

230.804 Kentucky horse breeders incentive fund -- Contributions -- Purposes -- Distribution -- Administrative regulations.

- (1) There is hereby created a corporate fund designated as the "Kentucky horse breeders incentive fund." The fund shall be in the Kentucky Horse Racing and Gaming Corporation. 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. Notwithstanding KRS 45.229, 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 and Gaming Corporation 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 to be divided as follows:
 1. At least ninety percent (90%) shall be allocated to provide the breeder rewards as set forth in this section; and
 2. Up to ten percent (10%) may be allocated for administration and operation of the corporation.
 - (b) The Kentucky Horse Racing and Gaming Corporation may 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 corporation 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: March 27, 2025

History: Amended 2025 Ky. Acts ch. 124, sec. 20, effective March 27, 2025. -- Amended 2024 Ky. Acts ch. 171, sec. 95, effective July 1, 2024. -- Amended 2015 Ky. Acts ch. 47, sec. 4, effective June 24, 2015. -- 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."