



**TEXAS RACING COMMISSION**  
 1801 N. Congress, Suite 7.600,  
 Austin, TX 78701  
 Main (512) 833-6699

Texas Racing Commission  
 Wednesday, October 18, 2023  
 10:30 a.m.  
 6100 Guadalupe St., Bldg. E  
 Criminal Law Enforcement Auditorium  
 Austin, Texas 78752

**AGENDA**

**I. CALL TO ORDER**

**II. INVOCATION**

**III. PLEDGES (U.S. AND TEXAS)**

**IV. COMMISSIONER REMARKS**

- A. Commission Chair
- B. Commission Vice Chair
- C. Commission Members

**V. PUBLIC COMMENTS**

**VI. STAFF REPORTS**

- A. Executive Director Report

**VII. PROCEEDINGS ON THE HORSE INDUSTRY ESCROW ACCOUNT**

A. Discussion and possible action to allocate funds in the Horse Industry Escrow Account to state horse breed registries for events to further the horse industry under 16 TEX. ADMIN. CODE Chapter 303, Subchapter G.

- 1. Requests by the Texas Thoroughbred Association

**VIII. PROCEEDINGS ON RULES**

A. Discussion and possible action to publish proposed rule amendment in the Texas Register:

- 1. 16 TEX. ADMIN. CODE §311.101, Subchapter B, Horse Owners
- 2. 16 TEX. ADMIN. CODE §311.2, Application Procedure
- 3. 16 TEX. ADMIN. CODE §313.501, Training Facility License
- 4. 16 TEX. ADMIN. CODE §313.504, Operational Requirements.

5. 16 TEX. ADMIN. CODE §313.505, Workout Requirements.
6. 16 TEX. ADMIN. CODE §321.1, Definitions and General Provisions
7. 16 TEX. ADMIN. CODE §321.605, E-Wagering Plan
8. 16 TEX. ADMIN. CODE §321.21 Certain Wagers Prohibited
9. 16 TEX. ADMIN. CODE §321.413, Duties of Guest Racetrack

## **IX. RACETRACK PROCEEDINGS**

A. Discussion and possible action on allocation of Live Race Dates for Racetracks for 2024-2027 under Texas Racing Act, TEX. OCC. CODE Chapter 2029, and 16 TEX. ADMIN. CODE §§303.41 and 303.42.

B. Discussion and possible action on inactive and active racetrack licenses scheduled for review under TEX. OCC. CODE §§2025.104-106 and 16 TEX. ADMIN. CODE §§309.51-309.53:

1. Hill Lane, LLC, d/b/a Manor Downs
2. Gillespie Fair & Festivals

## **X. EXECUTIVE SESSION (AS NEEDED)**

The following items may be discussed and considered in executive session or open meeting, with any action taken in the open meeting:

- A. Under TEX. GOV'T CODE §551.071(1), the Commission may enter an executive session to seek the advice of its attorney regarding pending or contemplated litigation or regarding a settlement offer.
- B. Under TEX. GOV'T CODE §551.071(2), the Commission may enter an executive session to discuss all matters identified in this agenda where the Commission seeks the advice of its attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. This may include, but is not limited to, legal advice regarding the Open Meetings Act, the Administrative Procedures Act, and the Texas Racing Act.
- C. Under TEX. OCC. CODE §2025.005, the Commission may enter an executive session to review security plans and management, concession, and totalisator contracts.

## **XI. NEXT COMMISSION MEETING**

Wednesday, December 13, 2023, 10:30 a.m.

## **XII. ADJOURN**

**I.CALL TO ORDER**

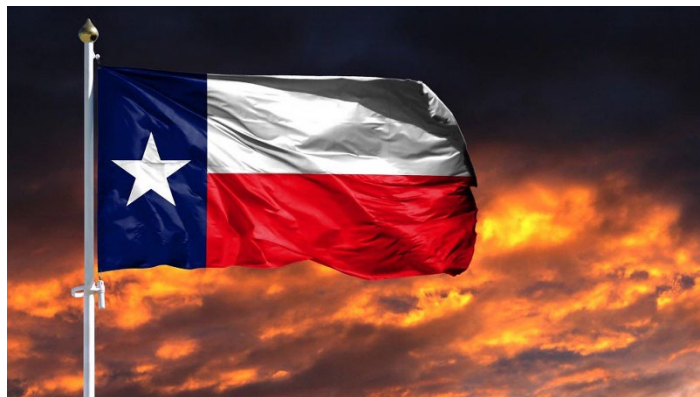
## II. INVOCATION

### III. PLEDGES (U.S. and Texas)



### **Pledge of Allegiance**

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."



### **Pledge of Allegiance to the Texas Flag**

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

## IV. COMMISSIONER REMARKS

- A. Commission Chair
- B. Commission Vice-Chair
- C. Commission Members

## V. PUBLIC COMMENTS



## VI. STAFF REPORTS

### A. Executive Director Report

## VII. PROCEEDINGS ON HORSE INDUSTRY ESCROW ACCOUNT

A. Discussion and possible action to  
allocate funds in HIEA.

1. Requests by the Texas  
Thoroughbred Association



## TEXAS RACING COMMISSION

FORM HIEA-1

APPLICATION FOR BREED REGISTRY FUNDING  
FROM THE HORSE INDUSTRY ESCROW ACCOUNT

## GENERAL INFORMATION

(Must be accompanied by at least one completed Form HIEA-2, Project Narrative)

**Section A. Organization Information**

Breed Registry Name: Texas Thoroughbred AssociationMailing Address: 192 Cimarron Park Loop, Suite A  
*Street Address*

<u>Buda</u>	<u>TX</u>	<u>78610</u>	<u>Hays</u>
<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>County</i>

Physical Address: 192 Cimarron Park Loop, Suite A  
*Street Address*

<u>Buda</u>	<u>TX</u>	<u>78610</u>	<u>Hays</u>
<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>County</i>

**Section B. Contact Personnel**

**(1) Name of Primary Program Contact** *(This person can answer day-to-day questions about the organization and the project.)*Full Name: Mary Ruyle  Mr.  Dr.  
*First* *Last*  Ms.  Other \_\_\_\_\_Position Title: Executive DirectorEmail Address: maryr@texasthoroughbred.comPhone: (512) 458 - 6133 Ext. \_\_\_\_\_ Alt #: (512) 695 - 4542**(2) Secondary Program Contact** *(This person can answer day-to-day questions about the organization and the project.)*Full Name: Cheri Grant  Mr.  Dr.  
*First* *Last*  Ms.  Other \_\_\_\_\_Position Title: AccountantEmail Address: cherig@texasthoroughbred.comPhone: (512) 458 - 6133 Ext. \_\_\_\_\_ Alt #: (512) 695 - 4538

**(3) Name of Authorized Official** *(This person is authorized to enter into legal agreements on behalf of the organization. This person's name will appear on the funding agreement for signature.)*

Full Name: Mary Ruyle  Mr.  Dr.  
*First Last*  Ms.  Other \_\_\_\_\_

Position Title: Executive Director

Email Address: maryr@texasthoroughbred.com

Phone: (512) 458 - 6133 Ext. \_\_\_\_\_ Alt #: (512) 695 - 4542

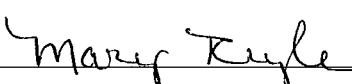
**Section C. Certifications**

**By signing below, applicant and its authorized official (the person listed in Section B.3):**

- (1) certify that all information provided in connection with this application is true and correct.
- (2) acknowledge that any misrepresentation or false statement made by applicant or an authorized agent of applicant in connection with this application, whether intentional or not, will constitute grounds for denial of this application and may be the subject of substantial civil and/or criminal liability and sanctions.
- (3) acknowledge that acceptance of funds in connection with this application acts as acceptance of the authority of the Texas Racing Commission (TXRC) or any successor agency and the State Auditor's Office (SAO) or any successor agency to conduct an investigation in connection with those funds, and applicant further agrees to cooperate fully with TXRC or its successors and SAO or its successor in the conduct of the audit or investigation, including allowing TXRC and/or SAO to inspect applicant's premises and providing all records requested during the funding period and for at least five years after the funding is expended; and
- (4) certify that the authorized official is authorized to submit this application and to make the preceding certifications and acknowledgements on behalf of applicant.

**Notice of Penalties: The penalty for knowingly making false statements or false entries, or attempts to secure money through fraudulent means, may include fines, incarceration, and/or forfeiture of funds.**

**Authorized Official:** *(Person listed in Section B.3)*

X		09/15/2023
	<b>Signature</b>	<b>Date</b>

*This application becomes public record and is subject to disclosure. With few exceptions, you have the right to request and be informed about the information that the State of Texas collects about you. You are entitled to receive and review the information upon request. You also have the right to ask the state agency to correct any information that is determined to be incorrect. (Reference: Texas Government Code, Sections 552.021, 552.023, and 559.004.)*



## TEXAS RACING COMMISSION

1 of 2 (2)

APPLICATION FOR BREED REGISTRY FUNDING  
FROM THE HORSE INDUSTRY ESCROW ACCOUNT

PROJECT NARRATIVE (USE A SEPARATE FORM FOR EACH EVENT)  
(Must be accompanied by Form H1EA-1, General Information)

**APPLICANT NAME:** Texas Thoroughbred Association

*This form was developed to be completed electronically. Handwritten applications and/or narratives will not be accepted. Click the grey text boxes to type responses. A maximum of 6 pages may be used to fully respond.*

**Project Title (Event Name):** 2024 Thoroughbred Meet at Sam Houston Race Park

**Event Date(s) or Approximate Date(s):** January - April 2024

**Total Amount Requested For this Event:** \$1,465,255

**When Are Funds Needed?** *If funding can be provided in multiple phases, please explain.*  
Preferably, all by December 15, 2023, but at least \$450,000 for events in January 2024.

### **Project Background**

#### **Project Summary**

*Please provide a summary of the event for which funding is sought and the project(s) that will be achieved because of this funding.*

The 2024 Thoroughbred meet at Sam Houston Race Park is the first race meet of the year, providing opportunities to attract horsemen and horses to the state by offering additional race days with increased purses - especially important due competition from racetracks in other states. The focus will be on their stakes program with an emphasis on Texas-bred horses. Handle will benefit from wagering promotions while increased media exposure and grassroots marketing will attract patrons to the benefit of Texas breeding as interest in the Accredited Texas-bred Program increases.

#### **Project Description**

*Provide a detailed description of the project including activities to be supported with funds from the Account, timelines of each activity, and key milestones.*

Continue to offer an exciting stakes program and place an emphasis on Texas-bred races on signature race days including the Texas Stallion Stakes and Houston Racing Festival in January, the Texas Preview in February and Texas Champions Day in March, featuring the Texas Thoroughbred Association Derby and Oaks.

