



TEXAS RACING COMMISSION
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Tuesday, May 22, 2018
10:30 a.m.
Texas Animal Health Commission
2105 Kramer Lane
Austin, TX 78758

RULES COMMITTEE AGENDA

I. CALL TO ORDER

II. PROCEEDINGS ON RULES

Discussion, consideration, and possible action to make recommendations to the Commission regarding amendments to the following sections of the Rules of the Texas Racing Commission:

1. 16 TAC § 311.5, License Fees
2. 16 TAC § 311.104, Trainers
3. 16 TAC § 313.168 Scale of Weights for Age
4. 16 TAC § 313.405, Whips and Other Equipment
5. 16 TAC § 319.3, Medication Restricted

III. PUBLIC COMMENT

IV. ADJOURN

CHAPTER 311 OTHER LICENSES
SUBCHAPTER A LICENSING PROVISIONS
RULE § 311.5 LICENSE FEES

1 (a) – (c) No change.

2 (d) The fee for an occupational license is as follows:

3 **Type of License..... 1 Year Fee..2 Year Fee..3 Year Fee**

4 Adoption Program Personnel \$ 0 [~~25~~]

5 Announcer..... \$ 35

6 Apprentice Jockey..... \$ 75

7 Assistant Farrier/Plater/Blacksmith..... \$ 25

8 Assistant Starter \$ 25

9 Assistant Trainer \$ 100

10 Assistant Trainer/Owner.. \$ 100

11 Association Assistant Management \$ 50

12 Association Management Personnel..... \$ 75

13 Association Officer/Director..... \$ 100

14 Association Other..... \$ 75

15 Association Staff \$ 35

16 Association Veterinarian.. \$ 75

17 Authorized Agent..... \$ 15

18 Chaplain..... \$ 0 [~~25~~]

19 Chaplain Assistant..... \$ 0 [~~25~~]

20 Equine Dental Provider \$100

21 Exercise Rider..... \$ 25

22 Farrier/Plater/Blacksmith. \$ 75

23 Groom/Exercise Rider \$ 25

24 Groom/Hot Walker..... \$ 25

25 Groom/Pony Person..... \$ 25

26 Jockey \$ 100 \$ 200 \$ 300

27 Jockey Agent..... \$ 100

28 Kennel \$ 75

29 Kennel Helper \$ 25

30	Kennel Owner	\$ 100	\$ 200	\$ 300
31	Kennel Owner/Owner	\$ 100	\$ 200	\$ 300
32	Kennel Owner/Owner-Trainer	\$ 100	\$ 200	\$ 300
33	Kennel Owner/Trainer	\$ 100	\$ 200	\$ 300
34	Lead-Out	\$ 25		
35	Maintenance.....	\$ 35		
36	Medical Staff	\$ 35		
37	Miscellaneous	\$ 25		
38	Multiple Owner	\$ 35	\$ 70	\$ 105
39	Mutuel Clerk	\$ 35		
40	Mutuel Other	\$ 35		
41	Owner.....	\$ 100	\$ 200	\$ 300
42	Owner-Trainer	\$ 100	\$ 200	\$ 300
43	Pony Person.....	\$ 25		
44	Racing Industry Representative ..	\$ 100		
45	Racing Industry Staff	\$ 30		
46	Racing Official	\$ 50		
47	Security Officer.....	\$ 30		
48	Stable Foreman.....	\$ 50		
49	Tattooer.....	\$ 100		
50	Test Technician	\$ <u>0</u> [25]		
51	Trainer.....	\$ 100	\$ 200	\$ 300
52	Training Facility Employee	\$ 30		
53	Training Facility General Manager	\$ 50		
54	Valet.....	\$ 25		
55	Vendor Concessionaire	\$ 100		
56	Vendor/Concessionaire Employee	\$ 30		
57	Vendor/Totalisator	\$ 500		
58	Vendor/Totalisator Employee	\$ 50		
59	Veterinarian.....	\$ 100	\$ 200	\$ 300
60	Veterinarian Assistant	\$ 30		

CHAPTER 311 OTHER LICENSES
SUBCHAPTER B SPECIFIC LICENSEES
RULE § 311.104 TRAINERS

1 (a) – (h) (No change.)

2 (i) Suspended, Revoked or Ineligible Horse Trainers.

3 (1) Upon the suspension, revocation or denial of a trainer’s license, the trainer shall
4 notify each owner for whom he or she trains horses of the suspension, revocation or
5 denial.

6 (2) A person may not assume the responsibilities of a horse trainer who is ineligible
7 to be issued a license or whose license is suspended or revoked if the person:

8 (A) is related to the trainer by blood or by marriage; [~~within the first degree of~~
9 ~~consanguinity or affinity.~~]

10 (B) is related to the spouse of the trainer by blood or by marriage; or

11 (C) has been an employee of the trainer within the previous year.

