

By: Hilderbran

H.B. No. 254

A BILL TO BE ENTITLED

AN ACT

relating to establishing the Texas Derby.

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

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

ARTICLE 9A. TEXAS DERBY

Sec. 9A.001. TEXAS DERBY. (a) The commission shall establish the Texas Derby as an annual grade 1 stakes race of Texas-bred Thoroughbred and quarter horses in this state.

(b) The commission shall set the date of and the location for the Texas Derby. The Texas Derby must be held annually at the class 1 racetrack determined by the commission. The commission shall determine the location of the Texas Derby by conducting a blind drawing of the names of each class 1 racetrack in this state to establish an annual rotation for the location.

(c) The date of the initial Texas Derby may not be earlier than January 1, 2015. Not later than January 1, 2015, the commission shall establish the annual rotation required under Subsection (b) of this section. This subsection expires January 1, 2016.

Sec. 9A.002. QUALIFYING RACES. (a) The commission shall establish two annual races of Texas-bred Thoroughbred and quarter horses to qualify horses for entry into the Texas Derby.

1        (b) The commission shall determine for each qualifying  
2 race:

3            (1) the date on which the race will be conducted,  
4 provided the date is not the date on which another qualifying race  
5 will be conducted; and

6            (2) the class 1 racetrack where the qualifying race  
7 will be conducted, provided that:

8                    (A) the race is not conducted at a racetrack  
9 where another qualifying race will be conducted that year; and

10                   (B) the racetrack is in a county with a  
11 population of at least two million or adjacent to a county with a  
12 population of at least two million.

13        (b-1) The date of a qualifying race for the initial Texas  
14 Derby may not be earlier than January 1, 2014. This subsection  
15 expires January 1, 2015.

16        (c) A horse is not eligible to run in a qualifying race or  
17 the Texas Derby unless the horse:

18                    (1) is a Texas-bred Thoroughbred or quarter horse; and

19                    (2) is not more than three years of age.

20        (d) A horse that finishes first, second, or third in a race  
21 under this section qualifies to run in the Texas Derby race  
22 established under Section 9A.001 of this Act.

23        Sec. 9A.003. INSPECTION AND EXAMINATION OF HORSE. (a) For  
24 each qualifying race conducted under Section 9A.002 of this Act and  
25 for the Texas Derby, the commission shall appoint a veterinarian to  
26 supervise the inspection and examination of each horse entered in  
27 the race to determine whether the horse is qualified to participate

1 in the race.

2 (b) The commission, in consultation with veterinarians,  
3 shall by rule establish a list of documentation that must be  
4 presented for each year to the veterinarian appointed under  
5 Subsection (a) of this section to demonstrate that the horse is  
6 qualified to run in the race.

7 Sec. 9A.004. TEXAS DERBY PURSE FUND. (a) The commission  
8 shall establish a Texas Derby purse fund.

9 (b) The commission shall annually contribute \$3 million to  
10 the Texas Derby purse fund from money allocated and available to the  
11 commission for any purpose, including money specifically dedicated  
12 to purse funds.

13 (c) A horse racing association conducting the Texas Derby or  
14 a qualifying race under Section 9A.002 of this Act shall:

15 (1) collect an entry fee from each owner of a horse  
16 entered in the race; and

17 (2) remit to the commission a portion of the collected  
18 fees in the amount determined by the commission as sufficient to  
19 ensure that the purse for the Texas Derby is at least \$5 million,  
20 including the amount contributed by the commission.

21 (d) The commission shall adopt rules for accounting, audit,  
22 and distribution of money from the Texas Derby purse fund to winners  
23 of the race.

24 SECTION 2. Notwithstanding Section 9A.004, Texas Racing Act  
25 (Article 179e, Vernon's Texas Civil Statutes), as added by this  
26 Act, the Texas Racing Commission may not contribute any money to the  
27 Texas Derby purse fund before January 1, 2015.

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