



TEXAS RACING COMMISSION

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Monday, May 20, 2019
10:30 a.m.
Texas Animal Health Commission
2105 Kramer Lane
Austin, TX 78758

**RULES COMMITTEE AND
AD HOC FINANCE COMMITTEE
AGENDA**

I. CALL TO ORDER

II. PROCEEDINGS ON RULES

- a. Discussion and possible action to make recommendations to the Commission regarding the Rules of the Texas Racing Commission, as proposed at the March 2019 Commission meeting:
 1. amendments to 16 TAC § 303.93, Quarter Horse Rules
 2. amendments to 16 TAC § 321.320, Super Hi-Five
 3. amendments to 16 TAC § 309.129, Automatic Banking Machines
 4. amendments to 16 TAC § 321.1, Definitions and General Provisions
 5. amendments to 16 TAC § 321.36, Unclaimed Outs and Vouchers
 6. amendments to 16 TAC § 321.318, Special Wager
 7. amendments to 16 TAC § 321.503, Purses
 8. amendments to 16 TAC § 321.509, Escrowed Purse Account
- b. Discussion regarding racetrack license fees, including possible action to make recommendations to the Commission regarding amendments to 16 TAC § 309.8, Racetrack License Fees

III. PUBLIC COMMENT

IV. ADJOURN

Chapter 303. General Provisions

Subchapter D. Texas Bred Incentive Programs

Division 2. Programs for Horses

303.93 Quarter Horse Rules.

1 (a) (No change.)

2 (b) Eligibility for Accreditation.

3 (1) ATB Horses. A horse may be accredited as an ATB horse if the horse was foaled
4 in Texas from an ATB broodmare and is bred to an ATB stallion at least every other
5 breeding [that is permanently domiciled in Texas]. TQHA may require documentation
6 regarding breeding activity to prove eligibility for accreditation.

7 (2) ATB Broodmares.

8 (A) A mare may be accredited as an ATB broodmare if the mare [~~is permanently~~
9 ~~domiciled in Texas,~~] is registered with the AQHA or the Jockey Club[~~;~~] and is accredited
10 by the TQHA as breeding stock.

11 (B) An application for accreditation must be on a form prescribed by TQHA and
12 include the applicable one-time payment as prescribed by TQHA. The deadline for filing
13 an application for accreditation is June 30 of the year in which an ATB eligible foal is
14 conceived. TQHA may accredit a broodmare for which the application for accreditation
15 is filed after June 30 but no later than December 31 of the year in which an ATB eligible
16 foal is conceived, provided the application includes payment of a late fee as established
17 by TQHA. An application for accreditation is considered timely filed if it is placed in U.S.
18 mail and is postmarked on or before the applicable deadline.

19 (C) TQHA may accredit a broodmare for which an application is filed after
20 December 31 of the year in which an ATB eligible foal is conceived; however, the
21 breeder of that foal is not eligible to receive breeder awards for that foal.

22 [~~(D) A mare may leave Texas for racing purposes without losing its accreditation~~
23 ~~provided the mare returns to Texas each year before December 31 and remains in~~
24 ~~Texas until foaling. A mare may leave Texas for breeding or medical purposes without~~
25 ~~losing its accreditation provided the mare returns to Texas each year before August 15~~
26 ~~and remains in Texas until foaling. All foals of an ATB broodmare are eligible to be~~
27 ~~accredited as ATB horses provided the mare is bred to an ATB stallion at least every~~

28 ~~other breeding. TQHA may require documentation regarding breeding activity to prove~~
29 ~~eligibility for accreditation.]~~

30 (3) (No change.)

31 (c) – (d) (No change.)

32 (e) Organizational Structure.

33 (1) The TQHA shall maintain all ownership records for the Accredited Texas Bred
34 Quarter Horse program. TQHA shall comply with all sections of the Act, including but
35 not limited to §§ 2028.101-.107 and 2030.001-.004, Tex. Occ. Code. ~~[the Act, §6.08 and~~
36 ~~§§9.01 – 9.04.]~~ TQHA shall comply with the rules promulgated by the Commission,
37 including but not limited to §§303.81 - 303.85 of this title (relating to General
38 Provisions.)

39 (2) – (4) (No change.)

40 (f) (No change.)

CHAPTER 321 PARI-MUTUEL WAGERING
SUBCHAPTER C REGULATION OF LIVE WAGERING
DIVISION 2 DISTRIBUTION OF PARI-MUTUEL POOLS
SECTION 321.320 SUPER HI-FIVE

- 1 (a) – (i) (No change.)
2 (j) If the final or designated mandatory payoff performance is canceled or the pool has
3 not been distributed under subsection (i) of this section, the pool shall be deposited in
4 an interest-bearing account approved by the executive secretary. The pool plus all
5 accrued interest shall then be carried over and added to a [the] super hi-five pari-mutuel
6 pool in a subsequent [the following] race meeting within the following twelve months, on
7 a date and performance designated by the association with the approval of the
8 executive secretary. The designation of the date and performance must be made prior
9 to the start of the association's next live racing meet.
10 (k) – (m) (No change.)

