

1-1 By: Hilderbran, Anderson of Dallas, Kuempel H.B. No. 254  
1-2 (Senate Sponsor - Wentworth)  
1-3 (In the Senate - Received from the House May 16, 2011;  
1-4 May 16, 2011, read first time and referred to Committee on State  
1-5 Affairs; May 20, 2011, reported favorably by the following vote:  
1-6 Yeas 6, Nays 1; May 20, 2011, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to establishing the Texas Derbies.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. The Texas Racing Act (Article 179e, Vernon's  
1-12 Texas Civil Statutes) is amended by adding Article 9A to read as  
1-13 follows:

1-14 ARTICLE 9A. TEXAS DERBIES

1-15 Sec. 9A.001. TEXAS DERBIES. (a) The commission shall  
1-16 establish as Texas Derbies the following annual stakes races:

1-17 (1) one race open to three-year-old Thoroughbreds;

1-18 (2) one race open only to three-year-old Texas-bred  
1-19 Thoroughbreds;

1-20 (3) one race open to three-year-old quarter horses;

1-21 and

1-22 (4) one race open only to three-year-old Texas-bred  
1-23 quarter horses.

1-24 (b) For a Texas Derby open only to Texas-bred horses, the  
1-25 respective official state breed registries and the official  
1-26 horsemen's organization shall develop:

1-27 (1) the race conditions and entrance qualifications;

1-28 and

1-29 (2) the preference system used to determine the race  
1-30 finalists.

1-31 (c) Each class 1 racetrack that is awarded a Texas Derby  
1-32 that is not limited to Texas-bred horses shall develop for the  
1-33 derby:

1-34 (1) the race conditions and entrance qualifications;

1-35 and

1-36 (2) the preference system used to determine the race  
1-37 finalists.

1-38 (d) The race conditions and qualifications and preference  
1-39 systems developed for the Texas Derbies under Subsection (b) or (c)  
1-40 of this section are subject to review and approval by the executive  
1-41 secretary.

1-42 (e) The commission shall set the date of and the location  
1-43 for each Texas Derby. Each Texas Derby must be held annually at the  
1-44 class 1 racetrack determined by the commission. The commission  
1-45 shall determine the location of each Texas Derby in consultation  
1-46 with:

1-47 (1) each class 1 racetrack;

1-48 (2) the official state breed registries; and

1-49 (3) the official horsemen's organization.

1-50 (f) The commission may sell the right to name a Texas Derby.  
1-51 The commission shall deposit the proceeds from the sale of the right  
1-52 to name a Texas Derby into the Texas Derby escrow purse fund  
1-53 established under Section 9A.003 of this article.

1-54 (g) The date of the initial Texas Derby may not be earlier  
1-55 than January 1, 2015. This subsection expires January 1, 2016.

1-56 Sec. 9A.002. INSPECTION AND EXAMINATION OF HORSE. (a) For  
1-57 each Texas Derby, the commission shall appoint a state veterinarian  
1-58 to conduct a prerace examination of each horse entered in the race  
1-59 to determine whether the horse is healthy and meets standards set by  
1-60 commission rule for racing.

1-61 (b) The examination may include any procedure that the state  
1-62 veterinarian considers necessary to make the determination  
1-63 required by Subsection (a) of this section.

1-64 (c) The examination may be conducted at any time before the

2-1 race.

2-2 Sec. 9A.003. TEXAS DERBY ESCROW PURSE FUND. (a) The  
2-3 commission shall establish a Texas Derby escrow purse fund.

2-4 (b) The commission shall by rule establish a schedule of  
2-5 entrance fees for participants in each Texas Derby. A portion  
2-6 determined by the commission of each entrance fee shall be  
2-7 deposited in the Texas Derby escrow purse fund.

2-8 (c) Notwithstanding Section 3.09 of this Act or any other  
2-9 law, the commission by rule shall determine a portion of the fees,  
2-10 charges, and other revenue collected under this Act to be deposited  
2-11 to the credit of the Texas Derby escrow purse fund as reasonably  
2-12 necessary to maintain competitive purses for each Texas Derby.

2-13 (d) The commission by rule may assess under this Act  
2-14 additional charges and fees, including gate fees, to supplement the  
2-15 funds otherwise deposited in the Texas Derby escrow purse fund  
2-16 under this section.

2-17 (e) Other than as provided by this section, no other state  
2-18 revenue may be deposited to the credit of the Texas Derby escrow  
2-19 purse fund.

2-20 SECTION 2. As soon as practicable after the effective date  
2-21 of this Act, the Texas Racing Commission shall adopt the rules  
2-22 necessary to implement Section 9A.003, Texas Racing Act (Article  
2-23 179e, Vernon's Texas Civil Statutes), as added by this Act.

2-24 SECTION 3. This Act takes effect September 1, 2011.

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