

SENATE COMMITTEE AMENDMENTS

2023 Regular Session

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

1 AMENDMENT NO. 1

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

3 "R.S. 4:149(A) and R.S. 27:44(22), 205(30), 602(19) and (22), and 625(G)(4) and
 4 to enact R.S. 4:200 and R.S. 27:86(E), 249.1(E), 603(2)(a)(xvii), 608(B)(3), and
 5 622"

6 AMENDMENT NO. 2

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

8 AMENDMENT NO. 3

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

11 AMENDMENT NO. 4

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

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

15 AMENDMENT NO. 5

16 On page 1, line 9, after "Section 1." delete the remainder of the line, delete lines 10 through
 17 18, delete page 2, and insert the following:

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

20 §149. Wagering; rules and regulations

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

32 * * *

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

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

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

39 C. Monies in the fund shall be invested by the state treasurer in the same
 40 manner as monies in the state general fund. Interest earned on the investments of
 41 monies in the fund shall be deposited in and credited to the fund. Unexpended and

1 unencumbered monies in the fund at the end of the fiscal year shall remain in the
2 fund.

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

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

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

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

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

26 §44. Definitions

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

28 * * *

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

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

38 * * *

39 §86. Issuance of permit to conduct racehorse wagering

40 * * *

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

43 * * *

44 §205. Definitions

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

46 * * *

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

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

56 * * *

57 §249.1. Issuance of permit to conduct racehorse wagering

58 * * *

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

61 * * *

1 §602. Definitions

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

4 * * *

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

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

14 * * *

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

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

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

26 * * *

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

28 * * *

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

30 * * *

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

33 * * *

34 §608. Limitations on wagering

35 * * *

36 B. * * *

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 who 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 a sports event of a live or simulcast horse race 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,
61 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 racess 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 (ii) Monies in the Fixed Odds Horse Wagering Purse Supplement Fund shall
28 only be withdrawn pursuant to an appropriation by the legislature and monies shall
29 be appropriated to the Louisiana State Racing Commission solely for the uses and
30 in proportion provided in R.S. 4:200.

31 * * *"