



Horse Racing and Gaming Corporation

Records Retention Schedule

Prepared by the State Records Branch
Archives and Records Management Division
Approved by the State Libraries, Archives, and Records Commission



Kentucky Department for Libraries and Archives

This records retention schedule governs retention and disposal of records created, used, and maintained by this agency. **Government records in Kentucky can only be disposed of with the approval of the State Libraries, Archives, and Records Commission (the Commission). If records do not appear on a Commission-approved records retention schedule, agencies should not destroy those records.** This agency-specific schedule was drafted by agency personnel and Archives and Records Management Division staff and reviewed and approved by the Commission. This schedule provides the legal authority for this agency to destroy the records listed, after the appropriate retention periods have passed.

Agency personnel should use this agency-specific schedule in combination with the *General Schedule for State Agencies (General Schedule)*, also approved by the Commission. The *General Schedule* applies to records that are created, used, and maintained by staff at all or most state agencies. Agency-specific retention schedules are used only by specific agencies and apply to records that are created only by a particular state agency, or to records that a state agency is required to retain longer than the approved time period on the *General Schedule*. The *General Schedule* and agency-specific retention schedule should cover all records for this agency.

This retention schedule applies to state agency records and information regardless of how it is created or stored. For example, information created and sent using e-mail is as much a public record as materials created or maintained in paper. Kentucky law defines public records, in part, as "documentary materials, *regardless of physical form or characteristics*, which are prepared, owned, used, in the possession of or retained by a public agency" (KRS 171.410[1]). This means that records management standards and principles apply to all forms of recorded information, from creation to final disposition, regardless of the medium. Records retention scheduling is important in developing, using, and managing computer systems and other electronic devices. Records management practices encourage cost-effective use of electronic media through accurate retention scheduling and legal destruction of records.

All state government employees are responsible for maintaining records according to the retention schedule, whether those records are stored electronically or in paper. Information must be accessible to the appropriate parties until all legal, fiscal, and administrative retention periods are met, regardless of the records storage medium.

Audits and Legal Action

Agency records may be subject to fiscal, compliance or procedural audit. If an agency should maintain records longer than the approved retention period, as may be the case with some federal audits, then all affected records should be retained until the audit has been completed and the retention period met. In no case should records that are subject to audit be destroyed until the audit has been completed and retention periods met, or the records have been officially exempt from any audit requirements.

Records may also be involved in legal or investigative actions, such as lawsuits, administrative hearings, or open records matters. These records must be retained at least until all legal or investigative matters have concluded, regardless of retention period. This includes all appeals of lawsuits.

Vital Records

Vital records are essential to the continued functioning of an agency during and after an emergency. Vital records are also essential to the protection of the rights and interests of an

agency and of the individuals for whose rights and interests it has a responsibility. Vital records are identified in the retention schedule with a (V).

Confidential Records

While all records created, used, and maintained by government agency personnel are public records, not all of those records are open to public inspection. Whether a record is open to public inspection is determined by the state's Open Records laws and other relevant state or federal statutes and regulations. Restriction of public inspection of confidential records may apply to the whole record or only to certain information contained in the record.

Kentucky's public records are considered open for public inspection unless there is some specific law or regulation that exempts them. Agency personnel who believe certain records are confidential should submit a citation from Kentucky Revised Statutes, Administrative Regulations, Code of Federal Regulations, or similar authority. **State agency heads have the responsibility to know all the appropriate confidentiality laws, statutes and regulations that apply to the records maintained by their agency and to see that those laws are enforced.** Even though a record series may or may not be marked confidential on a retention schedule, contradictory laws or regulations that are passed after the schedule has been approved must be honored.

Copies of Records

Agency personnel often make copies of records for internal use or reference purposes. Agencies should designate one copy as the official copy and make sure it is retained according to the records retention schedule. Agencies can destroy all other copies when no longer useful.

Updating the Retention Schedule

Per 725 KAR 1:010, the head of each state government agency is required to designate a member of his or her staff to serve as a records officer. The agency records officer represents that agency in its records-related work with the Archives and Records Management Division. The agency records officer is responsible for assisting the Archives and Records Management Division in drafting a records retention schedule, and in finding any schedule updates to bring before the Commission. The retention schedule should be reviewed on a regular basis to suggest appropriate changes to the Commission.

Kentucky Horse Racing and Gaming Corporation

In 1992, the Kentucky Racing Commission was created out of the Kentucky State Racing Commission and the Kentucky Harness Racing Commission. Attached to the Public Protection Cabinet, the Kentucky Racing Commission was an independent agency of state government charged with the responsibility of regulating the conduct of horse racing and pari-mutuel wagering on horse racing and related activities within the Commonwealth of Kentucky.

