

## DIGEST

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SB 209 Engrossed

2021 Regular Session

Smith

Proposed law defines "account wagering carrier", "historical racing", "races" or "racing", "simulcast" or "simulcast racing", "source market area", and "source market commission".

Present law defines "account wagering". Proposed law retains present law and adds an account wagering carrier as an entity who can receive a deposit and allows an account balance to pay for pari-mutuel wagers on live, simulcast, or historical races.

Present law requires the La. State Racing Commission (commission) to adopt rules regulating account wagering. Proposed law retains present law and expands the requirement to include wagering on live, simulcast, and historical races.

Present law requires the commission to authorize account wagering to be conducted by a licensee operating a pari-mutuel live horse racing facilities. Proposed law retains present law in part, but removes the mandate on the commission and instead allows the commission to authorize all forms of account wagering in the same circumstance.

Proposed law allows the commission to authorize an account wagering carrier to conduct account wagering on historical racing if the entity meets the requirements of present law.

Present law requires a facility authorized to conduct account wagering to pay a fee. Proposed law retains present law and provides that it applies to live and simulcast races.

Proposed law requires the commission to authorize and set the source market commission that the carrier is required to pay, for a carrier conducting historical racing.

Present law requires the source market commission outside of the area provided for in present law to be divided among active account operators in La. Proposed law retains present law and provides that present law is applicable to source market commission on live or simulcast races.

Present law allows the licensee to deduct commission from wagers in certain circumstances. Proposed law retains present law and provides that the provisions of present law apply to a live or simulcast race.

Present law requires the commission to permit an authorized licensee to conduct account wagering on any live horse races conducted at his facility, under certain circumstances. Proposed law retains present law and expands the provisions to apply to simulcast races.

Present law requires certain provisions of present law governing pari-mutuel wagers on horse races to apply to account wagering. Proposed law retains present law and provides that present law applies to live, simulcast, or historical horse races.

Present law provides that each wager placed pursuant to present law is required to be treated as a wager placed within the enclosure at which the licensee is authorized to conduct a race meeting. Proposed law retains present law and provides that present law applies to live, simulcast, or historical horse races.

Present law provides that provisions of present law or a contract, if any, governing the distribution of shares of the takeout from wagers placed in the state in separate pari-mutuel pools on races run in another state, to this state as pari-mutuel taxes, or respectively to breeder awards and to purses in this state, shall remain in effect for wagers placed through

account wagering, as if the wager had been placed at the licensee's facility. Proposed law retains present law and expands the applicability of present law to historical racing. Proposed law requires a system of account wagering located outside of the state to receive permission from the commission in order to accept wagers from residents or people within the state for historical racing.

Proposed law provides that the promulgation of the initial administrative rules pertaining to proposed law shall be considered to constitute a matter of imminent peril to public health, safety, and welfare as provided in present law.

Present law authorizes the commission, with the concurrence of the association conducting the race meeting and the Horsemen's Benevolent and Protective Association to provide that the takeout deducted from pick-three, pick-four, and pick-six wagers is an amount of not less than 12% and not more than 25% during and for any race meeting. Present law further requires that the takeout remain at 25%, absent such an agreement.

Proposed law retains present law and adds the terms "pick-five" and "pick (n)" to the list of exotic wagers described in present law.

Proposed law defines "pick (n)" as a form of pari-mutuel wagering where "(n)" is a varying number of races exceeding three races. Bettors select the first horse in each of (n) consecutive races designated as the pick (n) by the permit holder. The sale of pick (n) tickets other than from pari-mutuel machines is deemed illegal and is prohibited.

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

(Amends R.S. 4:143, 149.5, and 166.7)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the engrossed bill:

1. Provide a definition for "account wagering carrier", "historical racing", "races" or "racing", "simulcast" or "simulcast racing", "source market area", and "source market commission".
2. Change the definition of "account wagering" to allow an individual to deposit money in an account with an account wagering carrier in addition to a licensee.
3. Change the definition of "account wagering" to allow the account balance to pay for pari-mutuel wagers on live, simulcast, or historic races.
4. Require the commission to adopt rules regulating account wagering on live, simulcast, and historical races.
5. Remove the requirement that the commission shall authorize account wagering in a certain situation and instead permits the commission to authorize all forms of account wagering in the same situation.
6. Allow the commission to authorize an account wagering carrier to conduct account wagering on historical racing if certain criteria are met.
7. Provide that the fee paid by a facility authorize to conduct account wagering applies to both live and simulcast races.
8. Require the commission to authorize and set the source market commission to be paid by the carrier for an account wagering carrier conducting historical racing.

9. Require an account wagering carrier conducting historical racing to pay the licensed racing facilities in the state located within the source market area as directed by the commission.
10. Provide that any source market commission outside of the area provided for in present law that is to be divided equally among active account operators residing in the state may come from live or simulcast races.
11. Require an account wagering carrier conducting historical racing to pay for wagers placed outside the source market area as directed by the commission.
12. Expand the requirement that the commission permit authorized licensees to conduct wagering if lawfully authorized to accept offtrack wagers to simulcast horse races in addition to live horse races.
13. Specify that the allowance of a licensee to deduct commissions from wagers and make the commission payable to the person conducting the race applies to live or simulcast races.
14. Provide that certain provisions of present law relative to governing pari-mutuel wagering and account wagering apply to live, simulcast, and historical races.
15. Expand provisions of present law governing the distribution of shares of the takeout from wagers placed in the state in separate pari-mutuel pools on races run in another state to also apply to historical races.
16. Require a system of account wagering located outside of the state to receive permission from the commission in order to accept wagers from residents or people within the state for historical racing.
17. Provide that the promulgation of the initial administrative rules pertaining to proposed law shall be considered to constitute a matter of imminent peril to public health, safety, and welfare as provided in present law.
18. Make technical changes.