

2022 Regular Session

HOUSE BILL NO. 1055

BY REPRESENTATIVE HUGHES

RACING/HORSE: Provides relative to horse racing

1 AN ACT

2 To amend and reenact R.S. 4:158.1 and 160(B) and to enact R.S. 4:147(7) and (8), 158.2,
3 and 160(C), relative to horse racing; to provide for specific duties of the Louisiana
4 State Racing Commission; to provide for standards and employment; to provide for
5 written reports; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 4:158.1 and 160(B) are hereby amended and reenacted and R.S.
8 4:147(7) and (8), 158.2, and 160(C) are hereby enacted to read as follows:

9 §147. Specific duties of commission

10 The commission shall carry out the provisions of this Part, including the
11 following specific duties:

12 * * *

13 (7) Make rules and regulations providing for minimum standards and
14 infrastructure investments required for each association regarding facility
15 maintenance and facility improvements including but not limited to track surface,
16 barns, grand stands, and paddocks in order for the association or licensee to conduct
17 race meets at a particular track.

18 (8) Make rules and regulations providing for minimum full-time and
19 seasonal employment requirements in order for the association or licensee to conduct
20 race meets at a particular track.

21 * * *

1 §158.1. Written report

2 A. Beginning January 1, 2015, the commission ~~may~~ shall require a licensed
3 association to submit a written report that may include the following information:

4 (1) The plan of operation for each fiscal year. ~~The plan of operation may~~
5 which shall include but not be limited to customer service, marketing and promotions
6 relative to horse racing, capital improvement, ~~and facility maintenance, and facility~~
7 improvements. "Facility maintenance" ~~may~~ and "facility improvements" shall
8 include but not be limited to track surface, barns, grand stands, and paddocks.

9 (2) A summary of the implementation and status of the prior year's plan.

10 B. The commission ~~may~~ shall adopt rules in accordance with the
11 Administrative Procedure Act to implement the provisions of this Section, including,
12 as appropriate, standard forms to be used for the annual report and plan of operation.

13 §158.2 Quarterly reporting of professional services information

14 A. Each association or licensee as defined in R.S. 4:143 shall submit to the
15 commission, the Senate Committee on Judiciary B, and the House Committee on
16 Commerce all of the following:

17 (1) A report naming each individual, corporation, firm, partnership,
18 association, or other legal entity that furnishes professional services to the
19 association or the licensee. The report shall indicate the name and address of the
20 entity providing the professional services and if the entity providing a professional
21 service is a registered Louisiana business, a female-owned business, or a minority-
22 owned business.

23 (2) A report on the demographic information of the association's or licensee's
24 workforce, including but not limited to race, gender, and Louisiana residency.

25 B. As used in this Section, "professional services" means those services
26 rendered in this state and shall include but are not limited to:

27 (1) Legal services.

28 (2) Advertising or public relations services.

29 (3) Engineering services.

1 (4) Architectural, landscaping, or surveying services.

2 (5) Accounting, auditing, or actuarial services.

3 (6) Construction and skilled trade services.

4 C. The reports required by the provisions of this Section shall be submitted
5 on a quarterly basis. Each report shall be forwarded to the commission and the
6 legislative committees described in Subsection A of this Section by certified mail no
7 later than twenty days after the end of each calendar quarter.

8 D. A report required by the provisions of this Section shall be a public record
9 and governed by the provisions of R.S. 44:1 et seq.

10 E. A report required by the provisions of this Section shall not be required
11 to contain the amount of compensation paid by the association or licensee to each
12 individual, corporation, firm, partnership, association, or other legal entity in
13 exchange for providing the professional services nor shall it be required to contain
14 the amount of compensation paid to each of its employees.

15 F. The commission may suspend or withdraw licenses, permits, and
16 privileges granted by it or terminate racing privileges for failure to timely submit the
17 report required by the provisions of this Section.

18 G. The commission shall adopt rules to implement the provisions of this
19 Section. All rules shall be adopted pursuant to the provisions of the Administrative
20 Procedure Act.

21 H. The first reports required pursuant to this Section shall be submitted on
22 or before October 20, 2022.

23 * * *

24 §160. Grounds for fines, suspension, denial, or termination of racing privileges to
25 an association

26 * * *

27 B. The commission may suspend or withdraw licenses, permits, and
28 privileges granted by it or terminate racing privileges for just cause for failure to

1 spend necessary funds in order to maintain minimum facility maintenance and
2 facility improvement criteria established by the commission.

3 C. Notwithstanding any other provision of law to the contrary, the provisions
4 of this Section shall apply to any licensee or association, regardless of the date on
5 which the license was issued to the licensee or association.

6 Section 2. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1055 Engrossed

2022 Regular Session

Hughes

Abstract: Provides for duties required of the La. State Racing Commission and provides for certain reporting requirements of licensed associations.

Present law provides for specific duties of the La. State Racing Commission.

Proposed law provides for the following additional duties of the commission:

- (1) Promulgate rules setting forth minimum standards and infrastructure investments required of each association for facility maintenance and improvements, such as minimum standards for track surface, barns, grand stands, and paddocks in order for the association to be eligible to conduct race meets at a particular track.
- (2) Promulgate rules setting forth minimum employment requirements for both full-time and seasonal workers in order for the association to be eligible to conduct race meets at a particular track.

Present law authorizes the commission to require licensed associations to submit a written report and sets forth certain guidelines to be included in the report, including a plan of operation and a summary of the prior year's plan of operation. Proposed law changes these reporting provisions from a regulation the commission is authorized to enforce to a regulation the board is required to enforce.

Proposed law requires facility improvements to be included in the plan of operation guidelines set forth in present law.

Present law defines "facility improvements".

Proposed law requires each association or licensee as defined in present law (R.S. 4:143) to submit, by certified mail no later than 20 days after the end of each calendar quarter, a report

to the commission, Senate Committee on Judiciary B, and the House Committee on Commerce which names each individual, corporation, firm, partnership, association, or other legal entity that provides professional services to the association, including the name and addresses of each entity and whether the entity providing the services is a La. registered business, female-owned, or minority-owned.

Proposed law requires each association or licensee as defined in present law (R.S. 4:143) to submit, by certified mail no later than 20 days after the end of each calendar quarter, a report to the commission, Senate Committee on Judiciary B, and the House Committee on Commerce which provides the demographic information of the association's or licensee's workforce, including race, gender, and La. residency.

Proposed law defines "professional services".

Proposed law requires the reports set forth in proposed law to be public record and governed by present law public record provisions.

Proposed law provides that the reports required pursuant to proposed law are not required to contain compensation amounts paid by the association to each individual or legal entity in exchange for professional services or the compensation paid to each of its employees.

Proposed law authorizes the commission to suspend or withdraw licenses, permits, and other privileges or to terminate racing privileges for failure to comply with the reporting requirements in accordance with proposed law.

Proposed law requires the commission to adopt rules for the implementation of proposed law and requires such rules to be adopted pursuant to the Administrative Procedure Act.

Proposed law requires the first report required pursuant to proposed law to be submitted by October 20, 2022.

Proposed law authorizes the commission to suspend or withdraw licenses, permits, and other privileges or terminate racing privileges for failure to spend necessary funds in order to maintain minimum facility maintenance and facility improvement criteria established pursuant to present law and proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 4:158.1 and 160(B); Adds R.S. 4:147(7) and (8), 158.2, and 160(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.