

First Extraordinary Session, 2005

HOUSE BILL NO. 78

BY REPRESENTATIVES MARTINY, PINAC, JOHNS, AND HEATON AND SENATOR
MARIONNEAUX

1 AN ACT

2 To amend and reenact R.S. 27:353(4), 354, and 361(B)(4)(a)(i) and (ii) and to enact R.S.
3 4:147.2, relative to slot machine gaming at live horse racing facilities; to amend the
4 definition of an eligible facility to provide that the Louisiana State Racing
5 Commission can approve less than eighty days within a twenty-week period in
6 certain emergencies or disasters or other such occurrences; to provide for the effect
7 of this determination; to provide relative to the powers and authority of the Louisiana
8 State Racing Commission; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 27:353(4), 354, and 361(B)(4)(a)(i) and (ii) are hereby amended and
11 reenacted to read as follows:

12 §353. Definitions

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

14 * * *

15 (4) "Eligible facility" means no more than one facility in St. Landry Parish,
16 Bossier Parish, Orleans Parish, and Calcasieu Parish at which the Louisiana State
17 Racing Commission has licensed the conduct or at which the commission has
18 approved the future licensing of the conduct of not less than eighty days within a
19 consecutive twenty-week period each year of live horse race meetings, unless the
20 commission approves the conduct of less than eighty days within a consecutive
21 twenty-week period or a different consecutive or nonconsecutive period, whenever
22 an eligible facility is prevented from conducting live racing as a result of a natural
23 disaster, an act of God, force majeure, a catastrophe, or such other occurrence over

1 which the eligible facility has no control. Such a determination by the commission
 2 shall not adversely affect the status of the eligible facility to conduct slot machine
 3 gaming. For the 2005 racing season, "eligible facility" shall also include the facility
 4 in St. Landry Parish that will not be able to meet such requirements due to repairs or
 5 construction to the racetrack which are necessary in order to protect the safety of
 6 riders and thoroughbred racehorses and to preserve the revenues to be received and
 7 distributed to the state and local governments at such facility or as otherwise
 8 provided in R.S. 4:214.1.

9 §354. Power of Louisiana State Racing Commission

10 Nothing in this Chapter shall be construed to abrogate, limit, or ~~affect~~
 11 diminish in any way the powers granted to the Louisiana State Racing Commission.

12 * * *

13 §361. Conduct of slot machine gaming; temporary conduct

14 * * *

15 B. As a condition of licensing and to maintain continued authority for the
 16 conduct of slot machine gaming at the licensed eligible facility, the owner of the
 17 licensed eligible facility shall:

18 * * *

19 (4) Contribute to the support of pari-mutuel wagering facilities in the state
 20 at large and the horse breeding industry by paying annually from the annual net slot
 21 machine proceeds received from slot machine gaming operations at the licensed
 22 eligible facility as provided in this Paragraph:

23 (a) The licensed eligible facility shall pay a fixed percentage of fifteen
 24 percent of the annual net slot machine proceeds received from slot machine gaming
 25 operations at the licensed eligible facility to supplement purses as follows:

26 (i) Seventy percent to supplement purses for thoroughbred races at that
 27 facility or any facility licensed by the Louisiana State Racing Commission to conduct
 28 additional or substitute races or race days as authorized by R.S. 4:147.1, thirty
 29 percent of which shall be for Louisiana-bred thoroughbred horses. Four percent of

1 this amount shall go to the Horsemen's Benevolent and Protective Association in
2 accordance with law.

3 (ii) Thirty percent to supplement purses for quarter horse races at that facility
4 or any facility licensed by the Louisiana State Racing Commission to conduct
5 additional or substitute races or race days as authorized by R.S. 4:147.1, sixty
6 percent of which shall be for Louisiana-bred quarter horses. Four percent of this
7 amount shall go to the Horsemen's Benevolent and Protective Association in
8 accordance with law.

9 * * *

10 Section 2. R.S. 4:147.2 is hereby enacted to read as follows:

11 §147.2. Additional powers of commission; force majeure

12 The powers of the commission shall include but not be limited to the
13 discretion to approve the conduct of less than eighty days within a consecutive
14 twenty-week period or a different consecutive or nonconsecutive period, whenever
15 an eligible facility is prevented from live racing as a result of a natural disaster, an
16 act of God, force majeure, a catastrophe, or such other occurrence over which the
17 licensee has no control.

18 Section 3. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become
22 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____