

1 AN ACT

2 relating to establishing the Texas Derbies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. The Texas Racing Act (Article 179e, Vernon's
5 Texas Civil Statutes) is amended by adding Article 9A to read as
6 follows:

7 ARTICLE 9A. TEXAS DERBIES

8 Sec. 9A.001. TEXAS DERBIES. (a) The commission shall
9 establish as Texas Derbies the following annual stakes races:

10 (1) one race open to three-year-old Thoroughbreds;

11 (2) one race open only to three-year-old Texas-bred
12 Thoroughbreds;

13 (3) one race open to three-year-old quarter horses;

14 and

15 (4) one race open only to three-year-old Texas-bred
16 quarter horses.

17 (b) For a Texas Derby open only to Texas-bred horses, the
18 respective official state breed registries and the official
19 horsemen's organization shall develop:

20 (1) the race conditions and entrance qualifications;

21 and

22 (2) the preference system used to determine the race
23 finalists.

24 (c) Each class 1 racetrack that is awarded a Texas Derby

1 that is not limited to Texas-bred horses shall develop for the
2 derby:

3 (1) the race conditions and entrance qualifications;

4 and

5 (2) the preference system used to determine the race
6 finalists.

7 (d) The race conditions and qualifications and preference
8 systems developed for the Texas Derbies under Subsection (b) or (c)
9 of this section are subject to review and approval by the executive
10 secretary.

11 (e) The commission shall set the date of and the location
12 for each Texas Derby. Each Texas Derby must be held annually at the
13 class 1 racetrack determined by the commission. The commission
14 shall determine the location of each Texas Derby in consultation
15 with:

16 (1) each class 1 racetrack;

17 (2) the official state breed registries; and

18 (3) the official horsemen's organization.

19 (f) The commission may sell the right to name a Texas Derby.
20 The commission shall deposit the proceeds from the sale of the right
21 to name a Texas Derby into the Texas Derby escrow purse fund
22 established under Section 9A.003 of this article.

23 (g) The date of the initial Texas Derby may not be earlier
24 than January 1, 2015. This subsection expires January 1, 2016.

25 Sec. 9A.002. INSPECTION AND EXAMINATION OF HORSE. (a) For
26 each Texas Derby, the commission shall appoint a state veterinarian
27 to conduct a prerace examination of each horse entered in the race

1 to determine whether the horse is healthy and meets standards set by
2 commission rule for racing.

3 (b) The examination may include any procedure that the state
4 veterinarian considers necessary to make the determination
5 required by Subsection (a) of this section.

6 (c) The examination may be conducted at any time before the
7 race.

8 Sec. 9A.003. TEXAS DERBY ESCROW PURSE FUND. (a) The
9 commission shall establish a Texas Derby escrow purse fund.

10 (b) The commission shall by rule establish a schedule of
11 entrance fees for participants in each Texas Derby. A portion
12 determined by the commission of each entrance fee shall be
13 deposited in the Texas Derby escrow purse fund.

14 (c) Notwithstanding Section 3.09 of this Act or any other
15 law, the commission by rule shall determine a portion of the fees,
16 charges, and other revenue collected under this Act to be deposited
17 to the credit of the Texas Derby escrow purse fund as reasonably
18 necessary to maintain competitive purses for each Texas Derby.

19 (d) The commission by rule may assess under this Act
20 additional charges and fees, including gate fees, to supplement the
21 funds otherwise deposited in the Texas Derby escrow purse fund
22 under this section.

23 (e) The commission may not:

24 (1) use funds from the accredited Texas-bred program
25 under Article 9 of this Act or the escrowed purse account under
26 Section 6.091(e) of this Act to fund the Texas Derby escrow purse
27 fund; or

1 (2) order a breed registry to fund a purse for a Texas
2 Derby, make contributions to the Texas Derby escrow purse fund, or
3 pay the expenses of a Texas Derby race.

4 (f) Other than as provided by this section, no other state
5 revenue may be deposited to the credit of the Texas Derby escrow
6 purse fund.

7 SECTION 2. As soon as practicable after the effective date
8 of this Act, the Texas Racing Commission shall adopt the rules
9 necessary to implement Section 9A.003, Texas Racing Act (Article
10 179e, Vernon's Texas Civil Statutes), as added by this Act.

11 SECTION 3. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 254 was passed by the House on May 13, 2011, by the following vote: Yeas 101, Nays 34, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 254 on May 24, 2011, by the following vote: Yeas 118, Nays 23, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 254 was passed by the Senate, with amendments, on May 21, 2011, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor