

By: Thompson of Harris

H.B. No. 1187

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the power of stewards or judges to impose penalties  
3 under the Texas Racing Act; providing penalties.

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

5 SECTION 1. Section 3.07(b), Texas Racing Act (Article 179e,  
6 Vernon's Texas Civil Statutes), is amended to read as follows:

7 (b) The commission shall make rules specifying the  
8 authority and the duties of each official, including the power of  
9 stewards or judges to impose penalties for unethical practices or  
10 violations of racing rules. A penalty imposed by the stewards or  
11 judges may include a fine of not more than \$25,000 [~~\$5,000~~], a  
12 suspension for not more than five years [~~one year~~], or both a fine  
13 and suspension. Before imposing a penalty under this subsection,  
14 the stewards and judges shall conduct a hearing that is consistent  
15 with constitutional due process. A hearing conducted by a steward  
16 or judge under this subsection is not subject to Chapter 2001,  
17 Government Code. A decision of a steward or judge is subject to  
18 review by the executive director, who may modify the penalty. A  
19 penalty modified by the executive director under this section may  
20 include a fine not to exceed \$100,000 [~~\$10,000~~], a suspension not to  
21 exceed five [~~two~~] years, or both a fine and a suspension. A  
22 decision of a steward or judge that is not reviewed or modified by  
23 the executive director is a final decision. Any decision of a  
24 steward or judge may be appealed under Section 3.08(a) of this Act

1 regardless of whether the decision is modified by the executive  
2 director.

3 SECTION 2. The changes in law made by this Act apply only to  
4 a penalty imposed on or after the effective date of this Act.

5 SECTION 3. This Act takes effect September 1, 2013.