

230.215 Legislative purpose for chapter and KRS Chapter 238 -- Racing and gaming corporation's power to exclude undesirables -- Jurisdiction over sports wagering and charitable gaming.

- (1)
 - (a) It is the policy of the Commonwealth of Kentucky, in furtherance of its responsibility to foster and to encourage legitimate occupations and industries in the Commonwealth and to promote and to conserve the public health, safety, and welfare, and it is hereby declared the intent of the Commonwealth to foster and to encourage the horse breeding industry within the Commonwealth and to encourage the improvement of the breeds of horses.
 - (b) Further, it is the policy and intent of the Commonwealth to foster and to encourage the business of legitimate horse racing with pari-mutuel wagering thereon in the Commonwealth on the highest possible plane. Further, it hereby is declared the policy and intent of the Commonwealth that all racing not licensed under this chapter is a public nuisance and may be enjoined as such.
 - (c) Further, it is hereby declared the policy and intent of the Commonwealth that the conduct of horse racing, or the participation in any way in horse racing, or the entrance to or presence where horse racing is conducted, is a privilege and not a personal right; and that this privilege may be granted or denied by the corporation or its duly approved representatives acting in its behalf.
 - (d) Further, it is hereby declared the policy and intent of the Commonwealth that citizens shall be allowed to enjoy wagering on sporting events in a controlled environment that protects the citizens from cheating and fraud, and that such wagering shall be best controlled and overseen by the Kentucky Horse Racing and Gaming Corporation, which has demonstrated a long and successful history of regulating wagering.
 - (e) Further, it is hereby declared the policy and intent of the Commonwealth that charitable gaming conducted by charitable organizations is an important method of raising funds for legitimate charitable purposes and is in the public interest. The intent of this chapter and KRS Chapter 238 is to prevent the commercialization of charitable gaming, to prevent participation in charitable gaming by criminal and other undesirable elements, and to prevent the diversion of funds from legitimate charitable purposes, and that charitable gaming shall be overseen by the Kentucky Horse Racing and Gaming Corporation.
 - (f) It is hereby declared the intent of the Commonwealth to vest in the corporation the power to regulate the industries under its jurisdiction and ensure compliance, transparency, and protection of the public in accordance with applicable law.
- (2)
 - (a) It is hereby declared the purpose and intent of this chapter in the interest of the public health, safety, and welfare, to vest in the corporation forceful control of horse racing in the Commonwealth with power to promulgate administrative regulations prescribing conditions under which all legitimate horse racing and wagering thereon is conducted in the Commonwealth so as to encourage the improvement of the breeds of horses in the Commonwealth, to regulate and maintain horse racing at horse race meetings in the

Commonwealth of the highest quality and free of any corrupt, incompetent, dishonest, or unprincipled horse racing practices, and to regulate and maintain horse racing at race meetings in the Commonwealth so as to dissipate any cloud of association with the undesirable and maintain the appearance as well as the fact of complete honesty and integrity of horse racing in the Commonwealth.

- (b) In addition, it is hereby declared the purpose and intent of this chapter to vest in the corporation exclusive jurisdiction over sports wagering in the Commonwealth, with power to promulgate administrative regulations prescribing conditions under which all sports wagering is to be conducted.
- (c) In addition to the general powers and duties vested in the corporation by this chapter, it is the intent hereby to vest in the corporation the power to eject or exclude from association grounds or any part thereof any person, licensed or unlicensed, whose conduct or reputation is such that his or her presence on association grounds may, in the opinion of the corporation, reflect on the honesty and integrity of horse racing or interfere with either the orderly conduct of horse racing or the orderly conduct of sports wagering.
- (d) In addition, it is hereby declared the purpose and intent of this chapter to vest in the corporation exclusive jurisdiction over charitable gaming in the Commonwealth, with power to promulgate administrative regulations prescribing conditions under which all charitable gaming is to be conducted.
- (e) In addition to the general powers and duties vested in the corporation by this chapter, it is the intent hereby to vest in the corporation the power to eject or exclude from charitable gaming facilities or any part thereof any person, licensed or unlicensed, whose conduct or reputation is such that his or her presence at a charitable gaming facility may, in the opinion of the corporation, reflect on the honesty and integrity of charitable gaming or interfere with the orderly conduct of charitable gaming.

Effective: July 1, 2025

History: Amended 2025 Ky. Acts ch. 124, sec. 2, effective July 1, 2025. -- Amended 2024 Ky. Acts ch. 171, sec. 2, effective July 1, 2024; and ch. 171, sec. 3, effective July 1, 2025. -- Amended 2023 Ky. Acts ch. 147, sec. 6, effective June 29, 2023. -- Amended 2010 Ky. Acts ch. 24, sec. 444, effective July 15, 2010. -- Amended 2004 Ky. Acts ch. 191, sec. 44, effective July 13, 2004. -- Amended 1992 Ky. Acts ch. 109, sec. 12, effective March 30, 1992. -- Amended 1986 Ky. Acts ch. 296, sec. 3, effective July 15, 1986. -- Amended 1974 Ky. Acts ch. 164, sec. 1; and ch. 403, sec. 2. -- Created 1970 Ky. Acts ch. 156, sec. 1.