

2019 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE SCHEXNAYDER

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

RACING/HORSE: Provides relative to purse distribution

1 AN ACT

2 To amend and reenact R.S. 4:183(B) and to enact R.S. 3:2438.1, relative to purse
3 distribution; to provide definitions; to provide for donations; to provide for
4 thoroughbred race meetings; to provide for underpayment; to provide for quarter
5 horse race meetings; to make technical changes; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 3:2438.1 is hereby enacted to read as follows:

8 §2438.1. Horse after care; definition

9 "Horse after care" means to provide for the retraining or retiring of
10 thoroughbreds and quarter horses that have participated at licensed race tracks in
11 Louisiana.

12 Section 2. R.S. 4:183(B) is hereby amended and reenacted to read as follows:

13 §183. Contracts between licensees and permittees licensed to race horses at race
14 meetings conducted in the state

15 * * *

16 B.(1) Monies due as purses to persons licensed to race horses at race
17 meetings conducted in the state as a result of conditions outlined in Subsection A of
18 this Section and the monies due to the Horsemen's Benevolent and Protective
19 Association pursuant to the provisions of Subparagraph (A)(4)(b) of this Section
20 shall be allocated and distributed during the race meeting at which earned, including
21 any donations by the association for horse after care as defined in R.S. 3:2438.1.

1 ~~(1)~~(2) In the event the amount distributed as purses is more than the amount
2 required by ~~R.S. 4:183(A)~~ Subsection A of this Section, the overpayment shall be
3 carried forward to the next race meeting conducted by the same association. It shall
4 be carried on the association books as an asset.

5 ~~(2)~~(3) In the event the amount distributed as purses to persons licensed to
6 race horses at thoroughbred race meetings conducted in the state is less than the
7 amount required by ~~R.S. 4:183(A)~~ this Section, and more than an amount equal to
8 two times the average daily purse distribution at the thoroughbred race meeting at
9 which generated, it shall be delivered to the Horsemen's Benevolent and Protective
10 Association for further distribution to persons having earned monies during the
11 meeting, in the direct proportion that the underpayment is to the monies earned by
12 that person at that meeting. In the event the underpayment is less than an amount
13 equal to two times the average daily purse distribution at that meeting, it shall be
14 retained by the association in an interest bearing account to be used for purses at the
15 next thoroughbred meeting conducted by that association. Interest earned on the
16 account shall be added to the purse paid over and above the amount required to be
17 paid as purses by ~~R.S. 4:183(A)~~ this Section.

18 ~~(3)~~ Notwithstanding the provisions of Paragraph ~~(2)~~ of this Subsection, the
19 provisions of this Paragraph shall apply only to ~~thoroughbred race meetings at any~~
20 ~~facility subject to the provisions of R.S. 27:372.1(A).~~ For such facilities, in the event
21 ~~the amount distributed as purses to persons licensed to race horses at thoroughbred~~
22 ~~race meetings conducted in the state is less than the amount required by Subsection~~
23 ~~A of this Section, and more than an amount equal to two times the average daily~~
24 ~~purse distribution at the race meeting at which such amount is generated, it shall be~~
25 ~~delivered to the Horsemen's Benevolent and Protective Association for further~~
26 ~~distribution to persons having earned monies during the meeting, in the direct~~
27 ~~proportion that the underpayment is to the monies earned by that person at that~~
28 ~~meeting. In the event the underpayment is less than an amount equal to two times~~
29 ~~the average daily purse distribution at that meeting, it shall be retained by the~~

1 ~~association in an interest-bearing account to be used for purses at the next~~
2 ~~thoroughbred race meeting conducted by that association. Interest earned on the~~
3 ~~account shall be added to the purse paid over and above the amount required to be~~
4 ~~paid as purses by Subsection A of this Section.~~

5 (4) In the event the amount distributed as purses to persons licensed to race
6 horses at quarter horse race meetings conducted in the state is less than the amount
7 required by this Section and more than an amount equal to two times the average
8 daily purse distribution at the quarter horse race meeting at which generated, it shall
9 be delivered to the Horsemen's Benevolent and Protective Association for further
10 distribution to persons having earned monies during the meeting, in the direct
11 proportion that the underpayment is to the monies earned by that person at that
12 meeting. In the event the underpayment is less than an amount equal to two times
13 the average daily purse distribution at that meeting, it shall be retained by the
14 association in an interest bearing account to be used for purses at the next quarter
15 horse meeting conducted by that association. Interest earned on the account shall be
16 added to the purse paid over and above the amount required to be paid as purses by
17 this Section.

