

OCCUPATIONS CODE

TITLE 13. SPORTS, AMUSEMENTS, AND ENTERTAINMENT

SUBTITLE A-1. TEXAS RACING ACT

CHAPTER 2031. TEXAS DERBIES

Sec. 2031.001. ESTABLISHMENT OF TEXAS DERBIES. (a) The commission shall establish as Texas Derbies the following annual stakes races:

- (1) one race open to three-year-old Thoroughbreds;
 - (2) one race open only to three-year-old Texas-bred Thoroughbreds;
 - (3) one race open to three-year-old quarter horses;
- and
- (4) one race open only to three-year-old Texas-bred quarter horses.

(b) Each Texas Derby must be held annually on a date and at the class 1 racetrack determined by the commission. The commission shall determine the location of each Texas Derby in consultation with:

- (1) each class 1 racetrack;
- (2) the official state horse breed registries; and
- (3) the official horsemen's organization.

(c) The commission may sell the right to name a Texas Derby. The commission shall deposit the proceeds from the sale of the right to name a Texas Derby into the Texas Derby escrow purse fund established under Section [2031.004](#).

Added by Acts 2017, 85th Leg., R.S., Ch. 963 (S.B. [1969](#)), Sec. 1.01, eff. April 1, 2019.

Sec. 2031.002. RACE CONDITIONS, ENTRANCE QUALIFICATIONS, AND PREFERENCE SYSTEM. (a) For each Texas Derby, the race conditions, the entrance qualifications, and the preference system used to determine race finalists shall be developed by:

- (1) the racetrack that is awarded the derby, for a race described by Section [2031.001](#)(a)(1) or (3); or
- (2) the respective official state horse breed registries and the official horsemen's organization, for a race

described by Section 2031.001(a)(2) or (4).

(b) The race conditions, the entrance qualifications, and the preference system developed under Subsection (a) are subject to review and approval by the executive director.

Added by Acts 2017, 85th Leg., R.S., Ch. 963 (S.B. 1969), Sec. 1.01, eff. April 1, 2019.

Sec. 2031.003. PRERACE EXAMINATION. (a) For each Texas Derby, the commission shall appoint a state veterinarian to conduct a prerace examination of each horse entered in the race to determine whether the horse:

- (1) is healthy; and
- (2) meets standards set by commission rule for racing.

(b) The examination may:

- (1) be conducted at any time before the race; and
- (2) include any procedure that the state veterinarian considers necessary to make the determination required by Subsection (a).

Added by Acts 2017, 85th Leg., R.S., Ch. 963 (S.B. 1969), Sec. 1.01, eff. April 1, 2019.

Sec. 2031.004. TEXAS DERBY ESCROW PURSE FUND. (a) The commission shall establish a Texas Derby escrow purse fund.

(b) Notwithstanding Section 2023.053 or 2024.055 or any other law, the commission by rule shall determine a portion of the fees, charges, and other revenue collected under this subtitle to be deposited to the credit of the Texas Derby escrow purse fund in the amount reasonably necessary to maintain competitive purses for each Texas Derby.

(c) The commission shall by rule establish a schedule of entrance fees for participants in each Texas Derby. A portion of each entrance fee, in the amount determined by the commission under Subsection (b), shall be deposited in the Texas Derby escrow purse fund.

(d) The commission by rule may assess under this subtitle additional charges and fees, including gate fees, to supplement the funds otherwise deposited in the Texas Derby escrow purse fund

under this section.

(e) The commission may not:

(1) use funds from the accredited Texas-bred program under Subchapter A, Chapter 2030, or the escrowed purse account under Section 2028.204 to fund the Texas Derby escrow purse fund; or

(2) order a state horse breed registry to fund a purse for a Texas Derby, make contributions to the Texas Derby escrow purse fund, or pay the expenses of a Texas Derby race.

(f) State revenue may not be deposited to the credit of the Texas Derby escrow purse fund except as provided by this section.

Added by Acts 2017, 85th Leg., R.S., Ch. 963 (S.B. 1969), Sec. 1.01, eff. April 1, 2019.