

Technical Amendment
July 1, 2024

810 KAR 7:010. Backside Improvement Fund.

RELATES TO: KRS 230.218

STATUTORY AUTHORITY: KRS 230.218(3)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.218(3) requires the Kentucky Horse Racing and Gaming Corporation to promulgate administrative regulations for using the backside improvement fund to promote, enhance, and improve the conditions of the backside of eligible racing associations in Kentucky. This administrative regulation establishes requirements for the backside improvement fund.

Section 1. Definition. "Backside facilities" means those facilities located at thoroughbred horse racing associations in Kentucky where:

- (1) Horses are stabled and quartered; and
- (2) Stable employees work and live.

Section 2. Limitations. All monies disbursed by the corporation pursuant to KRS 230.218 shall be used solely for improvements to backside facilities.

Section 3. Application. An application for monies from the backside improvement fund shall:

- (1) Be submitted to the main office of the corporation; and
- (2) Include the following:
 - (a) A prioritized list of all proposed projects;
 - (b) A full written and graphic description of each proposed project, with justification of the need for each;
 - (c) An itemized cost estimate of each proposed project; and
 - (d) Any contract in existence relating to the proposed improvements.

Section 4. Consideration and Determination. An application shall be approved or denied at either:

- (1) The first regularly scheduled corporation meeting that occurs after the application has been received; or
- (2) At the second regularly scheduled corporation meeting, if the application is received less than seven (7) calendar days before a regularly scheduled corporation meeting.
- (3) Approval of the application shall be based on the likelihood that the proposal will promote, enhance, and improve the conditions of the eligible backside facilities.

Section 5. Disbursements. All disbursements of monies and other transactions between the corporation and the horse racing association involved shall be according to the terms and conditions of the project proposal as approved by the corporation.

(45 Ky.R. 1976; 3154 eff. 5-31-2019; TAm eff. 7-1-2024; Crt eff. 4-14-2026.)

FILED WITH LRC: July 1, 2024