The Division of Charitable Gaming was created in 1994, as part of the Justice Cabinet. In 1998, the division was elevated to a department and was placed in the Cabinet for Public Protection and Regulation. In 2004, it was placed in the Environmental and Public Protection Cabinet. As of 2010, it was in the Public Protection Cabinet. The Department of Charitable Gaming was empowered to license and regulate the conduct of charitable gaming and to license and regulate charitable gaming organizations, facilities, manufacturers and distributors in Kentucky (KRS 238.510).

Pursuant to 2024 Senate Bill 299, the Kentucky Horse Racing Commission and Department of Charitable Gaming were abolished, and all their responsibilities are assumed by the newly established Kentucky Horse Racing and Gaming Corporation. Effective July 1, 2024, the Corporation was established as an independent, de jure municipal corporation and political subdivision of the Commonwealth of Kentucky. It is charged with regulating horse racing, pari-mutual wagering, and sports wagering in the Commonwealth.

RECORDS RETENTION SCHEDULE

Signature Page

Dept. of Charitable Gaming

June 13, 2024

Agency

Schedule Date

June 13, 2024

Unit

Change Date

June 13, 2024

Date Approved By Commission

APPROVALS

The undersigned approve of the following Records Retention Schedule or Change:


 Agency Head


 Date of Approval


 Agency Records Officer


 Date of Approval

DocuSigned by:



6/13/2024

 C4B05A33799E493...
 State Archivist and Chairman, State
 Libraries, Archives, and Records
 Commission


Date of Approval

The undersigned Archives and Records Management Division staff have examined the record items and recommend the disposition as shown:


 Records Analyst/Regional Administrator

5/15/2024

Date of Approval


 Appraisal Archivist

6/13/2024

Date of Approval


 State/Local Records Branch Manager

6/13/2024

Date of Approval

The determination as set forth meets with my approval.

DocuSigned by:



on behalf of

6/13/2024

 20FA374F19264FC...
 Auditor of Public Accounts

Date of Approval

**Archives and Records Management Division
Kentucky Department for Libraries and Archives**

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection Cabinet
Charitable Gaming, Department of

**Record Group
Number
483**

Series	Records Title and Description	Function and Use
04895	License File (V)	<p>This series documents the licensing requirements for organizations, facilities, manufacturers, and distributors to participate in charitable gaming events and activities, as required in KRS 238.525 to .535. A charitable organization is a nonprofit entity organized for charitable, religious, educational, literacy, civic, fraternal, or patriotic purposes. A charitable gaming facility means a person, including a licensed charitable organization, that owns or is a lessee of premises which are leased or otherwise made available to two or more licensed charitable organizations, other than itself, during a one year period for the conduct of charitable gaming. A manufacturer is a person who assembles charitable gaming equipment or supplies used in the conduct of charitable gaming. A distributor is a person who sells, markets, leases, or otherwise furnishes to an organization charitable gaming equipment. The series also includes exempted organizations, such as hospitals, parent/teacher associations, and school organizations. An exempted organization is one that makes less than \$25,000 per year on charitable gaming events and is not required to pay a filing fee or financial reports. Applicants for licenses are subjected to state and national criminal history background checks. Applicants who are denied licenses have recourse through the administrative hearing process. Orders of the Commissioner are final unless overturned through the courts.</p> <p>Access Restrictions Agencies should consult legal counsel regarding open records matters.</p> <p>Contents Series may contain: Application forms, articles of incorporation, by-laws, Internal Revenue Service (IRS) Form 990 to report gross receipts over \$25,000, IRS 501C form for use by nonprofit entities, employee identification number, federal identification number, copies of leases, invoices, orders, complaints, financial plan (if required), related correspondence.</p> <p>Retention and Disposition Retain until five (5) years after receipt, then destroy.</p>
04896	Inspection Report File	<p>This series documents the notes and observations resulting from the inspection of licensees engaged in charitable gaming events and activities. Inspections are at the discretion of the Department, with the overall intent to inspect each and every charity at least two to three times per year. The purpose of the inspections is to ensure compliance with the requirements of KRS 238.500 to .560. Currently, there are eleven inspectors to inspect more than 1,200 licensees. During inspections, emphasis is given to educating organizations, facilities, manufacturers, and distributors regarding the laws governing charitable gaming. The primary thrust of the inspections is to ensure that forty percent of gross receipts are retained for charities and that the required 4/10 of one percent of receipts are returned to the Department. The Department is funded through agency receipts, not through appropriations from the General Assembly. If violations are noted, a period for corrective action is given. If violations are not corrected, licenses can be revoked or suspended.</p> <p>Access Restrictions Agencies should consult legal counsel regarding open records matters.</p> <p>Contents Series may contain: Date of inspection, inspector name, day of inspection, license number, arrival time, organization name, address, officer/manager present, person in charge of cash, person in charge of pull tab sales, person calling game, association with organization, distributor, per person paper charge, employees of distributor present, facility, license number, expiration date, address, rent, clean up charges, additional charges, inventory storage, person responsible, investigative notes and observations, involvement by other licensees, charity game ticket rules of play, bingo equipment, rules of play, gross receipts, payout list.</p> <p>Retention and Disposition Retain until five (5) years after creation, then destroy.</p>