### **Anticipated Project Results/Economic Impact on the Horse Industry**

*Provide a detailed explanation of the anticipated economic impact on the horse industry and any other expected results and how they will be measured.*

The primary driver of all events is to bring national exposure to Texas Racing, starting with the 2024 Thoroughbred meet at Sam Houston Race Park. Fiscal measurements for all proposed elements will be demonstrated in the racing product via entries and handle increases compared to prior years.

1. Financial benefits from season-long advertising will provide national exposure through a variety of media platforms for the Texas-bred program, attracting more owners and breeders to participate.
2. Wagering incentives are expected to increase handle.

### **Project Oversight**

*Who will oversee the project activities? Include name and title of the person. How will oversight be performed? What steps will take place to ensure the project is achieved as outlined?*

TTA Executive Director Mary Ruyle will work directly with Sam Houston Race Park President Brian Pettigrew and other SHRP staff to oversee all activities. Pettigrew and staff will provide reports to Ruyle as funds are expended and interim reports on the number of races conducted, field sizes and handle. Reports will be provided to the TTA Board of Directors. The firm of Alexander and Leivens, PC will include this initiative in their annual financial audit of TTA. Documentation will also be included as part of the TTA's quarterly and annual Performance Measures Report to the Texas Racing Commission.

### **Project Budget**

*This section should reflect the total budget. Provide a general description of all costs along with a justification for each item. The explanations should focus on how each budget item is required to achieve the project. Be sure to itemize the request with quantities and individual estimated costs.*

*Pursuant to 16 T.A.C. Section 303.322(b), the following types of costs may not be paid with funds allocated from the account:*

- (1) capital improvements.*
- (2) donations or contributions made to any individual or organization without express approval from the Commission for such contribution or donation.*
- (3) costs of entertainment, amusements, social activities, and incidental costs relating thereto, including tickets to shows or sports events, meals, alcoholic beverages, lodging, rentals, transportation, tips, and gratuities.*
- (4) fines, penalties, or other costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.*
- (5) liability insurance coverage not specific to a particular event or series of events for which the Commission has allocated funds from the account.*
- (6) expenses related to litigation.*
- (7) professional association fees or dues for the breed registry or an individual.*

- (8) legislative expenses such as salaries and other expenses associated with lobbying the state or federal legislature or similar local governmental bodies, whether incurred for purposes of legislation or executive direction; or
- (9) fundraising.

Pursuant to 16 T.A.C. Section 303.322(c), the following types of costs may only be paid with funds allocated from the account, in an amount not to exceed five percent of the total allocated to the breed registry or of the approved allocation for any event, if specifically approved by the Commission:

- (1) operating expenses, including the salaries of breed registry staff, interest and other financial costs related to borrowing and the cost of financing, contributions to a contingency reserve or any similar provision for unforeseen events, and audits or other accounting services; and
- (2) the purchase of capital assets.

EXPENSE CATEGORIES	AMOUNT
<b>Event Production Costs</b>	\$
<b>Race Award Supplements/Prizes</b>	\$1,365,005.00
<b>Advertising</b>	\$40,000.00
<b>Donations (include most recent IRS Form 990 for any non-profit)</b>	\$
<b>Other Direct Expenses (itemize below):</b>	\$
Wagering promotions	\$60,000.00
	\$
	\$
	\$
<b>Total Direct Costs</b>	<b>\$1,465,005.00</b>
<b>Administrative Expenses/Capital Assets (may not exceed 5% of project total)</b>	<b>\$250.00</b>
<b>Total</b>	<b>\$1,465,255.00</b>

**Event Production Costs (\$ total)** For events to be produced or sponsored by the breed registry, provide a breakdown of the event production expenses.

**Race Award Supplements/Prizes (\$1365005 total)** Provide a breakdown of race awards/race award supplements, prizes, and Texas-bred supplements from HIEA funding.

\$60,000 to each division of Texas Stallion Stakes; \$75,000 each to Houston Turf S., H-Town S., Miss Bluebonnet Turf S., \$60,000 each to Jim's Orbit and Two Altazano S.; \$100,000 each to the Texas Thoroughbred Association Derby and Oaks, \$60,000 each to Bara Lass S., Groovy S., Richard King S., San Jacinto S., Spirit of Texas S., Star of Texas S. and Yellow Rose S. Additionally, \$280,005 will go to fund an increase in the minimum purses for Accredited Texas-Bred maiden special weight and allowance races from \$33,000 to \$40,000.

**Advertising (\$40000 total)** Provide an explanation of advertising costs.

Daily Racing Form, Paulick Report Website, Industry radio/satellite shows. Advertising is vital to sustain and grow attendance and handle.

**Donations (\$ \_\_\_\_\_ total)** *For any donation, state the recipient(s), amount for each recipient, and an explanation of the purpose of the donation. For any 501(c)(3), provide the organization's most recent IRS Form 990.*

**Other direct expenses – first category** \_ Wagering promotions\_\_\_\_\_ **(\$60000 total)** *Provide a detailed description of any other category of direct expenses.*  
Wagering promotions have a history of increasing handle year over year.

**Other direct expenses – second category** \_ \_\_\_\_\_ **(\$ \_\_\_\_\_ total)**  
*Provide a detailed description of any other category of direct expenses.*

**Other direct expenses – third category** \_ \_\_\_\_\_ **(\$ \_\_\_\_\_ total)** *Provide a detailed description of any other category of direct expenses.*

**Administrative Expenses/Capital Assets (\$250 total; may not exceed 5% of total)** *Provide a detailed description of administrative expenses such as personnel costs or other direct budgeted costs associated with the project. For each employee receiving a portion of this funding as a wage or stipend, indicate their title, estimated time budgeted to the event, and the amount.*

Portion of cost of Certified Audit





Form H1EA-2

FOR MULTIPLE PROPOSALS, PLEASE NUMBER THEM SEQUENTIALLY HERE (i.e., 1 of 2, 2 of 2, etc.)
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2 of 10

## TEXAS RACING COMMISSION

APPLICATION FOR BREED REGISTRY FUNDING  
FROM THE HORSE INDUSTRY ESCROW ACCOUNT

PROJECT NARRATIVE (USE A SEPARATE FORM FOR EACH EVENT)  
(Must be accompanied by Form H1EA-1, General Information)

**APPLICANT NAME:** Texas Thoroughbred Association

*This form was developed to be completed electronically. Handwritten applications and/or narratives will not be accepted. Click the grey text boxes to type responses. A maximum of 6 pages may be used to fully respond.*

**Project Title (Event Name):** 2024 Statewide Thoroughbred Marketing Plan

**Event Date(s) or Approximate Date(s):** Calendar Year 2024

**Total Amount Requested For this Event:** \$123,000

**When Are Funds Needed?** *If funding can be provided in multiple phases, please explain.*

December 15, 2023 \$25,800 in connection with SHRP opening and the Houston Racing Festival in January.

January 15, 2024 \$11,700 in connection with Texas Preview Day in mid-February

February 15, 2024 \$11,700 in connection with Texas Champions Day in late March

March 10, 2024 \$19,200 in connection with Lone Star Park opening and TTA 2-Year-Olds In-Training Sale in early April

April 15, 2024 \$23,700 in connection with Lone Star Million Day in May

May 1, 2024 \$23,400 in connection with Lone Star Showcase Day in June and Texas Thoroughbred Futurity Day in early July

June 15, 2024 \$7,500 in connection with TTA Yearling Sale in August

### **Project Background**

#### **Project Summary**

*Please provide a summary of the event for which funding is sought and the project(s) that will be achieved because of this funding.*

The 2024 Statewide Thoroughbred Marketing Event Plan focuses on continuing marketing and communications strategies to promote signature racing and horse sales events while also recruiting new Thoroughbred owners in Texas. These events will take place at the January opening of the Sam Houston Race Park Thoroughbred meet, the Houston Racing Festival,

Texas Preview Day, Texas Champions Day, the TTA 2-Year-Olds In-Training Sale, the April opening of the Lone Star Park Thoroughbred meet, Lone Star Million Day, Lone Star Showcase Day, Texas Thoroughbred Futurity Day and the TTA Yearling Sale.

### **Project Description**

*Provide a detailed description of the project including activities to be supported with funds from the Account, timelines of each activity, and key milestones.*

Each racetrack event will include ESPN Radio advertising with an on-air personality, website development and special content with racing feature stories, Email marketing, social media advertising and content, feature video productions, on-track ownership recruitment, race programs and video monitor ads, radio copy writing, website, ad and email creation and campaign management by an outside agency.

Each Thoroughbred Sale event will include website special content with feature stories, email marketing, social media content and advertising, and an on-site or virtual ownership recruitment event.

A website and professionally-produced feature videos are a key component of the marketing events. The information/directory website will serve as the focal point for prospective owners to find information, videos and direct links to Texas trainers. Additionally, the website will capture email addresses of prospects for the employment of on-going email marketing. Video features on interesting Texas-bred Thoroughbred owners and horses will catch the attention of prospective owners. Video will be utilized on the website, in email marketing and through social media channels.

### **Anticipated Project Results/Economic Impact on the Horse Industry**

*Provide a detailed explanation of the anticipated economic impact on the horse industry and any other expected results and how they will be measured.*

Increased participation will increase associated business in the state such as transportation, accommodations and restaurants, fuel, feed, bedding, equipment, grooming products, veterinary care, labor, etc.

The primary driver of all events is to bring exposure to Texas racing and breeding to prospective owners and other participants. Measurable results in increased numbers of participants will be realized over the long-term. Recruitment of new, first-time Texas Thoroughbred racehorse owners from this initiative in 2022 resulted in 42 new owners, equating to slightly more than \$300,000 (through investments in the Texas Thoroughbred Racing Club and private purchases). In 2023, 23 people became new owners, equating to another \$210,000.

These events will also result in increased attendance and handle over the previous year. Increased handle bolsters future race purses and the Accredited Texas-Bred Incentive Program.

### **Project Oversight**

*Who will oversee the project activities? Include name and title of the person. How will oversight be performed? What steps will take place to ensure the project is achieved as outlined?*

TTA Executive Director Mary Ruyle will work directly with staff at Sam Houston Race Park, Lone Star Park and the Todd Company to oversee all activities. Reports on race analytics and handle figures will be provided to Ruyle. The Todd Company will provide statistics on the results of each facet of marketing.

Reports will be provided to the TTA Board of Directors. The firm of Alexander and Lievens, PC will include this initiative in their annual financial audit of TTA. Documentation will also be included as part of TTA's quarterly and annual Performance Measures Report to the Texas Racing Commission.

