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TEXAS RACING COMMISSION CHALLENGES HORSE RACING INTEGRITY AND SAFETY ACT

Proposes Federal Grant Model Replace Adversarial Statute

AUSTIN, TX, February 18, 2022 -- The State of Texas and the Texas Racing Commission, represented by Texas Attorney General, Ken Paxton, have joined forces with the Liberty Justice Center and Bustos Law Firm, P.C. to challenge the constitutionality of the Horseracing Integrity and Safety Act (HISA).

"We chose to intervene in the National Horsemen's Benevolent and Protective Association, et al, v. Black case filed in the Northern United States District Court in Lubbock Texas, because it was the best forum to protect all Texans and potentially fellow state racing commissions from this unconstitutional law." said Amy F. Cook, Executive Director of the Texas Racing Commission.

Despite challenging the constitutionality of the law through litigation, the Texas Racing Commission has also proposed recommended solutions in its filed comments with the Federal Trade Commission on January 19, 2022, (see FTC-2021-0076-0023) to achieve uniform nationwide standards: a federal, cooperative agreement grant program.

This model works well in public safety programs because the states could achieve uniform federal standards to protect horse racing participants through a grantor-grantee relationship, rather than attempting to implement a one size fits all federal regulatory scheme that typically results in a constitutional challenge.

"Not considering recommended solutions from the industry experts really means that we are wasting precious time arguing over the implementation of HISA, rather than protecting the amazing animals engaged in the sport of horseracing by coming together to design the appropriate models to implement nationwide standards." said Cook.

"The best solutions in any field, are derived from collaborative, not adversarial approaches. HISA should reconsider the current, unconstitutional methodology and partner with the experts in both the industry and racing commissions. It is the best way to achieve the shared goal of promoting the integrity of the sport and the safety of all racing participants."

The Texas Racing Commission's mission is to regulate and supervise pari-mutuel racing pursuant to the authority granted in the Texas Racing Act. The policy-making board consists of nine members. Seven members are appointed by the Governor with the advice and consent of the Senate to serve -year terms, and two are ex officio members, the Commissioner of Agriculture, and the Chairman of the Public Safety Commission.

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