

2023 Regular Session

SENATE BILL NO. 144

BY SENATOR CORTEZ

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HORSE RACING. Provides relative to horse racing. (gov sig)

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AN ACT

To amend and reenact R.S. 4:147(1) and 214.1 and R.S. 27:361(B)(4) and 435(D)(4), relative to horse racing; to provide for the number of live horse racing dates; to provide for the minimum number of live races required per race day; to provide for payment of franchise fees from certain slot machine proceeds to support pari-mutuel wagering facilities; to provide for contributions from certain video draw poker devices proceeds to the support of pari-mutuel wagering facilities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:147(1) and 214.1 are hereby amended and reenacted to read as follows:

§147. Specific duties of commission

The commission shall carry out the provisions of this Part, including the following specific duties:

(1)(a) To assign the dates race meetings may be conducted in this state at a **any** particular track, including dates which limit racing at a particular track for quarter horses only, provided that:

1 (i) ~~It~~ **To the extent possible, it** shall prohibit the conducting of any  
 2 thoroughbred race meetings having the same or overlapping dates for such race  
 3 meetings at thoroughbred race tracks within a radius of one hundred miles of each  
 4 ~~other~~ **the state**.

5 (ii) ~~It~~ **To the extent possible, it** shall prohibit the conducting of any  
 6 exclusively quarter horse race meetings having the same or overlapping dates for  
 7 such race meetings at any other exclusively quarter horse track within a radius of one  
 8 hundred miles of each other **the state**.

9 (b) To set the minimum number of live races required per race day at a **any**  
 10 particular track.

11 \* \* \*

12 §214.1. Minimum live racing dates; offtrack and other authorized wagering

13 A. An association shall not be licensed to conduct offtrack or other  
 14 authorized wagering in the state unless it conducts live horse racing for not less than  
 15 one hundred thirty racing days within each fifty-two week period at the facility  
 16 designated in its license. Of the required one hundred thirty racing days, not less than  
 17 ~~eighty-four~~ **sixty and not more than seventy** days shall be thoroughbred horse  
 18 racing days conducted during twenty-one consecutive weeks and not less than **forty**  
 19 **and not more than** forty-six days shall be quarter horse racing days conducted  
 20 during twelve consecutive weeks. The foregoing minimum racing requirements are  
 21 mandatory unless the association is prevented from live racing as a result of a natural  
 22 disaster, an act of God, force majeure, a catastrophe, or such other occurrence over  
 23 which the association has no control. When a pari-mutuel wagering facility and a  
 24 related offtrack betting facility are sold, the purchaser shall conduct the minimum  
 25 number of live racing days, including the minimum quarter horse racing days,  
 26 required by this Section as a condition of operating the offtrack betting facility.

27 B. Notwithstanding any provision of law to the contrary, at any facility  
 28 subject to the provisions of R.S. 27:372.1(A), the facility shall maintain a minimum  
 29 of ~~eighty~~ **sixty and a maximum of seventy** thoroughbred horse racing days

1 conducted during twenty consecutive weeks and not less than fifteen days of quarter  
 2 horse racing conducted during five consecutive weeks. The racing days provided for  
 3 in this Subsection shall be conducted within a fifty-two week period. The foregoing  
 4 minimum racing requirements are mandatory unless the association is prevented  
 5 from live racing as a result of a natural disaster, an act of God, force majeure, a  
 6 catastrophe, or such other occurrence over which the association has no control.  
 7 When a pari-mutuel wagering facility and a related offtrack betting facility are sold,  
 8 the purchaser shall conduct the minimum number of live racing days, including the  
 9 minimum quarter horse racing days, required by this Section as a condition of  
 10 operating the offtrack betting facility.

11 Section 2. R.S. 27:361(B)(4) and 435(D)(4) are hereby amended and reenacted to  
 12 read as follows:

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 **facility that is** eligible facility as provided in this Paragraph:

23 \* \* \*

24 §435. Licensing by division; fees; franchise payments; enforcement activities

25 \* \* \*

26 D.(1) \* \* \*

27 (4) Of the amount attributable to the payment of franchise fees as required  
 28 in this Section, an amount equal to the avails of one-half of one percent of the  
 29 franchise fee rate shall be allocated as provided in R.S. ~~27:437~~ **27:437(C)** and



Proposed law changes the number of quarter horse racing days from not less than 46 to not less than 40 nor more than 46 at each race track.

Present law, regarding slot machine gaming at race tracks, requires that, as a condition of licensing for the conduct of slot machine gaming at race tracks, the owner of the race track shall contribute to the support of pari-mutuel wagering facilities and the horse breeding industry. Provides that the contribution be in the form of a fixed percentage of net slot machine proceeds received from slot machine gaming operations at the race track.

Proposed law makes technical changes.

Present law, regarding video draw poker gaming, provides for franchise fees to be paid by the device owner in an amount equal to a percentage of the net device revenue derived from the operation of each video draw poker device. Provides that the amount of the percentage is based on the type of licensed establishment. Provides that .5% of the avails shall be allocated to the La. State Racing Commission for purse supplements and support of certain horsemen's associations.

Proposed law makes technical changes.

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

(Amends R.S. 4:147(1) and 214.1 and R.S. 27:361(B)(4) and 435(D)(4))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Makes technical changes.
2. Adds provision that prohibits, to the extent possible, the conducting of any thoroughbred race meetings having the same or overlapping dates for such race meetings at thoroughbred race tracks within the state.
3. Adds provision that prohibits, to the extent possible, the conducting of any quarter horse race meetings having the same or overlapping dates for such race meetings at quarter horse race tracks within the state.
4. Reduces the number of thoroughbred racing days from not less than 84 to not less than 60, nor more than 70 at each race track.
5. Reduces the number of quarter horse racing days from not less than 46 to not less than 40, nor more than 46 at each race track.