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REGULATIONS COMPILER

1 KENTUCKY HORSE RACING AND GAMING CORPORATION

2 (Amendment)

3 810 KAR 4:030. Entries, subscriptions, and declarations.

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

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

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2)(a) and (c) authorize the

7 Kentucky Horse Racing and Gaming Corporation to promulgate administrative regulations

8 prescribing the conditions under which all horse racing is conducted in Kentucky. KRS 230.260(8)

9 authorizes the corporation to regulate conditions under which horse racing shall be conducted in

10 Kentucky. This administrative regulation establishes requirements for entry, subscription, and

11 declaration of horses in order to race.

12 Section 1. Definition. "Subscriber" means an owner who enters a horse into a stakes race and pays

13 the requisite entry fee.

14 Section 2. Entering Required. A horse shall not be qualified to start in any race unless it has been,

15 and continues to be, entered in the race. Entries or subscriptions for any horse, or the transfer of

16 entries or subscriptions for any horse, may be refused or cancelled by the association without notice

17 or reason given.

18 Section 3. Procedure for Making Entries.

19 (1) An entry, subscription, declaration, or scratch shall be filed with the racing secretary and shall

20 not be effective until received by the racing secretary. The racing secretary shall maintain a record

21 of the time of receipt of an entry, subscription, declaration, or scratch for a period of at least one

22 (1) year.

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

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

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

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

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

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

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

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

18 (a) Both races are graded-stakes races;

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

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

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

23 (8)

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

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

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

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

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

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

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

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

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

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

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

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

1 Section 4. Limitation as to Spouses.

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

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

8 Section 5. Mutuel Entries.

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

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

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

17 (4)

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

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

22 Section 6. Subscriptions.

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

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

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

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

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

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

19 Section 7. Closings.

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

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

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

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

5 Section 8. Number of Starters in a Race.

6 (1) The maximum number of starters in any race shall be limited to the number of starting
7 positions afforded by the association starting gate and any extensions approved by the
8 corporation as can be positioned across the width of the track at the starting point for the race.

9 The maximum number of starters further shall be limited by the number of horses that, in the
10 opinion of the stewards after considering the safety of the horses and riders and the distance from
11 the start to the first turn, may be afforded a fair and equal start.

12 (2)

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

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

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

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

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

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

5 Section 9. Split or Divided Races.

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

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

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

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

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

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

22 Section 10. Post Positions.

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

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

6 Section 11. Also-Eligible List.

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

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

14 (3)

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

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

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

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

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

8 Section 12. Preferred List.

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

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

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

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

19 Section 14. Declarations.

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

22 (2) Declarations shall be irrevocable.

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

1 Section 15. Scratches.

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

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

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

12 1. A valid physical reason exists; or

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

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

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

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

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

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

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

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

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

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

15 Section 17. Entry Examination by Attending Veterinarian.

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

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

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

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

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

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

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

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

16 (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.
17 1277; eff. 7-6-2021; 48 Ky.R. 2629; eff. 10-4-2022; 50 Ky.R. 473, 1125, 1286; eff. 3-5-2024; TAm
18 eff. 7-1-2024.)

APPROVED

Jonathan Rabinowitz (w/ permission)
Jonathan Rabinowitz
Chair, Kentucky Horse Racing and Gaming Corporation

11/8/2024
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on January 23, 2025, at 9:00 a.m. ET at the offices of the Kentucky Horse Racing and Gaming Corporation, 4047 Iron Works Parkway, Lexington, Kentucky 40511. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing 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 January 31, 2025. 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

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REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

810 KAR 4:030

Contact Person: Travers Manley

Phone: 859-246-2040

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(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes requirements and procedures related to flat and steeplechase racing entries, subscriptions, and declarations of horses in order to race.

(b) The necessity of this administrative regulation: This regulation is necessary to provide requirements and procedures related to flat and steeplechase racing entries, subscriptions, and declarations of horses in order to race and promotes the integrity of horse racing.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The Kentucky Horse Racing and Gaming Corporation is vested with forceful control of horse racing in the Commonwealth. KRS 230.215(2)(a). The KHRGC is vested with jurisdiction and supervision over all live horse racing and pari-mutuel wagering in the state and over all associations and persons on association grounds. KRS 230.260(1). The KHRGC shall have full authority to prescribe necessary and reasonable administrative regulations under which horse racing at a horse race meeting shall be conducted in Kentucky. KRS 230.260(8). This regulation provides necessary requirements for flat and steeplechase racing in Kentucky.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation assists with the effective administration of the statutes by providing important requirements for flat and steeplechase racing in Kentucky.