### **Project Budget**

*This section should reflect the total budget. Provide a general description of all costs along with a justification for each item. The explanations should focus on how each budget item is required to achieve the project. Be sure to itemize the request with quantities and individual estimated costs.*

*Pursuant to 16 T.A.C. Section 303.322(b), the following types of costs may not be paid with funds allocated from the account:*

- (1) capital improvements.*
- (2) donations or contributions made to any individual or organization without express approval from the Commission for such contribution or donation.*
- (3) costs of entertainment, amusements, social activities, and incidental costs relating thereto, including tickets to shows or sports events, meals, alcoholic beverages, lodging, rentals, transportation, tips, and gratuities.*
- (4) fines, penalties, or other costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.*
- (5) liability insurance coverage not specific to a particular event or series of events for which the Commission has allocated funds from the account. expenses related to litigation.*
- (6) professional association fees or dues for the breed registry or an individual.*
- (7) legislative expenses such as salaries and other expenses associated with lobbying the state or federal legislature or similar local governmental bodies, whether incurred for purposes of legislation or executive direction; or*
- (8) fundraising.*

*Pursuant to 16 T.A.C. Section 303.322(c), the following types of costs may only be paid with funds allocated from the account, in an amount not to exceed five percent of the total allocated to the breed registry or of the approved allocation for any event, if specifically approved by the Commission:*

- (1) operating expenses, including the salaries of breed registry staff, interest and other financial costs related to borrowing and the cost of financing, contributions to a contingency reserve or any similar provision for unforeseen events, and audits or other accounting services; and*
- (2) the purchase of capital assets.*

EXPENSE CATEGORIES	AMOUNT
Event Production Costs	\$16,200
Race Award Supplements/Prizes	\$
Advertising	\$48,000
Donations (include most recent IRS Form 990 for any non-profit)	\$
Other Direct Expenses (itemize below):	\$
EMAIL MARKETING	\$10,000
VIDEO PRODUCTION, FEATURE STORIES, MESSAGING	\$36,000
ONSITE OWNERSHIP RECRUITMENT EVENTS	\$12,800
	\$
<b>Total Direct Costs</b>	<b>\$123,000</b>
<b>Administrative Expenses/Capital Assets (may not exceed 5% of project total)</b>	<b>\$</b>
<b>Total</b>	<b>\$123,000</b>

**Event Production Costs (\$16,200 total)** For events to be produced or sponsored by the breed registry, provide a breakdown of the event production expenses.

Agency fee for radio copywriting, creation of social media ads, website, email messaging, event invitations and campaign management.

**Race Award Supplements/Prizes (\$ total)** Provide a breakdown of race awards/race award supplements, prizes, and Texas-bred supplements from HIEA funding.

**Advertising (\$48,000 total)** Provide an explanation of advertising costs.

Radio and Other Advertising \$37,000, Social Media Advertising/Posting \$10,000, Race Program Print/Video Ads \$1,000

**Donations (\$ total)** For any donation, state the recipient(s), amount for each recipient, and an explanation of the purpose of the donation. For any 501(c)(3), provide the organization's most recent IRS Form 990.

**Other direct expenses – first category Email Marketing (\$10,000 total)** Provide a detailed description of any other category of direct expenses.

Series of Email Marketing Blasts January – August 2024

**Other direct expenses – second category Video Production (\$36,000 total)**

Provide a detailed description of any other category of direct expenses.

Feature Video Production \$16,000; Racing Feature Stories \$20,000

**Other direct expenses – third category Onsite Ownership Recruitment (\$12,800 total)** Provide a detailed description of any other category of direct expenses.

\$1,000 Printing and Supplies, \$11,800 Cost of Suites, Meeting Rooms, Snacks and Non-Alcoholic Beverages

**Administrative Expenses/Capital Assets (\$\_\_\_\_\_ total; may not exceed 5% of total)** *Provide a detailed description of administrative expenses such as personnel costs or other direct budgeted costs associated with the project. For each employee receiving a portion of this funding as a wage or stipend, indicate their title, estimated time budgeted to the event, and the amount.*



## TEXAS RACING COMMISSION

### APPLICATION FOR BREED REGISTRY FUNDING FROM THE HORSE INDUSTRY ESCROW ACCOUNT

#### PROJECT NARRATIVE (USE A SEPARATE FORM FOR EACH EVENT) (Must be accompanied by Form H1EA-1, General Information)

**APPLICANT NAME:** Texas Thoroughbred Association

*This form was developed to be completed electronically. Handwritten applications and/or narratives will not be accepted. Click the grey text boxes to type responses. A maximum of 6 pages may be used to fully respond.*

**Project Title (Event Name):** 2024 Thoroughbred Meet at Lone Star Park

**Event Date(s) or Approximate Date(s):** April - July 2024

**Total Amount Requested For this Event:** \$1,465,250

**When Are Funds Needed?** *If funding can be provided in multiple phases, please explain.*  
March 15, 2024

#### **Project Background**

##### **Project Summary**

*Please provide a summary of the event for which funding is sought and the project(s) that will be achieved because of this funding.*

The 2024 Thoroughbred meet at Lone Star Park is looking to provide opportunities to attract horsemen and horses to the state by offering additional race days with increased purses - especially important due to competition from racetracks in other states. The focus will be on a lucrative stakes program with an emphasis on Texas-bred horses.

##### **Project Description**

*Provide a detailed description of the project including activities to be supported with funds from the Account, timelines of each activity, and key milestones.*

1. Continue to offer an exciting stakes program along with Lone Star Park's marquee event, 'Lone Star Million' day on Memorial Day and place an emphasis on Texas-bred races on signature race days including Lone Star Showcase Day, Stars of Texas Day and the Summer Turf Festival.
2. Handle Drivers (April - July 2024): Work with our export partners in Canada to promote Lone Star Park to a nation-wide audience which will lead to increased export handle. Conduct a handicapping contest on Lone Star Million day, which will attract players from across the nation to Lone Star Park and increase live handle.

3. Direct Mail Campaign (April - July 2024): Promote Lone Star Million Day to 50K households in the DFW market with Mystery Mutuel Voucher to promote wagering that leads to increased on-track handle and creates a sense of urgency for a specific day.
4. Attendance Drivers (April - July 2024): Big Item Giveaway used to generate an increase in attendance, sense of urgency for a specific day, and serves as a valuable method of data collection. Live Music & Family Fun Activities used to create a fun, exciting atmosphere that will leave guests wanting to return for another day of great Thoroughbred racing.

### **Anticipated Project Results/Economic Impact on the Horse Industry**

*Provide a detailed explanation of the anticipated economic impact on the horse industry and any other expected results and how they will be measured.*

Increased participation will increase associated business in the state such as transportation, accommodations and restaurants, fuel, feed, bedding, equipment, grooming products, labor, etc.

The primary driver of all events is to bring national exposure to Texas Racing and the 20243 Thoroughbred meet at Lone Star Park. Fiscal measurements for all proposed elements will be demonstrated in the racing product via entries and handle increases compared to prior years.

1. Season-long export promotions will provide national exposure and an increase in Canadian export handle; on-track promotions will lead to increased attendance, growing the sport.
2. Lone Star Showcase Day and Stars of Texas Day will provide targeted exposure for the Texas-bred program, attracting more owners and breeders to participate.
3. Promoting our 4 major stakes days with our Canadian partners will provide additional handle which bolsters future purses and the ATB incentive program.

### **Project Oversight**

*Who will oversee the project activities? Include name and title of the person. How will oversight be performed? What steps will take place to ensure the project is achieved as outlined?*

TTA Executive Director Mary Ruyle will work directly with Lone Star Park Vice President of Operations Merlinda Gonzalez, the Racing Secretary and Marketing Director Brandon Leigh to oversee all activities. Reports on race analytics and handle figures will be provided to Mary Ruyle and the TTA Board of Directors. The firm of Alexander and Lievens, PC will include this initiative in their annual financial audit of TTA. Documentation will also be included as part of the TTA's quarterly and annual Performance Measures Report to the Texas Racing Commission.

### **Project Budget**

*This section should reflect the total budget. Provide a general description of all costs along with a justification for each item. The explanations should focus on how each budget item is required to achieve the project. Be sure to itemize the request with quantities and individual estimated costs.*

*Pursuant to 16 T.A.C. Section 303.322(b), the following types of costs may not be paid with funds allocated from the account:*

- (1) capital improvements.

- (2) donations or contributions made to any individual or organization without express approval from the Commission for such contribution or donation.
- (3) costs of entertainment, amusements, social activities, and incidental costs relating thereto, including tickets to shows or sports events, meals, alcoholic beverages, lodging, rentals, transportation, tips, and gratuities.
- (4) fines, penalties, or other costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.
- (5) liability insurance coverage not specific to a particular event or series of events for which the Commission has allocated funds from the account.
- (6) expenses related to litigation.
- (7) professional association fees or dues for the breed registry or an individual.
- (8) legislative expenses such as salaries and other expenses associated with lobbying the state or federal legislature or similar local governmental bodies, whether incurred for purposes of legislation or executive direction; or
- (9) fundraising.

Pursuant to 16 T.A.C. Section 303.322(c), the following types of costs may only be paid with funds allocated from the account, in an amount not to exceed five percent of the total allocated to the breed registry or of the approved allocation for any event, if specifically approved by the Commission:

- (1) operating expenses, including the salaries of breed registry staff, interest and other financial costs related to borrowing and the cost of financing, contributions to a contingency reserve or any similar provision for unforeseen events, and audits or other accounting services; and
- (2) the purchase of capital assets.

EXPENSE CATEGORIES	AMOUNT
<b>Event Production Costs</b>	\$
<b>Race Award Supplements/Prizes</b>	\$1,365,000.00
<b>Advertising</b>	\$
<b>Donations (include most recent IRS Form 990 for any non-profit)</b>	\$
<b>Other Direct Expenses (itemize below):</b>	\$
Handle Drivers	\$50,000.00
Attendance Drivers	\$30,000.00
Direct Mail Campaign	\$20,000.00
	\$
<b>Total Direct Costs</b>	<b>\$1,465,000.00</b>
<b>Administrative Expenses/Capital Assets (may not exceed 5% of project total)</b>	<b>\$250.00</b>
<b>Total</b>	<b>\$1,465,250.00</b>

**Event Production Costs (\$            total)** For events to be produced or sponsored by the breed registry, provide a breakdown of the event production expenses.



