

**230.445 Kentucky quarter horse, Appaloosa, and Arabian development fund -- Contributions -- Purposes -- Distribution -- Administrative regulations.**

- (1) There is hereby created a trust and revolving fund for the Kentucky Horse Racing Commission designated the Kentucky quarter horse, Appaloosa, and Arabian development fund, consisting of money allocated to the fund under KRS 230.3771 together with any other money contributed to or allocated to the fund from all other sources. For the purposes of this section, "development fund" or "fund" means the Kentucky quarter horse, Appaloosa, and Arabian development fund. Money to the credit of the development fund shall be distributed by the Treasurer for the purposes provided in this section, upon authorization of the Kentucky Horse Racing Commission and upon approval of the secretary of the Finance and Administration Cabinet. Notwithstanding KRS 45.229, money to the credit of the fund at the end of the fiscal year shall not lapse but shall be carried forward in the fund to the succeeding fiscal year. Interest earnings of the fund shall become a part of the fund and shall not lapse. Moneys in the fund shall be used and are hereby appropriated for purposes specified in this section.
- (2) The Kentucky Horse Racing Commission shall use the development fund to promote races and to provide purses for races for horses bred and foaled in the Commonwealth. The commission shall provide for distribution of money to the credit of the development fund to persons, corporations, or associations operating licensed tracks within Kentucky conducting quarter horse, Appaloosa, or Arabian horse racing, on an equitable basis as determined by the commission and in conformance with subsection (3) of this section.
- (3) The Kentucky Horse Racing Commission shall:
  - (a) Fix the amount of money to be paid from the development fund to be added to the purse provided for each race by the licensed operator of the track;
  - (b) Fix the dates and conditions of races to be held by licensed tracks; and
  - (c) Promulgate administrative regulations necessary to carry out the provisions of this section.

Money from the fund shall be allocated to each breed of horse represented in the fund in an amount equal to the amount the breed has contributed to the fund.

- (4) The Kentucky Horse Racing Commission shall appoint qualified personnel as necessary to:
  - (a) Supervise registration of, or determine the eligibility of, horses entitled to entry in races which receive a portion of purse money from the development fund; and
  - (b) Assist the commission in determining the conditions, class, and quality of the fund-supported race program established to carry out the purposes of this section.

The personnel shall serve at the pleasure of the commission and compensation shall be fixed by the commission with the compensation and necessary expenses of the personnel paid from the development fund.

- (5) The commission shall promulgate administrative regulations to carry out the provisions of this section and shall administer the Kentucky quarter horse, Appaloosa, and Arabian development fund in a manner designed to:
- (a) Promote and aid in the development of the horse industry in Kentucky;
  - (b) Upgrade the quality of racing in Kentucky; and
  - (c) Improve the quality of horses bred in Kentucky.

**Effective:** July 15, 2010

**History:** Created 2010 Ky. Acts ch. 57, sec. 4, effective July 15, 2010.

**Legislative Research Commission Note (7/15/2010).** References to the "Kentucky Horse Racing Authority" and "authority" in this section, as created by 2010 Ky. Acts ch. 57, sec. 4, have been changed in codification to the "Kentucky Horse Racing Commission" and "commission" to reflect the reorganization of certain parts of the Executive Branch, as set forth in Executive Order 2009-535 and confirmed by the General Assembly in 2010 Ky. Acts ch. 24. These changes were made by the Reviser of Statutes pursuant to 2010 Ky. Acts ch. 24, sec. 1938.