HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM

2026 REGULAR SESSION

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Amend printed copy of **HB 904/HCS 1**

On page 10, lines 12 through 13, after "Thoroughbred", place brackets around and strikethrough ", (i.e., meeting the requirements of and registered with The Jockey Club of New York)"; and

On page 135, between lines 17 and 18, insert:

"➔SECTION 48. A NEW SECTION OF KRS CHAPTER 230 IS CREATED TO READ AS FOLLOWS:

(1) For purposes of this chapter, a registrar of Thoroughbreds shall not restrict the number of mares that can be bred to a stallion or otherwise refuse to register any foal based upon the number of mares bred to the stallion of the foal submitted for registration.

(2) The corporation shall select and utilize an entity to serve as the registrar of Thoroughbreds. The registrar shall submit to the jurisdiction of Kentucky and shall comply with the laws of this chapter.

(3) On or before August 1, 2026, the corporation shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement this section.

➔Section 49. KRS 230.400 is amended to read as follows:

(1) (a) There is hereby created a corporate account for the Kentucky Horse Racing and Gaming Corporation, designated as the Kentucky Thoroughbred development fund, consisting of moneys allocated to the fund under the provisions of KRS 138.510,

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Amendment No. HFA 1 Rep. Rep. David W. Osborne

Committee Amendment Signed:

Floor Amendment LRC Drafter:

Adopted: Date:

Rejected: Doc. ID: XXXX

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together with other moneys contributed to or allocated to the fund from all other sources.

(b) Moneys to the credit of the Kentucky Thoroughbred development fund shall be transferred in the following order:

1. One hundred thousand dollars ($100,000) each fiscal year to the Kentucky problem gambling assistance account established in KRS 230.826; and

2. Remaining moneys to the Kentucky Horse Racing and Gaming Corporation to be divided as follows:

a. At least ninety percent (90%) shall be allocated within Kentucky as set forth in this section; and

b. Up to ten percent (10%) for administration and operation of the corporation.

(c) Moneys from the Kentucky Thoroughbred development fund shall be allocated to each licensed association in an amount equal to at least ninety percent (90%) of the amount the association contributed to the fund.

(d) Moneys to the credit of the Kentucky Thoroughbred development fund at the end of each fiscal year shall not lapse, but shall be carried forward in such fund to the succeeding fiscal year.

(2) There is hereby established, under the general jurisdiction of the Kentucky Horse Racing and Gaming Corporation, a Kentucky Thoroughbred Development Fund Advisory Committee. The advisory committee shall consist of five (5) members, all of whom shall be residents of Kentucky, to be appointed by the chairman of the Kentucky Horse Racing and Gaming Corporation by July 1 of each year. The committee shall consist of two (2) Thoroughbred breeders recommended by the Kentucky Thoroughbred Owners and Breeders, Inc.; one (1) Thoroughbred owner recommended by the Kentucky division of the

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Horsemen's Benevolent and Protective Association; one (1) officer or director of a licensed association conducting Thoroughbred racing in Kentucky, recommended by action of all of the licensed associations conducting Thoroughbred racing in Kentucky; and one (1) member of the Kentucky Horse Racing and Gaming Corporation. If any member other than the corporation member has not been recommended for appointment by July 1 of each year, the chairman of the Kentucky Horse Racing and Gaming Corporation shall make an appointment for the organization or organizations failing to recommend a member of the committee. The members of the advisory committee shall serve without compensation, but shall be entitled to reimbursement for all expenses incurred in the discharge of official business. The advisory committee shall select from its membership annually a chairman and a vice chairman.

(3) (a) The Kentucky Thoroughbred Development Fund Advisory Committee shall advise and assist the Kentucky Horse Racing and Gaming Corporation in the development of the supplemental purse program provided herein for Kentucky-bred Thoroughbreds, shall make recommendations to the corporation with respect to the establishment of guidelines, administrative regulations for the provision of supplemental purses, the amount thereof, the races for which the purses are to be provided and the conditions thereof, manner and method of payment of supplemental purses, registry of Thoroughbred stallions standing within the Commonwealth of Kentucky, registry of Kentucky-bred Thoroughbreds for purposes of this section, nature and type of forms and reports to be employed and required in connection with the establishment, provision for, award and payment of supplemental purses, and with respect to all other matters necessary in connection with the carrying out of the intent and purposes of this section.

(b) The Kentucky Horse Racing and Gaming Corporation shall employ qualified

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personnel as may be required to assist the corporation and the advisory committee in carrying out the provisions of this section. These persons shall serve at the pleasure of the corporation and compensation for these personnel shall be fixed by the corporation.

