

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 23. CHARITY FOUNDATIONS AND WELFARE FUNDS
PROPOSED AMENDMENT OF
RULE 2049. DESIGNATION AND APPROVAL OF HORSEMEN'S WELFARE FUND

2049. Designation and Approval of Horsemen's Welfare Fund.

The horsemen's organization acknowledged by the Board under Rule 2040 of this division shall establish a charitable corporation to administer its welfare fund for the benefit of horsemen. The charitable corporation shall register with the Registry of Charitable Trusts and be in compliance with the provisions of the Uniform Supervision of Trustees for Charitable Purposes Act (Government Code ~~§~~sections 12580 et seq.). The Board shall designate the charitable corporation as the "welfare fund" for the purposes intended under Section 19641(b) of the Business and Professions Code (~~B&P Code~~); if:

(a) The charitable corporation shall have a minimum of five and a maximum of ~~nine~~eleven directors or trustees who are subject to Board approval. The charitable corporation may not be a subsidiary or division of the horsemen's organization. ~~The directors or trustees of the charitable corporation may be common directors of the horsemen's organization if at least forty percent of the directors or trustees of the charitable corporation have no financial interest in horse racing as a licensed horse owner, trainer, or assistant trainer and are not a current member of the horsemen's organization.~~ The charitable corporation shall select at least one director or trustee without financial interest in horse racing pursuant to ~~B&P~~Business and Professions Code ~~§~~section 19641.2(c). The term of a director or trustee ~~is~~shall be ~~two~~three years. A director or trustee may serve succeeding terms.

(b) The charitable corporation shall establish its fiscal year to be July 1 through June 30 and shall establish a principal office for the conduct of its activities and as the repository for its records. Its records shall be open to inspection by the Board during normal business hours. The corporation shall publish a report of its activities biennially.

(c) The directors or trustees shall appoint an administrator of the welfare fund who shall procure a license from the Board and perform the duties directed by the directors or trustees.

(d) The directors or trustees shall establish a constitution or bylaws setting forth criteria for eligibility of the beneficiaries of the various programs and activities to be funded under Section 19641(b) of the B&P Business and Professions Code and submit to the Board on or before October 31 of each year a proposed schedule of expenditures from the fund for the next fiscal year specifying therein the categories, programs or activities for which funds will be expended.

Authority: Section 19440,
Business and Professions Code.

Reference: Sections 19641 and 19641.2,
Business and Professions Code; and
Section 9.00, Chapter 324, Statutes of 1983 (Budget Act of 1983).