



Memorandum

P.O. Box 12080
Austin, Texas 78711-2080
(512) 833-6699
Fax (512) 833-6907

Date: September 12, 2011
To: Charles G. Trout, Executive Director
From:  Sammy Jackson, Deputy Director of Wagering & Racing Review
RE: Proposed Distribution of Manor Downs Escrow Horse Purse Fund Being Held

At the September 2010, Commission Meeting, staff recommended that the 7.8% distribution of the escrow horse purse fund to Manor Downs be held due to their failure to request race dates for 2011. The Commission's approval of the distribution for 2011 was made with the understanding that staff would hold all Manor Downs escrow horse purse fund payouts until the issue could be discussed amongst the horse industry organizations. At the same Commission Meeting, Chairman Pablos requested that the Texas Horsemen's Partnership bring forward, at a later date, a request for consideration to allocate the held escrow horse purse funds to another racetrack that would be running live dates.

On March 21, 2011, the Texas Horsemen's Partnership submitted a request for consideration to have the Quarter Horse portion of the escrow horse purse funds being held to be allocated to Retama Park for Quarter Horse purses. This request received unanimous approval of the Commission at the April 1, 2011, meeting. The Texas Horsemen's Partnership has now submitted a request for consideration to have the Thoroughbred, Paint Horse, and Arabian portions of the escrow horse purse funds being held to be allocated to Retama Park's purse accounts for the corresponding breeds of horses. The following table reflects the balance of the escrow horse purse fund currently being held by breed of horse:

Escrow Horse Purse Fund Account Balance	
As of August 31, 2011	
Manor Downs 7.8% Distribution:	\$27,491.37
Thoroughbred Allocation	\$20,600.05
Arabian Allocation	\$3,445.66
Paint Allocation	<u>\$3,445.66</u>
Total of Breed Allocations:	<u>\$27,491.37</u>

Staff has reviewed the request by the Texas Horsemen's Partnership and finds that it complies with the request of the Commission.

If I may be of any assistance or answer any questions, please let me know.

CC: Mark Fenner, General Counsel

IV-F-1



PARTNERSHIP

June 14, 2011

Mr. Sammy Jackson, Deputy Director for Wagering & Racing Review
Texas Racing Commission
P.O. Box 12080
Austin, TX 78711

2011 JUN 15 PM 1:06
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TEXAS RACING
COMMISSION

Dear Sammy:

At a previous meeting of the Texas Racing Commission, the Texas Horsemen's Partnership requested that the Manor Downs Escrow Horse Purse for quarter horses, which was being held by the TxRc, be sent to the Retama Park quarter horse account.

At that time, a decision had not been made as to the disbursement of the Minor Breeds and Thoroughbred funds.

The Texas Thoroughbred HBPA has determined that the held escrow horse funds benefiting thoroughbred horses should be allocated to the thoroughbred purse account at Retama Park.

The Texas Paint Horse Association has determined that the best use of the accrued escrow horse purse funds for Paint horses is that it be transferred to the Retama Park paint purse account.

The Texas Arabian Breeders Association has also determined that the held escrow horse purse funds from Manor Downs should be transferred to the Retama Park Minor Breed account.

Another issue that needs to be resolved is the money remaining in the Manor Downs ATB Stakes accounts. Since the THP has no authority to transfer funds from these accounts, we are requesting that the remaining ATB Stakes funds for all breeds be transferred to the corresponding accounts at Retama Park. Mr. Phillips has been notified and we are hoping for a timely transfer of these funds.

I understand that these matters cannot be placed on the June 21st Commission meeting agenda, but would respectfully request that they be considered for placement on the next meeting agenda in order for these funds to be utilized in the upcoming Retama Park live meet.

As always, thank you for your time and please let me know if you have any questions.

Sincerely,

Marsha Rountree, Interim Executive Director/Controller

11-F-2



TEXAS RACING COMMISSION
P.O. BOX 12080
AUSTIN, TEXAS 78711-2080
(512) 833-6699
FAX (512) 833-6907

July 26, 2011

To: Chuck Trout
Executive Director

From: Michael Gougler
MG Deputy Director for Racing Oversight

RE: Ownership Changes Laredo Downs

On June 16, 2011, the commission received a request from Laredo Downs to approve a change of 0.2011% ownership from Ted Abrams, who currently owns 1.4121%, to Muy Buena Suerte, Ltd., who currently owns 50.5422%. As a result of this change, Ted Abrams will own 1.2109% and Muy Buena Suerta, Ltd, will own 50.7433%.