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

(a) How the amendment will change this existing administrative regulation: This amendment changes four sections in 4:030. The change to Section 3 adds circumstances under which a horse may be entered to run in two (2) races on the same day. The changes to Section 5 prevent more than two horses having common ties through ownership to be entered in a purse race and allows for up to two horses having common ties through training to start in a purse race to the exclusion of a single entry. The changes to Section 11 correct a comma-placement error and allow horses scratching from the also-eligible list to maintain any preference to which it may have been entitled.

The changes to Section 17 amend the timing and procedure for the examination of an entry by the attending veterinarian.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to allow horses to enter two (2) races to be run on the same day and making it more likely the horse will be able to run in one of the races; prevents more than two horses having common ties through ownership to be entered in a purse race and gives trainers the ability to enter up to two horses in a purse race to the exclusion of a single entry and without having to prefer one over the other; corrects a comma-placement error and allows horses scratching from the also-eligible list to maintain their preference; and changes the regulation related to the examination by the attending veterinarian to coincide with the modern practice of taking entries to races earlier and assists with the ability of the KHRGC to provide efficient and effective oversight.

(c) How the amendment conforms to the content of the authorizing statutes: The Kentucky Horse Racing and Gaming Corporation is vested with forceful control of horse racing in the Commonwealth. KRS 230.215(2)(a). The KHRGC is vested with jurisdiction and supervision over all live horse racing and pari-mutuel wagering in the state and over all associations and persons on association grounds. KSR 230.260(1). The KHRGC shall have full authority to prescribe necessary and reasonable administrative regulations under which horse racing at a horse race meeting shall be conducted in Kentucky. KRS 230.260(8). These amendments provide necessary and practical changes to the regulations related to flat and steeplechase racing entries, subscriptions, and declarations of horses in order to race.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in the effective administration of the statutes by making necessary and practical changes to the regulation related to flat and steeplechase racing entries, subscriptions, and declarations of horses in order to race in Kentucky.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation most directly impacts the six licensed associations conducting flat racing in Kentucky and the horses and horsemen competing at those race meetings.

(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: Racing offices at the impacted licensed associations will need to be aware of the amendments and potentially make changes to

their internal practices and procedures. Horsemen competing at the racetracks will need to do the same to properly enter horses to race in Kentucky.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No additional, required cost is anticipated.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Trainers will have more flexibility in entering horses to race in Kentucky and owners of horses scratching from the also-eligible list will benefit by their horses maintaining their preferences.

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

(a) Initially: There is no anticipated additional cost to implement the amendments to this administrative regulation.

(b) On a continuing basis: There is no anticipated continuing cost to administer the amendments to this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: There is no additional funding needed to implement and enforce the amendments to this administrative regulation.

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

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: The amendments to this administrative regulation do not establish or increase any fees.

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

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: The statutory authority for this administrative regulation is KRS 230.215(2)(a), KRS 230.260(1), and KRS 230.260(8).

(2) Identify the promulgating agency and any other affected state units, parts, or divisions: The promulgating agency is the Kentucky Horse Racing and Gaming Corporation.

(a) Estimate the following for the first year:

Expenditures: No additional expenditures are anticipated.

Revenues: No additional revenue is anticipated.

Cost Savings: No cost savings are anticipated.

(b) How will expenditures, revenues, or cost savings differ in subsequent years? No changes are anticipated in subsequent years.

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

(a) Estimate the following for the first year:

Expenditures: N/A

Revenues: N/A

Cost Savings: N/A

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

(4) Identify additional regulated entities not listed in questions (2) or (3): Regulated entities impacted by this regulation include the six licensed associations conducting flat racing in Kentucky and the horsemen competing at those racetracks.

(a) Estimate the following for the first year:

Expenditures: None

Revenues: None

Cost Savings: None

(b) How will expenditures, revenues, or cost savings differ in subsequent years? No changes are anticipated.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation: There is little to no fiscal impact as a result of the amendments to this administrative regulation.

(b) Methodology and resources used to determine the fiscal impact: The amendments related to the requirements and procedures for flat and steeplechase racing entries, subscriptions, and declarations, and may have an impact on procedures and practices, but will not have a monetary 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): These amendments are not expected to have a major economic impact.

(b) The methodology and resources used to reach this conclusion: The amendments may result in changes to procedures and practices, but they will not be difficult to implement and will not have a monetary impact.