



**NEW YORK STATE  
THOROUGHBRED BREEDING AND DEVELOPMENT FUND CORPORATION**

**WEB SITE <http://www.nybreeds.com>**

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September 7, 2012

To Whom It May Concern:

On August 23, 2012, the Thoroughbred Breeding and Development Fund Corporation adopted amendments to Sections 4081.12 and 4081.13 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

The former section 4081.12 will be renumbered as 4081.13 and the new section 4081.12 will read as follows:

***4081.12 Disqualification for Cruelty, Abuse or Neglect of Horses***

(a) Any individual or any entity that is charged with the commission of a crime, offense or other violation of the law involving cruelty to, abuse or neglect of, any horses within the State of New York or elsewhere within the United States, shall be required to report such charge to the Fund within ten (10) days thereof. Upon notice of the charge, the individual or entity may be suspended from receiving breeder's awards, stallion awards and owners awards pending final disposition of said charge. The suspension of such individual or entity shall attach upon adoption of a resolution of the Board. In the event of such suspension, the Fund Board shall provide written notification to the individual or entity who may request an opportunity to be heard. Such individual or entity shall not receive any breeders awards, stallion awards and owner awards, pending the final disposition of the charge. Said monies shall be placed in an interest bearing account pending final disposition of the charge.

(b) In the event an individual or entity that is charged with a crime, offense or other violation of law described in Section 4081.12(a) is convicted, the Board shall be authorized to impose an appropriate remedy, including, but not limited to, declaring a forfeiture of awards and continuing the suspension or permanently barring such individual or entity from participating in the Fund in any manner or from otherwise deriving any benefits or awards from the Fund. In the event that the final disposition of a charge results in a forfeiture of awards, then any

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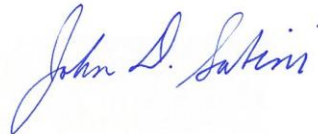
award monies that are so forfeited shall be distributed on a pro rata basis within each relevant awards category to all other participants of the Fund in the year in which the final disposition occurred unless impracticable, in which event such monies shall be distributed in the following year.

(c) In the event an individual or entity that is charged with a crime, offense or other violation of law described in Section 4081.12(a) is acquitted or otherwise found to be not guilty of such a crime, offense or other violation of law, then such individual or entity, including any and all principals of such entity, shall have their suspension rescinded retroactively. In the event that the charge is finally disposed and results in the individual or entity being acquitted or otherwise found not to be guilty of such crime, offense or violation of law, then the awards plus interest that had been withheld from such individual or entity shall be paid retroactively to the date of suspension.

The amendments will prevent thoroughbred breeding funds from being awarded to owners and breeders who are criminally charged or have been convicted of animal cruelty, abuse or neglect of horses.

The Notice of Adoption was submitted to the Department of State on August 28, 2012 and will appear in the September 12, 2012 *State Register*. It will go into effect on the day that it is published.

Sincerely,



John D. Sabini  
Chairman