Mr. Abrams last underwent a background check before the license was granted in 2007. DPS refreshed its background information on Muy Buena Suerte principals in April 2009. At this time, no further background review is necessary.

It is recommended that the application for ownership transfer, as indicated above, be approved.

1.V-G-1

2011 JUN 16 AM 11:35

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COMMISSION

MOLTZ MORTON O'TOOLE LLP

Janessa M. Glenn
(512) 439-2174
jglenn@mmlotlaw.com

The Littlefield Building
106 East 6th Street, Suite 700
Austin, TX 78701
(512) 439-2170
Facsimile (512) 439-2165

June 16, 2011

Mr. Chuck Trout
Executive Director
Texas Racing Commission
8505 Cross Park Dr., Suite #110
Austin, Texas 78754

Via Telecopy

RE: Approval of Ownership Changes for licensee LRP Group, Ltd.

Dear Mr. Trout:

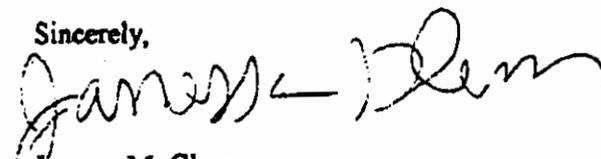
Pursuant to Texas Rule of Racing 309.151, LRP Group, Ltd. requests the approval of the Texas Racing Commission ("TRC") for certain ownership changes related to its Class 2 horse racetrack license for Webb County, Texas. LRP Group, Ltd. hereby requests that this ownership change be placed on the Agenda for consideration at the next Commissioners' meeting.

The ownership changes shown on Attachment 1 reflect very minor fluctuations (significantly less than 1%) in ownership interests resulting from the ongoing business operations under the association's Partnership Agreement. None of the ownership changes are due to any independent purchase/sale transactions between any of the limited partners, and no changes in management or control have occurred.

The attached table includes only those limited partners affected by a percentage ownership change. The table indicates the currently approved total ownership percentages, the new ownership percentages for which approval is sought, and the percentage of adjustment.

If we can be of further assistance, please feel free to contact me.

Sincerely,


Janessa M. Glenn
Counsel for LRP Group, Ltd.

JMG/pjp
Attachment
cc: Mark Fenner (w/attachments)
(65110200035390.1)

W-G-2

LAREDO DOWNS**CHANGE IN BENEFICIAL INTEREST (%)**

	2010 Ownership Interest LRP Group, Ltd.	2011 Ownership Interest LRP Group, Ltd.	Change in Ownership Interest	2011 Beneficial Interest (Ltd. plus LLC)
Limited Partners				
Muy Buena Suerte, Ltd.	50.5422	50.7433	0.2011	51.2559
Ted G. Abrams	1.4121	1.2109	[0.2012]	1.2232

(651101\00035389.1)

Austin Jockey Club, Ltd.

Status Report

September 9, 2011

2011 SEP -9 PM 7:00

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TEXAS RACING
COMMISSION

Since the last Texas Racing Commission meeting, progress has been made in a few areas:

- We will be meeting with the principals behind a municipal utility district which has been set up for the Creedmoor area within the next two weeks.
- The City of Creedmoor and our counsel are drafting an ordinance calling for the annexation of the property by the city.

Further information will provided be at the next Commission meeting on September 21.

IV-H-1



September 8, 2011

Texas Racing Commission
Atten. Mr. Charles G. Trout, Executive Director
PO Box 12080
Austin, Texas 78711-2080

2011 SEP -8 PM 4:26
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TEXAS RACING
COMMISSION

Re: Progress Report for Saddle Brook Park

Dear Mr. Trout;

Because of the Sunset Bill's impact on issued and outstanding racing licenses, Saddle Brook Park intends to participate in the Commission's forthcoming rule making proceedings. Saddle Brook will monitor the rule making proceedings and provide input so that the future development plans for Saddle Brook Park can be designed and implemented in a way that ensures that it will remain an "active" racing license. Upon the adoption of the new rules, Saddle Brook Park intends to present such development plan to the Commission.

