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**SENATE COMMITTEE AMENDMENTS**

2023 Regular Session

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 564 by Representative Schexnayder

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 27:249.1" and insert the following:

"R.S. 4:149(A) and R.S. 27:44(22), 205(30), 602(19) and (22) and 625(G)(4) and to enact R.S. 4:200 and R.S. 27:86(E), 249.1(E), 603(2)(a)(xvii), 608(B)(3) and 622"

AMENDMENT NO. 2

On page 1, line 3, after "to provide for" delete the remainder of the line and insert "a"

AMENDMENT NO. 3

On page 1, line 4, after "wagering" delete "to be used as purse supplements" and insert "purse supplement fund"

AMENDMENT NO. 4

On page 1, line 6, after "operators;" delete the remainder of the line and insert the following:

"to provide for a state tax levy distribution on fixed odds to the fund; and to provide for"

AMENDMENT NO. 5

On page 1, line 9, after "Section 1." delete the remainder of the line, delete lines 10 through 18, delete page 2, and insert the following:

"R.S. 4:149(A) is hereby amended and reenacted and R.S. 4:200 is hereby enacted to read as follows:

§149. Wagering; rules and regulations

A. The commission may prescribe rules and regulations under which shall be conducted all horse races upon the results of which there is wagering. The commission shall, as may be necessary, prescribe additional special rules and regulations applicable separately to thoroughbreds and quarter horses. The commission shall make rules governing, permitting, and regulating the wagering on horse races under the form of mutuel wagering by patrons, known as pari-mutuel wagering, whether on live or historical horse races. Only those persons receiving a license from the commission may conduct this type of wagering, and shall restrict this form of wagering to any space within the race meeting grounds or an offtrack wagering facility, as determined solely by the commission. ~~At~~ Except as provided in R.S. 27:622, all other forms of wagering on the result of horse races are illegal.

\* \* \*

§200. Fixed Odds Horse Wagering Purse Supplement Fund; creation

A. There is hereby created in the state treasury a special fund to be known as the Fixed Odds Horse Wagering Purse Supplement Fund, hereafter referred to in this Section as the "fund".

B. Any appropriation by the legislature to the commission from the fund shall be utilized to supplement purses as provided in this Section.

C. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earned on the investments of monies in the fund shall be deposited in and credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

1 D. Monies in the fund shall only be withdrawn pursuant to an appropriation  
2 by the legislature solely to implement the provisions of this Section.

3 E. Each fiscal year, the commission shall allocate any appropriations received  
4 pursuant to R.S. 27:625(G)(4) as follows:

5 (1) Seventy percent of the funds appropriated to the commission pursuant to  
6 this Paragraph shall be allocated and provided to the licensed racing associations in  
7 the state that conduct live horse racing on the basis of the proportion of the number  
8 of thoroughbred race days each association conducted for the preceding year bears  
9 to the total number of thoroughbred race days conducted statewide for the preceding  
10 year, and such funds shall be used solely to supplement purses in accordance with  
11 a schedule or formula established by the purse committee of the Louisiana  
12 Thoroughbred Breeders Association.

13 (2) Thirty percent of the funds appropriated to the commission pursuant to  
14 this Paragraph shall be allocated and provided to the licensed racing associations in  
15 the state which conduct live horse racing on the basis of the proportion of the number  
16 of quarter horse race days each association conducted for the preceding year bears  
17 to the total number of quarter horse race days conducted statewide for the preceding  
18 year, and such funds shall be used solely to supplement purses in accordance with  
19 a schedule or formula established by the purse committee of the Louisiana Quarter  
20 Horse Breeders Association.

21 Section 2. R.S. 27:44(22), 205(30), 602(19) and (22), and 625(G)(4) are hereby  
22 amended and reenacted and R.S. 27:86(E), 249.1(E), 603(2)(a)(xvii), 608(B)(3), and 622 are  
23 hereby enacted to read as follows:

24 §44. Definitions

25 When used in this Chapter, the following terms shall mean:

26 \* \* \*

27 (22)(a) "Racehorse wagering" means wagers placed on horse racing  
28 conducted under the pari-mutuel form of wagering at licensed racing facilities that  
29 is accepted by a licensed racehorse wagering operator under the provisions of this  
30 Chapter.

31 (b) "Fixed odds wagering on horse races" means the acceptance of wagers on  
32 a sports event of a live or simulcast horse race with predetermined odds. Fixed odds  
33 wagering on horse races shall only occur in strict compliance with R.S. 27:622. The  
34 wager may be combined with other wagers on other sporting events as authorized by  
35 this Chapter.

36 \* \* \*

37 §86. Issuance of permit to conduct racehorse wagering

38 \* \* \*

39 E. Acceptance of fixed odds wagering on horse races shall only be conducted  
40 pursuant to a commercial participation agreement as described in R.S. 27:622.

41 \* \* \*

42 §205. Definitions

43 When used in this Chapter, the following terms have these meanings:

44 \* \* \*

45 (30)(a) "Racehorse wagering" means wagers placed on horse racing  
46 conducted under the pari-mutuel form of wagering at licensed racing facilities that  
47 is accepted by a licensed racehorse wagering operator under the provisions of this  
48 Chapter.

49 (b) "Fixed odds wagering on horse races" means the acceptance of wagers on  
50 a sports event of a live or simulcast horse race with predetermined odds. Fixed odds  
51 wagering on horse races shall only occur in strict compliance with R.S. 27:622. The  
52 wager may be combined with other wagers on other sporting events as authorized by  
53 this Chapter.

