

SENATE BILL NO. 144

BY SENATOR CORTEZ AND REPRESENTATIVES BACALA, BRYANT, FISHER,
HUGHES, LARVADAIN, MARCELLE, NEWELL, PIERRE,
SELDERS, THOMPSON AND WILLARD

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

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AN ACT

To amend and reenact R.S. 4:147(1) and (3), 214.1, and 218.1, relative to horse racing; to provide for duties of the commission; to provide for the number of live horse racing dates; to decrease the license fee collected for historical horse racing; to provide for distribution of collected fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:147(1) and (3), 214.1, and 218.1 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:

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

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

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

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2 (3)(a) To make an annual report to the governor **and the legislature** of its
3 operation, its own actions and rulings, and the receipts derived under the provisions
4 of this Part; and to offer such practical suggestions as it deems proper to accomplish
5 more fully the purposes of this Part.

6 **(b) To make an annual report to the governor and the legislature**
7 **regarding the race calendar, field size, the number of races, handle, attendance,**
8 **the effect of overlapping race days compared to previous years, and any other**
9 **relevant matters along with any recommendations to improve the racing**
10 **industry in the state.**

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11 §214.1. Minimum live racing dates; offtrack and other authorized wagering

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

11 **C. Notwithstanding Subsections A and B of this Section, the commission**
 12 **may reduce the number of race days by up to twenty-one upon a showing by the**
 13 **association and the Horsemen's Benevolent and Protection Association that the**
 14 **reduction would be in the best interests of the industry.**

15 **D. If the association and the Horsemen's Benevolent and Protection**
 16 **Association cannot reach an agreement pursuant to Subsection C of this**
 17 **Section, the commission may, by a two-thirds vote of the membership, reduce**
 18 **the number of race days by up to twenty-one upon a showing by the association**
 19 **that without the reduction of race days the association would experience**
 20 **imminent financial distress. The commission shall examine all financial records**
 21 **of the association and any relevant financial records of any affiliates for the**
 22 **purpose of determining equitable cost allocation. Any examination of financial**
 23 **records shall be confidential. After the examination, the commission shall**
 24 **release a summary of relevant facts, but any proprietary information or trade**
 25 **secrets shall remain confidential.**

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27 §218.1. Historical horse racing fee authorization

28 The commission ~~may~~ **shall** collect a license fee ~~not to exceed four~~ **of one and**
 29 **one-half** percent of the total amount wagered at each offtrack wagering facility on
 30 historical horse racing ~~to cover administrative costs.~~ **The fee shall be allocated as**

1 **follows:**

2 **(1) Sixty-seven percent to the commission.**

3 **(2) Eleven and one-half percent to the Louisiana Thoroughbred Breeders**
4 **Association for promotion of the appropriate breeding industry and for breeder**
5 **awards.**

6 **(3) Five percent to the Louisiana Quarterhorse Breeders Association for**
7 **promotion of the appropriate breeding industry and for breeder awards.**

8 **(4) Eight and one-quarter percent to the parish governing authority**
9 **where the offtrack wagering facility is located. When a facility is located within**
10 **the corporation limits of a city, town, or municipality, one-half of the total funds**
11 **allocated pursuant to the provisions of this Paragraph shall be disbursed to the**
12 **governing authority of that city, town, or municipality.**

13 **(5) Eight and one-quarter percent to the sheriff of the parish where the**
14 **offtrack wagering facility is located. When a facility is located within the**
15 **corporation limits of a city, town, or municipality, one-half of the total funds**
16 **allocated pursuant to the provisions of this Paragraph shall be disbursed to the**
17 **police department of that city, town, or municipality.**

18 Section 2. 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.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____