(4) The Kentucky Horse Racing and Gaming Corporation, with the advice and assistance of the Kentucky Thoroughbred Development Fund Advisory Committee, shall use the Kentucky Thoroughbred development fund to promote, enhance, improve, and encourage the further and continued development of the Thoroughbred breeding industry in Kentucky by providing, out of the Kentucky Thoroughbred development fund, supplemental purses for designated stakes, handicap, allowance, nonclaiming maiden races, and claiming races contested at licensed Thoroughbred race meetings in Kentucky. The Kentucky Horse Racing and Gaming Corporation may, by administrative regulation promulgated in accordance with KRS Chapter 13A, establish the requirements, conditions, and procedures for awarding and payment of supplemental purses in designated races by Kentucky-bred Thoroughbred horses. That portion of the supplemental purse provided for any designated race shall be awarded and paid to the owner of the horse only if the horse is a Kentucky-bred Thoroughbred duly registered with the official registrar. Any portion of the supplemental purse which is not awarded and paid over shall be returned to the Kentucky Thoroughbred development fund.

(5) (a) For purposes of this section, the term "Kentucky Thoroughbred stallion" shall mean and include only a Thoroughbred stallion standing the entire breeding season in Kentucky and registered as a Kentucky Thoroughbred stallion with the official registrar of the Kentucky Thoroughbred development fund.

(b) Except for Thoroughbred horses foaled prior to January 1, 1980, the term "Kentucky-bred Thoroughbreds," for purposes of this section, shall mean and include only

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Thoroughbred horses sired by Kentucky Thoroughbred stallions foaled in Kentucky and registered as a Kentucky-bred Thoroughbred with the official registrar of the Kentucky Thoroughbred development fund.

(c) Any Thoroughbred horse foaled prior to January 1, 1980, may qualify as a Kentucky-bred Thoroughbred for purposes of this section if the horse was foaled in Kentucky and if the sire of the Thoroughbred was standing at stud within Kentucky at the time of conception of such Thoroughbred, provided the Thoroughbred is duly registered as a Kentucky-bred Thoroughbred with the official registrar of the Kentucky Thoroughbred development fund.

(d) In order for an owner of a Kentucky-sired Thoroughbred to be eligible to demand, claim, and receive a portion of a supplemental purse provided by the Kentucky Thoroughbred development fund, the Thoroughbred horse in a designated race for which a supplemental purse has been provided by the Kentucky Thoroughbred development fund shall have been duly registered as a Kentucky-bred Thoroughbred with the official registrar of the Kentucky Thoroughbred development fund prior to entry in the race.

(6) (a) Kentucky Thoroughbred Owners and Breeders, Inc., is hereby recognized and designated as the sole official registrar of the Kentucky Thoroughbred development fund for the purposes of registering Kentucky Thoroughbred stallions and Kentucky-bred Thoroughbreds in accordance with the terms of this section and any administrative regulations promulgated by the Kentucky Horse Racing and Gaming Corporation. When a Kentucky-bred Thoroughbred is registered with the official registrar, the registrar shall be authorized to stamp the~~[Jockey Club]~~ certificate issued for the Thoroughbred with the seal of the registrar, certifying that the Thoroughbred is a duly qualified and registered Kentucky-bred Thoroughbred for

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purposes of this section. The registrar may establish and charge, with the approval of the corporation, reasonable registration fees for its services in the registration of Kentucky Thoroughbred stallions and in the registration of Kentucky-bred Thoroughbreds. Registration records of the registrar shall be public records and open to public inspection at all normal business hours and times.

(b) Any interested party aggrieved by the failure or refusal of the official registrar to register a stallion or Thoroughbred as a Kentucky stallion or as a Kentucky-bred Thoroughbred shall have the right to file with the registrar, within thirty (30) days of such failure or refusal of the registrar, a petition seeking registration of the Thoroughbred. The corporation shall promptly hear the matter de novo and issue its order directing the official registrar to register or not to register as it may be determined by the registrar.

(7) The Kentucky Horse Racing and Gaming Corporation may promulgate administrative regulations to carry out the provisions and purposes of this section, including the promulgation of administrative regulations and forms for the proper registration of Kentucky stallions and Kentucky-bred Thoroughbreds with the official registrar, and shall administer the Kentucky-bred Thoroughbred program created hereby in a manner best designed to promote and aid in the further development of the Thoroughbred breeding industry in Kentucky, to upgrade the quality of Thoroughbred racing in Kentucky, and to improve the quality of Thoroughbred horses bred in Kentucky."; and

Renumber subsequent sections accordingly.