

BILL ANALYSIS

C.S.H.B. 1106
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties suggest that another official other than the comptroller of public accounts or the comptroller's designee would be more appropriate to sit as a member of the Texas Racing Commission. C.S.H.B. 1106 seeks to ensure that the most appropriate officials are designated as ex officio members of the racing commission.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1106 amends the Texas Racing Act, Vernon's Texas Civil Statutes, to replace as an ex officio member of the Texas Racing Commission the comptroller of public accounts or the comptroller's designee with the commissioner of agriculture or the commissioner's designee.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1106 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 2.02(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) The commission consists of eight ~~[seven]~~ members appointed by the governor with the advice and consent of the senate and ~~[two ex officio members who shall have the right to vote. The ex officio members~~

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 2.02(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) The commission consists of seven members appointed by the governor with the advice and consent of the senate and two ex officio members who shall have the right to vote. The ex officio members

are:

~~[(1)]~~ the chairman of the Public Safety Commission or a member of the Public Safety Commission designated by the chairman of the Public Safety Commission, who shall serve as an ex officio member with the right to vote ~~[-; and~~

~~[(2) the comptroller of public accounts or the comptroller's designee].~~

SECTION 2. Section 2.05(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) ~~Six~~ Five of the appointed members of the commission must be representatives of the general public and have general knowledge of business or agribusiness. At least one of those appointed members may be a veterinarian, and being licensed as a veterinarian satisfies the requirement that the person have general knowledge of business or agribusiness. One additional appointed member must have special knowledge or experience related to greyhound racing and one additional appointed member must have special knowledge or experience related to horse racing. A person is not eligible for appointment as a member of the commission if the person or the person's spouse:

- (1) is licensed by the commission, except as a commissioner;
- (2) is employed by the commission or participates in the management of a business entity or other organization regulated by the commission or receiving funds from or through the commission;
- (3) owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization regulated by the commission or receiving funds from or through the commission; or
- (4) uses or receives a substantial amount of tangible goods, services, or funds from or through the commission, other than compensation or reimbursement authorized by law for commission membership, attendance, or expenses.

SECTION 3. As soon as practicable after the effective date of this Act, the governor

are:

(1) the chairman of the Public Safety Commission or a member of the Public Safety Commission designated by the chairman of the Public Safety Commission; and

(2) the commissioner of agriculture or the commissioner's ~~[comptroller of public accounts or the comptroller's]~~ designee.

No equivalent provision.

No equivalent provision.

shall appoint one additional member to the Texas Racing Commission to comply with Section 2.02(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), as amended by this Act. The additional member appointed in accordance with Section 2.02(a) shall serve a term expiring February 1, 2019.

SECTION 4. This Act takes effect September 1, 2017.

SECTION 2. Same as introduced version.