2019 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE SCHEXNAYDER

ACT No. 328

1   AN ACT

2   To amend and reenact R.S. 4:183(B) and to enact R.S. 3:2438.1, relative to purse

3   distribution; to provide definitions; to provide for donations; to provide for

4   thoroughbred race meetings; to provide for underpayment; to provide for quarter

5   horse race meetings; to make technical changes; and to provide for related matters.

6   Be it enacted by the Legislature of Louisiana:

7   Section 1. R.S. 3:2438.1 is hereby enacted to read as follows:

8   §2438.1. Horse aftercare; definition

9   "Horse aftercare" means the providing for the retraining or retiring of

10   thoroughbreds and quarter horses that have participated at licensed race tracks in

11   Louisiana.

12   Section 2. R.S. 4:183(B) is hereby amended and reenacted to read as follows:

13   §183. Contracts between licensees and permittees licensed to race horses at race

14   meetings conducted in the state

15   *   *   *

16   B.(1) Monies due as purses to persons licensed to race horses at race

17   meetings conducted in the state as a result of conditions outlined in Subsection A of

18   this Section and the monies due to the Horsemen's Benevolent and Protective

19   Association pursuant to the provisions of Subparagraph (A)(4)(b) of this Section

20   shall be allocated and distributed during the race meeting at which earned, including

21   any donations by the association for horse aftercare as defined in R.S. 3:2438.1.

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are additions.

1   (1)(2) In the event the amount distributed as purses is more than the amount

2   required by R.S. 4:183(A) Subsection A of this Section, the overpayment shall be

3   carried forward to the next race meeting conducted by the same association. It shall

4   be carried on the association books as an asset.

5   (2)(3) In the event the amount distributed as purses to persons licensed to

6   race horses at thoroughbred race meetings conducted in the state is less than the

7   amount required by R.S. 4:183(A) this Section, and more than an amount equal to

8   two times the average daily purse distribution at the thoroughbred race meeting at

9   which generated, it shall be delivered to the Horsemen's Benevolent and Protective

10   Association for further distribution to persons having earned monies during the

11   meeting, in the direct proportion that the underpayment is to the monies earned by

12   that person at that meeting. In the event the underpayment is less than an amount

13   equal to two times the average daily purse distribution at that meeting, it shall be

14   retained by the association in an interest bearing account to be used for purses at the

15   next thoroughbred meeting conducted by that association. Interest earned on the

16   account shall be added to the purse paid over and above the amount required to be

17   paid as purses by R.S. 4:183(A) this Section.

18   (3) Notwithstanding the provisions of Paragraph (2) of this Subsection, the

19   provisions of this Paragraph shall apply only to thoroughbred race meetings at any

20   facility subject to the provisions of R.S. 27:372.1(A). For such facilities, in the event

21   the amount distributed as purses to persons licensed to race horses at thoroughbred

22   race meetings conducted in the state is less than the amount required by Subsection

23   A of this Section, and more than an amount equal to two times the average daily

24   purse distribution at the race meeting at which such amount is generated, it shall be

25   delivered to the Horsemen's Benevolent and Protective Association for further

26   distribution to persons having earned monies during the meeting, in the direct

27   proportion that the underpayment is to the monies earned by that person at that

28   meeting. In the event the underpayment is less than an amount equal to two times

29   the average daily purse distribution at that meeting, it shall be retained by the

30   association in an interest-bearing account to be used for purses at the next

1   ~~thoroughbred race meeting conducted by that association. Interest earned on the~~

2   ~~account shall be added to the purse paid over and above the amount required to be~~

3   ~~paid as purses by Subsection A of this Section.~~

4   (4) In the event the amount distributed as purses to persons licensed to race

5   horses at quarter horse race meetings conducted in the state is less than the amount

6   required by this Section and more than an amount equal to two times the average

7   daily purse distribution at the quarter horse race meeting at which generated, it shall

8   be delivered to the Horsemen's Benevolent and Protective Association for further

9   distribution to persons having earned monies during the meeting, in the direct

10   proportion that the underpayment is to the monies earned by that person at that

11   meeting. In the event the underpayment is less than an amount equal to two times

12   the average daily purse distribution at that meeting, it shall be retained by the

13   association in an interest bearing account to be used for purses at the next quarter

14   horse meeting conducted by that association. Interest earned on the account shall be

15   added to the purse paid over and above the amount required to be paid as purses by

16   this Section.

17   ~~(4)~~(5) For the purposes of this Subsection, "average daily purse distribution"

18   means all sources of funds available for use as a purse or purse supplement that are

19   required by law to be distributed during a race meeting.

20   *   *   *

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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