

**ACT No. 437**

Regular Session, 2014

HOUSE BILL NO. 1230

BY REPRESENTATIVE MORENO

1 AN ACT

2 To amend and reenact R.S. 4:183.2 and to enact R.S. 27:361(B)(4)(a)(iii) and 438(B)(5),  
3 relative to funds distributed to the Horsemen's Benevolent and Protective  
4 Association; to provide relative to the deposit and disposition of accrued interest on  
5 undistributed monies at a race meeting; to provide relative to the device revenues  
6 that supplement purses for horsemen; to provide relative to slot revenue paid to  
7 supplement purses; to provide relative to the duties of persons licensed to conduct  
8 a horse race meeting or meetings and licensed eligible facilities; to provide for a  
9 security interest for the Horsemen's Benevolent and Protective Association; and to  
10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 4:183.2 is hereby amended and reenacted to read as follows:

13 §183.2. Disposition of accrued interest on undistributed monies at a race meeting

14 A. Monies designated for purses under R.S. 4:183(A)~~(2)~~ shall be deposited  
15 by the licensee in a separate ~~interest-bearing~~ interest-bearing account when earned  
16 and shall remain in that account until the first day of the next race meeting of the  
17 appropriate breed. Monies earned as interest on that account shall be added to those  
18 designated for purses under R.S. 4:183(A) and shall be considered part of the gross  
19 purses as defined therein.



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

4 \* \* \*

5 (iii) The Horsemen's Benevolent and Protective Association shall be deemed  
6 to hold a perfected security interest in and to the fifteen percent of the annual net slot  
7 machine proceeds received from slot machine gaming operations at the licensed  
8 eligible facility that is required to supplement purses until such purse supplements  
9 have been distributed as purses or distributed to the Horsemen's Benevolent and  
10 Protective Association in accordance with law. All such purse supplements shall be  
11 deemed to be held in trust for the benefit of the Horsemen's Benevolent and  
12 Protective Association by the licensee until such time as such monies are distributed  
13 in accordance with law. A licensee shall have a fiduciary duty to the Horsemen's  
14 Benevolent and Protective Association to preserve and account for such purse  
15 supplements.

16 \* \* \*

17 §438. Distribution of device revenues; particular licensed establishments; pari-  
18 mutuel wagering facilities

19 \* \* \*

20 B. Revenues earned for purse supplements under Subsection A shall be  
21 disbursed, accounted for, and used as follows:

22 \* \* \*

23 (5) The Horsemen's Benevolent and Protective Association shall be deemed  
24 to hold a perfected security interest in and to all revenues earned for purse  
25 supplements pursuant to Subsection A of this Section until such revenues have been  
26 distributed in accordance with Paragraph (4) of this Subsection. All purse  
27 supplements to be distributed to the Horsemen's Benevolent and Protective  
28 Association shall be deemed to be held in trust for the Horsemen's Benevolent and  
29 Protective Association by the licensee until disbursed in accordance with this  
30 Section. All such purse supplements shall be deemed to be held in trust for the

