

TEXAS RACING COMMISSION

Laws and Rules Governing Pari-Mutuel Racing in Texas

List of Replacement Pages

March 6, 2012 and May 6, 2012

The current rulebook of the Texas Racing Commission consists of the Rulebook dated MARCH 2010 and the following:

- List of Replacement Pages dated April 1, 2011
- List of Replacement Pages dated August 1, 2011
- List of Replacement Pages dated September 1, 2011 that includes the Preface and the Texas Racing Act, as amended by H.B. 2271 and H.B. 254, 82nd Regular Legislative Session,
- List of Replacement Pages dated January 2, 2012, and the following
- List of Replacement Pages dated March 6, 2012 and May 6, 2012:

Pp. 110 - 112, rev. 5/6/2012

Pp. 163 - 165, rev. 5/6/2012

Pp. 166 -166-B, rev. 3/6/2012

Pp. 171 - 172, rev. 5/6/2012

Pp. 173 - 174, rev. 3/6/2012

Pp. 193 - 194-B, rev. 3/6/2012

Pp. 201 - 202, rev. 3/6/2012

To maintain an updated rulebook, the above pages should be replaced. The Act, the Rules, and revisions are available on the agency's website at www.txrc.state.tx.us. Notification of revisions may be received by providing an email address to info@txrc.state.tx.us. Please type **Rulebook Updates** in the subject line.

Important Disclaimer

The information presented here is offered as a convenience to the public and every effort has been made to ensure its accuracy. However, under state law, this does not constitute the official source for the Texas Racing Act or the Texas Racing Commission's rules.

The official source for the Commission's rules is the Texas Administrative Code, compiled and maintained by the [Texas Secretary of State's office \(www.sos.state.tx.us\)](http://www.sos.state.tx.us).

This page intentionally left blank.

Sec. 307.66 Applicability of Rules and Rulings.

(a) Rules pertaining to a licensee and rulings against a licensee apply to another person if continued participation in an activity by the other person would circumvent the intent of a rule or ruling by permitting the person to serve, in essence, as a substitute for the ineligible licensee because:

(1) the other person is legally liable for the conduct that violated the rule or is the subject of the ruling; or

(2) the other person benefited financially from that conduct.

(b) The fraudulent transfer of a race animal to avoid application of a rule or ruling is prohibited.

(Added eff. 1/1/02)

Sec. 307.67. Appeal to the Commission.

(a) Right to Appeal. A person aggrieved by a ruling of the stewards or racing judges may appeal to the Commission. A person who fails to file an appeal by the deadline and in the form required by this section waives the right to appeal the ruling.

(b) Filing Procedure.

(1) An appeal must be in writing in a form prescribed by the executive secretary. An appeal from a ruling of the stewards or racing judges must be filed not later than 5:00 p.m. of the third calendar day after the day the person is informed of the ruling by the stewards or racing judges. An appeal from the modification of a penalty by the executive secretary must be filed not later than 5:00 p.m. of the fifth calendar day after the person is informed of the penalty modification. The appeal must be filed at the main Commission offices in Austin or with the stewards or racing judges at a Texas pari-mutuel racetrack where a live race meet is being conducted. The appeal must be accompanied by a cash bond in the amount of \$150, to defray the costs of the court reporter and transcripts required for the appeal. The bond must be in the form of a cashier's check or money order.

(2) Record of Stewards'/Judges' hearing. On notification by the executive secretary that an

appeal has been filed, the stewards or racing judges shall forward to the Commission the record of the proceeding being appealed. A person appealing a stewards' or judges' ruling may request a copy of the record of the hearing and the executive secretary may assess the cost of making to the copy to the requestor.

(c) Hearing Procedure. A hearing on an appeal from a ruling by the stewards or racing judges is a contested case and shall be conducted by SOAH in accordance with the Rules regarding contested cases. In an appeal, the appellant has the burden to prove that the stewards' or racing judges' decision was clearly in error.

(d) Effect of Appeal on Fine Payment. If a person against whom a fine has been assessed appeals the ruling that assesses the fine, the person shall pay the fine in accordance with the Rules. If the appeal is disposed of in favor of the appellant, the Commission shall refund the amount of the fine.

(e) Effect of Appeal on Purse Payment. If a ruling that affects the outcome of a race is appealed, the portion of the purse that is involved in the appeal shall be withheld and not distributed. The stewards or racing judges may distribute the portion of the purse that is not involved in or affected by the outcome of the appeal.

(f) Effect of Appeal on Horse Eligibility. If an appeal involves the official order of finish in a horse race, all horses finishing first or declared to be the winner by the stewards carry all penalties of eligibility until the winner is determined through the final resolution of the appeal. (Added eff. 1/1/02; (b) amended eff. 5/6/12)

Sec. 307.68. Stay.

(a) Contemporaneously with filing an appeal from a stewards' or judges' ruling, a licensee whose license is suspended by the ruling may request a stay of the suspension. The executive secretary may grant a stay of the suspension if the executive secretary determines granting the stay is in the interest of justice. The executive secretary may set the term of the stay and may extend a stay if circumstances warrant.

(b) The fact that a stay is granted is not a

PROCEEDINGS BEFORE THE COMMISSION

This page intentionally left blank.

CHAPTER 307

presumption that the ruling by the stewards or racing judges is invalid.

(c) The executive secretary may rescind a stay granted under this section if the executive secretary determines the reasons supporting the original issuance of the stay are no longer valid. (Added eff. 1/1/02)

Section 307.69. Review by Executive Secretary.

(a) Within fourteen days after a board of stewards or judges issues a written ruling under §307.63 of this title (relating to Ruling), the executive secretary **may** review the ruling and modify the penalty. A penalty modified by the executive secretary **may** include a fine not to exceed \$10,000, a suspension not to exceed two years, or both a fine and a suspension.

(b) The decision to modify a penalty must be on a form that includes:

- (1) the full name, license type, and license number of the person who is the subject of the penalty modification;
- (2) the original ruling number and the date the ruling was issued by the stewards or judges;
- (3) the date the modified penalty was issued by the executive secretary;
- (4) the modified penalty imposed;
- (5) a statement of the reason for modifying the penalty; and
- (6) a statement informing the person of the person's right to appeal the ruling, with the modified penalty, to the Commission.