STATE AGENCY RECORDS RETENTION SCHEDULE

Public Protection Cabinet
Charitable Gaming, Department of

Record Group
Number
483

Series	Records Title and Description	Function and Use
04897	Quarterly Report File	This series represents captured data on gross receipts by gaming categories, such as bingo, pull tabs, and raffles, as required in KRS 238.550(2). In addition, the report provides information on the following: 1) the amounts or values of all prizes paid out during the reporting period; 2) the names and addresses of all persons who are winners of prizes of \$600 or more; and 3) all net receipts retained and the names and addresses of all charitable endeavors which received money from the net receipts. The reports are due to the Department thirty days following the end of each calendar quarter. The series is primarily used to determine whether the organization is retaining forty percent of its gross receipts for charitable purposes. It is also used to ensure compliance with the reporting of other types of expenses and to capture statistical information for inclusion in the Departments annual report.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: License number, organization name and address, and reporting period; information on gaming activities, gross receipts, payouts, and adjusted gross receipts; information on expenses, such as supplies, equipment, other operating expenses, and signature of organization officer and date; charitable gaming account information, report of all winners of prizes valued at more than \$599, special license activity, summary of gaming activity, report of charitable contributions made by licensee.
	Retention and Disposition	Retain until five (5) years after receipt, then destroy.
04898	Investigative Case File (V)	This series documents the investigations of allegations of wrongdoing, specifically allegations of willful criminal conduct, as required in KRS 238.560. Investigations may be undertaken based on receipt of complaints or upon the Departments own volition. In carrying out its enforcement responsibilities, the Department can: inspect and examine all premises in which charitable gaming is conducted, gaming supplies and where they are maintained, and facilities where equipment is manufactured and/or distributed; remove and impound supplies and equipment for the purpose of examination; inspect and audit books and records of licensees for the purpose of determining compliance with laws and regulations governing charitable gaming; and take any other actions it believes necessary to an investigation. The information from cases that support criminal offenses is turned over to the appropriate county attorney or commonwealth attorney for prosecution, or to the agency that has proper jurisdiction, such as the Internal Revenue Service. Complaints that are received that are not of a criminal nature are turned over to other areas of the Department for resolution.
	Access Restrictions	KRS 61.878(1)(h) - Information to be used in a prospective law enforcement action/administrative adjudication. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Investigative report, copy of complaint, witness statements, business records of the organization/facility, audit reports, related correspondence.
	Retention and Disposition	Retain until five (5) years after case closure and all appeals have been exhausted, then destroy.

STATE AGENCY RECORDS RETENTION SCHEDULE

Public Protection Cabinet
Charitable Gaming, Department of

Record Group
Number
483

Series	Records Title and Description	Function and Use
04899	License Holder Audit File	This series documents the audits of charitable gaming organizations and facilities. The audits are conducted to ensure that the required 4/10 of one percent of gross gaming receipts are returned to the Department, as required in KRS 238.570. Audits are also conducted to determine the accuracy of quarterly reports (series 04897) submitted to the Department and to ensure compliance with laws and regulations governing charitable gaming activities. The intent of the Department is to audit each organization/facility once within a three-year period. Information from the series also may be used in formal investigations conducted by the Department.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Audit summary, preliminary audit report, response to preliminary audit report, copies of quarterly reports, inspection reports, work papers, complaints from inspectors, final audit report, related correspondence.
	Retention and Disposition	Retain until five (5) years after receipt, then destroy.
04900	Case Files - Administrative Proceedings (V)	This series documents administrative action against any person licensed under KRS Chapter 238 for violations of the provisions of the Chapter or related administrative regulations. Offenses include but are not limited to violations of rules of play, conducting unlicensed gaming activities, and involvement by a facility in organizations gaming activities. Under the terms of KRS 238.560, the Department may deny a license, suspend or revoke a license, issue a cease and desist order, place a license holder on probation, or levy a fine. The type of action taken is based on the nature, severity, and frequency of the offense. A license holder has ten (10) days after notification of an action to appeal an administrative decision of the Department. Administrative hearings are conducted by the Attorney Generals Office. A case is closed upon issuance of a final order by the Commissioner of the Department. A licensee has thirty (30) days in which to appeal a final order to Franklin County Circuit Court.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Request for appeal, notice of administrative hearing, order assigning case, pre-hearing conference, disposition of case (find of fact and conclusion of law and recommended order), final order, transcripts, exhibits, related correspondence.
	Retention and Disposition	Retain until five (5) years after case closure and all appeals have been exhausted, then destroy.