Respectfully Submitted,

Drew Alexander
President and C.E.O.
Saddle Brook Park

Office 806-359-9546 • Fax 806-359-5239 • P. O. Box 50597 • Amarillo, Texas 79159
www.saddlebrookpark.net

IV-H-2

Valle de los Tesoros, Ltd
3900 N. McColl Road
McAllen, Texas 78501
Phone: 956-687-7751 Fax: 956-687-8969

2011 SEP -9 PM 3: 34

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TEXAS RACING
COMMISSION

September 8, 2011

VIA FACSIMILE: (512) 833-6907

Mr. Chuck Trout
Executive Director
Texas Racing Commission
8505 Cross Park Drive, Suite 110
P. O. Box 12080
Austin, Texas 78711

RE: Tesoros Race Park Progress Report

Dear Mr. Trout:

Please accept this written progress report for Tesoros Race Park in preparation for the September 21, 2011, Commission meeting.

Valle de los Tesoros, Ltd.'s ("VDLT") Request for Approval of Simulcast Operations at a Temporary Location in Hidalgo County (McAllen), Texas is pending before the Commission. VDLT is awaiting Commission action on this Request. VDLT also has pending a request for approval of live race dates.

Very truly yours,



Greg LaMantia

IV-H-3

LRP Group, Ltd
3900 N. McColl Road
McAllen, Texas 78501 2011 SEP -9 PM 3: 34
Phone: 956-687-7751 Fax: 956-687-8569

RECEIVED
TEXAS RACING
COMMISSION

September 8, 2011

VIA FACSIMILE: (512) 833-6907

Mr. Chuck Trout
Executive Director
Texas Racing Commission
8505 Cross Park Drive, Suite 110
P. O. Box 12080
Austin, Texas 78711

RE: Laredo Downs Status Report

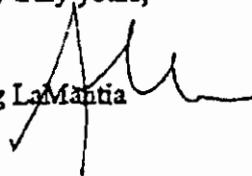
Dear Mr. Trout:

Please accept this written progress report for Laredo Downs in preparation for the September 21, 2011 Commission meeting.

On October 27, 2010, LRP Group, Ltd. filed a Request for Approval of Change of Location ("Application") seeking Commission approval to relocate the proposed Laredo Downs racetrack from Laredo, Webb County, Texas, to Fort Worth, Tarrant County, Texas. It is my understanding that Commission staff is currently reviewing that Application.

Very truly yours,

Greg LaMantia





VIA EMAIL AND OVERNIGHT DELIVERY

September 9, 2011

Mr. Chuck Trout
Executive Director
Texas Racing Commission
P.O. Box 12080
Austin, TX 78711-2080

Dear Mr. Trout:

We are in receipt of the Commission's request seeking a written progress report with respect to Laredo Race Park. We understand that this progress report will be included in the agenda packet for discussion during the upcoming Texas Racing Commission meeting on September 21, 2011.

In early August, we extended our current option for the Mines Road site. As we have testified before the Commission, we are looking for various alternatives to the Mines Road site that will allow us to lower our total project development costs. As such, over the course of the summer, we determined the best course of action would be to identify a set of additional sites in Webb County for the PM Texas Board to review and consider for this project.

During a visit in late July, we met with two of the leading land brokers in Webb County and visited four possible locations. All of the sites visited provide more than 200 acres of land and reasonable access to at least one major highway. The sites differ in terms of frontage and access to utilities and other necessary infrastructure. We continue to work with both brokers to answer questions about utilities and infrastructure as well as pricing which varies significantly by site.

Unfortunately, I will be out of the country and unable to attend the meeting on September 21st but I am available to answer any questions you may have at an alternative time.

Sincerely,

A handwritten signature in black ink, appearing to read "A. B. Young", written over the typed name and title.

Andrea B. Young
President

SAM HOUSTON RACE PARK LTD.