**Race Award Supplements/Prizes (\$1365000 total)** *Provide a breakdown of race awards/race award supplements, prizes, and Texas-bred supplements from HIEA funding.*

Opening Night: \$75,000 to the Bluebonnet Stakes; Lone Star Showcase Day: \$75,000 each to the Lane's End Danny Shifflett Scholarship Stakes, the Wayne Hanks Memorial Stakes, both divisions of the Texas Stallion Stakes and the Texas Horse Racing Hall of Fame Stakes; Stars of Texas Day: \$80,000 to each division of the Texas Thoroughbred Association (Sales) Futurity, \$20,000 to each division of a MSW (Texas Thoroughbred Association (Sales) F. eligible preferred) race, \$75,000 each to the HTC Assault Stakes, the Valor Farm Stakes, and to the Fiesta Mile Stakes. Additionally, \$490,000 will go to fund an increase in the minimum purses for Accredited Texas-Bred maiden special weight and allowance races from \$33,000 to \$40,000.

**Advertising (\$ \_\_\_\_\_ total)** *Provide an explanation of advertising costs.*

**Donations (\$ \_\_\_\_\_ total)** *For any donation, state the recipient(s), amount for each recipient, and an explanation of the purpose of the donation. For any 501(c)(3), provide the organization's most recent IRS Form 990.*

**Other direct expenses – first category** Handle Drivers \_\_\_\_\_ **(\$50000 total)**  
*Provide a detailed description of any other category of direct expenses.*  
Daily Racing Form; Handicapping Contest

**Other direct expenses – second category** Attendance Drivers \_\_\_\_\_ **(\$30000 total)**  
*Provide a detailed description of any other category of direct expenses.*  
Promotional Give-aways, Live Music, Family Fun Activities

**Other direct expenses – third category** Direct Mail Campaigns \_\_\_\_\_  
**(\$20000 total)** *Provide a detailed description of any other category of direct expenses.*  
Promotional Mailer to 50K households that includes Mystery Mutuel Voucher

**Administrative Expenses/Capital Assets (\$250 total; may not exceed 5% of total)** *Provide a detailed description of administrative expenses such as personnel costs or other direct budgeted costs associated with the project. For each employee receiving a portion of this funding as a wage or stipend, indicate their title, estimated time budgeted to the event, and the amount.*  
Portion of cost of Certified Audit: \$250



## TEXAS RACING COMMISSION

FOR MULTIPLE PROPOSALS, PLEASE NUMBER  
THEM SEQUENTIALLY HERE (i.e., 1 of 2, 2 of 2, etc.)

10 of 10

APPLICATION FOR BREED REGISTRY FUNDING  
FROM THE HORSE INDUSTRY ESCROW ACCOUNTPROJECT NARRATIVE (USE A SEPARATE FORM FOR EACH EVENT)  
(Must be accompanied by Form H1EA-1, General Information)**APPLICANT NAME:** Texas Thoroughbred Association

*This form was developed to be completed electronically. Handwritten applications and/or narratives will not be accepted. Click the grey text boxes to type responses. A maximum of 6 pages may be used to fully respond.*

**Project Title (Event Name):** ATB Breeder Bonus for Success in Open Company Races in Texas in 2024**Event Date(s) or Approximate Date(s):** January - September 2024**Total Amount Requested For this Event:** \$303,525**When Are Funds Needed?** *If funding can be provided in multiple phases, please explain.*

April 1, 2024 \$150,680 (\$150,000 prize money, \$680.00 for auditing and administration for Sam Houston Race Park meet;

July 1, 2024 \$150,680 (\$150,000 prize money, \$680.00 for auditing and administration for Lone Star Park meet,

August 1, 2024 \$2,165 (\$2,000 prize money, \$165 for auditing and administration for Gillespie County Fair meet.

**Project Background****Project Summary**

*Please provide a summary of the event for which funding is sought and the project(s) that will be achieved because of this funding.*

Pursuant to Texas Racing Act Sec. 2030.004, Purse Supplements for Texas-Bred Races (2001), "An accredited Texas-bred Thoroughbred horse that finishes first, second, or third in a race other than a Texas-bred race is entitled to receive an owner's bonus award as a purse supplement."

This bonus is in addition to the regular ATB owner's award. Bonus awards for success in open company races were implemented in 2002 to encourage ATB horses to compete in open company, which is generally regarded as being more competitive.

The TTA proposes continuation of an ATB breeder's bonus for eligible breeders of Accredited Texas-bred racehorses placing first, second or third in any open company race in Texas, beginning with the 2024 Thoroughbred meet at Sam Houston Race Park.

Breeders expend significant funds in purchasing and caring for broodmares, purchasing stallion breedings, and caring for resulting foals. They see no return on investment until a foal is sold or achieves success at the racetrack. Implementing a breeder's bonus encourages mare owners to breed with the goal of producing more competitive racehorses in order to reap the rewards of additional ATB awards. These additional funds will enable the breeder to sustain and grow his breeding business.

### **Project Description**

*Provide a detailed description of the project including activities to be supported with funds from the Account, timelines of each activity, and key milestones.*

Implementing an ATB breeder's bonus beginning with the 2024 Thoroughbred meet at Sam Houston Race Park will provide breeders with additional funds to put into their breeding programs for 2024 and beyond.

As with all ATB awards, breeder bonus awards will be calculated as a percentage of purse money earned by eligible horses placing first, second or third in open company races, and paid out during the month following the month in which live racing concludes at each Texas racetrack.

TTA will promote the bonuses on our website and social media, email blasts and notices provided to Texas racetracks.

### **Anticipated Project Results/Economic Impact on the Horse Industry**

*Provide a detailed explanation of the anticipated economic impact on the horse industry and any other expected results and how they will be measured.*

Payment of this ATB breeder's bonus for finishing 1, 2 or 3 in Open Company races encourages ATB horses to compete in open company, which is generally regarded as being more competitive. These funds will enable breeders to sustain and grow their breeding business with the goal of producing more competitive racehorses.

For example, at Sam Houston Race Park in 2021, ATB Breeder Bonus Awards amounted to 22.33% of purse money earned. In 2022, ATB Breeder Bonus Awards at SHRP amounted to 24.3% of purse money earned, and in 2023 were 26.49% of purse money earned.

This initiative will provide \$302,000 in 2024 to be put back into the Texas economy through purchases of fuel, feed, bedding, equipment, grooming products, insurance, facility expenses, veterinary services, farrier services, and labor.

The Texas Comptroller's office will be able to provide comparative statistics for these expenditures and associated taxes.

### **Project Oversight**

*Who will oversee the project activities? Include name and title of the person. How will oversight be performed? What steps will take place to ensure the project is achieved as outlined?*

TTA Executive Director Mary Ruyle and Accountant Cheri Grant will work with the custom software programmer for the Association to develop and maintain all necessary database records and functions. Reports will be provided to the TTA Board of Directors. The firm of Alexander and Lievens, PC will include this initiative in their annual financial audit of TTA.

Documentation will also be included as part of the TTA's quarterly and annual Performance Measures Report to the Texas Racing Commission.

### **Project Budget**

*This section should reflect the total budget. Provide a general description of all costs along with a justification for each item. The explanations should focus on how each budget item is required to achieve the project. Be sure to itemize the request with quantities and individual estimated costs.*

*Pursuant to 16 T.A.C. Section 303.322(b), the following types of costs may not be paid with funds allocated from the account:*

- (1) capital improvements.*
- (2) donations or contributions made to any individual or organization without express approval from the Commission for such contribution or donation.*
- (3) costs of entertainment, amusements, social activities, and incidental costs relating thereto, including tickets to shows or sports events, meals, alcoholic beverages, lodging, rentals, transportation, tips, and gratuities.*
- (4) fines, penalties, or other costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.*
- (5) liability insurance coverage not specific to a particular event or series of events for which the Commission has allocated funds from the account.*
- (6) expenses related to litigation.*
- (7) professional association fees or dues for the breed registry or an individual.*
- (8) legislative expenses such as salaries and other expenses associated with lobbying the state or federal legislature or similar local governmental bodies, whether incurred for purposes of legislation or executive direction; or*
- (9) fundraising.*

*Pursuant to 16 T.A.C. Section 303.322(c), the following types of costs may only be paid with funds allocated from the account, in an amount not to exceed five percent of the total allocated to the breed registry or of the approved allocation for any event, if specifically approved by the Commission:*

- (1) operating expenses, including the salaries of breed registry staff, interest and other financial costs related to borrowing and the cost of financing, contributions to a contingency reserve or any similar provision for unforeseen events, and audits or other accounting services; and*
- (2) the purchase of capital assets.*

EXPENSE CATEGORIES	AMOUNT
Event Production Costs	\$
Race Award Supplements/Prizes	\$302,000.00
Advertising	\$
Donations (include most recent IRS Form 990 for any non-profit)	\$
Other Direct Expenses (itemize below):	\$
	\$
	\$
	\$
	\$
<b>Total Direct Costs</b>	<b>\$302,000.00</b>
<b>Administrative Expenses/Capital Assets (may not exceed 5% of project total)</b>	<b>\$1,525.00</b>
<b>Total</b>	<b>\$303,525.00</b>

**Event Production Costs (\$            total)** For events to be produced or sponsored by the breed registry, provide a breakdown of the event production expenses.

**Race Award Supplements/Prizes (\$302000 total)** Provide a breakdown of race awards/race award supplements, prizes, and Texas-bred supplements from HIEA funding.  
\$150,000 for SHRP meet, \$150,000 for LSP meet, \$2,000 for GCFG meet.

**Advertising (\$            total)** Provide an explanation of advertising costs.

**Donations (\$            total)** For any donation, state the recipient(s), amount for each recipient, and an explanation of the purpose of the donation. For any 501(c)(3), provide the organization's most recent IRS Form 990.

**Other direct expenses – first category** \_\_\_\_\_ (\$            total) Provide a detailed description of any other category of direct expenses.

**Other direct expenses – second category** \_\_\_\_\_ (\$            total) Provide a detailed description of any other category of direct expenses.

**Other direct expenses – third category** \_\_\_\_\_ (\$            total) Provide a detailed description of any other category of direct expenses.

**Administrative Expenses/Capital Assets (\$1525 total; may not exceed 5% of total)** *Provide a detailed description of administrative expenses such as personnel costs or other direct budgeted costs associated with the project. For each employee receiving a portion of this funding as a wage or stipend, indicate their title, estimated time budgeted to the event, and the amount.*

\$825 in total to cover TTA staff time (Accountant, 30 hours at \$25 per hour [\$350 at SHRP, \$350 at LSP, \$50 at GCFG]; Digital Records Clerk, 5 hours at \$15 per hour [\$30 at SHRP, \$30 at LSP, \$15 at GCFG), plus \$700 to cover Certified Audit [\$300 at SHRP, \$300 at LSP, \$100 at GCFG].



