



TEXAS RACING COMMISSION

**P. O. Box 12080
Austin, TX 78711-2080
(512) 833-6699
Fax (512) 833-6907**

Texas Racing Commission
Tuesday, February 9, 2016
10:30 a.m.
John H. Reagan Building
105 W. 15th Street
Austin, Texas 78701

AGENDA

I. CALL TO ORDER
Roll Call

II. PUBLIC COMMENT

III. GENERAL BUSINESS

Discussion, consideration, and possible action on the following matter:

A. Election of the Vice Chair

Discussion and consideration of the following matters:

B. Reports by the Executive Director and Staff regarding Administrative Matters

- 1) Budget and Finance Update
- 2) Report on Wagering Statistics
- 3) Inspection and Enforcement Reports
- 4) Recognition of the Texas Horsemen's Partnership as the Official Horsemen's Organization
- 5) Report on the Executive Director's Plan to Close the Agency in the Event that Additional Appropriations are not Approved

IV. PROCEEDINGS ON RULEMAKING

Discussion, consideration and possible action on the following matters:

A. Adoption of Amendments and Adoption of Repeals of Rules Related to Historical Racing as published in the January 1, 2016, edition of the *Texas Register*:

- 1) Adoption of Amendment to Rule 301.1, Definitions
- 2) Adoption of Amendment to Rule 303.31, Regulation of Racing
- 3) Adoption of Amendment to Rule 303.42, Approval of Charity Race Days
- 4) Adoption of Amendment to Rule 309.8, Racetrack License Fees
- 5) Adoption of Amendment to Rule 309.297, Purse Accounts
- 6) Adoption of Amendment to Rule 309.299, Horsemen's Representative
- 7) Adoption of Amendment to Rule 309.361, Greyhound Purse Account and Kennel Account
- 8) Adoption of Amendment to Rule 321.5, Pari-Mutuel Auditor
- 9) Adoption of Amendment to Rule 321.12, Time Synchronization
- 10) Adoption of Amendment to Rule 321.13, Pari-Mutuel Track Report
- 11) Adoption of Amendment to Rule 321.23, Wagering Explanations
- 12) Adoption of Amendment to Rule 321.25, Wagering Information
- 13) Adoption of Amendment to Rule 321.27, Posting of Race Results
- 14) Adoption of Repeal of Subchapter F, Regulation of Historical Racing, including the Repeal of the Following Rules:
 - a) Rule 321.701, Purpose
 - b) Rule 321.703, Historical Racing
 - c) Rule 321.705, Request to Conduct Historical Racing
 - d) Rule 321.707, Requirements for Operating a Historical Racing Totalisator System
 - e) Rule 321.709, Types of Pari-Mutuel Wagers for Historical Racing
 - f) Rule 321.711, Historical Racing Pools; Seed Pools
 - g) Rule 321.713, Deductions from Pari-Mutuel Pools
 - h) Rule 321.715, Contract Retention, Pari-Mutuel Wagering Record Retention
 - i) Rule 321.717, Effect of Conflict
 - j) Rule 321.719, Severability

V. EXECUTIVE SESSION

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

- A. Under Government Code Sec. 551.071(1), the Commission may open an executive session to seek the advice of its attorney regarding pending or contemplated litigation, or regarding a settlement offer.
- B. Under Government Code Sec. 551.071(2), the Commission may open 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 Texas Racing Act, Tex. Rev. Civ. Stat. Ann. art. 179e, Sec. 6.03, the Commission may open an executive session to review security plans and management, concession, and totalisator contracts.

VI. SCHEDULING OF NEXT COMMISSION MEETING

VII. ADJOURN