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Carole Keeton Rylander
Comptroller of Public Accounts

RQ-0567-JC

June 21, 2002

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OFFICE OF THE ATTORNEY GENERAL
EXECUTIVE ADMINISTRATION

2875

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OPINION COMMITTEE

The Honorable John Cornyn
Attorney General
State of Texas
Post Office Box 12548
Austin, Texas 78711-2548

FILE # ML-42679-02

I.D. # 42679

Dear General Cornyn:

I am writing to request your opinion about whether the Great State Challenge (GSC) qualifies as one of the "Breeders' Cup races" under the Texas Racing Act (TRA).

The TRA defines "Breeders' Cup races" to mean a "series of thoroughbred races known as the Breeders' Cup Championship races conducted annually by Breeders' Cup Limited on a day known as Breeders' Cup Championship day." TEX. REV. CIV. STAT. ANN. art. 179e, § 6.094(a)(2) (Vernon Supp. 2002).

Our understanding of the relevant facts is set forth in the following two paragraphs.

- (1) The National Thoroughbred Racing Association (NTRA) has designated the Sam Houston Race Park in Houston to host the inaugural GSC on December 7, 2002. The GSC will consist of six thoroughbred races with a total purse of greater than \$1.5 million. Funding will be provided by the NTRA, Breeders' Cup Limited, participating state breeders, and the Sam Houston Race Park.
- (2) The GSC will be modeled on the Breeders' Cup World Thoroughbred Championships (the "Championships"). The Championships are thoroughbred racing's year-end championships. For the second consecutive year, the NTRA and Breeders' Cup Limited will jointly conduct the Championships. The next edition of the Championships will be held at Arlington Park in Arlington Heights, Illinois on October 26, 2002. The Championships will consist of eight races, culminating in the \$4 million Breeders' Cup Classic. The first Championships were held in 1984. The first 17 editions were known as the Breeders' Cup and were held on what was known as Breeders' Cup Championship day.

I greatly appreciate your assistance in this matter and look forward to a prompt response so that my office and the Texas Racing Commission can properly handle their statutory obligations under the TRA.

Sincerely,

Carole Keeton Rylander
Texas Comptroller