## TEXAS RACING COMMISSION

8 of 10

APPLICATION FOR BREED REGISTRY FUNDING  
FROM THE HORSE INDUSTRY ESCROW ACCOUNT

PROJECT NARRATIVE (USE A SEPARATE FORM FOR EACH EVENT)  
(Must be accompanied by Form H1EA-1, General Information)

**APPLICANT NAME:** Texas Thoroughbred Association

*This form was developed to be completed electronically. Handwritten applications and/or narratives will not be accepted. Click the grey text boxes to type responses. A maximum of 6 pages may be used to fully respond.*

**Project Title (Event Name):** Texas-Sired Texas-Bred Bonus for Success in Open Company Races in Texas in 2024

**Event Date(s) or Approximate Date(s):** January - September 2024

**Total Amount Requested For this Event:** \$103,525

**When Are Funds Needed?** *If funding can be provided in multiple phases, please explain.*

\$50,000 plus \$655 for administration by April 1, 2024 for Sam Houston Race Park; \$50,000 plus \$655 for administration by July 1 for Lone Star Park, and \$2,000 plus \$215 for administration by August 1 for Gillespie County Fair.

### **Project Background**

#### **Project Summary**

*Please provide a summary of the event for which funding is sought and the project(s) that will be achieved because of this funding.*

The TTA proposes continuation of an ATB bonus paid to the owners of Accredited Texas-bred Thoroughbred racehorses, sired by Accredited Texas Stallions, that place first, second or third in any open company race in Texas in 2024.

Limiting awards to open company races encourages the breeding of more competitive racehorses. Increasing the earnings potential of ATB racehorses that were sired by ATB stallions will make breeding to those stallions more desirable and should result in an increase over time in the number of mares bred in Texas and foals born in Texas. This will increase the value of the stallions as well. Additionally, such foals will have added value in the sale ring or when sold privately.

#### **Project Description**

*Provide a detailed description of the project including activities to be supported with funds from the Account, timelines of each activity, and key milestones.*

Renewing this bonus at the 2024 Thoroughbred meets in Texas will draw attention to the increased earning potential of ATB horses, especially those sired by ATB stallions. This will attract more broodmares to the state, increasing the number of mares bred by Texas stallions and foals born in Texas.

As with all ATB awards, these bonus awards will be calculated as a percentage of purse money earned by eligible horses placing first, second or third in open company races in Texas, and paid out during the month following the month in which live racing concludes at each Texas racetrack.

TTA will promote the bonuses on our website and social media, email blasts and notices provided to Texas racetracks.

### **Anticipated Project Results/Economic Impact on the Horse Industry**

*Provide a detailed explanation of the anticipated economic impact on the horse industry and any other expected results and how they will be measured.*

Every new horse coming into Texas contributes to the state's economy through increased purchases of goods and services such as fuel, feed, bedding, equipment, grooming products, insurance, facility expenses, veterinary services, farrier services, and labor.

The Texas Comptroller's office will be able to provide comparative statistics for these expenditures and associated taxes.

### **Project Oversight**

*Who will oversee the project activities? Include name and title of the person. How will oversight be performed? What steps will take place to ensure the project is achieved as outlined?*

TTA Executive Director Mary Ruyle and Accountant Cheri Grant will work with the custom software programmer for the Association to develop and maintain all necessary database records and functions. Reports will be provided to the TTA Board of Directors. The firm of Alexander and Lievens, PC will include this initiative in their annual financial audit of TTA.

Documentation will also be included as part of the TTA's quarterly and annual Performance Measures Report to the Texas Racing Commission.

### **Project Budget**

*This section should reflect the total budget. Provide a general description of all costs along with a justification for each item. The explanations should focus on how each budget item is required to achieve the project. Be sure to itemize the request with quantities and individual estimated costs.*

*Pursuant to 16 T.A.C. Section 303.322(b), the following types of costs may not be paid with funds allocated from the account:*

- (1) capital improvements.*



- (2) donations or contributions made to any individual or organization without express approval from the Commission for such contribution or donation.
- (3) costs of entertainment, amusements, social activities, and incidental costs relating thereto, including tickets to shows or sports events, meals, alcoholic beverages, lodging, rentals, transportation, tips, and gratuities.
- (4) fines, penalties, or other costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.
- (5) liability insurance coverage not specific to a particular event or series of events for which the Commission has allocated funds from the account.
- (6) expenses related to litigation.
- (7) professional association fees or dues for the breed registry or an individual.
- (8) legislative expenses such as salaries and other expenses associated with lobbying the state or federal legislature or similar local governmental bodies, whether incurred for purposes of legislation or executive direction; or
- (9) fundraising.

Pursuant to 16 T.A.C. Section 303.322(c), the following types of costs may only be paid with funds allocated from the account, in an amount not to exceed five percent of the total allocated to the breed registry or of the approved allocation for any event, if specifically approved by the Commission:

- (1) operating expenses, including the salaries of breed registry staff, interest and other financial costs related to borrowing and the cost of financing, contributions to a contingency reserve or any similar provision for unforeseen events, and audits or other accounting services; and
- (2) the purchase of capital assets.

EXPENSE CATEGORIES	AMOUNT
Event Production Costs	\$
Race Award Supplements/Prizes	\$102,000.00
Advertising	\$
Donations (include most recent IRS Form 990 for any non-profit)	\$
Other Direct Expenses (itemize below):	\$
	\$
	\$
	\$
	\$
<b>Total Direct Costs</b>	<b>\$102,000.00</b>
<b>Administrative Expenses/Capital Assets (may not exceed 5% of project total)</b>	<b>\$1,525.00</b>
<b>Total</b>	<b>\$103,525.00</b>

**Event Production Costs (\$            total)** For events to be produced or sponsored by the breed registry, provide a breakdown of the event production expenses.

**Race Award Supplements/Prizes (\$102000 total)** *Provide a breakdown of race awards/race award supplements, prizes, and Texas-bred supplements from HIEA funding.*

\$102,000 is the total amount to be paid in Texas-Sired Texas-Bred Bonuses for racing in calendar year 2023: \$50,000 each at Sam Houston Race Park and Lone Star Park, and \$2000 at Gillespie County Fair Grounds.

**Advertising (\$ \_\_\_\_\_ total)** *Provide an explanation of advertising costs.*

**Donations (\$ \_\_\_\_\_ total)** *For any donation, state the recipient(s), amount for each recipient, and an explanation of the purpose of the donation. For any 501(c)(3), provide the organization's most recent IRS Form 990.*

**Other direct expenses – first category** \_\_\_\_\_ (\$ \_\_\_\_\_ total) *Provide a detailed description of any other category of direct expenses.*

**Other direct expenses – second category** \_\_\_\_\_ (\$ \_\_\_\_\_ total) *Provide a detailed description of any other category of direct expenses.*

**Other direct expenses – third category** \_\_\_\_\_ (\$ \_\_\_\_\_ total) *Provide a detailed description of any other category of direct expenses.*

**Administrative Expenses/Capital Assets (\$1525 total; may not exceed 5% of total)** *Provide a detailed description of administrative expenses such as personnel costs or other direct budgeted costs associated with the project. For each employee receiving a portion of this funding as a wage or stipend, indicate their title, estimated time budgeted to the event, and the amount.*

\$825 to cover TTA staff time (Accountant, 30 hours at \$25 per hour [14 at SHRP, 14 at LSP, 2 at GCFG]; Digital Records Clerk, 5 hours at \$15 per hour [2 at SHRP, 2 at LSP, 1 at GCFG]), plus \$500 to cover cost of Certified Audit (\$300 at SHRP, \$300 at LSP, \$100 at GCFG).

## VIII. PROCEEDINGS ON RULES

A. Discussion and possible action to publish nine proposed rule amendments in the Texas Register.

**I. PROCEEDINGS ON RULES**

A. Discussion and possible action to publish proposed rule amendments in the Texas Register:

1. 16 TEX. ADMIN. CODE §311.101, Subchapter B, Horse Owners
2. 16 TEX. ADMIN. CODE §311.2, Application Procedure

**PROPOSED RULE LANGUAGE FOR TEXAS REGISTER BASED ON 87TH  
LEGISLATIVE SESSION CHANGES TO THE TEXAS RACING ACT**

**16 TAC 311.101. Horse Owners. 16 TAC 211.2 Application Procedure**  
***Repealed Language Annotated in Strikethrough. Added Language in Red Bold Text.***  
**Page 1**

(a) General Provisions.

(1) The owner of a horse, as listed on the animal's registration paper, must obtain an owner's license from the Commission, as set forth in 16 TAC § 309.4. Except as otherwise provided by §313.301(a)(2) of this title (relating to Officials and Rules of Horse Racing), a person may not be licensed as an owner if the person is not the owner of record of a properly registered horse that the person intends to race in Texas. A person who meets the qualifications for a trainer's or assistant trainer's license may also be licensed as an owner if the person intends to be the owner of record of a properly registered horse during the time of licensure. Except as otherwise provided by this subsection, the owner **or designated trainer acting on behalf of the owner**, must be licensed **as an owner or trainer** ~~one hour prior to the post time of the first race of the day in which the owner intends to race the animal~~ **before making a request to enter a horse eligible under 16 TAC § 313.103.**

(2) If the owner is not an individual, each individual who is a director, officer, or partner of the owner or who has an ownership interest in the horse of 5.0% or more must be licensed by the Commission.

(3) If the owner is not an individual, the owner must provide to the Commission:

- (A) a sworn statement by the chief executive officer of the owner or by one of the partners of the owner that the officer or partner represents the owner and is responsible for the horse;
- (B) a statement that the owner is authorized by law to do business in Texas; and
- (C) a list of the names and addresses of all individuals having an ownership interest in the horse.

(4) If the owner is not an individual, the ownership entity must:

- (A) designate a representative; or
- (B) file an authorized agent form with the Commission and pay the prescribed fee.

(5) If the registered owner of a horse is a minor, a financial responsibility form approved by the executive secretary must be signed by the parent or guardian of the owner assuming financial responsibility for the debts incurred for the training and racing of the horse.

(b) Stable Names.

(1) An owner that wants to participate in racing using a stable name must register with the Commission by filing an application on a form prescribed by the executive secretary and paying the prescribed fee. A person may not use the real name of an owner of a race animal as a stable name. A stable name which has already been registered with the Commission may not be registered by another owner.

(2) Registering a stable name with the Commission does not affect a person's obligation to file or register a fictitious name as provided by the laws of Texas.

(3) An application to register a stable name must disclose the real names of all interests participating in the stable and the percentage of ownership interest of each, including the interest owned by a corporation, general partnership, limited partnership, trust, estate or individual.

(4) A stable name may be changed by registering a new stable name. A stable name may be abandoned by giving written notice to the Commission. A change of 5.0% or more in ownership of a stable registered under a stable name shall be immediately reported to the Commission.