12 (3) A person who assumes the care, custody, or control of the horses of a
13 suspended, revoked or ineligible horse trainer may not:

14 (A) receive any compensation regarding those horses from the suspended,
15 revoked or ineligible trainer;

16 (B) pay any compensation regarding those horses to the suspended, revoked or
17 ineligible trainer;

18 (C) solicit or accept a loan of anything of value from the suspended, revoked or
19 ineligible trainer; or

20 (D) use the farm or individual name of the suspended, revoked or ineligible
21 trainer when billing customers.

22 (4) A person who assumes the care, custody, or control of the horses of a
23 suspended, revoked or ineligible trainer is directly responsible for all financial matters
24 relating to the care, custody, or control of the horses.

25 (5) On request by the Commission, a suspended, revoked or ineligible trainer or a
26 person who assumes the care, custody, or control of the horses of a suspended,
27 revoked or ineligible trainer shall permit the Commission to examine all financial or
28 business records to ensure compliance with this section.

CHAPTER 313 OFFICIALS AND RULES OF HORSE RACING
SUBCHAPTER B ENTRIES, SCRATCHES, AND ALLOWANCES
RULE § 313.168 SCALE OF WEIGHTS FOR AGE

- 1 (a) (No change.)
- 2 (b) Except for a race in which the conditions expressly provide otherwise, the weight to
- 3 be carried by a quarter horse, paint horse, or Appaloosa horse in a race during all
- 4 months and for all distances shall be as follows:
- 5 (1) for two year olds, 124 [~~120~~] pounds;
- 6 (2) for three year olds, 125 [~~123~~] pounds; and
- 7 (3) for four year olds and older, 128 [~~126~~] pounds.

CHAPTER 313 OFFICIALS AND RULES OF HORSE RACING

SUBCHAPTER D RUNNING OF THE RACE

RULE § 313.405 CROPS [WHIPS] AND OTHER EQUIPMENT

1 (a) The use of a crop [whip] is not required and a jockey who uses a crop [whip] during
2 a race may do so only in a manner consistent with using the jockey's best efforts to win.

3 The correct uses of a crop [whip] include:

4 (1) showing the crop [whip] to the horse before hitting the horse;

5 (2) using the crop [whip] in rhythm to the horse's stride; and

6 (3) using the crop [whip] as an aid to keep a horse running straight.

7 ~~[(b) A whip used in races must be at least 1/4-inch in diameter and have a looped
8 leather "popper" affixed to one end. The whip must have at least three rows of leather
9 feathers above the popper and each feather must be at least one inch long. The popper
10 must be at least 1 1/4 inch wide and three inches long. A whip may not exceed one
11 pound in weight or 31 inches in length, including the popper.]~~

12 (b) All riding crops are subject to inspection and approval by the stewards and the clerk
13 of scales. Riding crops shall have a shaft and a flap and will be allowed only as follows:

14 (1) maximum weight of eight ounces;

15 (2) maximum length, including flap, of 30 inches;

16 (3) minimum diameter of the shaft of three-eighths inch;

17 (4) shaft contact area must be smooth, with no protrusions or raised surface, and
18 covered by shock absorbing material that gives a compression factor of at least one
19 millimeter throughout its circumference; and

20 (5) the flap is the only allowable attachment to the shaft and must meet these
21 specifications:

22 (A) length beyond the end of the shaft shall not exceed one inch;

23 (B) width shall be between 0.8 inch and 1.6 inches;

24 (C) no reinforcements or additions beyond the end of the shaft;

25 (D) no binding within seven inches of the end of the shaft; and

26 (E) shock absorbing characteristics similar to those of the contact area of the
27 shaft.

28 (c) If a jockey is to ride without a crop [whip], the stewards shall ensure that fact is
29 announced over the public address system.

30 (d) A jockey may not strike [whip] a horse:

CHAPTER 313 OFFICIALS AND RULES OF HORSE RACING

SUBCHAPTER D RUNNING OF THE RACE

RULE § 313.405 CROPS [WHIPS] AND OTHER EQUIPMENT

- 31 (1) on the head, flanks, or on any part of the horse's body other than the shoulders
32 or hind quarters;
- 33 (2) excessively or brutally causing welts or breaks in the skin;
- 34 (3) in the post parade except when necessary to control the horse;
- 35 (4) when the horse is clearly out of the race or has obtained its maximum placing; or
- 36 (5) persistently, if the horse is not responding to the crop [~~whip~~].
- 37 (e) A jockey may not ride in a race unless the jockey wears a safety vest meeting the
38 requirements of §311.218 of this title (relating to Safety Equipment). A safety vest may
39 weigh no more than two pounds.

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CHAPTER 319 VETERINARY PRACTICES AND DRUG TESTING

SUBCHAPTER A GENERAL PROVISIONS

RULE § 319.3 MEDICATION RESTRICTED

1 (a) Except as otherwise provided by this section, a horse or greyhound participating in a
2 race may not carry in its body a prohibited drug, chemical, or other substance.