7575 North Sam Houston Parkway West, Houston, TX, 77064 • 281.807.8700 • shrp.com

1V-H-5

2011 SEP -9 AM 10: 51

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TEXAS RACING
COMMISSION



P.O. Box 141309

Austin, Texas 78714

512/272-5581

September 9, 2011

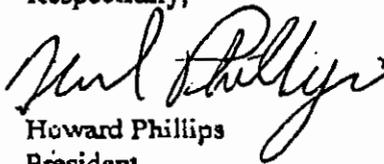
Chuck Trout
Executive Director
Texas Racing Commission
PO Box 12080
Austin, TX 78711-2080

Dear Mr. Trout:

Manor Downs is maintaining its facility including the racetrack surface and equipment.

We continue to pursue investors in our effort to recapitalize Manor Downs.

Respectfully,


Howard Phillips
President

1V-H-6

Texas Racing Commission
Title 16, Part VIII
Chapter 301. Definitions

1 **Section 301.1 Definitions.**

2 (a) (No change.)

3 (b) (1) - (50) (No change.)

4 (51) Performance--the schedule of horse or greyhound races run
5 consecutively as one program. A greyhound performance consists
6 of fifteen or fewer races unless approved by the executive
7 secretary.

8 (52) - (89) (No change.)

9 (90) "Active license" means a racetrack license designated by
10 the commission as active.

11 (91) "Inactive license" means a racetrack license designated by
12 the commission as inactive.

V-A-1

Texas Racing Commission
Title 16, Part VIII
Chapter 309. Racetrack Licenses and Operations
Subchapter A. Racetrack Licenses

1 **Sec. 309.8. Racetrack License Fees.**

2 (a) Purpose of Fees. An association shall pay a license fee to
3 the Commission to pay the Commission's costs to administer and
4 enforce the Act, and to regulate, oversee, and license live and
5 simulcast racing at racetracks.

6 (b) Annual License Fee.

7 (1) A licensed racing association shall pay an annual
8 license fee. The annual license fee for each license type
9 is as follows:

10 (A) for a Class 1 racetrack, \$500,000;

11 (B) for a Class 2 racetrack, \$230,000;

12 (C) for a Class 3 or 4 racetrack, \$70,000; and

13 (D) for a Greyhound racetrack, \$360,000.

14 (2) An association that is conducting live racing or
15 simulcasting shall pay its annual license fee by
16 remitting to the Commission 1/12th of the fee on the first
17 business day of each month. For the State Fiscal Year
18 that begins on September 1, 2011, the monthly remittance
19 shall begin in the month of January.

20 (3) An association that is not conducting live racing or
21 simulcasting shall pay its annual license fee on
22 September 1 of each fiscal year. For the State Fiscal
23 Year that begins on September 1, 2011, the annual license
24 fees shall be paid in two separate payments. The first
25 payment will be of \$100,000 and is due on September 1,
26 2011. The second payment will be of the remaining unpaid
27 balance and shall be paid on January 1, 2012.

28 (c) Adjustment of Fees.

Texas Racing Commission
Title 16, Part VIII
Chapter 309. Racetrack Licenses and Operations
Subchapter A. Racetrack Licenses

1 (1) Annual fees are calculated using a projected base of
2 143 days of live horse racing and 270 performances of
3 live greyhound racing per calendar year. To cover the
4 additional regulatory cost in the event additional days
5 or performances are requested by the associations the
6 executive secretary may:

7 (A) recalculate a horse racetrack's annual fee by adding
8 \$3,750 for each live day added beyond the base,

9 (B) recalculate a greyhound racetrack's annual fee by
10 adding \$750 for each live performance added beyond
11 the base, and

12 (C) review the original or amended race date request
13 submitted by each association to establish race date
14 baselines for specific associations if needed.

15 (2) If at any point the executive secretary determines the
16 total revenue from the annual fees is insufficient to pay
17 the Commission's costs during a fiscal year, the
18 executive secretary shall recommend to the Commission a
19 supplemental fee, in addition to the license fee, that
20 each association would be required to pay to generate the
21 necessary revenue to pay the Commission's costs.