(5) A licensee who has registered a stable name under this section may not use the licensee's real name for racing purposes except on approval of the stewards.

(c) Change of Ownership.

(1) If the owner of an interest in a horse housed on an association's grounds transfers that interest to

**16 TAC 311.101. Horse Owners. 16 TAC 211.2 Application Procedure**  
***Repealed Language Annotated in Strikethrough. Added Language in Red Bold Text.***  
**Page 2**

another person, both parties to the transaction shall give written notice of the transfer to the stewards officiating for that association. Notice under this section must be submitted to the appropriate officials not later than 24 hours after the agreement to transfer the interest is made.

(2) A licensee of the Commission may not transfer an ownership interest in a horse to avoid disqualification of the horse.

(d) Change of Trainer. An owner may change the trainer of his or her horse registered at a licensed race meeting provided:

(1) the request to change trainers is submitted for approval to the stewards on a form ~~provided by the association and approved by~~ **the Executive Director;**

(2) the trainer from whom the horse is being transferred signs the form releasing custody of the horse;

(3) the trainer to whom the horse is being transferred signs the form accepting responsibility for the horses; and

(4) the stewards approve the transfer.

(e) Owner/Trainer. A person licensed as an owner/trainer who is training horses at a racetrack may not have any horse owned by the owner/trainer under the care, custody or control of another trainer at that racetrack.

(f) Restrictions on Racing. An owner may not enter a horse or cause a horse 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) Emergency License.~~

~~(1) If an owner is unable to complete an application for an owner's license because of absence or illness, the licensed trainer desiring to enter a horse in a race may apply for an emergency owner's license on behalf of the absent owner.~~

~~(2) The trainer applying for an emergency owner's license on behalf of an absent owner must submit a written statement with the license application specifying the reasons the owner is unable to complete the application.~~

~~(3) The trainer applying for an emergency owner's license must submit at least the following information: the owner's full name, home or business address, and telephone number. At the time of application, the appropriate licensing fee must be paid to the Commission. Failure to provide all of the foregoing information is grounds for denial of an emergency owner's license.~~

~~(4) If an owner submits an incomplete application for an owner's license, the application will remain in pending status until:~~

~~(A) the owner submits any additional information required to process the application;~~

~~(B) the application expires in accordance with the term of the applied for license; or~~

~~(C) a horse is entered in the owner's name or in the name of a multiple owner of which the owner is a member, in which case the pending license will be presumed to be a request for an emergency license.~~

~~(5) A license issued under this section expires on the 21st day after the date the emergency owner's license is issued. An owner may obtain only one emergency license per year. An emergency license cannot be issued if the owner failed to complete the prior licensing process.~~

~~(6) An owner granted an emergency license is prohibited from withdrawing any funds from his/her horseman's bookkeeper account until the owner complies with all licensing procedures provided by subsection (a) of this section.~~

Enclosure 1: 16 TAC 311.101. Horse Owners. 16 TAC 211.2 Application Procedure  
*Repealed Language Annotated in Strikethrough. Added Language in Red Bold Text.*  
Page 3

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~~**director**.

(b) Application Site. **Submission.**

(1) ~~Except as provided in paragraphs (2) and (3) of this subsection, a~~**An** applicant for an occupational license must file the appropriate application form and related documents at the licensing office at a licensed racetrack, **or through an online process established by the executive director. All applications must be submitted to the agency at least thirty-one days before the licensee engages in an activity that requires an occupational license under 16 TAC § 311.1.**

~~(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 for an occupational license that is available through the Texas OnLine portal may submit the required application information through the Texas OnLine portal.~~

**I. PROCEEDINGS ON RULES**

A. Discussion and possible action to publish proposed rule amendments in the Texas Register:

3. 16 TEX. ADMIN. CODE §313.501, Training Facility License
4. 16 TEX. ADMIN. CODE §313.504, Operational Requirements.
5. 16 TEX. ADMIN. CODE §313.505, Workout Requirements.

**PROPOSED RULE LANGUAGE FOR TEXAS REGISTER INCREASES SAFETY  
PROTOCOLS FOR TRAINING FACILITY ACTIVITIES CONDUCTED TO PREPARE FOR  
LIVE RACING EVENTS**



16 TAC 313.501-505. Training Facilities. Proposed Rule Amendments  
*Repealed Language Annotated in Strikethrough. Added Language in Red Bold Text.*

Page 1

**Sec. 313.501. Training Facility License**

(a) A training facility must be licensed by the ~~Commission~~ **Executive Director** in accordance with this section to provide official workouts. Except as otherwise provided by this subchapter, an official workout obtained at a training facility licensed under this section satisfies the workout requirements of §313.103 of this title (relating to Eligibility Requirements).

(b) A training facility license expires ~~one~~ **two** years after the last day of the month in which the license was issued. ~~An applicant for a training facility license must submit with the application documents the license fee of \$1,800.~~

(c) A training facility license is personal to the licensee and may not be transferred.

**(d) A Class 1 racetrack licensed by the Commission may also operate a training facility without an additional license requirement if the racetrack association operating the Class 1 racetrack submits a request for training facility dates with its annual race date application form and the request is approved by the Executive Director.**

**Sec. 313.504. Operational Requirements.**

(a) The primary business of a training facility must be the training of racehorses. The training facility must be available to provide official workouts on a schedule approved by the executive ~~secretary~~ **director**, but at least three days per week.

(b) A training facility licensee shall prohibit any wagering at the facility and shall promptly eject any person who is found to be wagering. **All training facilities located at licensed racetracks must have an e-wagering plan approved by the Executive Director as set out in Sec. 321.603 at least 14 days before the first official work is scheduled to begin.**

(c) A training facility licensee shall ensure that veterinary services and facilities are available to the training facility in close enough proximity to permit a response time of one hour or less. The veterinary services and facilities are subject to the approval of the executive ~~secretary~~ **director**.

**(d) A training facility licensee shall comply with the requirements of Sec. 309.117, and First Aid and Sec. 309.254.**

(d) A training facility licensee shall maintain records regarding the management and operation of the training facility and the records are subject to inspection by the executive ~~secretary~~ **director**. A training facility licensee shall cooperate fully with the ~~Commission, the executive secretary~~ **director and agency staff**, and the Department of Public Safety in the regulation of training facilities and shall ~~promptly provide any information requested by the Commission, the executive secretary, or the Department of Public Safety.~~

**16 TAC 313.501-505. Training Facilities. Proposed Rule Amendments**  
***Repealed Language Annotated in Strikethrough. Added Language in Red Bold Text.***  
**Page 2**

(e) A training facility licensee shall post ~~in a prominent place~~ **a condition book approved by the executive director with any conditions imposed by the racetrack association along with** a list of the dates and times that official workouts may be obtained.

(f) A training facility licensee shall comply with all the requirements of this subchapter. Failure to continuously comply with those requirements is grounds for disciplinary action by the ~~Commission~~ **Executive Director**, including suspension or revocation of the training facility license.

(g) The facilities and operations of a licensed training facility are subject to inspection and verification by the executive ~~secretary~~ **director** at any time. If the executive ~~secretary~~ **director** determines that inappropriate or unsafe conditions exist at the training facility or that the integrity of workouts obtained at the facility are in question, the executive ~~secretary~~ **director** may immediately notify the pari-mutuel racetracks in this state that workouts obtained at the facility may not be accepted as official workouts. The executive ~~secretary~~ **director** shall notify the general manager ~~or chief executive officer~~ of the licensed training facility of the executive ~~secretary's~~ **director's** findings and specifically describe the corrective action necessary to make the facility's workouts official, to rectify the inappropriate condition, or to make the conditions safe. The training facility may take the necessary corrective action or request a hearing **with the Commission** on the executive ~~secretary's~~ **director's** findings.

(h) A training facility licensee may not, **unless otherwise approved by the Executive Director:**

- (1) conduct a race at its facility; or
- (2) allow its facility to be used for a race.

### **Sec. 313.505. Workout Requirements**

(a) All official workouts must be supervised by the following officials, who must be licensed and approved by the executive ~~secretary~~ **director**:

- (1) a timer/clocker;
- (2) a horse identifier; and
- (3) a starter, **and an assistant starter.**
- (4) **two outriders to address track safety issues.**

(b) The person riding a horse in an official workout must hold a valid ~~Commission~~ license as a jockey, apprentice jockey, ~~or exercise rider, or as the~~ trainer, or assistant trainer of the horse.

(c) The horse identifier shall identify each horse before each official workout. The original registration papers for each horse that is to work, or a copy that satisfies the horse identifier, must be submitted to the horse identifier before the horse's initial workout at the facility to permit the identifier to record the horse's color, gender, markings, and tattoo number, if applicable. The horse identifier shall inspect all documents of ownership, registration, or breeding necessary to ensure the proper identification of the horse. The identification procedures used at the training facility are subject to the approval of the

16 TAC 313.501-505. Training Facilities. Proposed Rule Amendments  
*Repealed Language Annotated in Strikethrough. Added Language in Red Bold Text.*

Page 3

executive secretary ~~secretary~~ **director**. The individual serving as the horse identifier may serve as timer or starter also, with the approval of the executive secretary. The timer may not serve as the starter.

(d) A training race conducted at a licensed pari-mutuel racetrack may be used as an official workout.

The distance of an official workout must be at least:

- (1) 220 yards for a quarter horse;
- (2) two furlongs, for a two-year old thoroughbred; and
- (3) three furlongs, for a thoroughbred three years of age or older.

(e) A workout must be timed on a stopwatch that is accurate to within .01 of a second. Times for quarter horses shall be rounded to tenths of one second and times for thoroughbred horses shall be rounded to fifths of one second.

(f) An individual may not ride a horse in an official workout unless the individual is wearing a properly fastened helmet of a type approved by the executive secretary ~~secretary~~ **director**.

(g) Each official workout must be recorded on a form prescribed by the executive secretary. Not later than 24 hours after the day of an official workout, a training facility shall transmit the results of the workout to:

- (1) the official past performance publisher;
- (2) the ~~Commission~~ **the Executive Director**; and

(3) each pari-mutuel horse racetrack in this state that is:

- (A) conducting a live race meeting for the same breed of horse as the horse that was worked; or
- (B) will, in 45 days or less after the date of the workout, commence a live race meeting for the same breed of horse as the horse that was worked.

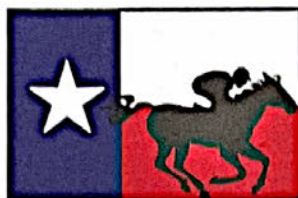
(h) A horse may not have more than one official workout on a calendar day.

