

HOUSE No. 347

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act further regulating thoroughbred breeding.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------|--------------------|------------------|
| <i>Tackey Chan</i> | <i>2nd Norfolk</i> | <i>1/17/2025</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>4/14/2025</i> |

HOUSE No. 347

By Representative Chan of Quincy, a petition (accompanied by bill, House, No. 347) of Tackey Chan for legislation to further regulate thoroughbred breeding. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act further regulating thoroughbred breeding.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 2 of Chapter 128 of the General Laws is hereby amended by
2 striking out subsection (g) and inserting in place thereof the following subsection:-

3 (g) Promote, develop and encourage through the Massachusetts thoroughbred breeding
4 program, the breeding of thoroughbred horses in the commonwealth by offering incentives to
5 breeders of such horses in the following manner: in consultation with the Massachusetts Gaming
6 Commission, the Massachusetts Thoroughbred Breeders Association, Inc. shall, from time to
7 time notify the director of racing the set percentages for: (i) incentives to be awarded to the
8 breeder of a Massachusetts-bred thoroughbred horse of the purse money won by that
9 thoroughbred horse in a pari-mutuel running horse race if the horse finishes first, second or third;
10 (ii) incentives to the owner of the stallion, at the time of service to the dam of such purse winner;
11 provided, however, that: (1) the stallion shall have been registered by February 15 and stood the
12 entire breeding season for that year in the commonwealth; (2) the horse shall have finished first,

second or third; and (3) the stallion shall be registered with the Massachusetts Thoroughbred Breeders Association, Inc. and shall not be registered to stand in any other state that year; and (iii) incentives for the purse monies won by the thoroughbred horse in any unrestricted or restricted pari-mutuel running horse race held within or outside the commonwealth to the owner of a Massachusetts-bred or accredited horse if the horse finishes first, second, or third.

The Massachusetts Thoroughbred Breeders Association, Inc. may pay incentives for races to be limited to Massachusetts-bred and accredited thoroughbred race horses from the Massachusetts thoroughbred breeding program at licensed pari-mutuel race meetings in consultation with the Massachusetts Gaming Commission and the division of racing, and to pay incentives to encourage breeding in the commonwealth. Such races may be betting or non-betting races and may or may not be scheduled races by the licensee conducting the racing meeting. Purse monies paid by the Massachusetts Thoroughbred Breeders Association under this section may be in such amounts as the association shall determine and may be the sole purse for such races or may be supplemental to the purses established by the licensee; provided, however, that such discretion shall include the discretion of the Association to set an overall cap on incentives earned.

No person shall be eligible for any incentives provided herein unless the following standards are met:

(i)(1) The foal of a thoroughbred mare that drops the foal in the commonwealth and is bred back to a Massachusetts-registered stallion; or (2) the dropped foal of a thoroughbred mare who resides in the commonwealth continuously for at least 90 days, including foaling and foals in the commonwealth, shall be a Massachusetts-bred; In the unforeseen circumstances in which a

Mare of the born foal passes away and cannot breed back to a Stallion said foal will be recognized and registered as a Mass Bred; or

(ii) Any unraced Thoroughbred foal that is raised in the commonwealth for 90 days continuously prior to December 31 of its 3-year-old year shall be a Massachusetts-accredited horse; and

(iii) Each thoroughbred foal dropped or raised in the commonwealth shall be registered with the Jockey Club and the Massachusetts Thoroughbred Breeders Association, Inc.

A Massachusetts-accredited thoroughbred shall be eligible for any Massachusetts bred race, except for Massachusetts restricted stakes races. For Massachusetts bred stake races, Massachusetts accredited horses may enter to fill the race after all Massachusetts-bred horses have already been entered in the race. A full race shall be determined by the Massachusetts Thoroughbred Breeders Association, Inc. and the hosting track for the race.

The Massachusetts Thoroughbred Breeders Association, Inc. may pay foaling incentives to the owner of any mare that foals within the commonwealth. To be eligible for such incentive, prior to foaling, the owner of a mare shall file with the Massachusetts Thoroughbred Breeders Association, Inc. a verified statement that the mare is in foal, the expected due date, and the location of the mare.

The Massachusetts Thoroughbred Breeders Association, Inc. may expend up to 12 per cent of the amount received each fiscal year for the program for the advertising, marketing, promotion, and administration of the thoroughbred breeding program in the commonwealth.

55 The state auditor shall once annually audit the books of the Massachusetts Thoroughbred
56 Breeders Association Inc. to ensure compliance with this section.