(c) In determining whether to modify a penalty, the executive secretary **may** consider, but is not limited to, the following reasons:

- (1) to further the uniform and consistent treatment of similarly situated individuals; and
- (2) to remedy rulings where the penalties available to the stewards or judges are insufficient to adequately address the violation.

(d) The decision to modify a penalty must be signed by the executive secretary.

(e) The executive secretary shall provide written notice to each person who is subject to a penalty modification decision under this section by:

- (1) sending by certified mail, return receipt requested, a copy of the decision to the person's last known address, as found in the Commission's licensing files; or

(2) personal service by any Commission employee.

(f) An appeal of a ruling whose penalty has been modified under this section must be filed in accordance with §307.67 of this title (relating to Appeal to the Commission). (Amended eff. 5/6/12)

Subchapter D. Rulemaking

Sec. 307.101. Purpose.

As authorized by the Act, §3.02 and other law, the Commission shall adopt rules as authorized and required by law which are necessary for the performance of its duties, to establish standards of conduct for its licensees, to ensure strict compliance with and enforcement of the Act, to ensure uniform practice and procedure, and to provide for public participation, notice of agency actions, and a fair and expeditious determination of matters. (Added eff. 1/1/02)

Sec. 307.102. Rulemaking Procedure.

(a) The executive secretary or a Commissioner may present to the Commission a suggested new rule, amendment to an existing rule, or repeal of a rule.

(b) The executive secretary shall provide a copy of each suggested new rule, amendment to an existing rule, or repeal of a rule to each Commissioner before the Commission meeting at which the rule will be considered.

(c) If the Commission votes to propose a suggested new rule, amendment to an existing rule, or repeal of a rule, the executive secretary shall file the proposal with the Secretary of State for publication in the Texas Register in accordance with the Administrative Procedure Act, Government Code, Chapter 2001.

(d) Contemporaneously with filing with the Texas Register, the executive secretary shall distribute a copy of each proposal to each association. On receipt of a proposal, an association shall promptly post the proposal in a prominent place that will ensure access by interested persons.

PROCEEDINGS BEFORE THE COMMISSION

(e) The documentation filed with the Secretary of State for publication in the Texas Register and the transcript of the Commission meeting at which a rule is finally adopted constitutes the Commission's order adopting the rule. (Added eff. 1/1/02)

Sec. 307.103. Petition for Adoption of Rules.

(a) A person may request the Commission to adopt, amend, or repeal a rule by filing the request in writing with the executive secretary.

(b) The request must include:

(1) the full name, address, and telephone number of the person making the request;

(2) the text of the new section or amendment, or a reference to the section proposed for repeal, identified in a manner sufficient to show the context of the new section, amendment, or repeal;

(3) a suggested effective date;

(4) reasons for the proposed action in narrative form in sufficient detail to inform the Commission fully of the facts on which the person relies;

(5) the desired effect of the proposed section, amendment, or repeal;

(6) the fiscal implications of the proposed section, amendment, or repeal to the state, to units of local government, to small businesses, and to individuals, if any; and

(7) the signature of the person or a representative of the person.

(c) The executive secretary shall inform the Chair of the Commission of each petition for rulemaking filed. The Chair shall determine whether to place the petition on the agenda for a Commission meeting for consideration by the Commission.

(d) Not later than the 60th day after the date a petition under this section is submitted, a state agency shall:

(1) deny the petition in writing, stating its reasons for the denial; or

(2) initiate a rulemaking proceeding under this subchapter. (Added eff. 1/1/02)

Sec. 307.104. Saving Provisions.

The amendment or repeal of a rule does not affect:

(1) the prior operation of the rule or any prior action taken under the rule;

(2) any right, privilege, obligation, or liability previously acquired, accorded, or incurred under the rule;

(3) any violation of the rule or any penalty or punishment incurred under the Rule before its amendment or repeal; or

(4) any investigation, proceeding, or remedy concerning any privilege, obligation, liability, penalty or punishment under the Rule

(Added eff. 1/1/02)

Sec. 307.105. Severability.

If any part of a Commission rule or a rule's application to any person or circumstance is held invalid, the invalidity does not affect other parts or applications of the rules that can be given effect without the invalid part or application, and to this end of the Commission's rules are severable.

(Added eff. 1/1/02)

This space intentionally left blank.

CHAPTER 311. OTHER LICENSES

Subchapter A. Licensing Provisions

Occupational Licenses

Sec. 311.1. Occupational Licenses.

(a) License Required.

(1) A person other than a patron may not participate in racing at which pari-mutuel wagering is conducted unless the person has a valid license issued by the Commission. Any individual who enters an animal is deemed to be a participant in racing.

(2) A licensee may not employ a person to work at a racetrack at which pari-mutuel wagering is conducted unless the person has a valid license issued by the Commission.

(b) Duration of License.

(1) Except as provided in subsection (b)(2) of this section, an occupational license expires one year after the last day of the month in which the license was issued.

(2) An applicant for the following occupational license types may choose to have a multi-year license which expires on the last day of the month two years or three years after the month in which the license was issued; kennel owner, kennel owner/owner, kennel owner/owner/trainer, kennel owner/trainer, owner, owner/trainer, trainer, veterinarian, jockey, or multiple owner/stable/farm registration license.

(3) A training facility license expires on December 31 of the year for which it was issued.

(c) License Conditions.

(1) Except as otherwise provided by this section, a license issued by the Commission is a privilege, not a right, and is conditioned on the licensee's compliance with the Act and the Rules.

(2) If the Act or a rule is amended, the continued holding of a license is conditioned on the licensee's compliance with the Act or rule as amended.

(d) Effect of Acceptance. By accepting a license issued by the Commission, a person

consents to:

(1) a search by the Commission of the person and the person's possessions at a racetrack to check for violations of the Act or the Rules;

(2) seizure of contraband; and

(3) testing for alcohol and controlled substances in accordance with Subchapter D of this chapter. (Added eff. 10/21/99; (b) amended eff. 1/8/04; (a) amended eff. 3/20/08)

Sec. 311.2. Application Procedure.

(a) General Requirements. To request a license from the Commission, a person must apply to the Commission on forms prescribed by the executive secretary.

(b) Application Site.

(1) Except as provided in subsection (b)(2) and (b)(3) of this section, an applicant for an occupational license must file the appropriate application form and related documents at the licensing office at a licensed racetrack.

