

R19-2-126. Race Horse Adoption Grants

A. The Commission shall provide financial grants to nonprofit enterprises to promote the adoption of retired race horses. The Commission shall distribute all of the retired race horse adoption surcharge funds generated from A.R.S. § 5-104(G) to nonprofit enterprises.

B. Procedures.

1. A nonprofit enterprise that wishes to receive a financial grant shall submit a Department-generated application form to the Commission. In 2005, the Commission shall set the date by which applications are to be received. After 2005, the Commission shall accept applications until March 1 of each year. The nonprofit enterprise shall provide the following information:

- a. A written description of the nonprofit enterprise,
- b. Proof of nonprofit status,
- c. The proposed use of the grant,
- d. A description of the nonprofit enterprise's procedures to acclimate the horses as required by subsection (C)(6),
- e. A description of the nonprofit enterprise's adoption procedures as required by subsection (C)(7),
- f. A copy of the application form and adoption agreement required by subsections (C)(7)(a) and (c), and
- g. A copy of the transfer of registration or bill of sale required by subsection (C)(8).

2. If the Commission finds that the adoption program of a nonprofit enterprise is in the best interest of the racing industry and this state, the Commission shall decide whether to make a grant to the nonprofit enterprise, the amount of the grant, and the date of disbursement of the grant.

3. A recipient of a grant shall report annually to the Commission on a form provided by the Department to gather the following information:

- a. The number of horses the nonprofit enterprise received;
- b. The number of horses adopted;
- c. The number of horses returned by an adoptee and reason for each return;
- d. The actual use of the grant;
- e. A list of people who adopted the horses, or a copy of the contract between the nonprofit enterprise and each adoptee; and
- f. The most recent Articles of Incorporation filing with the Arizona Corporation Commission.

C. Minimum qualifications.

1. The enterprise shall be nonprofit.

2. The enterprise shall not:

- a. Allow a horse to be used for racing, wagering, or slaughter; or
- b. Place a horse with a humane society or research facility;
3. The enterprise shall not euthanize an adoptable horse unless, as determined by a licensed veterinarian, it is medically necessary for humane reasons.

4. The enterprise shall be affiliated with a racetrack that conducts horse racing. Affiliation is satisfied when the general manager or other executive from the racetrack submits to the Commission a written recommendation on behalf of the enterprise.

5. The enterprise shall require that a licensed veterinarian perform a complete check-up on each horse before releasing the horse to an adoptee. The enterprise shall ensure that each horse receives all medical care necessary to maintain its good health.

6. The enterprise shall employ procedures for acclimating a horse that include:

- a. Exposure to the public,
- b. Exposure to a new diet, and
- c. Training for off-track life.

7. The enterprise shall employ procedures for adopting-out horses that include:

- a. An application process for prospective adoptees;

- b. A visual check of each prospective adoptee's farm with written documentation of the visit;
- c. A written adoption agreement between the enterprise and adoptee;
- d. At a minimum, follow-ups conducted by phone or visit after seven and 30 days with written documentation; and
- e. Procedures for the return of a horse.
- 8. Before assuming care of a horse, the enterprise shall obtain a transfer of registration or bill of sale for the horse.
- 9. The enterprise shall make available a person to complete and submit all filing requirements and to answer questions from a prospective or current adoptee.
- 11. The enterprise shall keep a file on each horse that includes:
 - a. The transfer of registration or bill of sale;
 - b. The vaccination record, health record, and all veterinarian reports;
 - c. The adoptee's application form;
 - d. The written adoption agreement between the enterprise and adoptee; and
 - e. The written documentation of pre-adoption check and follow-ups.
- 12. The enterprise shall state in the adoption agreement the rules and responsibilities required of the adoptee.
- 13. The enterprise shall make the records required subsection (C)(11) available for inspection by a representative of the Department.
- 14. The enterprise shall allow the Department to inspect the facilities, farm, or location of the adopted horses.

Historical Note

Adopted effective June 4, 2005 (2005, Volume 11, Issue 18).