

230.260 Authority of Kentucky Horse Racing Authority.

The authority, in the interest of breeding or the improvement of breeds of horses, shall have all powers necessary and proper to carry out fully and effectually the provisions of this chapter including, but without limitation, the following:

- (1) The authority is vested with jurisdiction and supervision over all horse race meetings in this Commonwealth and over all associations and all persons on association grounds and may eject or exclude therefrom or any part thereof, any person, licensed or unlicensed, whose conduct or reputation is such that his presence on association grounds may, in the opinion of the authority, reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of horse racing or racing at horse race meetings; provided, however, no persons shall be excluded or ejected from association grounds solely on the ground of race, color, creed, national origin, ancestry, or sex;
- (2) The authority is vested with jurisdiction over any SPMO that offers and accepts pari-mutuel wagers on races conducted at any racing association within the Commonwealth. An SPMO under the jurisdiction of the authority shall be licensed by the authority, and the authority may impose a license fee on an SPMO not to exceed ten thousand dollars (\$10,000) annually. The authority shall, by administrative regulation promulgated in accordance with KRS Chapter 13A, establish conditions and procedures for the licensing of SPMOs, and a fee schedule for applications for licensure;
- (3) The authority is vested with jurisdiction over any totalisator company that provides totalisator services to a racing association located in the Commonwealth. A totalisator company under the jurisdiction of the authority shall be licensed by the authority, regardless of whether a totalisator company is located in the Commonwealth or operates from a location or locations outside of the Commonwealth, and the authority may impose a license fee on a totalisator company. The authority shall, by administrative regulation promulgated in accordance with KRS Chapter 13A, establish conditions and procedures for the licensing of totalisator companies, and a fee schedule for applications for licensure;
- (4) The authority is vested with jurisdiction over any manufacturer, wholesaler, distributor, or vendor of any equine drug, medication, therapeutic substance, or metabolic derivative which is purchased by or delivered to a licensee or other person participating in Kentucky horse racing by means of the Internet, mail delivery, in-person delivery, or other means;
- (5) The authority is vested with jurisdiction over any horse training center or facility in the Commonwealth that records official timed workouts for publication;
- (6) The authority may require an applicant for a license under subsections (2) and (3) of this section to submit to a background check of the applicant, or of any individual or organization associated with the applicant. An applicant shall be required to reimburse the authority for the cost of any background check conducted;
- (7) The authority, its representatives and employees, may visit, investigate and have free access to the office, track, facilities, or other places of business of any licensee,

or any person owning a horse or performing services regulated by this chapter on a horse registered to participate in a breeders incentive fund under the jurisdiction of the authority;

- (8) The authority shall have full authority to prescribe necessary and reasonable administrative regulations and conditions under which horse racing at a horse race meeting shall be conducted in this state and to fix and regulate the minimum amount of purses, stakes, or awards to be offered for the conduct of any horse race meeting;
- (9) Applications for licenses shall be made in the form, in the manner, and contain information as the authority may, by administrative regulation, require. Fees for all licenses issued under KRS 230.310 shall be prescribed by and paid to the authority;
- (10) The authority shall establish by administrative regulation minimum fees for jockeys to be effective in the absence of a contract between an employing owner or trainer and a jockey. The minimum fees shall be no less than those of July 1, 1985;
- (11) The authority may refuse to issue or renew a license, revoke or suspend a license, impose probationary conditions on a license, issue a written reprimand or admonishment, impose fines or penalties, deny purse money, require the forfeiture of purse money, or any combination thereof with regard to a licensee or other person participating in Kentucky horse racing for violation of any federal or state statute, regulation, or steward's or authority's directive, ruling, or order to preserve the integrity of Kentucky horse racing or to protect the racing public. The authority shall, by administrative regulation, establish the criteria for taking the actions described in this subsection;
- (12) The authority may issue subpoenas for the attendance of witnesses before it and for the production of documents, records, papers, books, supplies, devices, equipment, and all other instrumentalities related to pari-mutuel horse racing within the Commonwealth. The authority may administer oaths to witnesses and require witnesses to testify under oath whenever, in the judgment of the authority, it is necessary to do so for the effectual discharge of its duties;
- (13) The authority shall have authority to compel any racing association licensed under this chapter to file with the authority at the end of its fiscal year, a balance sheet, showing assets and liabilities, and an earnings statement, together with a list of its stockholders or other persons holding a beneficial interest in the association; and
- (14) The authority shall promulgate administrative regulations establishing safety standards for jockeys, which shall include the use of rib protection equipment. Rib protection equipment shall not be included in a jockey's weight.

Effective: June 25, 2009

History: Amended 2009 Ky. Acts ch. 80, sec. 3, effective June 25, 2009. -- Amended 2004 Ky. Acts ch. 191, sec. 7, effective July 13, 2004. -- Amended 1992 Ky. Acts ch. 109, sec. 16, effective March 30, 1992. -- Amended 1988 Ky. Acts ch. 376, sec. 6, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 214, sec. 4, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 100, sec. 3, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 403, sec. 3. -- Amended 1970 Ky. Acts ch. 156, sec. 3. -- Created 1960 Ky. Acts ch. 184, sec. 6, effective June 16, 1960.