



TEXAS RACING COMMISSION
P.O. Box 12080
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(512) 833-6699

June 13, 2022

To: All Occupational and Business Licensees of the Texas Racing Commission

Subject: Approval of Pari-Mutuel Simulcast Wagering Import and Export Requests Policy Statement

Effective immediately, all pending requests for approval for the import and export of pari-mutuel simulcast signals will be considered and approved on a case-by-case basis, in writing, signed by the Executive Director. This policy change allows for the determination of whether the export or import signal invokes the jurisdiction of the Horseracing Integrity and Safety Authority created by the Horseracing Integrity and Safety Act of 2020 ("HISA"), which is effective on July 1, 2022.

Requests for approval will be reviewed to determine if they meet the definition of "*covered horserace*" which is defined in HISA at 15 USC § 3051(5), as a race that "*has a substantial relation to interstate commerce, including any Thoroughbred horserace that is the subject of interstate off-track or advance deposit wagers.*" If a request for import or export is denied, a request for reconsideration may be made to the Executive Director in writing within thirty (30) days of the date of the denial letter.

This action is taken pursuant to: 1) the Interstate Horseracing Act of 1978, Title 57 § 3002 (a)(10), which states that the host racing commission, which in Texas is the Texas Racing Commission, is the entity described "*with the jurisdiction to regulate the conduct of racing within the host State.*"; 2) The Texas Racing Act § 2023.002 (a), which states, in part: "*The commission shall regulate and supervise each race meeting in this state that involves wagering on the result of horse racing...Each person and thing relating to the operation of a race meeting is subject to regulation and supervision by the commission...*" 3) The Texas Rules of Racing, §321.405(a) and §321.407(a), which state "*An association that wishes to serve as an exporting racetrack shall submit the form of its contract as an exporting racetrack to the executive secretary for approval,*" and "*an association must file a request for approval to import to the executive secretary on a form prescribed by the executive secretary.*"

Since the Texas Racing Commission regulates all aspects of Texas horse racing, including, in particular, pari-mutuel and simulcast wagering in Texas, the application of federal law pursuant to HISA in any aspect of horse racing regulation for a particular race or meet will necessarily preclude the Texas Racing Commission from full compliance with the Texas Racing Act and will, therefore, necessitate that no such affected race shall be allowed to conduct on-site pari-mutuel wagering or provide simulcast export signal. Any such request will, of necessity, be denied by the Texas Racing Commission.

The adoption of this policy is to assure uniformity in Commission action and to provide clarity to all track associations concerning their continued compliance with the Texas Racing Act as well as with HISA.

Sincerely,

Amy F. Cook

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Executive Director