(2) An applicant for the following occupational license types may file the appropriate application form and related documents by mail to the main office of the Commission in Austin; kennel owner, kennel owner/owner, kennel owner/owner/trainer, kennel owner/trainer, owner, owner/trainer, trainer, multiple owner/stable/farm registration, training facility employee, and training facility general manager/CEO.

(3) An applicant who is eligible to renew an occupational license through the Texas OnLine portal may file the required application information through the Texas OnLine portal.

(c) Examinations. The Commission may require the applicant for an occupational license to demonstrate the applicant's knowledge, qualifications, and proficiency for the license applied for by an examination prescribed by the Commission.

(d) Issuance of License.

(1) The stewards or racing judges may review any application for an occupational license and deny a license if the stewards or racing judges

OTHER LICENSES

determine:

(A) grounds for denial of the license exist under §311.6 of this title (relating to Denial, Suspension, and Revocation of Licenses); or

(B) if the applicant or a member of the applicant's family or household currently holds a Commission license, after considering the nature of the licenses sought or held by the applicant, issuing a license to the applicant would create a conflict of interest that might affect the integrity of pari-mutuel racing.

(2) An occupational licensee may not act in any capacity other than that for which he or she is licensed.

(3) The stewards or racing judges may issue a license subject to the applicant satisfying one or more conditions, as specified by the stewards or racing judges, which reasonably relate to the applicant's qualifications or fitness to perform the duties of the license sought.

(e) License Badge.

(1) The Commission shall issue a certificate identification card in the form of a license badge to each individual licensed under this subchapter.

(2) The badge must bear the seal of the Commission.

(3) The badge must contain:

(A) the licensee's full name;

(B) the licensee's photograph;

(C) the category of license;

(D) the month and year in which the license expires;

(E) a color code that designates whether the licensee has access to the stable or kennel area; and

(F) the license number assigned by the Commission.

(4) If a badge issued under this section is lost or stolen, the licensee shall immediately notify the Commission and may apply for a duplicate badge with the same terms as the original badge. To apply for a duplicate badge, the licensee must:

(A) file a sworn affidavit stating that the badge was lost, stolen, or destroyed;

(B) surrender any remaining portion of the badge; and

(C) pay a duplicate badge fee in an amount set by the Commission. (Added eff. 10/21/99; (d) amended eff. 1/8/04; (b) amended eff. 10/25/04)

Sec. 311.3. Information for Background Investigation.

(a) Fingerprint Requirements and Procedure.

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

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

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

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

(2) The fingerprints must be taken by a peace officer or a person authorized by the Commission.

(3) Not later than 10 business days after the day the Commission receives the sets of fingerprints under this section, the Commission shall forward the fingerprints to the Department of Public Safety.

(4) A person who desires to renew an occupational license must:

(A) have submitted a set of fingerprints pursuant to this section within the three years prior to renewal;

(B) provide a new set of fingerprints for classification by the Federal Bureau of Investigation; or

(C) if the applicant's original fingerprints are classified and on file with the Department of Public Safety, the applicant must pay a processing fee of \$34.25 to resubmit the original fingerprints in lieu of submitting another set of fingerprints under paragraph (6) of this subsection.

(5) Waiver.

(A) Pursuant to Texas Civil Statutes, Article 179e, §7.10, the Commission will waive the fingerprint requirements in this section for an applicant for an owner or trainer license if:

(i) the individual presents proof of a valid owner or trainer license issued in a racing jurisdiction that requires the submission of fingerprints to the Federal Bureau of Investigation and the Commission verifies that fingerprints were submitted by that jurisdiction for the applicant within the three years preceding the date of the application in Texas; and

(ii) the applicant's permanent residence is outside the State of Texas.

(B) This subsection does not apply to an applicant who:

(i) has a criminal history in another state, as revealed by a report by the Federal Bureau of Investigation or other reliable criminal information sources;

(ii) maintains a residence or is employed, whether self-employed or otherwise, in Texas; or

(iii) obtains a license badge issued by the Commission which gives the applicant access to a restricted area on association grounds.

(C) Notwithstanding a waiver of the fingerprint requirements under this subsection, the Commission reserves the right, at its sole discretion, to require the submission of fingerprints after a license has been issued.

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

(b) Criminal History Record.

(1) For each individual who submits fingerprints under subsection (a) of this section, the Commission shall obtain a criminal history record maintained by the Texas Department of Public Safety and the Federal Bureau of Investigation.

(2) The Commission **may** obtain criminal history record information from any law enforcement agency.

(3) Except as otherwise provided by this subsection, the criminal history record information received under this section from any law enforcement agency that requires the information to be kept confidential as a condition of release of the information is for the exclusive use of the Commission and its agents and is privileged and confidential. The information **may** not be released or otherwise disclosed to any person or agency except in a criminal proceeding, in a hearing conducted by the Commission, on court order, or with the consent of the applicant. Information that is in a form available to the public is not privileged or confidential under this subsection and is subject to public disclosure.

(Added eff. 10/21/99; (a) amended eff. 9/1/00; (a) amended eff. 7/1/03; (a) amended eff. 12/07/08; (a) amended eff. 12/8/11); (a) amended eff. 5/6/12)

Sec. 311.4. Occupational License Restrictions.

(a) Non-Transferable.

(1) Except as otherwise provided by this section, a license issued by the Commission is personal to the licensee and is not transferable.

(2) If the death of a licensee creates an undue hardship or results in a technical violation of the Act or a Rule, on application of a person who wishes to operate or work under the license, the Commission may issue a temporary license to the person for a period specified by the Commission not to exceed one year.

(b) Education. To be eligible to receive a license to participate in racing with pari-mutuel wagering, an individual who is under 18 years of age must present to the Commission proof that the individual:

(1) has graduated from high school or received an equivalent degree; or

(2) is currently enrolled in high school or equivalent classes. (Added eff. 10/21/99)

OTHER LICENSES

Sec. 311.5. License Categories and Fees.

(a) An applicant for a license must submit with the application documents the license fee in the amount set by the Commission in subsection (d) of this section.

(b) A license fee paid at a racetrack or at the Commission's headquarters must be paid by a money order, a certified check, a cashier's check, a credit card, or a personal check. The executive secretary may approve payment in cash at a racetrack if the association submits a plan that is approved by the executive secretary. The plan shall provide for the safety and security of the licensing office where the cash will be received and stored and licensing employees who will be responsible for handling and depositing the cash received. A license fee paid through the Texas OnLine portal may be paid by any method approved by the Texas OnLine Authority.