Electronic System With Included Records Series

Public Protection Cabinet

Charitable Gaming, Department of

System Description: The Charitable Gaming Program holds all information related to a licensee, including information for the licensee itself and personal data for officers, owners, employees, etc. of each licensee. All incoming documents are scanned into the system and output documents and reports are generated from that original data.

System Contents: Content is related to obtaining a license and keeping that information up to date and may include license applications and supporting documentation, invoices, orders, complaints, inspection reports and supporting documentation, quarterly reports, and records relating to administrative actions and appeals. Information is entered by licensing staff, compliance staff, legal staff and Fiscal Officer.

Gen. Schedule Items:

System Title: **Charitable Gaming Program**

Alternate Title:

<i>Series #</i>	<i>Series Title:</i>	<i>Disposition Instructions:</i>
04895	License File	Retain until five (5) years after receipt, then destroy.
04896	Inspection Report File	Retain until five (5) years after creation, then destroy.
04897	Quarterly Report File	Retain until five (5) years after receipt, then destroy.
04899	License Holder Audit File	Retain until five (5) years after receipt, then destroy.
04900	Case Files - Administrative Proceedings	Retain until five (5) years after case closure and all appeals have been exhausted, then destroy.

RECORDS RETENTION SCHEDULE

Signature Page

Kentucky Horse Racing Commission

March 8, 2018

Agency

Schedule Date

September 12, 2019

Unit

Change Date

September 12, 2019

Date Approved By Commission

APPROVALS

The undersigned approve of the following Records Retention Schedule or Change:



Agency Head



Date of Approval



Agency Records Officer



Date of Approval

SEP 12 2019

State Archivist and Records Administrator
Director, Archives and Records Management Division

Date of Approval

SEP 12 2019

Chairman, State Libraries, Archives, and
Records Commission

Date of Approval

The undersigned Archives and Records Management Division staff have examined the record items and recommend the disposition as shown:



Records Analyst/Regional Administrator



Date of Approval

Appraiser/Archivist

9/12/19

Date of Approval

State/Local Records Branch Manager

9.12.19

Date of Approval

The determination as set forth meets with my approval.



Auditor of Public Accounts

9/12/19

Date of Approval

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission

Record Group
Number
2480

Records Title		
Series	Description	Function and Use
00973	Color Book	CLOSED SERIES: This series documented color registration and in some cases, rulings, licenses issued and trainers' names. Note: The library at Keeneland holds the only known copies of this publication (1932, 1934, 1936, 1937, 1940, 1941, 1952, 1957, 1958, 1959, 1960 and 1961).
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Owner/stable name, color and year.
	Retention and Disposition	Retain permanently.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Incentives and Development

Record Group
Number
2480

Series	Records Title and Description	Function and Use
00977	Kentucky Quarter Horse, Paint Horse, Appaloosa & Arabian Development Fund	This series documents distribution of funds to eligible horses according to KRS 230.445 and 810 KAR 7:060. Money allocated to the fund is a percentage of handle and is used to supplement purses. This program benefits the owner of the horse.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Copies of DOR Form 73A100, lists of dams, stallions, weanlings, yearlings and horses of racing age nominated to participate; deposits and purse requests.
	Retention and Disposition	Retain permanently.
05535	Backside Improvement Fund File	This series documents the Backside Improvement Fund. According to KRS 230.218 and 810 KAR 7:010, this fund allows for improvements to be made on the "backside" of thoroughbred racing tracks that average \$1,200,000 or less pari-mutuel handle per racing day on live racing. Backside facilities are those facilities at thoroughbred racetracks where horses are stabled and quartered and where stable employees work and live.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Invoices, reimbursement requests, cash transmittals, descriptions of improvements, and photographs.
	Retention and Disposition	Retain for fifteen (15) years, then destroy.
05537	Unclaimed Pari-mutuel Tickets File	This series documents activities pertaining to the collection of unclaimed pari-mutuel tickets according to KRS 230.362 and KRS 230.374. Any ticket over one year old and assumed abandoned is turned over to the Kentucky Horse Racing Commission and redistributed to the Kentucky Racing Health and Welfare Fund.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Invoices, letters to racetracks, county sheriff office, newspaper clippings, and affidavits of unclaimed tickets.
	Retention and Disposition	Retain for eight (8) years, then destroy.
05539	Kentucky Thoroughbred Breeders Incentive Fund File	This series documents participants in the Kentucky Thoroughbred Breeders Incentive Fund (KBIF) according to KRS 230.800 and 810 KAR 1:070. The fund was created to encourage breeding in Kentucky. Each breeding season broodmares are nominated to the KBIF, and the resulting foal is eligible to earn breeder awards for winning eligible races throughout the world. Money is generated by the 6% sales tax due when you breed a mare to a stallion in the Commonwealth. KBIF receives 80% of the sales tax collected. This program benefits the breeder of the horse.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Multiple forms (application, agent, claim, late filing, mare ID, moving mare, transfer mare and withdrawal from program), invoices, cash transmittals, letters to breeders.
	Retention and Disposition	Retain permanently.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Incentives and Development

