

2019 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE SCHEXNAYDER

1 AN ACT

2 To amend and reenact R.S. 4:183(B) and to enact R.S. 3:2438.1, relative to purse  
3 distribution; to provide definitions; to provide for donations; to provide for  
4 thoroughbred race meetings; to provide for underpayment; to provide for quarter  
5 horse race meetings; to make technical changes; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 3:2438.1 is hereby enacted to read as follows:

8 §2438.1. Horse aftercare; definition

9 "Horse aftercare" means the providing for the retraining or retiring of  
10 thoroughbreds and quarter horses that have participated at licensed race tracks in  
11 Louisiana.

12 Section 2. R.S. 4:183(B) is hereby amended and reenacted to read as follows:

13 §183. Contracts between licensees and permittees licensed to race horses at race  
14 meetings conducted in the state

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16 B.(1) Monies due as purses to persons licensed to race horses at race  
17 meetings conducted in the state as a result of conditions outlined in Subsection A of  
18 this Section and the monies due to the Horsemen's Benevolent and Protective  
19 Association pursuant to the provisions of Subparagraph (A)(4)(b) of this Section  
20 shall be allocated and distributed during the race meeting at which earned, including  
21 any donations by the association for horse aftercare as defined in R.S. 3:2438.1.

1           (1)(2) In the event the amount distributed as purses is more than the amount  
2           required by ~~R.S. 4:183(A)~~ Subsection A of this Section, the overpayment shall be  
3           carried forward to the next race meeting conducted by the same association. It shall  
4           be carried on the association books as an asset.

5           ~~(2)~~(3) In the event the amount distributed as purses to persons licensed to  
6           race horses at thoroughbred race meetings conducted in the state is less than the  
7           amount required by ~~R.S. 4:183(A)~~ this Section, and more than an amount equal to  
8           two times the average daily purse distribution at the thoroughbred race meeting at  
9           which generated, it shall be delivered to the Horsemen's Benevolent and Protective  
10          Association for further distribution to persons having earned monies during the  
11          meeting, in the direct proportion that the underpayment is to the monies earned by  
12          that person at that meeting. In the event the underpayment is less than an amount  
13          equal to two times the average daily purse distribution at that meeting, it shall be  
14          retained by the association in an interest bearing account to be used for purses at the  
15          next thoroughbred meeting conducted by that association. Interest earned on the  
16          account shall be added to the purse paid over and above the amount required to be  
17          paid as purses by ~~R.S. 4:183(A)~~ this Section.

18          ~~(3) Notwithstanding the provisions of Paragraph (2) of this Subsection, the~~  
19          ~~provisions of this Paragraph shall apply only to thoroughbred race meetings at any~~  
20          ~~facility subject to the provisions of R.S. 27:372.1(A). For such facilities, in the event~~  
21          ~~the amount distributed as purses to persons licensed to race horses at thoroughbred~~  
22          ~~race meetings conducted in the state is less than the amount required by Subsection~~  
23          ~~A of this Section, and more than an amount equal to two times the average daily~~  
24          ~~purse distribution at the race meeting at which such amount is generated, it shall be~~  
25          ~~delivered to the Horsemen's Benevolent and Protective Association for further~~  
26          ~~distribution to persons having earned monies during the meeting, in the direct~~  
27          ~~proportion that the underpayment is to the monies earned by that person at that~~  
28          ~~meeting. In the event the underpayment is less than an amount equal to two times~~  
29          ~~the average daily purse distribution at that meeting, it shall be retained by the~~  
30          ~~association in an interest-bearing account to be used for purses at the next~~

1 ~~thoroughbred race meeting conducted by that association. Interest earned on the~~  
2 ~~account shall be added to the purse paid over and above the amount required to be~~  
3 ~~paid as purses by Subsection A of this Section.~~

4 (4) In the event the amount distributed as purses to persons licensed to race  
5 horses at quarter horse race meetings conducted in the state is less than the amount  
6 required by this Section and more than an amount equal to two times the average  
7 daily purse distribution at the quarter horse race meeting at which generated, it shall  
8 be delivered to the Horsemen's Benevolent and Protective Association for further  
9 distribution to persons having earned monies during the meeting, in the direct  
10 proportion that the underpayment is to the monies earned by that person at that  
11 meeting. In the event the underpayment is less than an amount equal to two times  
12 the average daily purse distribution at that meeting, it shall be retained by the  
13 association in an interest bearing account to be used for purses at the next quarter  
14 horse meeting conducted by that association. Interest earned on the account shall be  
15 added to the purse paid over and above the amount required to be paid as purses by  
16 this Section.

17 ~~(4)~~(5) For the purposes of this Subsection, "average daily purse distribution"  
18 means all sources of funds available for use as a purse or purse supplement that are  
19 required by law to be distributed during a race meeting.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_