

AN ACT relating to horse racing.

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

➔Section 1. KRS 230.280 is amended to read as follows:

- (1) No person shall hold or conduct any horse race meeting for any stake, purse, or reward within the Commonwealth of Kentucky without securing the required license from the racing commission.
- (2) The racing commission shall investigate the qualifications of each applicant for a license to conduct a horse race meeting or the renewal of a license to conduct a horse race meeting. The racing commission may issue or renew a license unless the racing commission determines that:
 - (a) The track location, traffic flow, facilities for the public, and facilities for racing participants and horses do not meet state code or are otherwise inadequate to protect the public health and safety;
 - (b) The racing dates and times requested conflict with another race meeting of the same breed of horse;
 - (c) The financing or proposed financing of the entire operation is not adequate for the operation or is from an unsuitable source;
 - (d) The applicant or licensee has failed to disclose or has misstated information or otherwise attempted to mislead the racing commission with respect to any material fact contained in the application for the issuance or renewal of the license;
 - (e) The applicant has knowingly failed to comply with the provision of this chapter or any administrative regulations promulgated thereunder;
 - (f) Any of the principals of the applicant or licensee is determined to be unsuitable because he or she has:
 1. Been convicted of any crime of moral turpitude, embezzlement, or larceny, or any violation of any law pertaining to illegal gaming or

gambling, or any crime that is inimical to the declared policy of the Commonwealth of Kentucky with regard to horse racing and pari-mutuel wagering thereon;

2. Been convicted in any jurisdiction within ten (10) years preceding initial licensing or license renewal of any crime that is or would be a felony or class A misdemeanor in the Commonwealth of Kentucky;
 3. Been identified in the published reports of any federal or state legislative or executive body as being a member or associate of organized crime, or of being of notorious or unsavory reputation;
 4. Been placed and remains in the custody of any federal, state, or local law enforcement authority;
 5. Had a racing or gaming license revoked in another jurisdiction on grounds that would have been grounds for revoking the license in Kentucky; or
 6. Engaged in any other activities that would pose a threat to the public interest or to the effective regulation of horse racing and wagering in Kentucky, or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of racing and wagering or in the operation of the business and financial arrangements incidental thereto;~~[-or]~~
- (g) The applicant or licensee has had a racing or gaming license denied or revoked in another jurisdiction on grounds that would be grounds for license denial or revocation in Kentucky; or

(h) The applicant, or a subsidiary owned in whole or in part by the applicant, is already in possession of a racing license issued under this chapter.

(3) Notwithstanding paragraph (h) of subsection (2) of this section, an applicant already in possession of a license issued under this chapter shall be eligible to

have a currently issued license transferred to the applicant for the purpose of relocating the license if the applicant acquires all assets and liabilities of the other current licensee.