22 (3) If the executive secretary determines that the total
23 revenue from the annual fees exceeds the amount needed to
24 pay those costs, the executive secretary may order a
25 moratorium on all or part of the annual license fees
26 remitted monthly by any or all of the associations.
27 Before entering a moratorium order, the executive
28 secretary shall develop a formula for providing the
29 moratorium in an equitable manner among the associations.

Texas Racing Commission
Title 16, Part VIII
Chapter 309. Racetrack Licenses and Operations
Subchapter A. Racetrack Licenses

1 In developing the formula, the executive secretary shall
2 consider the amount of excess revenue received by the
3 Commission, the source of the revenue, the Commission's
4 costs associated with regulating each association, the
5 Commission's projected receipts for the next fiscal year,
6 and the Commission's projected expenses during the next
7 fiscal year.

Texas Racing Commission
Title 16, Part VIII
Chapter 309. Racetrack Licenses and Operations
Subchapter B. Operations of Racetracks
Division 2. Facilities and Equipment

1 **Section 309.129. Automatic Banking Machines.**

2 (a)-(b) (No Change.)

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

6 (1) A customer using the machine may withdraw funds only
7 from his or her checking account at a bank or other financial
8 institution. A customer may not use the machine to withdraw
9 funds from a savings account.

10 ~~(2) A customer may withdraw no more than \$200 per day per~~
11 ~~account. For purposes of this paragraph, a "day" is the 24-hour~~
12 ~~period beginning at 12:00 midnight.~~

13 ~~(2)(3)~~ For each transaction at a machine, a statutory fee
14 of \$1.00 must be withdrawn from the customer's account in
15 addition to the amount delivered to the customer and any other
16 fees authorized and imposed by the bank or other financial
17 institution, by the association, or by the vendor.

18 ~~(3)(4)~~ Before the customer authorizes the transaction, the
19 machine must display a screen that notifies the customer of the
20 statutory fee and permits the customer to cancel the
21 transaction. The notice must state the following or its
22 equivalent: UNDER TEXAS RACING ACT, §11.04(E), A \$1 FEE MUST BE
23 COLLECTED ON EACH TRANSACTION AT THIS MACHINE FOR DEPOSIT INTO
24 THE TEXAS STATE TREASURY.

25 (d)-(f) (No change.)

Texas Racing Commission
Title 16, Part VIII,
Chapter 311. Other Licenses
Subchapter A. Licensing Provisions
Division 1. Occupational Licenses

1 **Section 311.3. Information for Background Investigation.**

2 (a) Fingerprint Requirements and Procedure.

3 (1) Except as otherwise provided by this section, an
4 applicant for a license or license renewal must submit with the
5 application documents a set of the applicant's fingerprints in a
6 form prescribed by the Department of Public Safety. If the
7 applicant is not an individual, the applicant must submit a set
8 of fingerprints on the above-referenced forms for each
9 individual who:

10 (A) serves as a director, officer, or partner of the
11 applicant;

12 (B) holds a beneficial ownership interest in the
13 applicant of 5.0% or more; or

14 (C) owns any interest in the applicant, if requested
15 by the Department of Public Safety.

16 (2) - (5) (No change.)

17 (6) If an applicant for a license or license renewal is
18 required to submit fingerprints under this section, the
19 applicant must also submit a fingerprinting fee of \$44.20
20 ~~\$12.00~~.

21 (b) (No change.)

Texas Racing Commission
Title 16, Part VIII
Chapter 319. Veterinary Practices and Drug Testing
Subchapter D. Drug Testing
Division 2. Testing Procedures

1 **Section 319.335. ~~Auditing and~~ Approval of Testing Costs.**

2 (a) All charges for conducting tests under this subchapter must
3 be reconciled with the number of tests actually conducted
4 ~~audited~~ and be approved by the executive secretary before
5 payment. ~~The executive secretary shall audit the charges as to~~
6 ~~the reasonableness of the charges in accordance with industry~~
7 ~~standards for comparable testing procedures.~~

8 (b) - (c) (No change.)

Texas Racing Commission
Title 16, Part VIII
Chapter 319. Veterinary Practices and Drug Testing
Subchapter D. Drug Testing
Division 2. Testing Procedures

1 **Section 319.336. Payment of Testing Costs.**

2 (a) Responsibility for Payment. Immediately on receipt of
3 approved charges for conducting tests under this subchapter, an
4 association shall pay the charges.

