

2024 Regular Session

SENATE BILL NO. 427

BY SENATOR MIGUEZ

HORSE RACING. Provides for historical horse racing. (gov sig)

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AN ACT

To amend and reenact R.S. 4:143(4), 148, 211(6), 213(A)(2), 214(L) and (M), 216(E), 217(E), and the introductory paragraph to 218.1, relative to historic horse racing; to provide for definitions; to provide for rules, regulations, and conditions; to provide for offtrack wagering facilities; to provide for commissions on wagers; to provide for purse supplements; to provide for fee authorization; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:143(4), 148, 211(6), 213(A)(2), 214(L) and (M), 216(E), 217(E), and the introductory paragraph to 218.1 are hereby amended and reenacted to read as follows:

§143. Definitions

Unless the context indicates otherwise, the following terms shall have the meaning ascribed to them below:

\* \* \*

(4) "~~Historical~~ **Historic** horse racing" means a form of horse racing that creates pari-mutuel pools from wagers placed on horse races previously run at a

1 pari-mutuel facility licensed in the United States; concluded with official results; and  
2 concluded without scratches, disqualifications, or dead-heat finishes through  
3 machines permitted and authorized by the commission.

4 \* \* \*

5 §148. Rules, regulations, and conditions

6 The commission shall make rules, regulations, and conditions for the holding,  
7 conducting, and operating of all race tracks, race meets, and races held in this state,  
8 ~~historical~~ **historic** horse racing, and for the conduct of the racing industry of this  
9 state under this Part. Special rules, regulations, and conditions may be promulgated  
10 separately for thoroughbred racing and for quarter horse racing. The rules,  
11 regulations, and conditions shall be consistent with this Part and provide for and deal  
12 with all matters necessary to the holding of such race meetings and pari-mutuel  
13 wagering.

14 \* \* \*

15 §211. Definitions

16 Unless the context indicates otherwise, the following terms shall have the  
17 meaning ascribed to them below:

18 \* \* \*

19 (6) "Net commission" means the commission retained by a licensee on  
20 pari-mutuel wagers on ~~historical~~ **historic** horse races, less breakage, settlements, and  
21 taxes applicable to such wagers.

22 \* \* \*

23 §213. Offtrack wagering facilities; establishment; sports book lounge

24 A. In addition to the rights granted in R.S. 4:149.2, any association licensed  
25 by the commission may conduct pari-mutuel wagering and engage in all necessary  
26 activities to establish appropriate offtrack wagering facilities to accomplish this  
27 purpose. Such activities shall include but not be limited to:

28 \* \* \*

29 (2) ~~Historical~~ **Historic** horse racing on the premises of offtrack wagering

1 facilities via dedicated machines or personal mobile devices.

2 \* \* \*

3 §214. Offtrack wagering facilities; licensing; criteria; management; appeal of license  
4 suspension or revocation; limitation on facilities with historical horse  
5 racing

6 \* \* \*

7 L.(1) No primary licensee may operate more than five offtrack wagering  
8 facilities in which ~~historical~~ **historic** horse racing is permitted.

9 (2) Notwithstanding Paragraph (1) of this Subsection, any primary licensee  
10 that operates more than five offtrack wagering facilities as of July 1, 2021, may  
11 conduct ~~historical~~ **historic** horse racing at all of its licensed facilities. However,  
12 ~~historical~~ **historic** horse racing shall not be authorized at any future offtrack  
13 wagering facility for that primary licensee if the primary licensee is operating more  
14 than five offtrack wagering facilities. If any of the primary licensee's existing  
15 licensed offtrack wagering facilities on July 1, 2021, cease to be a licensed offtrack  
16 wagering facility for reasons other than force majeure, the number of offtrack  
17 wagering facilities allowed to conduct ~~historical~~ **historic** horse racing for that  
18 primary licensee shall be reduced by the number of its offtrack wagering facilities  
19 that cease to be licensed until such time as the primary licensee is reduced to no  
20 more than five licensed offtrack wagering facilities allowed to conduct historical  
21 horse racing.

22 (3) Each primary licensee or licensed offtrack wagering facility shall not  
23 place more than fifty ~~historical~~ **historic** horse racing machines into service at any  
24 given time.

25 (4) In addition to the requirements of Paragraph (3) of this Subsection, an  
26 application from an eligible facility to conduct ~~historical~~ **historic** horse racing in  
27 Orleans Parish may be approved by the commission only after the Amended and  
28 Renegotiated Casino Operating Contract entered into pursuant to R.S. 27:201 et seq.  
29 on October 30, 1998, as amended, is amended to provide that the conducting of

1 ~~historical~~ **historic** horse racing at the eligible facility in Orleans Parish shall not  
2 constitute an exclusivity violation or prohibited land-based gaming as defined in  
3 such contract and such amendment to the contract is approved by the Joint  
4 Legislative Committee on the Budget as required by the provisions of Section 3.B  
5 of Act No. 1 of the 2001 First Extraordinary Session of the Legislature.

6 M.(1) ~~Historical~~ **Historic** horse racing shall not be conducted via a machine  
7 or website or mobile application beyond the property of the pari-mutuel facility or  
8 offtrack wagering facility.

9 (2) ~~Historical~~ **Historic** horse racing shall not be conducted at an offtrack  
10 wagering facility located in a sports book lounge.

11 (3) The commission shall promulgate rules relative to the enforcement of the  
12 restrictions provided for in this Subsection.

13 \* \* \*

14 §216. Commissions on wagers

15 \* \* \*

16 E. Notwithstanding, and in lieu of, any other provisions of law, ~~historical~~  
17 **historic** horse races and wagers thereon shall be subject to the following provisions:

18 (1) Commissions on wagers on ~~historical~~ **historic** horse races made at  
19 offtrack wagering facilities shall not exceed twelve percent of all wagers and shall  
20 be set by the licensee and approved by the commission. The offtrack wagering  
21 facility where the wager is made may either retain the breakage on such wagers or  
22 include the breakage in the applicable ~~historical~~ **historic** horse racing pari-mutuel  
23 pool or pools. Commissions shall be deducted and retained by the licensee of the  
24 offtrack wagering facility where the wager is made.

25 (2) The licensee shall disburse twenty percent of the net commission to  
26 supplement horsemen's purses in accordance with the provisions of R.S. 4:217(E).

27 (3) R.S. 4:149.3, 149.5, 161, 161.1, 161.2, 162, 163.1, 165, 166, 166.1  
28 through 166.7, 167, 177, 183, 218, and 220 shall not apply to ~~historical~~ **historic**  
29 racing or the licensee with respect to ~~historical~~ **historic** racing.



Proposed law makes technical changes by replacing all references from "historical" to "historic".

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

(Amends R.S. 4:143(4), 148, 211(6), 213(A)(2), 214(L) and (M), 216(E), 217(E), and 218.1(intro para))