\$58,811	\$101,683	\$2,636,027
Quarter Horse	\$33,297	\$100	\$1,337	\$12,799	\$9,484	\$32,231	\$10,144	\$1,876	\$19,852	\$21,852	\$142,972
All Other Breeds	\$0	\$0	\$75	\$0	\$0	\$1,558	\$36	\$0	\$0	\$0	\$1,669
Excise Tax - Simulcast	\$52,364	\$0	\$0	\$24,732	\$57,481	\$33,212	\$0	\$2,614	\$26,895	\$0	\$197,298
Thoroughbred Dev. Fund	\$33,540	\$0	\$0	\$15,068	\$38,226	\$20,735	\$0	\$1,591	\$17,143	\$0	\$126,304
Standardbred Dev. Fund	\$1,036	\$0	\$0	\$1,292	\$0	\$1,069	\$0	\$133	\$588	\$0	\$4,118
Quarter Horse Dev. Fund	\$333	\$0	\$0	\$128	\$95	\$338	\$0	\$19	\$199	\$0	\$1,111
Equine Drug Research	\$1,745	\$0	\$0	\$824	\$1,916	\$1,107	\$0	\$87	\$896	\$0	\$6,577
Higher Education Equine Trust	\$1,745	\$0	\$0	\$824	\$1,916	\$1,107	\$0	\$87	\$896	\$0	\$6,577
Equine Industry Programs	\$873	\$0	\$0	\$412	\$958	\$554	\$0	\$44	\$448	\$0	\$3,288
General Fund	\$13,091	\$0	\$0	\$6,183	\$14,370	\$8,303	\$0	\$654	\$6,724	\$0	\$49,325

Pari-Mutuel Wagering for FY 2025 (YTD)

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On-Track Wagers on Historical Horse Racing

	Churchill Downs Racetrack, LLC		ECL Corbin, LLC		Ellis Entertainment, LLC	Kentucky Downs, LLC		Lexington Trots Breeders Association, LLC	Revolutionary Racing Kentucky, LLC	Turfway Park, LLC		WKY Development, LLC	Grand Total
	Derby City Gaming	Derby City Gaming Downtown	Corbin	Williamsburg	Henderson	Bowling Green	Franklin	Red Mile	Sandy's Racing and Gaming	Newport	Turfway Park	Oak Grove	
On-Track Handle	\$380,395,852	\$33,233,176	\$7,295,057	\$90,906,938	\$43,535,413	\$86,287,223	\$336,217,562	\$168,186,969	\$63,115,156	\$60,117,147	\$117,119,668	\$309,510,063	\$1,695,920,222
Return to Public	\$345,466,932	\$30,007,284	\$6,549,602	\$81,832,652	\$39,116,506	\$77,795,186	\$305,537,693	\$153,341,798	\$57,124,239	\$54,394,961	\$105,745,154	\$281,177,747	\$1,538,089,753
Pool Growth	\$455,779	\$141,881	\$40,711	\$347,594	\$236,358	\$397,652	\$1,126,381	(\$196,269)	\$320,941	\$105,580	\$150,349	\$725,801	\$3,852,758
Breakage	\$747	\$126	\$142	\$2,057	\$868	\$1,079	\$9,338	\$9,304	\$1,293	\$288	\$157	\$1,040	\$26,420
Gross Commission - Win	\$34,472,394	\$3,083,885	\$704,602	\$8,724,634	\$4,181,680	\$8,093,305	\$29,544,150	\$15,032,139	\$5,668,684	\$5,616,337	\$11,224,008	\$27,605,476	\$153,951,295
Excise Tax - HHR	\$5,705,938	\$498,498	\$109,426	\$1,363,604	\$653,031	\$1,294,308	\$5,043,263	\$2,522,805	\$946,727	\$901,757	\$1,756,795	\$4,642,651	\$25,438,803
Thoroughbred Dev. Fund	\$2,852,969	\$249,249	\$0	\$0	\$326,516	\$647,154	\$2,521,632	\$630,701	\$0	\$450,879	\$878,398	\$1,160,663	\$9,718,159
Standardbred Dev. Fund	\$0	\$0	\$72,951	\$909,069	\$0	\$0	\$0	\$840,935	\$0	\$0	\$0	\$1,547,550	\$3,370,505
Quarter Horse Dev. Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$631,152	\$0	\$0	\$0	\$631,152
General Fund and Other	\$2,852,969	\$249,249	\$36,475	\$454,535	\$326,516	\$647,154	\$2,521,632	\$1,051,189	\$315,576	\$450,879	\$878,398	\$1,934,438	\$11,718,987
Adj. Commission - Win	\$28,766,456	\$2,585,388	\$595,176	\$7,361,030	\$3,528,649	\$6,798,997	\$24,500,887	\$12,509,334	\$4,721,956	\$4,714,580	\$9,467,213	\$22,962,825	\$128,512,491

Advance Deposit Account Wagering

	AmWest Entertainment	eBet Technologies	Lien Games Racing	NYRABets	TVG	Twinspires	WatchandWager.com	Xpressbet	Grand Total
Total Handle	\$334,412	\$25,830	\$361,383	\$2,627,435	\$19,872,416	\$29,659,124	\$82,840	\$5,333,117	\$58,296,558
In-State Races	\$7,719	\$1,641	\$4,455	\$216,759	\$1,968,453	\$4,014,125	\$5,937	\$861,622	\$7,080,712
Out-of-State Races	\$326,693	\$24,189	\$356,928	\$2,410,676	\$17,903,963	\$25,645,000	\$76,903	\$4,471,495	\$51,215,846
Excise Tax - ADW	\$5,016	\$387	\$5,421	\$39,412	\$298,086	\$444,887	\$1,243	\$79,997	\$874,448
Host Track - Purses	\$2,132	\$165	\$2,304	\$16,750	\$126,687	\$189,077	\$528	\$33,999	\$371,641
Host Tracks	\$2,132	\$165	\$2,304	\$16,750	\$126,687	\$189,077	\$528	\$33,999	\$371,641
General Fund	\$752	\$58	\$813	\$5,912	\$44,713	\$66,733	\$186	\$12,000	\$131,167

