

By: Thompson of Harris

H.B. No. 1187

A BILL TO BE ENTITLED

AN ACT

relating to the power of stewards or judges to impose penalties under the Texas Racing Act; providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 3.07(b), Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) The commission shall 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. A penalty imposed by the stewards or judges may include a fine of not more than \$25,000 [~~\$5,000~~], a suspension for not more than five years [~~one year~~], or both a fine and suspension. Before imposing a penalty under this subsection, the stewards and judges shall conduct a hearing that is consistent with constitutional due process. A hearing conducted by a steward or judge under this subsection is not subject to Chapter 2001, Government Code. A decision of a steward or judge is subject to review by the executive director, who may modify the penalty. A penalty modified by the executive director under this section may include a fine not to exceed \$100,000 [~~\$10,000~~], a suspension not to exceed five [~~two~~] years, or both a fine and a suspension. A decision of a steward or judge that is not reviewed or modified by the executive director is a final decision. Any decision of a steward or judge may be appealed under Section 3.08(a) of this Act

1 regardless of whether the decision is modified by the executive
2 director.

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

5 SECTION 3. This Act takes effect September 1, 2013.