

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

810 KAR 7:060

Contact Person: Ashleigh Bailey

Phone: (859) 246-2040

Email: Ashleigh.Bailey@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation governs and regulates a development fund for Kentucky-bred paint horses, Appaloosas, and Arabians.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to promote and aid in the development of the horse industry in Kentucky, upgrade the quality of racing in Kentucky, and improve the quality of horses bred in Kentucky.

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

KRS 230.215 and 230.260 authorize the Kentucky Horse Racing and Gaming Corporation (the "KHRGC") to promulgate administrative regulations establishing the conditions under which horse racing shall be conducted in Kentucky and to fix and regulate the minimum amount of purses, stakes, or awards to be offered for the conduct of any horse race meeting. KRS 230.445 establishes the Kentucky Paint Horse, Appaloosa, and Arabian Development Fund and requires the KHRGC to promulgate administrative regulations to carry out the purpose of the statute and to administer the development fund in a manner to promote and aid in the development of the horse industry in Kentucky, upgrade the quality of racing in Kentucky, and improve the quality of horses bred in Kentucky.

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

This administrative regulation establishes eligibility standards for the Kentucky Paint Horse, Appaloosa, and Arabian Development Fund, administrative practices to enforce the standards for the fund, and the administration of purses and payments in applicable races.

(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 removes references to quarter horses from the development fund governed by this regulation because a new regulation will govern a separate quarter horse development fund.

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

This amendment is necessary due to a statutory change to the development fund governed by this regulation. The development fund governed by this regulation no longer includes quarter horses.

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

KRS 230.215 and 230.260 authorize the KHRGC to promulgate administrative regulations establishing the conditions under which horse racing shall be conducted in Kentucky and to fix and regulate the minimum amount of purses, stakes, or awards to be offered for the conduct of any horse race meeting. KRS 230.445 establishes the Kentucky Paint Horse, Appaloosa, and Arabian Development Fund and requires the KHRGC to promulgate administrative regulations to carry out the purpose of the statute and to administer the development fund in a manner to promote and aid in the development of the horse industry in Kentucky, upgrade the quality of racing in Kentucky, and improve the quality of horses bred in Kentucky.

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

This amendment will bring the regulations in line with changes to the statutes, in particular KRS 230.445, which establishes the Kentucky Paint Horse, Appaloosa, and Arabian Development Fund and requires the KHRGC to promulgate administrative regulations to carry out the purpose of the statute and to administer the development fund in a manner to promote and aid in the development of the horse industry in Kentucky, upgrade the quality of racing in Kentucky, and improve the quality of horses bred in Kentucky.

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

The KHRGC is 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:

The KHRGC will administer a Kentucky quarter horse development fund separately from the Kentucky Paint Horse, Appaloosa, and Arabian Development Fund. Aside from no longer including quarter horse development, the administration of this development fund will remain the same as prior to the amendment.

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

No additional cost is anticipated.

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

As a result of compliance with this administrative regulation, KHRGC will benefit by being able to administer the Kentucky Paint Horse, Appaloosa, and Arabian Development

Fund to promote and aid in the development of the horse industry in Kentucky, upgrade the quality of racing in Kentucky, and improve the quality of horses bred in Kentucky.

(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 administer the amendments to this administrative regulation.

(b) On a continuing basis:

There is no anticipated additional 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 amendment 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?

Tiering was not applied because this administrative regulation will apply to all similarly situated entities and individuals in the same manner.