(c) Association Employees. Association employees in the following occupations must hold valid licenses issued by the Commission to work on association grounds:

(1) Adoption Program Personnel - A person employed by a greyhound association to work with an adoption program.

(2) Announcer - A person employed to announce races.

(3) Assistant Starter - A person employed to perform duties required by the Starter at the starting gate of a horse racetrack.

(4) Association Management Staff - A person employed to manage a department and who has the authority to hire or fire other employees or whose recommendations as to hiring and firing decisions are given particular weight.

(5) Association Officer/Director - A person employed as an officer of an association or who serves on an association's board of directors or management committee.

(6) Association Staff (with Access to Backside or Secured Areas) - A person employed to provide various services on the backside or in areas of a racetrack that are required by the Commission to be secured. These services may include, but are not limited to, clerical,

accounting, admissions, food service, housekeeping, and general maintenance.

(7) Association Veterinarian - A person employed to provide veterinary services for greyhounds.

(8) Law Enforcement - A person employed as a security officer who is commissioned as a Texas peace officer.

(9) Lead Out - A person employed to lead greyhounds in the post parade to the starting box.

(10) Maintenance - A person employed to work or maintain the racetrack.

(11) Medical Staff - A person employed directly by the association to provide medical assistance.

(12) Mutuel Clerk - A person employed to work at the betting windows.

(13) Mutuel Other - A person employed in the mutuel department in a capacity other than mutuel clerk.

(14) Racing Official - A person employed to act as an official under Chapter 313 of this Title (relating to Officials and Rules of Horse Racing) or Chapter 315 of this Title (relating to Officials and Rules for Greyhound Racing).

(15) Security Officer - A person employed to provide security for the racetrack grounds.

(16) Test Technician - A person employed to collect blood and urine samples and provide other services in the test barn or testing area.

(17) Test Barn Escort - A person employed to lead horses from the finish line to the test barn for post race testing.

(18) Valet - A person employed to assist jockeys with their tack and silks in the jockeys' rooms.

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

Type of License.....	1 Year Fee.....	2 Year Fee.....	3 Year Fee.....
Adoption Program Personnel	\$ 25		
Announcer.....	\$ 35		
Apprentice Jockey.....	\$ 75		
Assistant Farrier/Plater/Blacksmith....	\$ 25		
Assistant Starter	\$ 25		
Assistant Trainer	\$ 100		
Assistant Trainer/Owner	\$ 100		
Association Assistant Management....	\$ 50		

CHAPTER 311

Association Management Personnel ..	\$ 75	.....	
Association Officer/Director	\$ 100	.....	
Association Other.....	\$ 75	.....	
Association Staff.....	\$ 35	.....	
Association Veterinarian.....	\$ 75	.....	
Authorized Agent.....	\$ 15	.....	
Chaplain.....	\$ 25	.....	
Chaplain Assistant.....	\$ 25	.....	
Exercise Rider.....	\$ 25	.....	
Farrier/Plater/Blacksmith	\$ 75	.....	
Groom/Hot Walker	\$ 25	.....	
Jockey	\$ 100	.....	\$ 200	..... \$ 300
Jockey Agent.....	\$ 100	.....	
Kennel.....	\$ 75	.....	
Kennel Helper	\$ 25	.....	
Kennel Owner	\$ 100	.....	\$ 200	.....\$300
Kennel Owner/Owner	\$ 100	.....	\$ 200	.....\$300
Kennel Owner/Owner-Trainer	\$ 100	.....	\$ 200	.....\$300
Kennel Owner/Trainer	\$ 100	.....	\$ 200	.....\$300
Lead-Out	\$ 25	.....	
Maintenance.....	\$ 35	.....	
Medical Staff.....	\$ 35	.....	
Miscellaneous	\$ 25	.....	
Multiple Owner	\$ 35	.....	\$ 70	..... \$ 100
Mutuel Clerk	\$ 35	.....	
Mutuel Other.....	\$ 35	.....	
Owner.....	\$ 100	.....	\$ 200	.....\$300
Owner-Trainer.....	\$ 100	.....	\$ 200	.....\$300
Pony Person	\$ 25	.....	
Racing Industry Representative	\$ 100	.....	
Racing Industry Staff	\$ 30	.....	
Racing Official.....	\$ 50	.....	
Security Officer.....	\$ 30	.....	
Stable Foreman	\$ 50	.....	
Test Technician	\$ 25	.....	
Tooth Floater.....	\$ 100	.....	
Trainer.....	\$ 100	.....	\$ 200	.....\$300
Training Facility Employee.....	\$ 30	.....	
Training Facility General Manager....	\$ 50	.....	
Valet.....	\$ 25	.....	
Vendor Concessionaire	\$ 100	.....	
Vendor/Concessionaire Employee	\$ 30	.....	
Vendor/Totalisator	\$ 500	.....	
Vendor/Totalisator Employee	\$ 50	.....	
Veterinarian.....	\$ 100	.....	\$ 200	.....\$300
Veterinarian Assistant	\$ 30	.....	

(Added eff. 10/21/99; (b) amended eff. 6/1/01(c) amended eff. 5/10/04; (b) amended eff. 9/8/04; amended eff. 8/1/09; amended eff. 3/6/12)

deny, suspend, or revoke a license issued by the Commission.

(2) If the licensee is not an individual, the grounds for denial, suspension, or revocation of a license apply if a director, officer, or partner of the licensee or an individual who owns an interest in the licensee of 5.0% or more engages in the conduct for which a license may be denied, suspended, or revoked.

(3) Unless specifically ordered otherwise, if the Commission, stewards, or racing judges suspend one occupational license held by an individual, all occupational licenses held by that individual are considered suspended for the term of the suspension.

(b) Grounds for Denial, Suspension, and Revocation of Licenses.

(1) Violations or Convictions. A license may be denied, suspended or revoked if it is determined that the licensee has:

(A) violated or caused to be violated the Act or a Rule;

(B) been convicted in a court of competent jurisdiction of violating the Act or a Rule;

(C) been convicted of a felony;

(D) been convicted of a crime of moral turpitude that is reasonably related to the licensee’s fitness to hold a license in accordance with §303.202 of this title (relating to Guidelines);

This space intentionally left blank.

Sec. 311.6. Denial, Suspension and Revocation of Licenses.

(a) Applicability.

