



ARIZONA DEPARTMENT OF RACING Policy and Procedure

Subject:

ADOPTION OF RETIRED RACEHORSES

Policy Number
06-020

Effective Date
09/01/2005

Supersedes: All Department of Racing's prior Adoption of Retired Racehorse Policies and Procedures.

PURPOSE

This policy sets forth guidelines for Department of Racing reviewing and monitoring of nonprofit enterprises applying for and receiving grant funds for the adoption of retired racehorses in Arizona.

POLICY AND PROCEDURE

1. The Department of Racing shall provide financial grants to nonprofit enterprises to promote the adoption of retired racehorses. The funds shall be generated as a surcharge against all civil penalties assessed in connection with horseracing in Arizona. At no time shall the amount of grant funds distributed exceed the amount of surcharge funds collected in a one-year period.
2. Nonprofit enterprises applying for grants under the provisions of A.R.S. § 5-104(G) and A.A.C. R19-2-126 for the adoption of retired racehorses shall submit a completed application for Commission consideration not later than March 1 of each year. Completed applications for grant funds shall be submitted for Commission consideration after the application has been deemed completed.
3. A nonprofit enterprise approved by the Commission that maintains custody of the retired racehorse may receive funding under this policy as Direct Funding. A nonprofit enterprise that selects other enterprises and individuals to take custody of the retired racehorses may receive funding under this policy as Indirect Funding. All receipts are reviewed for compliance with the Administrative Code provisions and the Policy.

4. A nonprofit enterprise approved by the Racing Commission may receive grants and donations from any other enterprise or individual who has received a retired racehorse in adoption if the donations and grants received are used only for future retired racehorse adoption purposes.
5. A retired racehorse may be sold by the enterprise receiving a Retired Racehorse Adoption grant only if all proceeds from the sale of the retired racehorse is used only for future retired racehorse adoption purposes.
6. A nonprofit enterprise approved by the Racing Commission may receive grants and donations from other enterprises and individuals consistent with their nonprofit status.
7. The Department of Racing shall issue the funds authorized by the Racing Commission no later than sixty days from the date the Commission authorized the disbursement of the funds. A copy of the Commission's Meeting Minutes shall be included as supporting documentation for each disbursement.
8. Completed applications must include evidence of the following, in addition to the requirements outlined in Arizona Administrative Code R19-2-126:
 - A. Certification that the nonprofit enterprise applying for and receiving grant funds shall develop and provide evidence of a program of training for off-track life of retired racehorses in their procedures for acclimating horses, in addition to exposure to the public, other horses and animals, and exposure to a new diet.
 - B. Certification that the nonprofit enterprise applying for and receiving grant funds shall not commit any of the following acts nor enter into any agreement with any individual or other entity that:
 - Allows the adopted racehorses to be used for racing or wagering.
 - Places the adopted racehorses with a humane society or research facility.
 - Allows funds to be used for racehorses that are sold for slaughter.
 - C. The nonprofit enterprise applying for and receiving grant funds shall designate and make available a person to complete and submit all filing requirements, provide information and answer questions from a prospective or current adoptee.

D. The nonprofit enterprise applying for and receiving grant funds shall provide printed copies of all rules, responsibilities and other information as necessary to ensure the health, safety and welfare of the adopted racehorse to all prospective and current adoptees and to the Department as part of the grant application.

E. The nonprofit enterprise applying for grant funds shall provide the following information with each grant application:

- a written description of the enterprise
- information regarding use of the grant funds
- current proof of the enterprise's nonprofit status
- certification of affiliation with a racetrack that conducts horse racing
- a description of the enterprise's procedures for acquisition of retired racehorses
- a description of the process utilized to adopt and monitor the retired racehorses
- a description of the process and procedures for the return of adopted racehorses

F. The nonprofit enterprise applying for and receiving grant funds shall provide an annual report to the Department of Racing, no later than sixty days following the end of the year in which a grant was received, setting out:

- the actual use of the grant funds
- the number of racehorses received by the enterprise
- the number of racehorses adopted
- the number of racehorses returned and why each was returned
- a list of persons who adopted racehorses or copies of contracts with the persons who adopted racehorses
- veterinary certification that each racehorse adopted was in good health at the time of ownership transfer
- written documentation of actual visits to prospective adoptee facilities
- the most recent Articles of Incorporation filing with the Arizona Corporation Commission

9. When a retired racehorse is sold by the nonprofit enterprise as established in Section 5 of this policy, the nonprofit enterprise shall obtain written certification that the buyer will not use the retired racehorse or allow the use of the retired racehorse for racing, wagering or slaughter, shall not allow it to be placed with a humane society or research facility, and shall not be resold by the buyer without previous written approval from the nonprofit enterprise, including a written agreement of compliance with the new owner regarding this policy and all applicable laws, rules and regulations.

10. When a retired racehorse is sold or resold as established in Section 9 of this policy, the nonprofit enterprise written authorization and related documentation showing compliance with all laws, rules and regulations, including this policy, shall be part of the record kept by the nonprofit enterprise regarding the retired racehorse through the life of the retired racehorse or as established by the Racing Commission and/or the Department.

11. Any records required to be kept by the nonprofit enterprise under R19-2-126(C)(11), as well as the facilities housing the horses slated for adoption, shall be made available for inspection by the Department as may from time to time be necessary.

12. The Department shall maintain all records and reports submitted by each grantee to determine eligibility for additional funds the following year. These records shall be kept for a period of time determined by the Department.

13. The Department shall provide the Commission a written report and recommendation about each nonprofit enterprise that applies for a Retired Racehorse Adoption Grant including supporting documentation in case of a negative recommendation.

Any licensee, Department employee, agent, and/or official failing to comply with this policy may be subject to disciplinary action, up to and including termination from employment.



Geoffrey E. Gonsher, Director

8/19/05
Date

Attachments