

BILL ANALYSIS

Senate Research Center
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H.B. 1187
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since the initial introduction of the Texas Racing Act in 1986, the penalties for unethical practices or violations of the racing rules have not been increased. This legislation brings the penalties up to date with current monetary values.

Section 3.07 (Officials of Race Meetings) of the Texas Racing Act establishes the authority of stewards to assess penalties against persons who commit unethical practices or violate racing rules, including drug violations in race animals.

H.B. 1187 allows the Texas Racing Commission (TRC) to enforce stricter penalties on individuals who violate TRC's drug enforcement policies. Under this legislation, penalties will increase from \$5,000 to \$25,000 and suspensions will increase from one year to five years. Penalties modified by the executive director will increase from \$10,000 to \$100,000 and suspensions will increase from two years to five years. These changes are in line with the recommendations put forth in the model rules of the Association of Racing Commissioners International.

H.B. 1187 amends current law relating to the power of stewards or judges to impose penalties under the Texas Racing Act, and provides penalties.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Racing Commission is modified in SECTION 1 (Section 3.07, Texas Racing Act (Article 179e, V.T.C.S.)) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3.07(b), Texas Racing Act (Article 179e, V.T.C.S.), as follows:

(b) Requires the Texas Racing Commission (TRC) to make rules specifying the authority and the duties of each official, including the power of stewards or judges to impose penalties for unethical practices or violations of racing rules. Authorizes a penalty imposed by the stewards or judges to include a fine of not more than \$25,000, rather than a fine of not more than \$5,000, a suspension for not more than five years, rather than not more than one year, or both a fine and suspension. Provides that a decision of a steward or judge, after conducting a hearing that is consistent with constitutional due process before imposing a penalty under this subsection, is subject to review by the executive secretary of TRC (executive director), who is authorized to modify the penalty. Authorizes a penalty modified by the executive director under this section (Officials of Race Meetings) to include a fine not to exceed \$100,000, rather than not to exceed \$10,000, a suspension not to exceed five years, rather than not to exceed two years, or both a fine and a suspension.

SECTION 2. Provides that the changes in law made by this Act apply only to a penalty imposed on or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2013.