5 (b) Authority to Use Outstanding Tickets and Pari-mutuel
6 Vouchers. An association may use money held by the association
7 to pay outstanding tickets and outstanding pari-mutuel vouchers
8 to pay for charges under this section. If the money held is
9 insufficient to pay the charges, the association shall pay the
10 remainder of the charges.

11 ~~(c) Accounting and Payment of Remainder.~~

12 ~~(1) The accounting and payment of remainder of outs and~~
13 ~~vouchers to the Commission shall be done in accordance with~~
14 ~~§321.36.~~

15 ~~(2) The executive secretary will review the accounting~~
16 ~~submitted by the association. If the executive secretary~~
17 ~~determines the accounting is in error, the executive secretary~~
18 ~~may adjust the amount due to the Commission from outstanding~~
19 ~~tickets and either demand payment of the additional amount owed~~
20 ~~or reimburse the association for the excess amount paid to the~~
21 ~~Commission.~~

22 ~~(d) Pooling of Drug Testing Costs. The executive secretary may~~
23 ~~establish a procedure to pay drug testing costs by pooling the~~
24 ~~amounts held by all associations to pay outstanding tickets. If~~
25 ~~the amount held by an association does not cover the full costs~~
26 ~~of drug testing for that association, the executive secretary~~
27 ~~may pay those costs using funds paid to the Commission under~~
28 ~~subsection (c) (1) of this section.~~

Texas Racing Commission
Title 16, Part VIII
Chapter 321. Pari-Mutuel Wagering
Subchapter A. Mutuel Operations
Division 3. Mutuel Tickets and Vouchers

1 **Section 321.36. ~~Remittance of Unclaimed Outs and Vouchers.~~**

2 (a) Pursuant to the Act, §3.07, to pay the charges associated
3 with the medication or drug testing, an association may use the
4 money held by the association to pay outstanding tickets and
5 pari-mutuel vouchers. If additional amounts are needed to pay
6 the charges, the association shall pay those additional amounts.
7 If the amount of outstanding tickets and pari-mutuel vouchers
8 held exceeds the amount needed to pay the charges, the
9 association may retain the excess amount as outstanding tickets
10 and pari-mutuel vouchers expire. ~~shall pay the excess to the~~
11 ~~commission.~~

12 ~~(b) The association shall file a quarterly report, on a form~~
13 ~~prescribed by the executive director, that reports:~~

14 ~~(1) the amount of outstanding tickets and pari-mutuel~~
15 ~~vouchers that have expired during the quarter as outlined under~~
16 ~~§321.33;~~

17 ~~(2) the amount needed to reimburse the association for~~
18 ~~payments made by the association to cover charges associated~~
19 ~~with the medication or drug testing pursuant to §3.07 of the~~
20 ~~Act; and~~

21 ~~(3) the amount of excess expired tickets and pari-mutuel~~
22 ~~vouchers, if any, due to the commission.~~

23 ~~(c) The association shall file the quarterly reports and make~~
24 ~~payments when applicable on the following schedule:~~

25 ~~(1) September, October and November will constitute the~~
26 ~~first quarter and shall be filed with the commission no later~~
27 ~~than December 15;~~

Texas Racing Commission
Title 16, Part VIII
Chapter 321. Pari-Mutuel Wagering
Subchapter A. Mutuel Operations
Division 3. Mutuel Tickets and Vouchers

1 ~~(2) December, January and February will constitute the~~
2 ~~second quarter and shall be filed with the commission no later~~
3 ~~than March 15,~~

4 ~~(3) March, April and May will constitute the third quarter~~
5 ~~and shall be filed with the commission no later than June 15,~~
6 ~~and~~

7 ~~(4) June, July and August shall constitute the fourth~~
8 ~~quarter and shall be filed with the commission no later than~~
9 ~~September 15.~~

10 ~~(d) The reports and payments submitted by the association are~~
11 ~~subject to audit by the Commission.~~

12

Texas Racing Commission
Title 16, Part VIII
Chapter 319. Veterinary Practices and Drug Testing
Subchapter A. General Provisions

- 1 **Section 319.3. Medication Restricted.**
- 2 (a) No change.
- 3 (b) The maximum permissible plasma or serum concentration of
- 4 phenylbutazone in horses is 2.0 ~~5.0~~ micrograms per milliliter.
- 5 (c)-(f) No change.