18 ~~(4)~~(5) For the purposes of this Subsection, "average daily purse distribution"
19 means all sources of funds available for use as a purse or purse supplement that are
20 required by law to be distributed during a race meeting.

21 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 385 Engrossed 2019 Regular Session Schexnayder

Abstract: Relative to purse distribution, provides for thoroughbred race meetings, provides for underpayment, provides for quarter horse race meetings, and provides for technical changes.

Proposed law defines "horse after care".

Present law requires monies due as purses to persons licensed to race horses at race meetings conducted in the state as a result of conditions outlined in present law and monies due to the Horsemen's Benevolent and Protective Association (association) pursuant to present law to be allocated and distributed during the race meeting at which earned. Proposed law retains present law and adds a provision including any donations by the association for horse after care.

Present law provides that in the event the amount distributed as purses to persons licensed to race horses at race meetings conducted in the state is less than the amount required by present law, and more than an amount equal to the average daily purse distribution at the race meeting at which generated, it shall be delivered to the association for further distribution to persons having earned monies during the meeting, in accordance with present law. Proposed law makes present law applicable only to thoroughbred race meetings.

Proposed law changes the condition that the amount be equal to the average daily purse distribution at the race meeting at which generated from an amount equal to the daily average purse distribution to an amount equal to two times the average daily purse distribution.

Present law provides that in the event the underpayment is less than an amount equal to the average daily purse distribution at that meeting, it shall be retained by the association in an interest bearing account to be used for purses at the next meeting conducted by that association.

Proposed law changes the condition that the underpayment be less than an amount equal to the average daily purse distribution at that meeting from an amount equal to the average daily purse distribution to an amount equal to two times the average daily purse distribution.

Proposed law specifies that the underpayment retained by the association in an interest bearing account be used for purses at the next thoroughbred meeting.

Proposed law provides that in the event the underpayment is less than an amount equal to two times the average daily purse distribution at that meeting, it shall be retained by the association in an interest bearing account to be used for purses at the next quarter horse meeting conducted by that association. Proposed law requires interest earned on the account to be added to the purse paid over and above the amount required to be paid as purses by present law.

Present law provides that the provisions of present law shall apply only to thoroughbred race meetings at any facility subject to the provisions of present law. For such facilities, in the event the amount distributed as purses to persons licensed to race horses at thoroughbred race meetings conducted in the state is less than the amount required by present law, and more than an amount equal to two times the average daily purse distribution at the race meeting at which such amount is generated, it shall be delivered to the association for further distribution to persons having earned monies during the meeting, in the direct proportion that the underpayment is to the monies earned by that person at that meeting. Proposed law repeals present law.

Present law provides that in the event the underpayment is less than an amount equal to two times the average daily purse distribution at that meeting, it shall be retained by the association in an interest-bearing account to be used for purses at the next thoroughbred race meeting conducted by that association. Interest earned on the account shall be added to the purse paid over and above the amount required to be paid as purses by present law. Proposed law repeals present law.

Proposed law provides that in the event the amount distributed as purses to persons licensed to race horses at quarter horse race meetings conducted in the state is less than the amount required by present law and more than an amount equal to two times the average daily purse

distribution at the quarter horse race meeting at which generated, it shall be delivered to the association for further distribution to persons having earned monies during the meeting, in the direct proportion that the underpayment is to the monies earned by that person at that meeting.

Proposed law provides that in the event the underpayment is less than an amount equal to two times the average daily purse distribution at that meeting, it shall be retained by the association in an interest bearing account to be used for purses at the next quarter horse meeting conducted by that association. Proposed law requires interest earned on the account to be added to the purse paid over and above the amount required to be paid as purses by present law.

(Amends R.S. 4:183(B); Adds R.S. 3:2438.1)