

Technical Amendment
July 1, 2024

810 KAR 5:080. Kentucky Proud Series.

RELATES TO: KRS 230.215, 230.260, 230.280, 230.290, 230.310, 230.398

STATUTORY AUTHORITY: KRS 230.215, 230.260, 230.398

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) and 230.260(8) authorize the Kentucky Horse Racing and Gaming Corporation to promulgate administrative regulations prescribing the conditions under which horse racing shall be conducted in Kentucky. KRS 230.398 authorizes the corporation to promulgate administrative regulations governing the conduct of county fair races, branded as the Kentucky Proud Series. This administrative regulation establishes conditions, purses, and payments in races conducted as part of the Kentucky Proud Series, in which funds for purses are provided by the corporation, and regulates eligibility for participation in the Kentucky Proud Series.

Section 1. Eligibility. A horse shall be eligible to participate in a two (2) or three (3) year old Kentucky Proud Series stakes race if the horse is a two (2) year old or a three (3) year old that is "Kentucky-bred" as defined by 810 KAR 7:040.

Section 2. Track Requirements.

- (1) A fair shall have a safe and adequate track, and the entire track, including start and finish lines, shall be visible to judges and spectators.
- (2) The track shall be inspected and approved by a representative of the corporation.
- (3) A track shall have a hub rail or pylons approved by the corporation.
- (4)
 - (a) A fair shall have safe and adequate stalls for participating horses.
 - (b) If permanent stalls are not available, tents or other tie-in type stalls may be used.
 - (c) Except as established by paragraph (d) of this subsection, a county fair shall not charge stall rent for horses racing at the fair.
 - (d) A county fair may charge stall rent if the fair is held on state-owned property.

Section 3. Officials.

- (1) The host track shall submit to the corporation, at least sixty (60) days prior to the opening of a race meeting, a written list of racing officials and applicable employees.
- (2) 810 KAR 2:050 shall govern the judges and racing officials at Kentucky Proud Series stakes races.
- (3) Officials shall be paid by the entity hosting the races, with the exception of judges. Judges shall be paid by the corporation. The corporation shall determine the number of judges, notwithstanding any provision of 810 KAR 2:050 to the contrary.

Section 4. Requirements. Each race shall be held in accordance with KRS Chapter 230 and 810 KAR Chapters 2, 3, 5, 6, 7, and 8.

Section 5. Kentucky Sire Stakes Panel. No later than December 15 of each calendar year, the Kentucky Sire Stakes advisory panel established in 810 KAR 7:040 may annually address, and the corporation may annually approve, based on promoting the best interests of racing, at least the following conditions, which shall, once approved, be placed in the condition book for the following year:

- (1) The purse for each race;
- (2) Race dates;
- (3) Fees, such as nomination, sustaining, starting, and finals fees;
- (4) Distribution of revenue for the Kentucky Proud Series;
- (5) Early closers; and

(6) Other conditions necessary to participate in the Kentucky Proud Series.

Section 6. Drug Testing.

(1) The winning horse at a fair race and any other horse or horses as selected by the judges may be required to take a drug test as established in 810 KAR 8:010 and 810 KAR 8:060.

(2) A fair shall provide two (2) enclosed stalls and bedding to be used by the corporation veterinarian for drug testing.

(3) The stalls required by subsection (2) of this section shall be located as close to the race track as possible.

(4) The stalls shall be positioned to allow the track announcer to be heard.

(5) The expense of the testing laboratory or other testing processes, whether furnished by contract or otherwise, together with all supplies and equipment used in connection therewith, shall be paid by the entity operating harness races under this administrative regulation.

Section 7. Violations. A person or association that violates a provision of this administrative regulation shall be subject to the penalties established in 810 KAR 8:030, Section 10.

(45 Ky.R. 1963; 3144; eff. 5-31-2019; 47 Ky.R. 2135; 48 Ky.R. 27; eff. 10-5-2021; TAM eff. 7-1-2024.)

FILED WITH LRC: July 1, 2024