

Regular Session, 2013

SENATE BILL NO. 38

BY SENATOR CORTEZ

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

HORSE RACING. Provides relative to distribution of certain monies as purses. (8/1/13)

1 AN ACT

2 To enact R.S. 4:183(B)(3) and (4), relative to horse racing; to provide for the distribution of
3 certain monies as purses; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 4:183(B)(3) and (4) are hereby enacted to read as follows:

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

8 * * *

9 B. Monies due as purses to persons licensed to race horses at race meetings
10 conducted in the state as a result of conditions outlined in R.S. 4:183(A) and the
11 monies due to the Horsemen's Benevolent and Protective Association pursuant to the
12 provisions of R.S. 4:183(A)(4)(b) shall be allocated and distributed during the race
13 meeting at which earned.

14 * * *

15 **(3) Notwithstanding the provisions of Paragraph (2) of this Subsection,**
16 **the provisions of this Paragraph shall only apply to thoroughbred race meetings**
17 **at any facility where the purse revenue derived from slot machines is limited by**

1 law to a certain expressly stated number of slot machines. For such facilities,
 2 in the event the amount distributed as purses to persons licensed to race horses
 3 at thoroughbred race meetings conducted in the state is less than the amount
 4 required by Subsection A of this Section, and more than an amount equal to two
 5 times the average daily purse distribution at the race meeting at which such
 6 amount is generated, it shall be delivered to the Horsemen's Benevolent and
 7 Protective Association for further distribution to persons having earned monies
 8 during the meeting, in the direct proportion that the underpayment is to the
 9 monies earned by that person at that meeting. In the event the underpayment
 10 is less than an amount equal to two times the average daily purse distribution
 11 at that meeting, it shall be retained by the association in an interest bearing
 12 account to be used for purses at the next thoroughbred race meeting conducted
 13 by that association. Interest earned on the account shall be added to the purse
 14 paid over and above the amount required to be paid as purses by Subsection A
 15 of this Section.

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

19 * * *

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michelle Broussard-Johnson.

DIGEST

Cortez (SB 38)

Present law provides that monies due as purses to persons licensed to race horses at race meetings conducted in the state as a result of conditions provided by the law and the monies due to the Horsemen's Benevolent and Protective Association (HBPA) pursuant to law shall be allocated and distributed during the race meeting at which earned.

Present law provides that if 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 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 HBPA 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 the meeting. If 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 thoroughbred meeting conducted by that association.

Proposed law retains present law but adds provisions applicable only to thoroughbred race meetings at any facility where the purse revenue is derived from slot machines. Further provides that 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 thoroughbred race meeting at which generated, it shall be delivered to the Horsemen's Benevolent and Protective 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 thoroughbred 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 law. Proposed law defines "average daily purse distribution" to include all sources of funds available for use as a purse or purse supplement that are required by law to be distributed during a race meeting.

Effective August 1, 2013.

(Adds R.S. 4:183(B)(3) and (4))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Changes the applicability of the bill from statewide in scope to any facility where the purse revenue derived from slot machines is limited by law to a certain expressly stated number of machines.

Senate Floor Amendments to engrossed bill

1. Makes Legislative Bureau technical changes.
2. Provides certain provisions that will only apply to thoroughbred race meetings.
3. Provides the definition of the "average daily purse distribution."