Record Group
Number
2480

Series	Records Title and Description	Function and Use
05541	Kentucky Thoroughbred Development Fund File	This series documents distribution of funds to Kentucky Thoroughbred Development Fund (KTDF) eligible horses according to KRS 230.400 and 810 KAR 7:030. The purpose of KTDF is to encourage breeding and racing in Kentucky. Money allocated to the fund is a percentage of handle and is used to supplement purses. This program benefits the owner of the horse.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Copies of DOR Form 73A100, distribution requests, payment requests, horse ID sheets verifying the horse is KTDF eligible, handle and percentage paid to fund.
	Retention and Disposition	Retain permanently.
06236	Kentucky Horse Breeders' Incentive Fund Files	This series documents participants in the Kentucky Horse Breeders' Incentive Fund (KHBIF) according to KRS 230.804 and 811 KAR 2:120. The fund was created to encourage breeding in Kentucky. The fund operates on a three (3) year cycle, and Kentucky breed affiliates apply to be a member organization for the period. Annually, money is allocated to each affiliate to be awarded to members for breeding, owning, and showing in Kentucky. Money is generated by the 6% sales tax due when you breed a mare to a stallion in the Commonwealth. KHBIF receives 7% of the sales tax collected. The fund is often referred to as "Non-Race" because the fund was set aside for all other breeds to earn money competing in shows and contests rather than racing.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Claim forms; applications; invoices; cash transmittals; letters to breeders, owners, and Kentucky affiliates; and IRS filing for foreign withholdings.
	Retention and Disposition	Retain permanently.
06913	Eligible Horse List and Registration File	This series documents horses nominated or eligible for the Kentucky Sire Stakes Program and horses registered for the Kentucky Standardbred Development Fund (KSDF) and Kentucky Standardbred Breeders' Incentive Fund (KSBIF) according to 810 KAR 7:040, KRS 230.802, and KRS 230.770.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: list of registered yearlings, two-year-olds, three-year-olds, mares, stallions, eligible horses running in stakes; list of leading earnings; purse request for each stake race; invoices for advertising; promotions; trophies; and event planning information.
	Retention and Disposition	Retain permanently.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Legal

Record Group
Number
2480

Records Title		
Series	Description	Function and Use
00964	Case Files	This series documents financial responsibility cases, administrative hearings, circuit court cases, and all appellate cases. These files would include pleadings, exhibits, transcripts, orders, opinions, and final decisions of any nature, including open records decisions.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Complete case files, (administrative, circuit and appellate court), police reports, news articles, open record requests and responses, financial responsibility correspondence, miscellaneous correspondence regarding legal issues relating to the Kentucky Horse Racing Commission.
	Retention and Disposition	Transfer to the State Archives after case is closed and all appeals have been exhausted, for permanent retention. Maintain non-litigation case files ten (10) years, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Licensing

Record Group
Number
2480

Records Title		
Series	and Description	Function and Use
00736	Master License File	This series documents approved applications for licenses and all activities and processes related to licensing per KRS 230.290, KRS 230.300 and KRS 230.310.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Approved applications; authorized agent applications; Workers' Compensation Certificates of Insurance; related correspondence of trainers, drivers, vendors, veterinarians, racing officials, announcers, grooms, stables, farriers, mutual employees, and owners.
	Retention and Disposition	Transfer to State Archives five (5) years after last activity for permanent retention.
00737	Investigation File - Denied Applicants	This series documents denied applications for horse racing. Applications are submitted by owners, trainers, and jockeys.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Denied applications, interviews, inquiries, correspondence, and final determination.
	Retention and Disposition	Destroy seventy-five (75) years after file initiated or after death of applicant.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Pari-mutuel Wagering and Compliance