1 CHAPTER 309. RACETRACK LICENSES AND OPERATIONS

2 SUBCHAPTER B. OPERATIONS OF RACETRACKS

3 DIVISION 2. FACILITIES AND EQUIPMENT

4 309.129 Automatic Banking Machines

5 (a) – (b) (No change.)

6 (c) Configuration. An automatic banking machine placed on association grounds must be
7 configured with the following restrictions:

8 (1) – (2) (No change.)

9 (3) Before the customer authorizes the transaction, the machine must display a screen
10 that notifies the customer of the statutory fee and permits the customer to cancel the
11 transaction. The notice must state the following or its equivalent: UNDER TEXAS RACING
12 ACT[;] §2027.004 [~~44.04(E)~~], A \$1 FEE MUST BE COLLECTED ON EACH
13 TRANSACTION AT THIS MACHINE FOR DEPOSIT INTO THE TEXAS STATE
14 TREASURY.

15 (d) – (f) (No change.)

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18 CHAPTER 321. PARI-MUTUEL WAGERING

19 SUBCHAPTER A. MUTUEL OPERATIONS

20 DIVISION 1. GENERAL PROVISIONS

21 321.1 Definitions and General Provisions

22 (a) The following words and terms, when used in this chapter, shall have the following
23 meanings, unless the context clearly indicates otherwise:

24 (1) – (4) (No change.)

25 (5) Guest racetrack--a racetrack facility at which a simulcast race is received and
26 offered for wagering purposes; a receiving location, as defined in the Act, §2021.003
27 [~~1-03(64)~~].

28 (6) Host racetrack--a racetrack facility at which a race is conducted and simulcast for
29 wagering purposes; a sending track, as defined in the Act, §2021.003 [~~1-03(66)~~].

30 (7) Import simulcast--a simulcast race received at a racetrack facility.

31 (8) – (16) (No change.)

32 (17) Ticketless Electronic Wagering (E-wagering)--a form of pari-mutuel wagering in
33 which wagers are placed and cashed through an electronic ticketless account system
34 operated through a licensed totalisator vendor in accordance with §2027.002 [44.04] of
35 this Act. Wagers are automatically debited and credited to the account holder.

36 (18) – (23) (No change.)

37 (b) – (c) (No change.)

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40 CHAPTER 321. PARI-MUTUEL WAGERING

41 SUBCHAPTER A. MUTUEL OPERATIONS

42 DIVISION 3. MUTUEL TICKETS AND VOUCHERS

43 321.36 Unclaimed Outs and Vouchers

44 [~~Pursuant to the Act, §3.07, to~~] To pay the charges associated with the medication or drug
45 testing, an association may use the money held by the association to pay outstanding
46 tickets and pari-mutuel vouchers. If additional amounts are needed to pay the charges, the
47 association shall pay those additional amounts. If the amount of outstanding tickets and
48 pari-mutuel vouchers held exceeds the amount needed to pay the charges, the association
49 may retain the excess amount as outstanding tickets and pari-mutuel vouchers expire.

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52 CHAPTER 321. PARI-MUTUEL WAGERING

53 SUBCHAPTER C. REGULATION OF LIVE WAGERING

54 DIVISION 2. DISTRIBUTION OF PARI-MUTUEL POOLS

55 321.318 Special Wager

56 (a) Special wager authorized.

57 (1) (No change.)

58 (2) A special wager must be based on the outcome of a race or races and comply with
59 the definition of pari-mutuel wagering as defined by the Act, §2021.003 [4.03(18)]. The
60 wager must be based on the performance of a specific race animal or animals in a race or
61 races.

62 (3) (No change.)

63 (b) – (c) (No change.)

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CHAPTER 321. PARI-MUTUEL WAGERING
SUBCHAPTER D. SIMULCAST WAGERING
DIVISION 3. SIMULCASTING AT HORSE RACETRACKS

321.503 Purses

(a) To be approved by the executive secretary, an association's request for approval to import a simulcast must allocate for purses as follows:

(1) for a same species simulcast, as provided by the Act, §2028.101 ~~[6.08]~~; and

(2) (No change.)

(b) – (c) (No change.)

CHAPTER 321. PARI-MUTUEL WAGERING
SUBCHAPTER D. SIMULCAST WAGERING
DIVISION 3. SIMULCASTING AT HORSE RACETRACKS

321.509 Escrowed Purse Account

(a) At least once a year, the Commission shall distribute all funds accrued in the escrowed purse account ~~[created by the Act, §6.091(e)]~~. The executive secretary shall establish a deadline for receiving requests for distribution from the account and publicize that deadline to the horse racetrack associations at least 30 days before the deadline. The associations when requesting for distribution from the account shall also recommend the percentages by which it will divide the escrowed purse account revenue among the various breeds of horses.

(b) The Commission shall determine the amount of the distribution to each racetrack in accordance with the standards set forth in the Act, §§2028.204-.205 ~~[6.091(e) and (f)]~~.

(c) – (e) (No change.)