

House Bill 254
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 DERBIES

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

- (1) one race open to three-year-old Thoroughbreds;
- (2) one race open only to three-year-old Texas-bred Thoroughbreds;
- (3) one race open to three-year-old quarter horses; and
- (4) one race open only to three-year-old Texas-bred quarter horses.

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

- (1) the race conditions and entrance qualifications; and
- (2) the preference system used to determine the race finalists.

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

- (1) the race conditions and entrance qualifications; and
- (2) the preference system used to determine the race finalists.

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

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

- (1) each class 1 racetrack;
- (2) the official state breed registries; and
- (3) the official horsemen's organization.

SENATE VERSION (IE)

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

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

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

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

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

Sec. 9A.003. TEXAS DERBY ESCROW PURSE FUND.

(a) The commission shall establish a Texas Derby escrow purse fund.

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

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

(d) The commission by rule may assess under this Act

SENATE VERSION (IE)

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additional charges and fees, including gate fees, to supplement the funds otherwise deposited in the Texas Derby escrow purse fund under this section.

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

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

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

SENATE VERSION (IE)

additional charges and fees, including gate fees, to supplement the funds otherwise deposited in the Texas Derby escrow purse fund under this section.

(e) The commission may not:

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

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

(e) Other than as provided by this section, no other state revenue may be deposited to the credit of the Texas Derby escrow purse fund. [FA1(1)]

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE