



**TEXAS RACING COMMISSION**

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Texas Racing Commission  
Tuesday, October 29, 2019  
10:30 a.m.  
John H. Reagan Building, Room 140  
105 West 15<sup>th</sup> Street  
Austin, TX 78701

**AGENDA**

**I. CALL TO ORDER**

Roll Call

**II. PUBLIC COMMENT**

**III. GENERAL BUSINESS**

- A. Discussion and consideration of reports by the Executive Director and staff regarding administrative matters:
  - 1. Budget and finance
  - 2. Wagering statistics
  - 3. Enforcement
- B. Discussion and possible action to approve the Commission's operating budget for fiscal year 2020

**IV. PROCEEDINGS ON RULES**

- A. Discussion and possible action to adopt amendments to:
  - 1. 16 TAC § 309.8, Racetrack License Fees
  - 2. 16 TAC § 309.51, Designation of Active and Inactive Racetrack Licenses
  - 3. 16 TAC § 309.118, Regulatory Office Space and Equipment

4. 16 TAC § 319.3, Medication Restricted
  5. 16 TAC § 319.102, Veterinarian's List
  6. 16 TAC § 319.333, Specimen Tags
  7. 16 TAC § 321.313, Select Three, Four, or Five
- B. Discussion and possible action to adopt new 16 TAC Chapter 303, Subchapter G, Horse Industry Escrow Account, including:
1. 16 TAC § 303.301, Definitions
  2. 16 TAC § 303.302, General Provisions
  3. 16 TAC § 303.311, Allocations to Horse Racetrack Associations
  4. 16 TAC § 303.312, Limitation on Use of Funds by Racetrack Associations
  5. 16 TAC § 303.321, Allocations to Breed Registries
  6. 16 TAC § 303.322, Limitations on Use of Funds by Breed Registries
  7. 16 TAC § 303.323, Modifications to Approved Events
  8. 16 TAC § 303.324, Recordkeeping and Audits
  9. 16 TAC § 303.325, Quarterly Reports
- C. Discussion and possible action to adopt the repeal of 16 TAC § 321.509, Escrowed Purse Account
- D. Discussion and possible action to propose new 16 TAC § 309.106, Transfers to Texas-Bred Incentive Fund
- E. Discussion and possible action to propose amendments to 16 TAC § 311.2, Application Procedure

## **V. PROCEEDINGS ON RACETRACKS**

Discussion and possible action on the following race date items:

- A. Allocation of live race dates for horse racetracks under 16 TAC § 303.41 for the period beginning August 2, 2021, and ending August 31, 2021
- B. Allocation of live race dates for greyhound racetracks under 16 TAC § 303.41 for the period beginning August 2, 2021, and ending August 31, 2021
- C. Discussion and possible action to reallocate interstate cross-species purse money under Commission Rule 303.102(d) for the period from February 24, 2019, through February 29, 2020
- D. Discussion and possible action to allocate funds for the Texas-bred incentive program as provided under Commission Rule 321.505(b) for calendar year 2020
- E. Discussion and possible action to allocate purses as provided under Commission Rule 321.505(a) for calendar year 2020

- F. Discussion and possible action to allocate purse funds in the horse industry escrow account among the various breeds of horses under Commission Rule 321.509 for calendar year 2020
- G. Discussion and possible action to reallocate purse funds in the horse industry escrow account among the various breeds of horses under Commission Rule 321.509 for the period from September 1, 2019, through December 31, 2019

## **VI. PROCEEDINGS ON OCCUPATIONAL LICENSES**

Discussion and possible action regarding:

- A. The proposal for decision in SOAH No. 0476-19-3110, Joseph Michael Davis v. Texas Racing Commission
- B. The proposal for decision in SOAH No. 0476-19-3111, Rolando Almanza v. Texas Racing Commission
- C. The proposal for decision in SOAH No. 0476-19-2614, Sigifredo Gonzalez Jr. v. Texas Racing Commission

## **VII. EXECUTIVE SESSION**

The following items may be discussed and considered in executive session or open meeting, with any action taken in the open meeting:

- A. Under Texas Government Code § 551.071(1), the Commission may enter an executive session to seek the advice of its attorney regarding pending or contemplated litigation, or regarding a settlement offer.
- B. Under Texas Government Code § 551.071(2), the Commission may enter an executive session to discuss all matters identified in this agenda where the commission seeks the advice of its attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. This may include, but is not limited to, legal advice regarding the Open Meetings Act, the Administrative Procedures Act, and the Texas Racing Act.
- C. Under Tex. Occ. Code § 2025.005, the Commission may open an executive session to review security plans and management, concession, and totalisator contracts.

## **VIII. SCHEDULING OF NEXT COMMISSION MEETING**

## **IX. ADJOURN**