

TEXAS RACING COMMISSION

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COMMITTEE ON RULES

Tuesday, September 27, 2016

10:30 a.m.

Texas Department of Public Safety
6100 Guadalupe
Criminal Law Enforcement, Building E
Austin, Texas 78752

Agenda

The Committee will discuss the proposed adoption of an amendment to Rule 303.102, Greyhound Rules, as published in the August 26, 2016, edition of the *Texas Register*.

The Committee will discuss the following staff requests for rule amendments as part its review of Chapter 321, Pari-Mutuel Wagering.

- Request to Amend Rule 321.2, Odds Manipulation. This proposal would correct an incorrect rule citation within the rule.
- Request to Amend Rule 321.11, Access to Magnetic Media. This proposal would update outmoded references to "magnetic media" to the more current "removable electronic media."
- Request to Amend Rule 321.35, Claim for Payment. This proposal would delete obsolete requirements that the executive secretary approve an association's payment on tickets or vouchers that are more than 21 days old.
- Request to Amend Rule 321.41, Cashing Outstanding Tickets. This proposal would delete obsolete subsections requiring the associations to provide the pari-mutuel auditor tote reports and copies of Outs tickets.
- Request to Amend Rule 321.42, Cashing Outstanding Vouchers. This proposal would delete obsolete subsections requiring the associations to provide the pari-mutuel auditor tote reports and copies of Outs vouchers.

The Committee will discuss the following additional staff requests for rule amendments.

- Proposal to Address Disciplinary Hearings Notice Requirements. This proposal would provide that a hearing notice may be delivered by hand delivery or by certified mail. It also clarifies that a nonappearance by a licensee to whom notice has been provided under the rule shall be deemed a waiver of the right to a hearing.

- Proposal to Establish Discovery Procedures for Disciplinary Hearings. This proposal would formalize procedures by which the parties exchange information prior to a disciplinary hearing.
- Proposal to Establish Out of Competition Drug Prohibitions and Testing Program. This proposal would prohibit the use of the following drugs or substances at any time: Class 1, 2 and 3 drugs that carry a Class A penalty; blood doping substances; gene doping substances; clenbuterol; and androgenic-anabolic steroids. It would also authorize the Commission to conduct out-of-competition drug testing to ensure compliance.
- Proposal to Prohibit Paper/Program Trainers. This proposal would prohibit the practice of listing one person as the trainer of a horse when the horse is actually under the control of and trained by another person who may or may not hold a current trainer's license in any jurisdiction.
- Proposal to Require Trainers to Maintain an Accurate and Current Record of Employees. This proposal would require that trainers maintain a list of current employees with the licensing office and be required to promptly update the list when any change in personnel occurs.
- Proposal to Amend Human Drug Testing Program Rules. This proposal would enhance the penalties for failing or refusing a drug test. It would also allow the executive director to require additional random drug testing when circumstances indicate that there is an increased risk of substance abuse among licensees.

The public will be given an opportunity to address the Committee and identify any potential subjects that it would like placed on the agenda for discussion at a future Committee meeting.