54 \* \* \*

55 §249.1. Issuance of permit to conduct racehorse wagering

56 \* \* \*

57 E. Acceptance of fixed odds wagering on horse races shall only be conducted  
58 pursuant to a commercial participation agreement as described in R.S. 27:622.

59 \* \* \*

60 §602. Definitions

1 For purposes of this Chapter, the following terms shall have the following  
2 meanings ascribed to them unless the context clearly indicates otherwise:

3 \* \* \*

4 (19)(a) "Racehorse wagering" means wagers placed on horse racing  
5 conducted under the pari-mutuel form of wagering at licensed racing facilities that  
6 is accepted by a licensed racehorse wagering operator under the provisions of this  
7 Chapter.

8 (b) "Fixed odds wagering on horse races" means the acceptance of wagers on  
9 a sports event of a live or simulcast horse race with predetermined odds. Fixed odds  
10 wagering on horse races shall only occur in strict compliance with R.S. 27:622. The  
11 wager may be combined with other wagers on other sporting events as authorized by  
12 this Chapter.

13 \* \* \*

14 (22)(a) "Sports event" means any professional sport or athletic event, any  
15 collegiate sport or athletic event, any amateur sport or athletic event, any Olympic  
16 or international sports competition event, any competitive video game or other  
17 electronic sports event, or any other special event or competition of relative skill as  
18 authorized by the board to be a sports event for purposes of this Chapter.

19 (b) A "sports event" may include "racing" as defined in R.S. 4:143 and  
20 subject to the requirements set forth in R.S. 27:622.

21 (c) "Sports event" shall not include high school sports, youth events, any  
22 international sports events where the majority of the participants are under the age  
23 of eighteen years, fantasy sports contests as provided in Chapter 6 of this Title, and  
24 any event prohibited by law.

25 \* \* \*

26 §603. Gaming Control Board; state police; duties and powers

27 \* \* \*

28 (2)(a) In accordance with the Administrative Procedure Act, the board shall:

29 \* \* \*

30 (xvii) Establish guidelines for the acceptance of fixed odds horse race wagers  
31 pursuant to R.S. 27:622.

32 \* \* \*

33 §608. Limitations on wagering

34 \* \* \*

35 B.

36 \* \* \*

37 (3) An operator shall not knowingly accept a wager from a person who is a  
38 jockey, horseman as defined in R.S. 4:143 including their employees, or a racing  
39 official as defined in R.S. 4:143 that is participating in the horse racing sports event  
40 on which the person is attempting to place the wager.

41 \* \* \*

42 §622. Fixed odds wagering on horse races

43 A. "Fixed odds wagering on horse races" means the acceptance of wagers on  
44 sports event of live or simulcast horse racing events with predetermined odds.

45 B. "Fixed odds wager on horse races" means a sum of money or  
46 representation of value risked by a player on an occurrence associated with a sports  
47 event involving race horses for which the outcome is uncertain. The term includes  
48 single-race bets, teaser bets, moneyline bets, in-race wagering, proposition bets,  
49 straight bets, and parlays.

50 (1) Net gaming proceeds from all fixed odds wagers on horse races, other  
51 than parlays, shall be allocated as provided in R.S. 27:625(G)(4)(a)(ii) and shall be  
52 credited to the Fixed Odds Horse Wagering Purse Supplement Fund established by  
53 R.S. 4:200.

54 (2) Net gaming proceeds from all fixed odds wagers on horse races, in  
55 conjunction with a parlay bet with other sports event other than another horse racing  
56 event, shall be allocated as provided in R.S. 27:625(G)(4)(a)(i) and shall be credited  
57 to the Sports Wagering Purse Supplement Fund established by R.S. 4:199.

58 C. (1) The licensee or its sports wagering platform may only accept fixed  
59 odds wagers on horse racing in the sports book lounge or on a sports wagering  
60 platform pursuant to a commercial participation agreement, approved by the board,  
with an association or other entity licensed by the Louisiana State Racing

1 Commission for the association's simulcast or other video transmission of its entire  
2 race card.

3 (2) After executing at least one commercial participation agreement with an  
4 association or other entity licensed by the Louisiana State Racing Commission, and  
5 subject to applicable federal laws, including but not limited to the Interstate  
6 Horseracing Act of 1978, 15 USCA 3001 et seq., and the Wire Communications Act,  
7 18 USCA 1081 and 1084, the board shall permit an authorized licensee or its sports  
8 wagering platform to conduct fixed odds horse wagering on any live horse races  
9 conducted out of state.

10 \* \* \*

11 §625. State tax; levy

12 \* \* \*

13 G. After complying with the provisions of Subsection D of this Section, each  
14 fiscal year the state treasurer shall credit the following amounts to the following  
15 funds:

16 \* \* \*

17 (4)(a)(i) Two and one-half percent of the monies collected pursuant to this  
18 Section shall be credited to the Sports Wagering Purse Supplement Fund established  
19 by R.S. 4:199.

20 (ii) Five percent of the monies collected from fixed odds wagering on horse  
21 races shall be credited to the Fixed Odds Horse Wagering Purse Supplement Fund  
22 established by R.S. 4:200.

23 (b)(i) Monies in the Sports Wagering Purse Supplement Fund shall only be  
24 withdrawn pursuant to an appropriation by the legislature and monies shall be  
25 appropriated to the Louisiana State Racing Commission solely for the uses and in  
26 proportion provided in R.S. 4:199.

27 (b)(ii) Monies in the Fixed Odds Horse Wagering Purse Supplement Fund  
28 shall only be withdrawn pursuant to an appropriation by the legislature and monies  
29 shall be appropriated to the Louisiana State Racing Commission solely for the uses  
30 and in proportion provided in R.S. 4:200.

31 \* \* \*