

**238.510 Office of Charitable Gaming -- Conflicts of interest of staff -- Gaming investigators.**

- (1) The Office of Charitable Gaming is created as an office within the Kentucky Horse Racing and Gaming Corporation. Subject to the authority of the corporation, the office shall license and regulate the conduct of charitable gaming and license and regulate charitable organizations that desire to engage in charitable gaming, charitable gaming facilities, manufacturers, and distributors in the Commonwealth of Kentucky in accordance with the provisions of this chapter.
- (2) The president shall employ necessary staff to administer and enforce the provisions of this chapter.
- (3) No employee of the corporation during his or her term of employment shall be an officer in a charitable organization that is licensed to conduct charitable gaming or be involved in the conduct of charitable gaming as a member of a licensed charitable organization. No employee of the corporation during his or her term of employment shall be licensed as a manufacturer, distributor, or charitable gaming facility, or have a financial interest in any business that is licensed as a manufacturer, distributor, or charitable gaming facility.
- (4) The president may appoint investigators who may have the powers of peace officers throughout the Commonwealth; however, those powers shall be limited to:
  - (a) Enforcement of the provisions of KRS Chapters 230 and 238;
  - (b) Violations of KRS Chapter 528, relating to:
    1. Unlicensed and illegal gaming;
    2. Gambling offenses committed on licensed premises; and
    3. Gambling offenses committed in conjunction with a legal gaming activity;
  - (c) Violations of KRS Chapter 514, relating to theft, embezzlement, or other illegal diversions of legal gaming proceeds;
  - (d) Violations of KRS Chapters 516 and 517, relating to forgery and fraud in the conduct of legal gaming;
  - (e) Violations relating to the damage or destruction of real or personal property owned or leased by a licensee; and
  - (f) Violation of any criminal felony offense committed:
    1. On licensed gaming premises; and
    2. In the presence of an investigator.
- (5) Gaming investigators may satisfy the certification standards established by the Department of Criminal Justice Training pursuant to KRS Chapter 15, but this certification shall not be required for any investigators hired after July 1, 2025. Gaming investigators shall not qualify for hazardous duty coverage under the Kentucky Employees Retirement System.
- (6) Gaming investigators so appointed shall not possess peace officer powers other than those provided in subsection (4) of this section.

**Effective:** July 1, 2025

**History:** Amended 2025 Ky. Acts ch. 124, sec. 25, effective July 1, 2025. -- Amended 2024 Ky. Acts ch. 171, sec. 14, effective July 1, 2025. -- Amended 2010 Ky. Acts ch. 24, sec. 534, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 374, sec. 3, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 154, sec. 87, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 331, sec. 3, effective April 10, 1996. -- Created 1994 Ky. Acts ch. 66, sec. 3, effective March 16, 1994.