Record Group
Number
2480

Series	Records Title and Description	Function and Use
06908	Association License File	This series documents applications for an association seeking a license or a renewal of a license to conduct a horse race meet according to KRS 230.280.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Association's annual racing license applications (including exhibits and attachments), correspondence pertaining to application, subsequent amendments to the application, incident reports, and any other document used in the course of regulation of the racing association.
	Retention and Disposition	Retain for ten (10) years, then destroy.
06909	Advance Deposit Wagering License File	This series documents applications for an advance deposit wagering company seeking a license or a renewal of a license to conduct advance deposit wagering according to KRS 230.260.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: applications for an Advance Deposit Wagering (ADW) company's annual license application (including exhibits and attachments), correspondence pertaining to the application, subsequent amendments to the application, incident reports, correspondence related to complaints regarding the ADW, and any other document used in the course of regulation of the ADW company.
	Retention and Disposition	Retain for ten (10) years, then destroy.
06910	Totalizator License File	This series documents applications for a totalizator company seeking a license or a renewal of a license to provide totalizator services according to KRS 230.260.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: totalizator company's annual totalizator application (including exhibits and attachments), correspondence pertaining to the application, subsequent amendments to the application, incident reports, correspondence related to complaints regarding the totalizator company, and any other document used in the course of regulation of the totalizator.
	Retention and Disposition	Retain for ten (10) years, then destroy.
06911	Handle and Taxation Report File	This series documents reporting of pari-mutuel handle and taxation amounts from racetracks, simulcast facilities, and advance deposit wagering companies on Department of Revenue forms 73A100(6-15), 73A101(6-15), and 73A102(8-14).
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Pari-mutuel reports from racetracks, simulcast facilities, and advance deposit wagering companies.
	Retention and Disposition	Retain for ten (10) years, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Pari-mutuel Wagering and Compliance

Record Group
Number
2480

Records Title		
Series	and Description	Function and Use
06912	Historical Horse Racing, Simulcast and Advanced Deposit Wagering Files	This series documents live, simulcast, historical horse racing, and advance deposit wagering reports received from tote vendors and accounting application companies (e.g. CHRIMS -- originally named California Racing Information Management System) regarding settlements and distributions, including the daily processing of pari-mutuel pools by location, association, and type of race.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Pari-mutuel reports from tote vendors and accounting application companies.
	Retention and Disposition	Retain for ten (10) years, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION**Archives and Records Management Division****Kentucky Department for Libraries and Archives****STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection Cabinet
Horse Racing Commission
Stewards

**Record Group
Number
2480**

Series	Records Title and Description	Function and Use
00741	Race Meet Results File	This series documents results of races during a race meet -- order of finish, injuries, and discrepancies.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Judges sheets, programs for each racing day and pari-mutuels.
	Retention and Disposition	Retain for three (3) years, then destroy.
00967	Stewards' Report	This series represents Stewards' reports of changes in races (scratches, jockey changes, etc.), weather and condition of the track.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Daily reports taken by stewards.
	Retention and Disposition	Retain for five (5) years, then destroy.
06905	Thoroughbred/Standar dbred Investigative File	This series documents investigations of Kentucky licensees. It may document drug testing, violations and criminal histories, and includes information provided by racing associations, the Thoroughbred Racing Protective Bureau, Kentucky Horse Racing Commission Enforcement Division, Association of Racing Commissioners International (ARCI) records, documents obtained from other jurisdictions, documents presented at Stewards' hearings, and sometimes audio recordings of such hearings.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Individual case files/investigative files.
	Retention and Disposition	Retain seventy-five (75) years after final adjudication and/or issuance of Steward's ruling.
06906	Stewards/Judges Rulings	This series documents all determinations, decisions, and orders duly issued in writing and posted of the stewards, judges, or Commission.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: date of issue, final ruling of steward, judges, or Commission.
	Retention and Disposition	Retain permanently.
06907	Bills of Sale / Lease Agreements File	This series documents private sales to establish any right, title, or interest in a horse. It also documents lease agreements that conform to the conditions set forth in 810 KAR 4:090, Section 6 and establish any right, title, or interest in a horse.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Bill of Sale or Lease Agreement.
	Retention and Disposition	Retain for three (3) years, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Veterinary Services

