

1-1 By: Miller of Erath, et al. (Senate Sponsor - Estes) H.B. No. 1881  
1-2 (In the Senate - Received from the House April 24, 2009;  
1-3 May 1, 2009, read first time and referred to Committee on  
1-4 Agriculture and Rural Affairs; May 12, 2009, reported favorably by  
1-5 the following vote: Yeas 4, Nays 0; May 12, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the creation of the Texas Equine Incentive Program.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Chapter 12, Agriculture Code, is amended by  
1-11 adding Section 12.044 to read as follows:

1-12 Sec. 12.044. EQUINE INCENTIVE PROGRAM. (a) The department  
1-13 shall create and administer an equine incentive program to provide  
1-14 an incentive for the owners of certain Texas-based horses to enter  
1-15 the horses as participants in horse events in this state. The  
1-16 program may apply only to the following breeds of horses:

- 1-17 (1) Appaloosa horses;  
1-18 (2) paint horses; and  
1-19 (3) quarter horses.

1-20 (b) On the filing of an annual report with the applicable  
1-21 breeders' association, the owner of a stallion that has bred more  
1-22 than five mares during the 12-month period preceding the report  
1-23 shall submit a duplicate of the report to the department for the  
1-24 sixth and any subsequent mare bred by the stallion. An owner  
1-25 required to submit a duplicate breeding report by this subsection  
1-26 shall pay the department an equine incentive program fee in an  
1-27 amount of not less than \$30 per mare bred, as determined by the  
1-28 department, in connection with each report submitted to the  
1-29 department.

1-30 (c) An owner required by Subsection (b) to submit a  
1-31 duplicate breeding report and equine incentive program fee may  
1-32 elect not to participate in the program by giving written notice to  
1-33 the department not later than the 30th day before the owner's annual  
1-34 breeding report is due to the applicable breeders' association.

1-35 (d) Notwithstanding Subsection (b), the owner of a stallion  
1-36 that has bred fewer than six mares may elect to participate in the  
1-37 program by submitting a duplicate breeding report and paying the  
1-38 equine incentive program fee required by Subsection (b) for each  
1-39 mare bred by the stallion.

1-40 (e) The department by rule shall provide for the use of fees  
1-41 collected under Subsection (b) to grant equine incentive awards to  
1-42 the owners of eligible foals that participate in horse events in  
1-43 this state. A foal is eligible for an incentive award under this  
1-44 section only if an equine incentive program fee has been paid on  
1-45 behalf of the foal's dam.

1-46 (f) The department by rule shall establish a point system by  
1-47 which the owner of an eligible foal may receive an equine incentive  
1-48 award based on the foal's participation in horse events held in this  
1-49 state that are sanctioned by the applicable horse breeders'  
1-50 association.

1-51 (g) The department may use not more than five percent of the  
1-52 fees collected under Subsection (b) to administer the program.

1-53 SECTION 2. This Act takes effect September 1, 2009.

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