3 (b) Furosemide at or below the approved tolerance level in a horse that has been admitted
4 to the furosemide program is permissible. The maximum permissible concentration
5 ~~[approved tolerance level]~~ shall be published on the list of therapeutic drugs posted under
6 subsection (c) of this section.

7 (c) ~~[Levels of]~~ Therapeutic drugs that are ~~[which are therapeutic and]~~ necessary for
8 treatment of illness or injury in race animals are permissible, provided that:

9 (1) the therapeutic drug is on a written list of permissible levels of therapeutic
10 medications that is approved by the executive secretary, maintained by the commission
11 veterinarian, and posted in the commission veterinarians' office; and

12 (2) the ~~[maximum permissible urine or blood]~~ concentration of the drug does not
13 exceed the maximum permissible concentration ~~[published limit, if any,]~~ on the written list
14 of therapeutic drugs.

15 (d) Except as otherwise provided by this chapter, a person may not administer or cause
16 to be administered to a horse or greyhound a prohibited drug, chemical, or other
17 substance, by injection, ~~[by]~~ oral or topical administration, ~~[by]~~ rectal infusion or
18 suppository, ~~[by]~~ nasogastric intubation, ~~[or]~~ by inhalation, or ~~[and]~~ any other means~~[.]~~
19 during the 24-hour period before the post time for the race in which the animal is entered.

20 (e) A positive finding by a chemist of a prohibited drug, chemical, or other substance in a
21 test specimen of a horse or greyhound collected on the day ~~[before or after the running]~~
22 of a race, subject to the rules of the commission relating to split specimens, is prima facie
23 evidence that the prohibited drug, chemical, or other substance was administered to the
24 animal and was carried in the body of the animal while participating in a race.

25 (f) Except as provided in subsection (f)(2), clenbuterol is prohibited and shall not be
26 administered to a horse participating in racing at any time.

27 (1) Any horse that is the subject of a finding by the stewards that a test specimen
28 contains clenbuterol shall immediately be placed on the Veterinarian's List for not less
29 than 60 days.

30 (A) In order to have a horse removed from the Veterinarian's List after being placed
31 on the list under this subsection, the trainer must contact a commission veterinarian to
32 schedule a time and test barn location where the horse must be presented after the
33 sixtieth day in order for a commission veterinarian to obtain samples to be submitted to
34 the official laboratory for testing.

35 (B) The cost of each test conducted under this section, including applicable
36 shipping costs, shall be borne by the owner and must be paid in full at the time the
37 samples are shipped to the laboratory.

38 (C) The collected samples must not have any detectable level of clenbuterol. If no
39 detectable level of clenbuterol is present, the horse shall be removed from the
40 Veterinarian's List. If a detectable level of clenbuterol is present, then the horse shall
41 remain on the Veterinarian's List until such time that a collected sample reveals no
42 detectable level of clenbuterol.

43 (D) A horse placed on the Veterinarian's List pursuant to this subsection may not
44 be entered in a race until it has been removed from the list.

45 (2) A horse may only be administered clenbuterol if:

46 (A) the clenbuterol is prescribed by a licensed veterinarian;

47 (B) within 24 hours of initiating treatment, the trainer or owner has submitted a form
48 prescribed by the Commission and signed by the veterinarian to the Commission,
49 indicating:

50 (i) the name of the horse;

51 (ii) the name of the trainer;

52 (iii) the name of the veterinarian;

53 (iv) that the veterinarian has personally examined the horse and made an
54 accurate clinical diagnosis justifying the clenbuterol prescription;

55 (v) the proper dosage and route of administration; and

56 (vi) the expected duration of treatment; and

57 (C) only FDA-approved clenbuterol that is labeled for use in the horse is prescribed
58 and dispensed.

59 (3) A horse that has been administered clenbuterol under subsection (f)(2) shall be
60 placed on the Veterinarian's List for a period ending not less than 30 days after the last

61 administration of the drug as prescribed, subject to a negative clenbuterol test before
62 being removed from the list.

63 (A) In order to have a horse removed from the Veterinarian's List after being placed
64 on the list pursuant to subsection (f)(2), the trainer must contact a commission
65 veterinarian to schedule a time and test barn location where the horse must be presented
66 after the thirtieth day in order for a commission veterinarian to obtain samples to be
67 submitted to the official laboratory for testing.

68 (B) The cost of each test conducted under this section, including applicable
69 shipping costs, shall be borne by the owner and must be paid in full at the time the
70 samples are shipped to the laboratory.

71 (C) The collected samples must not have any detectable level of clenbuterol. If no
72 detectable level of clenbuterol is present, the horse shall be removed from the
73 Veterinarian's List. If a detectable level of clenbuterol is present, then the horse shall
74 remain on the Veterinarian's List until such time that a collected sample reveals no
75 detectable level of clenbuterol.

76 (D) A horse placed on the Veterinarian's List pursuant to subsection (f)(2) may not
77 be entered in a race until it has been removed from the list.