Record Group
Number
2480

Series	Records Title and Description	Function and Use
00968	Positive Drug Test File	This series documents the full history of a sample beginning with identification of the horse, through sample collection and processing in the Test Barn, completion of analysis at the official laboratory, and resulting in a Certificate of Analysis. Contents of this file are used by Commission Stewards and Judges in conducting hearings and making penalty determinations. Those files are also made available to attorneys in cases where medication violations are charged.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Copies of Test Barn security log, Test Barn daily log sheet, sample ID cards from affected horse, chain of custody documents and sample inventory forms that accompany samples to the official laboratory, copy of screening analysis report, final analysis report, spilt sample analysis, and shipping receipts associated with spilt sample analysis or other requested additional testing.
	Retention and Disposition	Retain for five (5) years after final case disposition, then destroy.
04851	Daily Log Sheet File	This series documents all the actions of KHRC veterinarians on race day with respect to horses recommended for scratches due to health related conditions; horses placed on the veterinarians' list for injury, illness, or unsoundness; horses released from the veterinarians' list after having been demonstrated to have recovered from injury, illness, or unsoundness; horses reported to have been treated with Extracorporeal Shock Wave Therapy; horses having undergone palmar digital neurectomy; or other regulated procedures.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Race date, track name, name of horse, name of trainer, health related information, action taken by KHRC veterinarians, and name of veterinarian.
	Retention and Disposition	Retain for five (5) years, then destroy.
04852	Daily Veterinarian Inspection File	This series documents the results of pre-race examinations, post race evaluations, and regulatory examinations performed on days other than when the horse is scheduled to race, and are electronically housed by InCompass. The records are accessible by Kentucky Horse Racing Commission (KHRC) veterinarians in order to log exam findings and to consult previous exam findings to determine if there have been changes to a horse's condition that are associated with increased risk of serious injury and would warrant recommending withdrawal from a race. While each horse's health information is housed in the InCompass system, KHRC veterinarians generate reports for individual horses as required for investigations conducted by the Stewards.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Track name, race date, race number, horse name, barn number, name of trainer, owner name, detailed physical description, records of pre-race examination findings, and Lasix status.
	Retention and Disposition	Information is provided to vendor and maintained in external database. Retain for five (5) years, then destroy. Transfer reports generated from database for investigations to series (06905) Thoroughbred/Standardbred Investigative Files.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Veterinary Services

Record Group
Number
2480

Series	Records Title and Description	Function and Use
04853	Horse Injury Report File	This series documents information related to horse injuries and is entered in the Incompass-housed Equine Injury Database. This electronic file is password protected, but if required, KHRC veterinarians are able to generate reports specific to an individual horse, trainer, or racetrack as might be warranted during an investigation. Reports can be generated for individual horses, trainers, racetracks, racing surfaces, horse age or gender, and race characteristics. In addition, all horses that die or are euthanized as a result of participation in a race are subjected to post-mortem examination by a Board Certified Veterinary Pathologist. These reports provide objective information about the health of the horse at the time of the fatal incident, as well as insight into the horse's health prior to death. Reports are useful when stewards and judges conduct mortality reviews and assisting stakeholders in processing equine mortality insurance claims.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Race date, name of horse, racetrack, trainer name, racing surface, time and location that injury was sustained, diagnosis, and case outcome-- either fatality or non-fatality.
	Retention and Disposition	Retain for eleven (11) years, then destroy.
04854	Veterinary List File	This series documents horses that are identified by Commission veterinarians as unfit to race as the result of a health condition and are established as ineligible to enter in the InCompass system. The electronic list is updated weekly and posted on the Kentucky Horse Racing Commission's (KHRC) website. Racing Associations may elect to publish the Veterinarian's List in the racing office of racetracks where live racing is being conducted. KHRC veterinarians may produce hard copy reports of this records as required by the Stewards.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Name of horse, name of trainer, date entered on list, reason, scratch/run, release date, signature of Commission veterinarian and related documentation.
	Retention and Disposition	Information is provided to vendor and maintained in external database. Retain for five (5) years, then destroy. Transfer reports generated from database for investigations to series (06905) Thoroughbred/Standardbred Investigative Files.
04855	Veterinary Report of Horses Treated (Daily)	This series documents the administration of raceday furosemide (Salix) by Commission veterinarians.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: horses' names, identifying information (tattoo/freeze brand/microchip and detailed physical description), trainers' names, horse location, dose of furosemide administered, and the identity of the Commission veterinarian performing the administration. This file may also contain reports submitted by practicing veterinarians when regulated treatments (extra-corporeal shock wave therapy, castration, neurectomy) or administration of medications which require reporting.
	Retention and Disposition	Retain for three (3) years, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Public Protection Cabinet
Horse Racing Commission
Veterinary Services

Record Group
Number
2480

Records Title		
Series	and Description	Function and Use
05540	Equine Drug Research Council / Equine Drug Testing File	This series documents drug testing performed and includes screening and final reports for cleared samples, records and materials from Equine Drug Research Council (EDRC) meetings, and reports of intelligence gathered or research performed, or funded by, the EDRC. Drug testing is performed on the winner of each race and additional horses as designated by the Stewards or Judges. Horses may also be subjected to pre-race blood testing to detect the prohibited practice of bicarbonate loading, tested following training exercises, or at any time for out of competition testing to detect prohibited substances. This file also contains documents produced at the Test Barn by Kentucky Horse Racing Commission employees and reports produced by the official laboratory for tested samples that were negative for regulated or prohibited substances.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: sample ID cards, Test Barn security logs, screening results, final reports, research proposals, and research reports.
	Retention and Disposition	Retain for five (5) years, then destroy.

Electronic System With Included Records Series

Public Protection Cabinet

Kentucky Horse Racing Commission

Division Of Breeders' Incentives And Development

System Description: The Kentucky Quarter Horse, Paint Horse, Appaloosa, Arabian Development Fund (KQHAADF) system is used to collect and store data related to KQHAADF eligible horses. It also records results each year and money earned.

