SLS 24RS-1422

ORIGINAL

2024 Regular Session

SENATE BILL NO. 427

BY SENATOR MIGUEZ

HORSE RACING. Provides for historical horse racing. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 4:143(4), 148, 211(6), 213(A)(2), 214(L) and (M), 216(E),
3	217(E), and the introductory paragraph to 218.1, relative to historic horse racing; to
4	provide for definitions; to provide for rules, regulations, and conditions; to provide
5	for offtrack wagering facilities; to provide for commissions on wagers; to provide
6	for purse supplements; to provide for fee authorization; and to provide for related
7	matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 4:143(4), 148, 211(6), 213(A)(2), 214(L) and (M), 216(E), 217(E),
10	and the introductory paragraph to 218.1 are hereby amended and reenacted to read as
11	follows:
12	§143. Definitions
13	Unless the context indicates otherwise, the following terms shall have the
14	meaning ascribed to them below:
15	* * *
16	(4) "Historical Historic horse racing" means a form of horse racing that
17	creates pari-mutuel pools from wagers placed on horse races previously run at a

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	pari-mutuel facility licensed in the United States; concluded with official results; and		
2	concluded without scratches, disqualifications, or dead-heat finishes through		
3	machines permitted and authorized by the commission.		
4	* * *		
5	§148. Rules, regulations, and conditions		
6	The commission shall make rules, regulations, and conditions for the holding,		
7	conducting, and operating of all race tracks, race meets, and races held in this state,		
8	historical historic horse racing, and for the conduct of the racing industry of this		
9	state under this Part. Special rules, regulations, and conditions may be promulgated		
10	separately for thoroughbred racing and for quarter horse racing. The rules,		
11	regulations, and conditions shall be consistent with this Part and provide for and deal		
12	with all matters necessary to the holding of such race meetings and pari-mutuel		
13	wagering.		
14	* * *		
15	§211. Definitions		
16	Unless the context indicates otherwise, the following terms shall have the		
17	meaning ascribed to them below:		
18	* * *		
19	(6) "Net commission" means the commission retained by a licensee on		
20	pari-mutuel wagers on historical historic horse races, less breakage, settlements, and		
21	taxes applicable to such wagers.		
22	* * *		
23	§213. Offtrack wagering facilities; establishment; sports book lounge		
24	A. In addition to the rights granted in R.S. 4:149.2, any association licensed		
25	by the commission may conduct pari-mutuel wagering and engage in all necessary		
26	activities to establish appropriate offtrack wagering facilities to accomplish this		
27	purpose. Such activities shall include but not be limited to:		
28	* * *		
29	(2) Historical Historic horse racing on the premises of offtrack wagering		

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29

1	facilities via dedicated machines or personal mobile devices.
2	* * *
3	§214. Offtrack wagering facilities; licensing; criteria; management; appeal of license
4	suspension or revocation; limitation on facilities with historical horse
5	racing
6	* * *
7	L.(1) No primary licensee may operate more than five offtrack wagering
8	facilities in which historical historic horse racing is permitted.
9	(2) Notwithstanding Paragraph (1) of this Subsection, any primary licensee
10	that operates more than five offtrack wagering facilities as of July 1, 2021, may
11	conduct historical historic horse racing at all of its licensed facilities. However,
12	historical historic horse racing shall not be authorized at any future offtrack
13	wagering facility for that primary licensee if the primary licensee is operating more
14	than five offtrack wagering facilities. If any of the primary licensee's existing
15	licensed offtrack wagering facilities on July 1, 2021, cease to be a licensed offtrack
16	wagering facility for reasons other than force majeure, the number of offtrack
17	wagering facilities allowed to conduct historical historic horse racing for that
18	primary licensee shall be reduced by the number of its offtrack wagering facilities
19	that cease to be licensed until such time as the primary licensee is reduced to no
20	more than five licensed offtrack wagering facilities allowed to conduct historical
21	horse racing.
22	(3) Each primary licensee or licensed offtrack wagering facility shall not
23	place more than fifty historical historic horse racing machines into service at any
24	given time.
25	(4) In addition to the requirements of Paragraph (3) of this Subsection, an
26	application from an eligible facility to conduct historical historic horse racing in
27	Orleans Parish may be approved by the commission only after the Amended and

on October 30, 1998, as amended, is amended to provide that the conducting of

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Renegotiated Casino Operating Contract entered into pursuant to R.S. 27:201 et seq.