## II. PROCEEDINGS ON RULES

A. Discussion and possible action to publish proposed rule amendments in the Texas Register:

6. 16 TEX. ADMIN. CODE §321.1, Definitions and General Provisions
7. 16 TEX. ADMIN. CODE §321.605, E-Wagering Plan
8. 16 TEX. ADMIN. CODE §321.21 Certain Wagers Prohibited
9. 16 TEX. ADMIN. CODE §321.413, Duties of Guest Racetrack

**PROPOSED RULE LANGUAGE FOR TEXAS REGISTER RECOMMENDED TO  
MODERNIZE E-WAGERING TECHNOLOGY**



TEXAS HORSE RACING  
HALL of FAME

October 11, 2023

Texas Racing Commission  
1801 N. Congress, Suite 7.600  
Austin, TX 78701  
Attn: Amy Cook, Executive Director

Director Cook,

We are writing to ask for consideration of the attached updates to commission rules related to the uses of technology accessible to patrons at our Texas horse racing tracks.

In 2022, the Texas Horse Racing Hall of Fame commissioned a study to better understand how the industry might attract new fans to the sport - specifically fans in the 25-45 age group. This study resulted in a three-year plan for the industry to implement with the goals of elevating Texas racing among this demographic by educating them on the rich traditions of the sport in our state, developing their knowledge of how they can participate in the sport, and helping remove current barriers to entry that reduce the likelihood of this demographic embracing the sport.

One primary barrier to entry that was discovered in this process is that the current rules inhibit the uses of technologies that this target demographic utilizes in all aspects of their lives, and therefore makes it more difficult and sometimes intimidating for them to learn about the horses and make wagers at the track. As such, we are proposing an update to current rules that would help remove these technological barriers to entry, and allow for greater ease of access to the sport as we continue to invest in introducing new fans to Texas racing.

Below we provide a brief summary of the rules updates for consideration. It is important to note that the following suggested updates aim to ensure the industry continues to operate clearly within the existing statute, would not allow wagers to be placed outside of the existing racetrack enclosure, and still allow for full oversight and approval of any e-wagering plan by the Executive Director prior to operation:

Sec. 321.1. Definitions and General Provisions.

This change simply clarifies that it is a licensed tote vendor that takes the cash and wagers. The current language could create some ambiguity should there be multiple licensed tote vendors approved for operation at a track. The Closed-Loop Subscriber-Based System is an industry standard definition for industry products that allow patrons to access wagering on races from mobile devices. It allows for the easy creation of a wagering account, verification of age and location/necessary geo-tracking and

appropriate banking security. Use cases for this would be the utilization of the technologies developed through widely accepted e-wagering platforms at Texas tracks. Keeping with all other necessary rules, including making sure that wagering could not take place outside of the racetrack enclosure.

#### Sec. 321.21. Certain Wagers Prohibited.

Section 2027.002 of the Act stipulates that wagering may only be conducted within the racetrack association's enclosure. It further clarifies that that a person may not make a wager in person, by phone or over the internet unless the person is inside the enclosure, and in accordance with commission rules. Therefore, it is important to include in the racing rules that as long as the wagering is occurring inside the enclosure, which would be accomplished through geo-fencing and the use of a racetrack association's Wi-Fi network, patrons may make wagers through a licensed totalizator vendor via a commission-approved E-wagering plan.

#### Sec. 321.413. Duties Of Guest Racetrack.

This adjustment simply provides clarity in the rule that the racetrack associations and approved vendors are not required to provide audio/video broadcasts of races that patrons are wagering on as long as the patrons are able to access race information in some form. This is important for wagering technology vendors that may provide race wagering opportunities to patrons, within the enclosure, that may not be being broadcast in an audio/visual format by the racetrack association.

While removing subsection (3) of this rule may be possible, it might cause concern and a lack of clarity for what racetrack associations generally provide to traditional simulcast wagerers.

#### Sec. 321.417. Emergency Procedures.

This addition corresponds to the previous addition that clarifies that a racetrack association or approved vendor does not necessarily need to provide an audio/visual broadcast of the race if the patrons have access to race information via another platform.

This distinguishes between patrons who may be utilizing another wagering platform and allows for the protection of those who may be only relying on the audio/visual information provided by the racetrack association.

#### Sec. 321.607. E-Wagering Account Restrictions.

These modifications reduce and clarify the e-wagering rules to give the greatest flexibility and oversight to the commission in the approval process for e-wagering vendors.

The deletions here assume that either the commission approval process will ensure appropriate statutes are followed, and/or the provision is addressed in another area of rule.

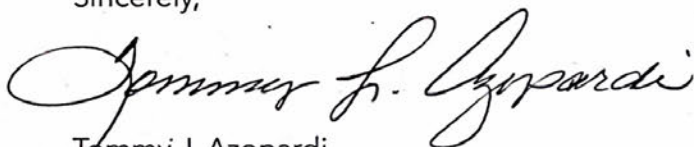
The inclusion of an "electronic payment system that debits from an account holder's checking account" simply provides clarity that it is the intent of the commission to allow for various methods of payment that are in line with technology advancements of today's e-finance world. The youth of today prefer platforms such as PayPal and Venmo to make their transactions, and approved vendors would have the responsibility to show that any payment systems they utilize are accepting only forms of payment that draw from a checking account.

The inclusion of the closed-loop subscriber-based System brings this new definition into the rules, providing clarity for operators as to the types of wagering technology that may be submitted for approval to TXRC.

The Texas horse racing industry has exceptional opportunity before it to continue the positive economic momentum that has been generated by the Horse Industry Escrow Account and from enhancements to administrative functions of your agency that are aimed at helping industry participants safely flourish in the sport.

In short, we are hopeful the Commission will take up and consider the aforementioned updates to technology rules that will allow the new patrons we are working to bring into the sport access race information and wagering opportunities on mobile devices while they are within the enclosure at Texas tracks, which we strongly believe will enhance their experience and remove some of the barriers that currently reduce their participation.

Sincerely,



Tommy J. Azopardi  
Chairman

Texas Horse Racing Hall of Fame Board of Directors

## ***Proposed Changes to Texas Rules of Racing***

### **Topic**

Modernize e-wagering plans within the enclosure of a racetrack.

### **Statutory Basis/Authorization**

*Sec. 2027.002. Wagering Restrictions. (a) Wagering may be conducted only by a racetrack association within the racetrack association's enclosure.*

*(b) A person may not accept, in person, by telephone, or over the Internet, a wager for a horse or greyhound race conducted inside or outside this state from a person in this state unless the wager is authorized under this subtitle.*

*(c) Only a person inside an enclosure where both live and simulcast race meetings are authorized may wager on the result of a live or simulcast race presented by a racetrack association in accordance with commission rules.*

*(d) Except as provided by Subsection (c), a person may not place, in person, by telephone, or over the Internet, a wager for a horse or greyhound race conducted inside or outside this state.*

### **Related Rule (E-Wagering Plan)**

*Sec. 321.605. E-Wagering Plan. (a) To be approved to conduct E-wagering, an association must submit a plan to the executive secretary. The plan must include:*

- (1) the procedures for opening an account;*
- (2) the procedures for establishing identity of account holder;*
- (3) the procedures for making deposits to the account;*
- (4) the procedures for making withdrawals from the account;*
- (5) the procedures for closing an account;*
- (6) the procedures for suspending an account; and*
- (7) a description of the totalisator system and E-wagering access system.*

*(b) The executive secretary may approve a plan to conduct E-wagering if the executive secretary determines that the association's plan meets the requirements of this section and does not conflict with the Rules or the Act.*



## **Recommended Rule Changes**

### **Sec. 321.1. Definitions and General Provisions.**

(17) Ticketless Electronic Wagering (E-wagering)—

(i) a form of pari-mutuel wagering in which wagers are placed and cashed through **a licensed totalisator vendor via** an electronic ticketless account system operated through ~~a licensed totalisator vendor~~ in accordance with § 2021.002 of this Act; or

**(ii) a closed-loop subscriber-based system, which includes:**

**(A) a device or combination of devices authorized and operated for placing, receiving, or otherwise making a wager and by which a person must subscribe in order to be able to place, receive, or otherwise make a bet or wager;**

**(B) an effective customer verification and age verification system; and**

**(C) appropriate data security standards to prevent unauthorized access to a person:**

**(I) who seeks to make a bet or wager outside the racetrack's enclosure;**

**(II) who seeks to make a bet or wager on any live or simulcast race not available to other persons within the racetrack's enclosure; and**

**(III) who is a minor; and**

(iii) ~~Where~~ wagers are automatically debited and credited to the account holder.

### **Sec. 321.21. Certain Wagers Prohibited.**

(a) **Except as otherwise allowed under Section 2027.002 of the Act,** an association may not accept a wager made by mail, by telephone, or by internet. A data communications link for common pooling purposes is not considered a wager for purposes of this section.

(b) An association may not accept a wager made on credit.

### **Sec. 321.413. Duties Of Guest Racetrack.**

(a) An association that conducts pari-mutuel wagering on a simulcast import acts as a guest racetrack on those dates. The guest racetrack shall:

***DRAFT // PRE-DECISIONAL***

(1) provide adequate communication facilities, enabling pari-mutuel data transmissions and data communications between totalisator systems of the host racetrack and the guest racetrack;

(2) if the guest racetrack participates in common pools, provide a direct telephone line and a facsimile machine, or other means approved by the executive secretary, located in the mutuel area to transmit information to the host racetrack in case of a system failure; and

(3) display the audio and video signals of the races being simulcast to the patrons, **unless the patrons otherwise have access to the program and race information for the simulcast races available within the racetrack's enclosure.**

(b) After each simulcast performance, the guest racetrack shall provide the reports of its parimutuel operations required by Subchapters A and B of this chapter.

### **Sec. 321.417. Emergency Procedures.**

(a) If an association is unable to establish or to maintain the audio or video signal from a host racetrack **of any races for which the association is displaying the audio and video signal,** the association shall immediately notify the host racetrack of the lost signal and may continue to accept wagers for four hours while attempting to establish the signal.

(b) If after four hours the audio or video signal cannot be established the association may continue to accept wagers on the signal provided:

(1) the mutuel manager makes an announcement to the public informing them that due to technical difficulties the audio or video signal has been lost;

(2) the association transmits the odds on the affected race to the video department to be displayed to the patrons; and

(3) the totalisator operator locks all wagering on the affected race at zero minutes to post to ensure the integrity and transfer of the wagering pools.

(c) If the host racetrack loses the ability to transmit the audio or video signal, the host racetrack:

(1) shall notify all guest racetracks of the technical difficulties being experienced;

(2) may continue to accept wagers from the guest racetracks on that day's races;  
and

(3) may not accept wagers from the guest racetracks for subsequent race days until the technical difficulties have been corrected.