System Contents: Information entered by KHRC staff includes breeder and owner contact information and association, horse participant and results.

Gen. Schedule Items:

System Title: Kentucky Quarter Horse, Paint Horse, Appaloosa, Arabian Development Fund **Alternate Title:** KQHAADF

<i>Series #</i>	<i>Series Title:</i>	<i>Disposition Instructions:</i>
00977	Kentucky Quarter Horse, Paint Horse, Appaloosa & Arabian Development Fund	Retain permanently. Retain in Entity

Electronic System With Included Records Series

Public Protection Cabinet

Kentucky Horse Racing Commission

Division Of Licensing

System Description: The Association of Racing Commissioners International (ARCI) Database system is maintained by and for ARCI member regulators, including the Kentucky Horse Racing Commission (KHRC). As an ARCI member agency, information housed in this electronic database is accessible to and supplemented by approved KHRC staff. The ARCI Licensing System contains information for all persons who participate in horse racing activities in Kentucky. Information contained in the system is used by the Kentucky Horse Racing Commission to regulate the Kentucky horse racing industry by issuing licenses to any and all individuals who may work at racetracks, including jockeys, trainers, owners, agents, stable employees, veterinarians, farriers, racing officials, equine therapists, mutual clerks, and vendors. The system is also used to print licensee badges. Data is entered by, accessible to, and supplemented by approved agency staff. The database contains both public and secure restricted information per KRS 61.878 (1)(a) and KRS 61.878 (1)(c).

System Contents: The ARCI Licensing System may include: licensee contact information, including names, addresses, and phone numbers, past history, current standings, fines, regulatory rulings, employer and trainer information, photographs, and payment information.

Gen. Schedule Items:

System Title:	Association of Racing Commissioners International Database	Alternate Title:	Licensing System, ARCI
----------------------	---	-------------------------	-------------------------------

Series #	Series Title:	Disposition Instructions:
00736	Master License File	Transfer to State Archives five (5) years after last activity for permanent retention.

Electronic System With Included Records Series

Public Protection Cabinet

Kentucky Horse Racing Commission

Veterinary Services

System Description: InCompass is a centralized system used by the North American horse racing industry to log veterinary exam findings and consult previous exam findings to determine if there have been changes to a horse's condition associated with increased risk of serious injury. InCompass is accessible to racetrack veterinarians outside of Kentucky, as well as Kentucky Horse Racing Commission veterinarians. Information for each horse and its current condition is accessible to veterinarians at each racetrack, but only the veterinarian at the racetrack where the horse is currently entered in a race has the ability to add to the horse's history. Information in the system is restricted per KRS 61.878(1)(c).

System Contents: The InCompass system may contain: horse name, horse identification information, breeding, trainer, owner, date of exam, exam findings, Lasix status, race history, racing eligibility, and published exercise history.

Gen. Schedule Items:

System Title: **InCompass Solutions**

Alternate Title:

<i>Series #</i>	<i>Series Title:</i>	<i>Disposition Instructions:</i>
04852	Daily Veterinarian Inspection File	Information is provided to vendor and maintained in external database. Retain for five (5) years, then destroy. Transfer reports generated from database for investigations to series (06905) Thoroughbred/Standardbred Investigative Files.
04853	Horse Injury Report File	Retain for eleven (11) years, then destroy. Destroy
04854	Veterinary List File	Information is provided to vendor and maintained in external database. Retain for five (5) years, then destroy. Transfer reports generated from database for investigations to series 06905, Thoroughbred/Standardbred Investigative Files. Destroy

Electronic System With Included Records Series

Public Protection Cabinet

Kentucky Horse Racing Commission

Breeders' Incentives And Development

System Description: The Jockey Club Information System (TJCIS) is a global database for Thoroughbred pedigrees and race records providing instant access to information such as horse names, mare produce records, race records for mares and each foal, sales records, sire records, etc. Through TJCIS verification, owners can nominate eligible pregnant mares to the Kentucky Breeders' Incentive Fund, registering and nominating the unborn foal for each breeding season to participate in the program. Breeders must set up a username and password for accessing the system. At the end of each calendar year, award winnings are generated based on qualified races that KBIF registered horses have won.

System Contents: Information entered by registrant using his/her username and password, or by KHRC staff, includes various interfaces with breeder name, contact information, association, registered mare identification, nominated in-utero foal, sire, and payment processing.

Gen. Schedule Items:

System Title: **The Jockey Club Information System**

Alternate Title: **TJCIS**

Series # **Series Title:**

Disposition Instructions:

05539 Kentucky Thoroughbred Breeders Incentive Fund File

Retain permanently. Retain in Entity