

1-1 By: Thompson of Harris (Senate Sponsor - Duncan) H.B. No. 1187
 1-2 (In the Senate - Received from the House April 4, 2013;
 1-3 April 9, 2013, read first time and referred to Committee on State
 1-4 Affairs; April 25, 2013, reported favorably by the following vote:
 1-5 Yeas 9, Nays 0; April 25, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Duncan	X			
1-8 Deuell	X			
1-9 Ellis	X			
1-10 Fraser	X			
1-11 Huffman	X			
1-12 Lucio	X			
1-13 Nichols	X			
1-14 Van de Putte	X			
1-15 Williams	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the power of stewards or judges to impose penalties
 1-20 under the Texas Racing Act; providing penalties.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 3.07(b), Texas Racing Act (Article 179e,
 1-23 Vernon's Texas Civil Statutes), is amended to read as follows:

1-24 (b) The commission shall make rules specifying the
 1-25 authority and the duties of each official, including the power of
 1-26 stewards or judges to impose penalties for unethical practices or
 1-27 violations of racing rules. A penalty imposed by the stewards or
 1-28 judges may include a fine of not more than \$25,000 [~~\$5,000~~], a
 1-29 suspension for not more than five years [~~one year~~], or both a fine
 1-30 and suspension. Before imposing a penalty under this subsection,
 1-31 the stewards and judges shall conduct a hearing that is consistent
 1-32 with constitutional due process. A hearing conducted by a steward
 1-33 or judge under this subsection is not subject to Chapter 2001,
 1-34 Government Code. A decision of a steward or judge is subject to
 1-35 review by the executive director, who may modify the penalty. A
 1-36 penalty modified by the executive director under this section may
 1-37 include a fine not to exceed \$100,000 [~~\$10,000~~], a suspension not to
 1-38 exceed five [~~two~~] years, or both a fine and a suspension. A
 1-39 decision of a steward or judge that is not reviewed or modified by
 1-40 the executive director is a final decision. Any decision of a
 1-41 steward or judge may be appealed under Section 3.08(a) of this Act
 1-42 regardless of whether the decision is modified by the executive
 1-43 director.

1-44 SECTION 2. The changes in law made by this Act apply only to
 1-45 a penalty imposed on or after the effective date of this Act.

1-46 SECTION 3. This Act takes effect September 1, 2013.

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