**Sec. 321.607. E-Wagering Account Restrictions.**

(a) The mutual manager of an association shall establish and manage E-wagering within an association's enclosure.

(b) The making and acceptance of wagers over the communications facility known as the "Internet" or "telephone" is ~~prohibited~~ **may only occur in accordance with an approved e-wagering plan.**

(c) An association may accept deposits to an **person's** account only in the form of cash, cashier's check, money order, **electronic payment system that debits from the person's checking account.** or other method determined by the executive secretary to be a cash equivalent.

~~(d) The association may not accept wagers in an amount that exceeds the account balance.~~

~~(e) An account holder must be at least 21 years of age.~~

~~(f) An account holder is responsible for all activity associated with his or her account.~~

~~(g)~~ (gd) An association may use E-wagering devices only if the devices are connected to the totalisator system, **either directly or via a closed-loop subscriber-based system.**

**Sec. 321.621. Ticketless Electronic Wagering Hardware Devices and Applications.** ~~An E-wagering device must be configured for loss of signal when removed from an association's enclosure.~~

## IX. RACETRACK PROCEEDINGS

- A. Discussion and possible action on allocation of Live Race Dates for Racetracks for 2024-2027.
- B. Discussion and possible action on inactive and active racetrack licenses.
  - 1. Manor Downs
  - 2. Gillespie Fair & Festivals



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# 2024 RACING & EVENTS CALENDAR

DRAFT AS OF OCTOBER 12, 2023 AT 3:00 P.M.

# LEGEND

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GFC – Gillespie County Fair

LSP – Lone Star Park

RET – Retama Park

SHRP – Sam Houston Race Park

LD – Lockdown Periods

QH – Quarter Horse Racing

TB - Thoroughbred Racing

\* - Denotes Special/Charity Events

January 2024							February 2024						
January 2024							February 2024						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
Dec 31	Jan 1, 24	2	3	4	5	6	
	SHRP Lockdown				Sam Houston Race Park (TB)		
					6:30pm Post Times (SHRP)	1:00pm Post Times (SHRP)	
7	8	9	10	11	12	13	
Sam Houston Race Park (TB)		SHRP Lockdown				Sam Houston Race Park (TB)	
1:00pm Post Times (SHRP)					6:30pm Post Times (SHRP)	1:00pm Post Times (SHRP)	
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Sam Houston Race Park (TB)		SHRP Lockdown				Sam Houston Race Park (TB)	
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Sam Houston Race Park (TB)		SHRP Lockdown				Sam Houston Race Park (TB)	
1:00pm Post Times (SHRP)					6:30pm Post Times (SHRP)	1:00pm Post Times (SHRP)	
28	29	30	31	Feb 1	2	3	
Sam Houston Race Park (TB)		SHRP Lockdown					
1:00pm Post Times (SHRP)							

February 2024							March 2024						
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					1	2	3					1	2
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18	19	20	21	22	23	24	25	26	27	28	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jan 28	29	30	31	Feb 1	2	3
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25	26	27	28	29	Mar 1	2
Sam Houston Race Park (TB) 1:00pm Post Times (SHRP)	SHRP Lockdown					



<h1>March 2024</h1>							<table border="1" style="font-size: small;"> <tr> <th colspan="7">March 2024</th> <th colspan="7">April 2024</th> </tr> <tr> <th>Su</th><th>Mo</th><th>Tu</th><th>We</th><th>Th</th><th>Fr</th><th>Sa</th> <th>Su</th><th>Mo</th><th>Tu</th><th>We</th><th>Th</th><th>Fr</th><th>Sa</th> </tr> <tr> <td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td> <td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td> </tr> <tr> <td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td> <td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td> </tr> <tr> <td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td> <td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td> </tr> <tr> <td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td> <td>28</td><td>29</td><td>30</td><td></td><td></td><td></td><td></td> </tr> <tr> <td>31</td><td></td><td></td><td></td><td></td><td></td><td></td> <td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>							March 2024							April 2024							Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	3	4	5	6	7	8	9	7	8	9	10	11	12	13	10	11	12	13	14	15	16	14	15	16	17	18	19	20	17	18	19	20	21	22	23	21	22	23	24	25	26	27	24	25	26	27	28	29	30	28	29	30					31													
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# May 2024

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19 Lone Star Park (TB) SHRP Lockdown 1:35pm Post Times (LSP)	20 SHRP & LSP Lockdown	21	22	23 LSP Lockdown 6:30pm Post Times (SHRP)	24 Sam Houston Race Park (QH) 6:30pm Post Times (SHRP)	25 Lone Star Park (TB) 1:35pm Post Times (LSP) 6:30pm Post Times (SHRP)
26 Lone Star Park (TB) 1:35pm Post Times (LSP)	27 SHRP Lockdown 1:35pm Post Times (LSP)	28 SHRP & LSP Lockdown	29	30 Sam Houston Race Park (QH) LSP Lockdown 6:30pm Post Times (SHRP)	31 To Jun 1 → Lone Star Park (TB) → 6:30pm Post Times (SHRP) 6:35pm Post Times (LSP)	Jun 1

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LSP Lockdown				Lone Star Park (QH) 6:05pm Post Times (LSP)*		
27	28	29	30	31	Nov 1	2
LSP Lockdown				Lone Star Park (QH) 6:05pm Post Times (LSP)*		



<h1>November 2024</h1>							November 2024							December 2024								
							Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa		
							3	4	5	6	7	8	9	1	2	3	4	5	6	7		
							10	11	12	13	14	15	16	8	9	10	11	12	13	14		
							17	18	19	20	21	22	23	15	16	17	18	19	20	21		
							24	25	26	27	28	29	30	22	23	24	25	26	27	28		
														29	30	31						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY																
Oct 27	28	29	30	31	Nov 1	2																
					Lone Star Park (QH) 6:05pm Post Times (LSP)   6:05pm Post Times (LSP)																	
3	4	5	6	7	8	9	LSP Lockdown			Lone Star Park (QH) 6:05pm Post Times (LSP)   6:05pm Post Times (LSP)   6:05pm Post Times (LSP)												
10	11	12	13	14	15	16	LSP Lockdown			Lone Star Park (QH) 6:05pm Post Times (LSP)   6:05pm Post Times (LSP)   6:05pm Post Times (LSP)												
17	18	19	20	21	22	23	Lone Star Park (LD)															
24	25	26	27	28	29	30	Lone Star Park (LD)															

# December 2024

December 2024							January 2025						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30	31	
29	30	31											

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Dec 1	2	3	4	5	6	7
8	9	10	11 10:30am TXRC Commission Meeting (Criminal Law Enforcement Building (6100 Guadalupe St, Austin, TX 78752,	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	Jan 1, 25	2	3	4

**Texas Racing Commission**  
*Staff Review of Racetrack Licenses*  
 October 2023  
**Manor Downs (Austin, Texas)**

<b>Description</b>	Inactive Class 2 Horse Racetrack (Travis County)
<b>Current Status</b>	Inactive Last Review of Record: October 13, 2021
<b>Live Race Dates</b>	July 2010

Renewal Criteria: *Texas Racing Act* §§2025.104-106 identifies the following factors as criteria the Commission shall consider in determining whether to renew a racetrack license: *Financial Stability, Ability to Conduct Live Racing, Ability to Construct and Maintain a Racetrack, Other Good Faith Efforts to Conduct Live Racing*

<b><i>Financial Stability</i></b>	<b><i>Ability to Conduct Live Racing</i></b>	<b><i>Ability to Construct and Maintain a Track</i></b>	<b><i>Other Good Faith Efforts to Conduct Live Racing</i></b>
The Texas Secretary of State forfeited the corporate charter for PM Texas, LLC on May 19, 2023. The racetrack was originally opened in 1975 holding only non-betting races and was also used as a training facility and concert venue.	Manor Downs was once billed as Texas' oldest pari-mutuel horse track. There has been no live racing at Manor Downs since late July 2010.	The leadership of Penn Entertainment is actively pursuing a new parcel of land that would be suitable to construct a racetrack in the future.	The leadership of Penn Entertainment is actively pursuing a new parcel of land that would be suitable to construct a racetrack in the future.

Staff Analysis: The Manor Downs horse racetrack license currently owned by Hill Lane LLC; a subsidiary of Penn Entertainment Group is not associated with any real property as of October 2022. The leadership of Penn Entertainment is actively pursuing a new parcel of land that would be suitable to construct a race track in the future.

Staff Recommendation: **Staff recommends that the Commission renew the Manor Downs license without conditions.**



**Texas Racing Commission**  
*Staff Review of Racetrack Licenses*  
 October 2023

**Gillespie County Fair & Festivals Association (GFFCA) (Fredericksburg, Texas)**

<b>Description</b>	Active Class 3 Horse Racetrack (Gillespie County)
<b>Current Status</b>	Active-Operating. Last Review of Record: October 9, 2018
<b>Live Race Dates</b>	July and August 2023

Renewal Criteria: *Texas Racing Act* §§2025.104-106 identifies the following factors as criteria the Commission shall consider in determining whether to renew a racetrack license: *Financial Stability, Ability to Conduct Live Racing, Ability to Construct and Maintain a Racetrack, Other Good Faith Efforts to Conduct Live Racing*

<i>Financial Stability</i>	<i>Ability to Conduct Live Racing</i>	<i>Ability to Construct and Maintain a Track</i>	<i>Other Good Faith Efforts to Conduct Live Racing</i>
GFFCA is a charity Class 3 horse racetrack operating continuously that offers simulcast racing at the Race Barn restaurant on the property.	Gillespie County Fair and Festivals Association, Inc., is currently in good standing with the Texas Secretary of State. Inspections note minor issues which are readily addressed.	Gillespie does not have a multi-million-dollar grandstand or even a paved parking lot. The only air-conditioning at the track comes when a Texas Hill Country breeze blows through the nearly 40-year-old open-air grandstand, and yet Gillespie has survived, and mostly flourished, for more than a century.	Gillespie's history goes back to the late 1800s, ranking it right up there with iconic ovals like Churchill Downs and Belmont Park as one of the oldest continuously operating racetracks in the country.

Staff Analysis: GFFCA continues to operate a success racetrack both during the decades without pari-mutuel racing in Texas and in recent years as fair racing has struggled across the country, is the dedicated team of tireless volunteers who operate the track and county fair, many of whom go back three or four generations.

**Staff Recommendation: Staff recommends that the Commission renew the GFFCA license without conditions.**



# X. EXECUTIVE SESSION

**XI. NEXT COMMISSION MEETING  
DECEMBER 13, 2023**

**XII. ADJOURN**