Total Distributions by Account

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

Total Excise Tax	\$29,208,416
Equine Drug Research	\$330,434
Equine Industry Program	\$2,011,004
Higher Education Program	\$330,434
K. Thoroughbred Development Fund	\$9,869,542
K. Standardbred Development Fund	\$3,379,760
K. Quarter Horse Development Fund	\$632,263
Host Track - Purses	\$371,641
Host Tracks	\$371,641
General Fund (See Note on Caps)	\$11,911,697
Backside Improvement Fund	\$16,720



Andy Beshear
GOVERNOR

Jamie Eads
PRESIDENT & CEO

Jacqueline Coleman
LIEUTENANT GOVERNOR

KENTUCKY HORSE RACING & GAMING CORPORATION

4047 Iron Works Parkway
Lexington, KY 40511
Phone: (859) 246-2040
Fax: (859) 246-2039

Jonathan Rabinowitz
CHAIRMAN

TO: Kentucky Horse Racing and Gaming Corporation

FROM: Jamie Eads, President and CEO

DATE: October 28, 2024

RE: **PRESIDENT'S UPDATE**

The following is a brief update of activities, as it relates to the Corporation, that have taken place since July 1, 2024. This is for informational purposes only.

Corporation hired the following key positions:

- Susan Speckert, Chief Operating Officer, August 19 start
- Jack Cornett, Interim Director of Finance, October 14 start
- Ashleigh Bailey, Chief Legal Officer, December 2 start

The Corporation board members met on July 1, August 20, and September 6. The following committee meetings took place:

- KTDF met on July 31 and October 15 and recommended purse supplements at thoroughbred tracks.
- Rules Committee met on September 4 and recommended amendments to multiple regulations.
- Transition Committee met July 18 and August 15 to advance the policies of the Corporation.
- Hiring and Compensation Committee met July 30 and August 16 to discuss key positions.

Since the last update on July 1, the following business has been conducted:

- FYE reports finalized and posted to website. Pari-mutuel wagering (live, simulcast, ADW, HHR and all sources on Ky-races) totaled over \$11B and sports wagering more than \$2.1B. Note: Sports Wagering less than one-year (Sept – June).
- Ellis Park opened July 4 and concluded August 27 with a 20% increase in handle.
- Oak Grove meet concluded on July 16, 2024. The Meet included 2YO, 3YO & 4YO sire stakes races with purses totaling over \$4.6M. Funding is from the KSDF/KSBIF.
- The remaining KY Proud Fair races were conducted July 6 (Woodford County at Lebanon), July 13 (Mercer County at Red Mile) and the Finals at Red Mile on July 21. The total purses of KY Proud Races at county fairs were nearly \$1.7M. Funding is from the KSDF/KSBIF.
- Red Mile meet opened July 21 and concluded its regular meet September 17 with the Grand Circuit running September 26, 27, 28 and October 4, 5, 6. During the regular meet, KHRGC

offered sire stakes purses for Ky-bred 2YO, 3YO and 4YO in a series of races (Wildcat, Goldenrod, Commonwealth, and Championship). Total purses of \$10.5M. Funding is from the KSDF/KSBIF.

- Racetrack applications (9) were submitted for staff review in August. Applications were reviewed by staff, chair and board members.
- KBIF mare nomination deadline was August 15 and nearly 8,000 mares nominated to the program. This program is funded from the stallion stud fee tax and benefits the breeder of Ky-bred horses running across the globe.
- Kentucky Downs meet opened August 29 and concluded September 11. The seven-day meet handle was \$90 million, up 8% from last year.
- Sports Wagering celebrated one-year (retail, 9/7; online 9/28) and far exceed initial projections of \$23M in tax revenue. Over \$43.1M was generated in KY Excise Tax.
- Churchill Downs September meet opened September 12 and concluded September 29.
- Uncashed thoroughbred pari-mutuel tickets were advertised at relevant Sheriff's office and funds will be turned over to KHRGC by November 15 pursuant to KRS 230.363. KHRGC will turn funds over to KY Racing Health & Welfare by Dec 31 pursuant to KRS 230.374.
- Drew Conners participated in the Kentucky Racing Health & Welfare Fund (KyRHWF) board meeting on September 17. This Fund receives uncashed pari-mutuel tickets (thoroughbred), and Drew participates as a non-voting member to keep both KyRHWF and KHRGC up to date.
- October 1, KHRGC renewed MOA's with PPC to continue Finance and HR support.
- Early October, RRKY broke ground at Sandy Ridge, a \$10 million oval racetrack in Ashland, Ky. The HHR facility generated \$5.5M in KY state excise tax and created 147 full-time jobs.
- Keeneland meet opened October 4 and concluded October 26. Keeneland offered the highest racing purses in track history.
- ECL Corbin meet opened October 13 and concludes November 5.
- Thoroughbred Backside Improvement invoices for FY24 were distributed and paid as of October 2024.
- Approval of 46 game floor changes at 12 properties by the pari-mutuel team.
- Standard tote testing conducted and confirmed before each meet.