

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

810 KAR 4:030

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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.

