

1 AN ACT relating to motorsports racing facilities and declaring an emergency.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 411 IS CREATED TO  
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Area of the racing facility" means within a five (5) mile radius of the  
7 perimeter of a property or contiguous group of properties where a racing  
8 facility is located; and

9 (b) "Racing facility" means a designated area or facility where competitive  
10 vehicle and motorsport races are conducted, including the track, spectator  
11 areas, garages, and any associated grounds, buildings, or appurtenances  
12 used to conduct the races.

13 (2) A racing facility shall not be subject to any action brought by a surrounding real  
14 property owner under any nuisance or taking cause of action if the racing facility  
15 was constructed:

16 (a) In accordance with state and local laws, ordinances, and regulations; and

17 (b) Before the surrounding real property owner purchased the applicable real  
18 property or constructed any building in the area of the racing facility.

19 (3) The immunity provided in this section shall apply regardless of any changes to  
20 the size, scope, configuration, technology, or type of racing conducted at the  
21 racing facility, provided the changes are lawful.

22 ➔Section 2. Whereas racing facilities have invested resources and are currently  
23 operating in local communities of the Commonwealth, bringing amusement, recreation,  
24 and economic development, and should be allowed to continue in operation, an  
25 emergency is declared to exist, and this Act takes effect upon its passage and approval by  
26 the Governor or upon its otherwise becoming a law.