Texas Racing Commission
Title 16, Part VIII
Chapter 321. Pari-Mutuel Wagering
Subchapter D. Simulcast Wagering
Division 1. General Provisions

- 1 Section 321.407. Approval of Wagering on Simulcast Import
2 Races.
3 (a)-(e) (No change.)
4 (f) For the purposes of this section, a simulcast import horse
5 race can be a race of Thoroughbreds, Quarter Horses, Arabians,
6 Paint Horses, Appaloosas, Standardbreds, or a mixture of the
7 aforementioned breeds of horses.

Texas Racing Commission
Title 16, Part VIII
Chapter 321. Pari-Mutuel Wagering
Subchapter A. Mutuel Operations
Division 1. General Provisions

1 **Section 321.1. Definitions and General Provisions.**

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

5 (1) - (12) (No change.)

6 (13) Player Tracking System--a system that provides
7 detailed information about pari-mutuel play activity of patrons
8 who volunteer to participate. The system can be used to
9 customize highly specific promotions and tailor rewards to
10 encourage incremental visits by patrons. The system should be
11 able to produce customized informational reports based on such
12 parameters as type of wager, type of race, favorite race meet,
13 or other parameters deemed helpful by the association in
14 supporting the patron.

15 (14) [~~+13~~] Remote site--a racetrack or other location at
16 which wagering is occurring that is linked via the totalisator
17 system to a racetrack facility for pari-mutuel wagering
18 purposes.

19 (15) [~~+14~~] Report--a summary of betting activity.

20 (16) [~~+15~~] Resultant--the profit-per-dollar wagered in a
21 pari-mutuel pool computation.

22 (17) [~~+16~~] Ticketless Electronic Wagering (E-wagering)--a
23 form of pari-mutuel wagering in which wagers are placed and
24 cashed through an electronic ticketless account system operated
25 through a licensed totalisator vendor in accordance with §11.04
26 of this Act. Wagers are automatically debited and credited to
27 the account holder.

28 (18) [~~+17~~] TIM--ticket-issuing machine.

Texas Racing Commission
Title 16, Part VIII
Chapter 321. Pari-Mutuel Wagering
Subchapter A. Mutuel Operations
Division 1. General Provisions

1 (19) [~~18~~] TIM-to-Tote network--a wagering network
2 consisting of a single central processing unit and the TIMs at
3 any number of remote sites.

4 (20) [~~19~~] Totalisator system--a computer system that
5 registers and computes the wagering and payoffs in pari-mutuel
6 wagering.

7 (21) [~~20~~] Totalisator operator--the individual assigned
8 to operate the totalisator system at a racetrack facility.

9 (22) [~~21~~] Tote-to-tote network--a wagering network in
10 which each wagering location has a central processing unit.

11 (23) [~~22~~] User--a totalisator company employee authorized
12 to use the totalisator system in the normal course of business.

13 (b) - (c) (No change.)

Texas Racing Commission
Title 16, Part VIII
Chapter 321. Pari-Mutuel Wagering
Subchapter A. Mutuel Operations
Division 3. Mutuel Tickets and Vouchers

1 **Section 321.35 Claim for Payment.**

2 (a) Claims on pari-mutuel tickets or vouchers presented for
3 payment.

4 (1) An association shall accept a claim for payment if the
5 association has withheld payment or has refused to cash a pari-
6 mutuel ticket or a voucher presented for payment. The claim for
7 payment must be made on a form prescribed by the association and
8 approved by the executive secretary. ~~signed by the claimant.~~

9 ~~(b)~~ (2) The original of the claim must be signed by the
10 claimant and shall be promptly forwarded to the Commission.

