

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 aftercare; definition

9 "Horse aftercare" means the providing 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 aftercare 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



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 aftercare.

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)

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Make technical changes.