(1) After notice and hearing in accordance with Chapter 307 of his title (relating to Proceedings before the Commission), the Commission, stewards, or racing judges may

OTHER LICENSES

This page intentionally left blank.

(c) Owner Suspended. A kennel owner may not retain a greyhound in the kennel owner's care and custody if the Commission has suspended or revoked the license of the owner of the greyhound.

(d) Use of Texas-Bred Greyhounds.

(1) Except as otherwise provided by this section, a kennel owner shall ensure that at least 20% of the greyhounds on the active list of the kennel are accredited Texas-bred greyhounds.

(2) During the first two years in which a kennel is under contract with an association, the kennel owner shall ensure that the following percentage of the greyhounds on the active list are accredited Texas-bred greyhounds:

- (A) for the first year, 5.0%; and
- (B) for the second year, 10%.

(3) The racing secretary of an association shall maintain the records necessary to enforce this section. If the racing secretary determines that a kennel owner is in violation of this section, the racing secretary shall notify the racing judges. The racing judges may take disciplinary action against the kennel owner, including requiring the kennel owner to take the necessary action to achieve the appropriate percentages.

(e) Restrictions on Placement in Kennels. A person who owns an interest in a kennel booked at one Texas racetrack may not:

- (1) own an interest in another kennel booked at that racetrack;
- (2) be residentially domiciled with a person who owns an interest in another kennel booked at that racetrack; or
- (3) own an interest in a greyhound that is racing out of another kennel booked at that racetrack.

(f) Breeding farm inspection reports. Upon request of the executive secretary, a kennel owner shall provide a copy of the report of the most recent inspection conducted by the National Greyhound Association for the breeding farm from which each greyhound was whelped.

(Added eff. 10/21/99; (d) amended eff. 4/1/01; (e) amended eff. 1/1/02; (f) added 3/13/02; (e) amended eff. 5/6/12)

Sec. 311.104. Trainers.

(a) Licensing.

(1) Except as otherwise provided by this subsection, a trainer must obtain a trainer's license before the trainer may enter a horse or greyhound in a race. A trainer may enter a horse or greyhound in a stakes race without first obtaining a license, but must obtain a license before the horse or greyhound may start in the stakes race. Except as otherwise provided by this section, to be licensed by the Commission as a trainer, a person must:

- (A) be at least 18 years old;
- (B) submit a minimum of two written statements from licensed trainers, veterinarians, owners, or kennel owners, attesting to the applicant's character and qualifications;
- (C) interview with the board of stewards or judges;
- (D) satisfactorily complete a written examination prescribed by the Commission; and
- (E) satisfactorily complete a practical examination prescribed by the Commission and administered by the stewards or racing judges or designee of the stewards or racing judges.

(2) Examinations.

(A) A \$50 non-refundable testing fee is assessed for administering the written and practical examinations. The fee is due and payable at the time the written examination is scheduled. If the applicant fails the written or practical examination, the applicant will be allowed to retake it once without an additional fee. The applicant must pay a \$50.00 non-refundable testing fee to schedule an examination after each retest. A minimum of 48 hours advance notice is required to reschedule an examination appointment without loss of the testing fee. An applicant who fails to timely reschedule an examination appointment must pay a new testing fee to reschedule the appointment. A steward or judge may waive the additional fee if, in the opinion of the steward or judge, the applicant shows good cause for the failure to timely reschedule an examination appointment.

OTHER LICENSES

(B) The standard for passing the written examination must be printed on the examination. An applicant who fails the written examination may not take the written examination again before the 90th day after the applicant failed the written examination. An applicant who fails the written examination for a second or any subsequent time may not reschedule the written examination for 180 calendar days after the last failure and the applicant must pay an additional \$50 non-refundable testing fee. After successful completion of the written exam an applicant has 365 calendar days to successfully complete the practical exam.

(C) An applicant who fails the practical examination may not reschedule the practical examination again before the 180th day after the applicant failed the practical examination. An applicant who fails the practical examination for a second time may not reschedule another practical examination for 365 calendar days after the day the applicant failed the second practical examination and the applicant must pay an additional \$50 non-refundable testing fee.

(D) The Commission may waive the requirement of a written and/or practical examination for a person who has a current license issued by another pari-mutuel racing jurisdiction. If a person for whom the examination requirement was waived demonstrates an inability to adequately perform the duties of a trainer, through excessive injuries, rulings, or other behavior, the stewards or racing judges may require the person to take the written and/or practical examination. If such a person fails the examination, the stewards or racing judges shall suspend the person's license for 90 days with reinstatement contingent upon passing the written and/or practical examination.

(3) A trainer must use the trainer's legal name to be licensed as a trainer. A trainer who is also an owner may use a stable name or kennel name in the capacity of owner.

(4) To be licensed as an assistant trainer, a person must qualify in all respects for a trainer's

license and be in the employ of a licensed trainer. An assistant trainer's license carries all the privileges and responsibilities of a trainer's license.

(b) Absolute Insurer.

(1) A trainer shall ensure the health and safety of each horse or greyhound that is in the care and custody of the trainer.

(2) A trainer shall ensure that a horse or greyhound that runs a race while in the care and custody of the trainer or kennel owner is free from all prohibited drugs, chemicals, or other substances.

(3) A trainer who allows a horse or greyhound to be brought to the paddock or lockout kennel warrants that the horse or greyhound:

(A) is qualified for the race;

(B) is ready to run;

(C) is in a physical condition to exert its best efforts; and

(D) is entered with the intent to win.

(c) Health Reports.

(1) A trainer shall immediately notify the Commission veterinarian or designee of unusual symptoms in a horse or greyhound that is in the trainer's care and custody.

(2) Not later than one hour after finding a dead horse or greyhound on association grounds, a trainer shall notify the stewards or racing judges and the Commission veterinarian, or their designee, of the death. In the absence of regulatory personnel, the trainer shall notify security personnel on the association grounds.

(d) Owner Suspended. A trainer may not retain a horse or greyhound in the trainer's care and custody if the Commission has suspended or revoked the license of the owner of the horse or greyhound.

(e) An individual who is licensed to work for a trainer is not permitted in the stable or kennel area on association grounds unless the licensee is employed by and doing work for a trainer on the association grounds. An individual in the stable or kennel area on association grounds who is not in the employ of and doing work for a trainer may be ejected from the

stable or kennel area on the association grounds.