1	historical historic horse racing at the eligible facility in Orleans Parish shall not
2	constitute an exclusivity violation or prohibited land-based gaming as defined in
3	such contract and such amendment to the contract is approved by the Joint
4	Legislative Committee on the Budget as required by the provisions of Section 3.B
5	of Act No. 1 of the 2001 First Extraordinary Session of the Legislature.
6	M.(1) Historical Historic horse racing shall not be conducted via a machine
7	or website or mobile application beyond the property of the pari-mutuel facility or
8	offtrack wagering facility.
9	(2) Historical Historic horse racing shall not be conducted at an offtrack
10	wagering facility located in a sports book lounge.
11	(3) The commission shall promulgate rules relative to the enforcement of the
12	restrictions provided for in this Subsection.
13	* * *
14	§216. Commissions on wagers
15	* * *
16	E. Notwithstanding, and in lieu of, any other provisions of law, historical
17	historic horse races and wagers thereon shall be subject to the following provisions:
18	(1) Commissions on wagers on historical historic horse races made at
19	offtrack wagering facilities shall not exceed twelve percent of all wagers and shall
20	be set by the licensee and approved by the commission. The offtrack wagering
21	facility where the wager is made may either retain the breakage on such wagers or
22	include the breakage in the applicable historical historic horse racing pari-mutuel
23	pool or pools. Commissions shall be deducted and retained by the licensee of the
24	offtrack wagering facility where the wager is made.
25	(2) The licensee shall disburse twenty percent of the net commission to
26	supplement horsemen's purses in accordance with the provisions of R.S. 4:217(E).
27	(3) R.S. 4:149.3, 149.5, 161, 161.1, 161.2, 162, 163.1, 165, 166, 166.1
28	through 166.7, 167, 177, 183, 218, and 220 shall not apply to historical historic
29	racing or the licensee with respect to historical historic racing.

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1	* * *		
2	§217. Purse supplements; designation and distribution		
3	* * *		
4	E. Notwithstanding, and in lieu of, any other provision of law, the monies		
5	designated for purses under the provisions of R.S. 4:216(E) from wagers placed at		
6	offtrack wagering facilities on historical historic horse races shall be distributed in		
7	the same manner as set forth in R.S. 27:438(B) as in effect at the time of any such		
8	distribution, and if R.S. 27:438(B)(2)(a) becomes effective, any such quarter horse		
9	purse supplements shall not be included in the calculation of the applicable		
10	maximum of one million dollars per state fiscal year and the settlement amount as		
11	set forth therein.		
12	* * *		
13	§218.1. Historical Historic horse racing fee authorization		
14	The commission shall collect a license fee of one and one-half percent of the		
15	total amount wagered at each offtrack wagering facility on historical historic horse		
16	racing. The fee shall be allocated as follows:		
17	* * *		
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.		

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

SB 427 Original	DIGEST 2024 Regular Session	Miguez
Present law provides fo	r "historical horse racing" as a form of hor	se racing that creates

<u>Present law</u> provides for "historical horse racing" as a form of horse racing that creates pari-mutuel pools from wagers placed on horse races previously run at a pari-mutuel facility licensed in the United States; concluded with official results; and concluded without scratches, disqualifications, or dead-heat finishes through machines permitted and authorized by the commission.

<u>Proposed law</u> makes technical changes by replacing all references <u>from</u> "historical" to "historic".

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

(Amends R.S. 4:143(4), 148, 211(6), 213(A)(2), 214(L) and (M), 216(E), 217(E), and 218.1(intro para))