11 ~~(b) If a claim is made for payment of a mutilated ticket that~~
12 ~~does not contain the information required under §321.29 of this~~
13 ~~title (relating to Mutuel Tickets),~~

14 (3) ~~The~~ association shall make a recommendation to
15 accompany the claim forwarded to the Commission. The
16 recommendation must state whether or not the ~~mutilated ticket or~~
17 voucher can has sufficient elements to be positively identified
18 as a winning ticket or voucher.

19 ~~(c) If a claim is made for payment of a mutilated voucher that~~
20 ~~does not contain the information required under §321.31 of this~~
21 ~~title (relating to Vouchers), the association shall make a~~
22 ~~recommendation to accompany the claim forwarded to the~~
23 ~~Commission. The recommendation must state whether or not the~~
24 ~~mutilated voucher has sufficient elements to be positively~~
25 ~~identified as an outstanding voucher.~~

26 ~~(d)~~ (4) If a claim is made for the payment of a mutuel ticket
27 or a voucher, the executive secretary shall investigate the
28 claim and may:

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1 ~~(1)~~ (A) order the association to pay the claim;
2 ~~(2)~~ (B) deny the claim; or
3 ~~(3)~~ (C) enter any other order the executive secretary
4 determines appropriate.

5 (b) Claims on pari-mutuel tickets or vouchers that have been
6 lost or destroyed.

7 (1) An association may cash a lost or destroyed ticket
8 voucher if the ticket or voucher has not been previously cashed
9 and the claimant can:

10 (A) demonstrate ownership via the use of the claimants
11 unique and personally identifiable player tracking account at
12 the association where the transaction was made on the claimants
13 account; or

14 (B) can provide the mutuel manager sufficient
15 information whereby the transaction can be positively verified
16 through wagering system logs.

17 (2) If an association refuses to pay a claim for a lost or
18 destroyed ticket or voucher, the claimant may file a claim for
19 payment with the commission. The claim for payment must be on a
20 form prescribed by the association and approved by the executive
21 secretary.

22 (A) The original of the claim must be signed by the
23 claimant, and shall be promptly forwarded to the Commission.

24 (B) The association shall make a recommendation to
25 accompany the claim forwarded to the Commission. The
26 recommendation must state;

27 (i) whether or not the ticket or voucher can be
28 positively verified as a winning transaction.

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1 (ii) whether or not the ticket or voucher has
2 been previously cashed, and date the ticket or voucher was
3 cashed, and

4 (iii) why the association refused to pay the
5 claimant.

6 (3) If a claim for payment is received by the executive
7 secretary under subsection (b) (2) of this section, then the
8 executive secretary shall investigate the claim and may:

9 (A) order the association to pay the claim;

10 (B) deny the claim; or

11 (C) enter any other order the executive secretary
12 determines appropriate.

13 (c) An association shall be responsible for maintaining records
14 and logs to validate claims for payments in this section.

15 Records and logs must be maintained for 365 days.

16 (d) In the event a claim is made for a ticket that meets the
17 criteria established in Sec. 321.41(a) Cashing Outstanding
18 Tickets, the claim must be approved by the executive secretary
19 before the claim can be paid.

20 (e) ~~A claim may not be made for a lost or destroyed mutuel~~
21 ~~ticket or voucher.~~ In the event a claim is made for a voucher
22 that meets the criteria established in Sec. 321.42(a) Cashing
23 Outstanding Vouchers, the claim must be approved by the
24 executive secretary before the claim can be paid.

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1 **Section 321.41.Cashing Outstanding Tickets.**

2 (a) - (d) (No change.)

3 (e) In the event a photostatic copy can not be provided, the
4 association will not be held liable for:

5 (1) a reader cashed ticket if the association can produce
6 documentation to support the ticket's existence ; or[-]

7 (2) a ticket cashed in accordance with the executive secretary's
8 approval under §321.35(b) or (d) of this chapter (relating to
9 Claim for Payment).

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1 **Section 321.42.Cashing Outstanding Vouchers.**

2 (a) - (d) (No change.)

3 (e) In the event a photostatic copy can not be provided, the
4 association will not be held liable for:

5 (1) a reader cashed voucher if the association can produce
6 documentation to support the voucher's existence ; or[-]

7 (2) a voucher cashed in accordance with the executive
8 secretary's approval under §321.35(b) or (d) of this chapter
9 (relating to Claim for Payment).