(f) Restrictions on Racing. A trainer may not enter a race animal or cause a race animal to be entered in a race at a racetrack if:

(1) the owner or trainer is employed by the racetrack association in a management or supervisory position that is capable of affecting the conduct of races or pari-mutuel wagering at the racetrack; or

(2) the owner or trainer is involved in any way with the sale or publication of tip sheets on association grounds.

(g) Trainer Employees.

(1) A trainer may not employ an individual who is less than 16 years of age to work for the trainer on an association's grounds.

(2) A trainer may not employ a jockey to prevent the jockey from riding in a race.

(h) Trainer Absent. If a trainer must be absent because of illness or any other cause, the trainer shall appoint another licensed trainer to fulfill his or her duties, and promptly report the appointment to the stewards or racing judges for approval. The absent trainer and substitute trainer have joint responsibility for the condition of the race animals normally trained by the absent trainer.

(i) Suspended, Revoked or Ineligible Horse Trainers.

(1) A person may not assume the responsibilities of a horse trainer who is ineligible to be issued a license or whose license is suspended or revoked if the person is related to the trainer within the first degree of consanguinity or affinity.

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

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

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

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

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

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

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

(j) Reporting to Clocker. When taking a horse onto a racetrack to work, a horse trainer or an assistant of the trainer shall report the horse's name and the distance to be worked to the morning clocker or an assistant clocker or shall instruct the jockey or exercise rider to transmit the information to the clocker or assistant clocker.

(k) Other Responsibilities - A trainer is responsible for:

(1) the condition and contents of stalls/kennels, tack rooms, feed rooms, and other areas which have been assigned by the association;

(2) maintaining the assigned stable/kennel area in a clean, neat and sanitary condition at all times;

(3) ensuring that fire prevention rules are strictly observed in the assigned stable/kennel area;

(4) training all animals owned wholly or in part by the trainer that are participating at the race meeting;

(5) ensuring that, at the time of arrival at a licensed racetrack, each animal in the trainer's care is accompanied by a valid health certificate/certificate of veterinary inspection;

(6) using the services of those veterinarians licensed by the Commission to attend animals that are on association grounds;

(7) promptly notifying the official veterinarian of any reportable disease and any

OTHER LICENSES

unusual incidence of a communicable illness in any animal in the trainer's charge;

(8) immediately reporting to the stewards/judges and the official veterinarian if the trainer knows, or has cause to believe, that an animal in the trainer's custody, care or control has received any prohibited drugs or medication;

(9) maintaining a knowledge of the medication record and status of all animals in the trainer's care;

(10) ensuring the fitness of an animal to perform creditably at the distance entered;

(11) ensuring that the trainer's horse is properly shod, bandaged and equipped; and

(12) reporting the correct sex of the horses in his/her care to the Commission veterinarian and the horse identifier. (Added eff. 10/21/99; (a) amended 1/1/03; (c),(f) amended eff. 1/8/04; (a) amended 3/20/08; (k) added eff. 3/20/08; amended eff. 7/14/09; (a) amended eff. 1/5/10; (k) amended eff. 3/6/12)

Sec. 311.105. Jockeys.

(a) License

(1) To be licensed as a jockey or apprentice jockey, an individual must be at least 16 years of age and provide proof of a satisfactory physical examination as described in subsection (b) of this section.

(2) An individual licensed as a jockey or apprentice jockey may not be licensed in another capacity.

(3) To be licensed as a jockey or apprentice jockey, an individual must have a certificate of proficiency issued by a starter licensed in this state or be currently licensed in another state as a jockey or apprentice jockey.

(b) Physical Examination.

(1) To be eligible to ride in a race, a jockey or apprentice jockey must have on file with the Commission proof of a satisfactory physical examination conducted during the 12-month period preceding the date of the race.

(2) An examination required by this section must be performed by a licensed physician and include tests for visual acuity and hearing.

(3) The Commission or the stewards may require a jockey or apprentice jockey to be reexamined at any time and may refuse to permit a jockey or apprentice jockey to ride until proof of a satisfactory examination is submitted.

(c) Apprentice Jockeys.

(1) An apprentice jockey is a rider of thoroughbreds who:

(A) is permitted to ride with the apprentice weight allowance in accordance with Chapter 313 of this title (relating to Officials and Rules of Horse Racing); and

(B) is otherwise qualified to be licensed as a jockey.

(2) The Rules relating to a jockey apply to apprentice jockeys.

(d) Jockey Conduct.

(1) A jockey may not ride under an assumed name.

(2) A jockey may not use an attendant on a race day other than one supplied by the association.

(3) A jockey may not smoke in public while wearing racing colors. (Added eff. 10/21/99)

Sec. 311.106. Veterinarians.

To be eligible to be licensed by the Commission and hold a license as a veterinarian, an individual must be currently licensed and in good standing with the Texas State Board of Veterinary Medical Examiners. (Added eff. 10/21/99; amended eff. 11/8/04; (a), (b), (c) amended eff. 3/20/08)

Sec. 311.107. Lessee/Lessor.

(a) A race animal may be raced under lease provided a completed lease form is attached to the registration certificate and is on file with the racing secretary.

(b) The lessee and lessor of a horse or greyhound for racing purposes must obtain an owner's license in accordance with §311.101(a) of this title (relating to Horse Owners) and §311.102(a) of this title (relating to Greyhound Owners). (Added eff. 10/21/99; (a) amended eff. 1/8/04)

colors, or weight change.

(d) The clerk of scales shall:

(1) provide the association with a report of the weight carried in each race and the names of the jockeys, specifying any overweight; and

(2) provide to the horsemen's bookkeeper a program that indicates all jockey changes and the order of finish for each race.

(e) The clerk of scales shall supervise the conduct of the jockeys and their attendants while they are in the jockeys' room.

(f) The clerk of scales shall maintain a record of applicable winning races on all apprentice certificates. At the end of the race meeting or on the departure of an apprentice jockey, the clerk of scales shall deliver the appropriate apprentice certificate to the apprentice jockey. (Added eff. 8/30/89; (d), (e) amended eff. 10/11/90; (a) amended eff. 10/30/00; (c),(d) amended eff. 4/4/05)

Sec. 313.46. Placing Judges.

(a) The placing judges shall place the horses as they pass the finish line and display the results.

(b) In the event of a photofinish or if the placing judges are not unanimous as to the correct order of finish, the judges shall submit a photograph of the finish to the stewards for examination and a determination of the result. The decision of the stewards under this subsection is final. (Added eff. 8/30/89)

Sec. 313.47. Patrol Judges.

