230.804 Kentucky horse breeders incentive fund -- Funding sources -- Distribution of moneys -- Administrative regulations -- Kentucky Horse Racing Commission to administer fund.

(1) There is hereby created in the State Treasury a trust and revolving fund designated as the "Kentucky horse breeders incentive fund." The fund shall be administered by the Kentucky Horse Racing Commission. For tax periods beginning on or after June 1, 2005, seven percent (7%) of all receipts collected under KRS 139.531(1)(a) from the sales and use tax on the fees paid for breeding a stallion to a mare in Kentucky shall be deposited in the fund together with any other money contributed, appropriated or allocated to the fund from all other sources. The money deposited in the fund is hereby appropriated for the uses set forth in this section. Any money remaining in the fund at the close of any calendar year shall not lapse but shall be carried forward to the next calendar year. The fund may also receive additional state appropriations, gifts, grants, and federal funds. All interest earned on money in the fund shall be credited to the fund.

(2) (a) The Kentucky Horse Racing Commission shall use moneys deposited in the Kentucky horse breeders incentive fund to administer the fund and provide rewards for breeders or owners of horses bred and foaled in Kentucky.

(b) The Kentucky Horse Racing Commission shall promulgate administrative regulations establishing the conditions and criteria for the distribution of moneys from the fund.

(c) The Department of Revenue may promulgate administrative regulations establishing the procedures necessary to determine the correct allocation of sales tax receipts described in subsection (1) of this section.

(d) As soon as practicable after the close of each calendar year, the racing commission shall disburse to breeders of horses moneys in the Kentucky horse breeders incentive fund to be used to promote, enhance, improve, and encourage the further and continued development of the horse industry in Kentucky, under the administrative regulations promulgated pursuant to paragraph (b) of this subsection.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 493, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 234, sec. 2, effective April 22, 2006. -- Created 2005 Ky. Acts ch. 168, sec. 135, effective June 1, 2005.

Legislative Research Commission Note (4/22/2006). 2006 Ky. Acts ch. 234, sec. 4, provides that the Act, which included an amendment to this statute, shall be known as the "2006 Kentucky Equine Competitiveness Act."