

## **BILL ANALYSIS**

Senate Research Center  
85R5249 GCB-F

S.B. 859  
By: Hughes  
State Affairs  
3/21/2017  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

When the Texas Racing Commission (TRC) was founded, the activities over which TRC had oversight were projected to generate significant revenue for the state. Accordingly, the Texas comptroller of public accounts (comptroller) was placed on TRC to effectively monitor the accounts and associated revenue streams. The revenue associated with racing activities has not proven as significant as projected. The comptroller has requested that TRC be adjusted to allow other officials to contribute to TRC in place of the comptroller.

Section 2.02(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), dictates that TRC consists of seven members appointed by the governor, the chairman of the Public Safety Commission or the chairman's designee, and the comptroller or the comptroller's designee. S.B. 859 removes the comptroller designee and gives the appointment to the governor.

As proposed, S.B. 859 amends current law relating to the membership of the Texas Racing Commission.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 2.02(a), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes (V.T.C.S.)), as follows:

(a) Provides that the Texas Racing Commission (TRC) consists of eight, rather than seven, members appointed by the governor with the advice and consent of the senate and the chairman of the Public Safety Commission, or the chairman's designee, who is required to serve as an ex officio member with the right to vote. Deletes existing text requiring that two members of TRC serve as ex officio members who have the right to vote. Deletes existing text including the Texas comptroller of public accounts (comptroller) or the comptroller's designee among the required ex officio members.

SECTION 2. Amends Section 2.05(a), Texas Racing Act (Article 179e, V.T.C.S.), to require six, rather than five, of the appointed members of TRC to be representatives of the general public and have certain knowledge. Makes no further changes to this subsection.

SECTION 3. Requires the governor, as soon as practicable after the effective date of this Act, to appoint one additional member to TRC to comply with Section 2.02(a), Texas Racing Act (Article 179e, V.T.C.S.), as amended by this Act. Requires the additional member to serve a term expiring February 1, 2019.

SECTION 4. Effective date: September 1, 2017.