The patrol judges, if used, shall view the running of each race from the appropriate patrol tower and report to the stewards each incident occurring during the race. (Added eff. 8/30/89; amended eff. 10/30/00)

Sec. 313.48. Commission Veterinarians.

The commission veterinarians shall supervise all veterinary practices on association grounds, advise the executive secretary and the stewards on all veterinary matters, and perform all other duties required by the executive secretary or the Rules. (Added eff. 8/30/89; amended eff. 10/30/00)

Sec. 313.49. Starter.

(a) The starter shall issue orders and take measures necessary to ensure a fair start.

(b) The starter may appoint assistant starters. The starter shall ensure the assistant starters have adequate training in the safe handling of horses in the starting gate.

(c) The starter shall maintain a list of horses that are ineligible to start in a race because of poor or inconsistent performance or behavior at the starting gate that endangers the health or safety of other participants in racing. To be removed from the starter's list, a horse must be schooled in the starting gate and demonstrate to the satisfaction of the starter that the horse is capable of standing safely in the starting gate.

(d) The starter shall assign the stall positions to assistant starters at random. The starter may not notify the assistant starters of their respective stall positions for a race more than 10 minutes before post time for the race.

(e) The starter shall assess the ability of each individual, applying for an apprentice jockey's license for the first time, in breaking from the starting gate and working a horse in the company of other horses. (Added eff. 8/30/89; (c) amended eff. 10/1/96; (a) amended eff. 10/30/00)

Sec. 313.50. Horse Identifier.

(a) The horse identifier shall identify each horse prior to the race while it is in the pre-race holding area or paddock. The horse identifier shall immediately report to the stewards and paddock judge a horse that is not properly identified or that has any irregularities from the official identification record.

(b) The horse identifier shall determine the true sex of each horse prior to the race while it is in the pre-race holding area or paddock. The horse identifier shall report to the stewards any discrepancies and take all actions necessary to correct racing program information and identification documents.

(c) The horse identifier shall inspect, identify, and prepare identification records on all horses that race at a race meeting.

OFFICIALS AND RULES OF HORSE RACING

(d) The horse identifier shall inspect documents of ownership, eligibility, registration, or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting.

(e) The horse identifier shall supervise the tattooing or branding for identification of any horse located on association grounds. (Added eff. 8/30/89; (b) amended eff. 10/11/90; (a), (b) amended eff. 10/30/00; amended eff. 3/6/12)

Sec. 313.51. Horseshoe Inspector.

(a) The horseshoe inspector shall inspect the horseshoes of each horse in the paddock. The inspector shall immediately report to the stewards and paddock judge a horse that is improperly shod.

(b) The horseshoe inspector shall maintain a record of unusual types of racing plates worn by each horse scheduled to race. With the approval of the stewards, the horseshoe inspector may order adjustments or corrections to the racing plates of a horse. (Added eff. 8/30/89; (a),(b) amended eff. 10/30/00)

Sec. 313.52. Jockey Room Custodian.

(a) In the absence of the clerk of scales, jockey room custodian shall supervise the conduct of the jockeys and their attendants while they are in the jockey room.

(b) The jockey room custodian shall:

(1) keep the jockey room clean and safe for all jockeys;

(2) ensure all jockeys are in the correct colors before leaving the jockey room to prepare for mounting their horses;

(3) keep a daily video review list as dictated by the stewards and have it displayed in plain view for all jockeys;

(4) keep a daily program displayed in plain view for the jockeys so they may have ready access to mounts that may become available;

(5) keep unauthorized individuals out of the jockey room; and

(6) report to the stewards any unusual occurrences in the jockey room. (Added eff. 8/30/89; (a),(b) amended eff. 10/30/00)

Sec. 313.53. Mutuel Manager.

(a) In addition to other duties described in these Rules, the mutuel manager shall supervise the operations of the pari-mutuel department of the association and its employees. The mutuel manager shall ensure the accuracy of the amounts in all pools and the amounts to be paid on winning wagers.

(b) The mutuel manager may designate a representative to serve in the mutuel manager's absence, subject to approval by the executive secretary. (Added eff. 11/3/89; (b) added eff. 5/1/96; (a) amended eff. 4/4/05)

Sec. 313.54. Track Superintendent.

The track superintendent shall ensure that the racetrack is properly maintained. The track superintendent shall ensure that all track equipment is operable for all races and during training hours. (Added eff. 11/3/89)

Sec. 313.55. Assistant Racing Secretary.

The assistant racing secretary shall perform any duty assigned by the racing secretary and shall assist the racing secretary in the performance of the racing secretary's duties. (Added eff. 11/3/89)

Sec. 313.56. Stable Superintendent.

The stable superintendent shall supervise the systematic placement of horses in stalls. The stable superintendent shall maintain a log of all horses arriving and departing the stable area. (Added eff. 11/3/89; amended eff. 10/11/90; amended eff. 1/3/96)

Sec. 313.57. Announcer.

The announcer shall promptly make all announcements to the patrons that are required by the Rules, including announcements regarding scratches, jockey changes, jockey overweights, and other information pertinent to the running of the race. The announcer shall make all announcements from the stewards regarding objections and inquiries concerning a race. (Added eff. 11/3/89; amended eff. 10/30/00)

CHAPTER 313

Sec. 313.58. Outriders.

The outriders shall ensure the post parade is conducted in an orderly manner. The outriders shall retrieve loose horses or horses that run off during racing or training hours. (Added eff. 11/3/89)

Sec. 313.59. Assistant Starters.

The assistant starters shall be supervised by the starter. The assistant starters shall load the horses into the starting gate and, when required, head the

This space intentionally left blank.

This page intentionally left blank.

