

1 A RESOLUTION urging Congress to fund the Horseracing Integrity and Safety
2 Authority through federal appropriation rather than fees charged to individual states and
3 racetracks.

4 WHEREAS, the Horseracing Integrity and Safety Authority (HISA) was created as
5 an organization that regulates the sport of Thoroughbred horse racing in the United States
6 and was empowered by the Horseracing Integrity and Safety Act of 2020; and

7 WHEREAS, HISA submits to the regulatory authority of the Federal Trade
8 Commission (FTC), resulting from a challenge at the United States Court of Appeals, and
9 promulgates rules subject to modification and approval by the FTC; and

10 WHEREAS, HISA has jurisdiction over races that are involved in interstate
11 commerce, including those that are subject to off-track betting and advance deposit
12 wagering, and the horses and horse people who participate in those races; and

13 WHEREAS, HISA is responsible for developing and enforcing rules for racetrack
14 safety, regulating such matters as track surface maintenance, veterinary oversight, injury
15 data reporting, jockey safety, horseshoe requirements, and use of riding crops; and

16 WHEREAS, HISA levies fines and suspensions from racing for violations of the
17 rules; and

18 WHEREAS, HISA is also charged with developing anti-doping and medication
19 control rules to ensure fairness and protect the health of equines and the jockeys who ride
20 them; and

21 WHEREAS, HISA must also cover its technology and administration costs; and

22 WHEREAS, HISA operates on revenues from fines related to the racetrack safety
23 and anti-doping and medication control programs plus fee assessments on individual
24 states and racetracks, with the fee assessments calculated on a formula totaling starts and
25 purses; and

26 WHEREAS, individual racing commissions can choose to cover the assessed fee
27 for the state, decline to cover these financial assessments and pass the burden onto the

1 racetracks in the state, which can then pass the costs along to horse people and customers,
2 or state legislatures can appropriate funding to pay the fee assessment; and

3 WHEREAS, commissions that voluntarily enter into agreements with HISA to have
4 existing personnel conduct tasks like sample collection, investigation, and violation
5 adjudication, receive a credit toward their state's total fee assessment, reducing revenues
6 received by HISA; and

7 WHEREAS, HISA's revenues are further reduced by the nonparticipation of states
8 choosing to avoid the financial burden of the assessment fees by not sending their
9 simulcasting signal out of state, thereby avoiding this federal program's jurisdiction,
10 obviously not an ideal situation; and

11 WHEREAS, HISA's budget inevitably exceeds the revenues it receives to continue
12 this mission and work;

13 NOW, THEREFORE,

14 ***Be it resolved by the Senate of the General Assembly of the Commonwealth of***
15 ***Kentucky:***

16 ➔Section 1. The members of the Senate hereby recognize the importance of
17 consistently robust and reliable safety regulation of the Thoroughbred horseracing sport
18 while acknowledging participants and spectators value the same.

19 ➔Section 2. The Senate hereby urges the United States Congress to fund the
20 Horseracing Integrity and Safety Authority through federal appropriation rather than the
21 assessment fees levied on states and racetracks.

22 ➔Section 3. The Clerk of the Senate is directed to transmit a copy of this
23 Resolution to the President of the United States Senate, the Majority Leader of the United
24 States Senate, and each member of the Kentucky Congressional delegation.