Scale of Weights for Age

Distance	Age	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
½ mile	2	-	-	-	116	116	116	120	120	120	122	122	122
	3	120	120	120	121	122	123	123	124	124	125	125	125
	4+	126	126	126	126	126	126	126	126	126	126	126	126
¾ mile	2	-	-	-	-	116	116	118	118	118	120	120	120
	3	119	119	119	120	120	121	122	123	124	124	125	125
	4+	126	126+	126	126	126	126	126	126	126	126	126	126
1 mile	2	-	-	-	-	-	-	-	116	116	118	118	118
	3	118	118	118	119	120	121	122	122	123	123	124	124
	4+	126	126+	126	126	126	126	126	126	126	126	126	126
1 ¼ mile	2	-	-	-	-	-	-	-	116	116	116	116	116
	3	117	117	117	118	119	119	120	120	121	121	122	122
	4+	124	124	124	124	124	124	124	124	124	124	124	124
1 ½ mile	2	-	-	-	-	-	-	-	116	116	116	116	116
	3	116	116	116	117	117	117	118	118	118	119	120	121
	4+	122	122	122	122	122	122	122	122	122	122	122	122

(b) Except for a race in which the conditions expressly provide otherwise, the weight to be carried by a quarter horse, paint horse, or Appaloosa horse in a race during all months and for all distances shall be as follows:

- (1) for two-year olds, 120 pounds;
- (2) for three-year olds, 123 pounds; and
- (3) for four-year olds and older, 126

pounds. (Added eff. 8/30/89; amended eff. 10/30/00)

Subchapter C. Claiming Races

Sec. 313.301. Eligibility to Claim.

(a) Except as otherwise provided by this section, in a claiming race, each horse is subject to be claimed for its entered price by:

- (1) a licensed owner or lessee or an authorized agent acting on behalf of the owner or lessee; or
- (2) a person who has applied for an owner's license and has been granted approval by the stewards to make a claim.

(b) A claim may not be made directly or indirectly by an owner for his or her own horse.

(c) If the person making a claim is a minor, the claim must be co-signed by a licensed adult parent or guardian of the minor. A parent or guardian who co-signs a claim is liable for the claim. A claim made by a minor that is not co-signed in accordance with this subsection is invalid. (Added eff. 8/30/89; (a), (b) amended eff. 10/11/90; (a) amended eff. 5/1/96; (c) added eff. 1/5/10)

Sec. 313.302. Claim Procedure.

(a) A steward or a designee of the stewards shall supervise the making of claims and ensure the accuracy of all claims made in a race.

(b) A claim must be made in writing on forms and in envelopes approved by the executive secretary. The form and envelope must be filled out completely and must be accurate in every detail. For purposes of this section, the name of the horse as it appears in the official program governs.

(c) The person making a claim is responsible for determining the sex of the horse.

(d) A claim must be time stamped with the official track time shown on the tote board and deposited in a locked box provided by the racing secretary not later than 15 minutes before post time of the race in which the horse being claimed is to start. A person may not place money or its equivalent in the claim box.

(e) Before the deadline for filing claims for a race, a person may not:

- (1) open the box in which claims are deposited; or
- (2) reveal information regarding the filing of a claim.

(f) After the deadline for filing claims for a race, a steward or a designee of the stewards shall open the box, examine the claims, and notify the stewards of all accurate claims. The steward or designee will then notify the horsemen's bookkeeper of the claims to determine whether the appropriate amount is on deposit with the bookkeeper in accordance with this subchapter and to debit the claimant's account for the amount of the claim, plus all applicable fees. If more than one person enters a claim for a horse, a steward or a designee of the stewards shall determine the disposition of the horse by lot.

(Added eff. 8/30/89; (f) amended eff. 10/11/90; (d) amended eff. 1/2/92; (b),(d),(f) amended eff. 10/30/00)

Sec. 313.303. Effective Time of Claim.

(a) A person who has a valid claim to a horse becomes the owner of the horse when the horse steps on to the racetrack for the race. This

OFFICIALS AND RULES OF HORSE RACING

subsection applies regardless of whether the horse reaches the starting gate and regardless of subsequent injury to the horse during or after the race.

(b) On the day claimed, a claimed horse runs in the interest of and for the account of the owner from whom the horse was claimed. (Added eff. 8/30/89; (a) amended eff. 10/11/90; (b) added eff. 10/11/90; (a) amended eff. 5/1/92; (a) amended eff. 4/4/05)

Sec. 313.304. Claim Irrevocable.

(a) Except as otherwise provided by this section, a claim that is filed in accordance with this subchapter is irrevocable.

(b) If the stewards declare a claiming race a "no race", all claims for that race are invalid. (Added eff. 8/30/89; (b) amended eff. 7/1/92)

Sec. 313.305. Amounts on Deposit.

(a) To make a valid claim, a person must have on deposit with the horsemen's bookkeeper an amount equal to the amount of the claim, plus all transfer fees, in the form of cash, money order, certified check, or cashier's check.

(b) A person who files a claim may not exhaust the person's account with the horsemen's bookkeeper during the two-hour period after the claim was filed. (Added eff. 8/30/89; (a) amended eff. 10/11/90; (a),(b) amended eff. 10/30/00)

Sec. 313.306. Transfer of Claimed Horse.

(a) A horse that has been claimed in a claiming race shall be taken after the race to the area designated by the association for delivery to the claimant, unless the horse is designated for testing.

(b) A person may not refuse to deliver a claimed horse.

(c) The engagements of a claimed horse automatically transfer to the new owner. A claimed horse is ineligible for entry in a future race unless the entry is made on behalf of the new owner.

(d) A horse may not be delivered to a successful claimant without written authorization

from a steward or a designee of the stewards. (Added eff. 8/30/89; (a) amended eff. 10/11/90)

Sec. 313.307. Responsibility for Testing.

The trainer losing a horse through a claim is nevertheless responsible for the results of any drug tests performed on specimens obtained from the horse. The trainer is responsible for the horse during the testing procedures and may not deliver the horse to the successful claimant in the test barn until the commission veterinarian informs the trainer or representative that all testing procedures are complete. (Added eff. 8/30/89)

Sec. 313.308. Restrictions on Subsequent Use.

(a) A horse claimed in a claiming race in Texas:

(1) may not be sold or transferred, in whole or part, by any method other than a claiming race during the 30-day period after the initial claim; and

(2) is ineligible to start in a race at a race meeting other than the one at which it was claimed until the end of the race meeting at which the horse was claimed, except in a stakes race after verification by the stewards.

(b) A horse claimed in another state is subject to the eligibility requirements for claimed horses in effect at the time of the claim in the jurisdiction in which the horse was claimed. (Added eff. 8/30/89; amended eff. 11/1/94; amended eff. 9/8/00; (a) amended eff. 3/6/12)

Sec. 313.309. Ineligible Entry.

A person may not enter or allow to be entered in a claiming race a horse against which a claim, lien, or other security interest is outstanding unless, on entering the horse, the person submits written consent to the entry by the person holding