

SENATE BILL NO. 160

BY SENATOR CORTEZ

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

1 AN ACT

2 To amend and reenact R.S. 4:147 and 164(C)(1), and R.S. 27:361(E)(3)(a), relative to the
3 Louisiana State Racing Commission; to provide for powers and duties; to provide for
4 rulemaking authority and prohibitions; to provide for a facility maintenance and
5 improvement fund; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 4:147 and 164(C)(1) are hereby amended and reenacted to read as
8 follows:

9 §147. Specific duties of commission

10 A. The commission shall carry out the provisions of this Part, including the
11 following specific duties:

12 (1)(a) To assign the dates race meetings may be conducted in this state at a
13 particular track, including dates which limit racing at a particular track for quarter
14 horses only, provided that:

15 (i) It shall prohibit the conducting of any thoroughbred race meetings having
16 the same or overlapping dates for such race meetings at thoroughbred race tracks
17 within a radius of one hundred miles of each other.

18 (ii) It shall prohibit the conducting of any exclusively quarter horse race
19 meetings having the same or overlapping dates for such race meetings at any other
20 exclusively quarter horse track within a radius of one hundred miles of each other.

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

23 (2)(a) ~~The commission shall~~ **To** appoint three stewards to serve each day of
24 each race meeting conducted under the provisions of this Part. One of the stewards
25 shall be appointed by the commission to represent the Louisiana State Racing

1 Commission and shall be designated as the state steward who shall upon appointment
2 be residing in the state.

3 (b) The amount to be paid by the commission to the state steward as
4 compensation for his services shall be at least the same amount paid to the two
5 stewards appointed to represent an association, and the association shall reimburse
6 the commission in an amount equal to the amount paid by it to the state steward as
7 his compensation, as aforesaid, which amount shall be considered an additional fee
8 due the state by an association for the privileges granted in its license.

9 (c) Two of the stewards shall be nominated by the association conducting a
10 race meeting under the provisions of this Part and, prior to serving as such, shall be
11 approved and appointed by the commission. The amounts to be paid these two
12 stewards as compensation for their services shall be paid by the association
13 nominating them, which amounts shall also be considered an additional fee due the
14 state by an association for the privileges granted in its license.

15 (d) The commission may appoint other stewards to be compensated by it and
16 assign to each such duties as are consistent with this Part; however, such other
17 stewards shall not serve as a steward in the stewards stand during any race meeting
18 conducted under the provisions of this Part, except with the written consent of the
19 association conducting such race meeting.

20 (e) The commission shall be required to show just cause for not appointing
21 any racing official submitted to it for its approval.

22 (3) To make an annual report to the governor of its operation, its own actions
23 and rulings, and the receipts derived under the provisions of this Part; and to offer
24 such practical suggestions as it deems proper to accomplish more fully the purposes
25 of this Part.

26 (4) To require of each applicant seeking a license to operate a race meeting
27 an application setting forth:

28 (a) The full name of the person, and if a corporation the name of the state
29 under which it is incorporated, and the names of the corporation's agents for the
30 service of process within Louisiana.

1 (b) If an association or corporation, the names of the stockholders and
2 directors of the corporation or the names of the members of the association.

3 (c) The exact location where it is desired to conduct or hold a racing meet.

4 (d) Whether or not the racing plant is owned or leased, and if leased the name
5 and address of the owner, or if the owner is a corporation, the names of its directors
6 and shareholders. However, nothing in this Part prevents any person from applying
7 to the commission for a permit to conduct races where the racing plant has not yet
8 been constructed.

9 (e) A statement of the assets and liabilities of the person applying for a
10 license.

11 (f) The kind of racing to be conducted and the dates requested.

12 (g) Such other information as the commission may require.

13 (5) To require an oath of every applicant, by the person or executive officer
14 of the association or corporation, stating that the information contained in the
15 application is true.

16 (6) To make rules and regulations for the holding, conducting, and operating
17 of all ~~race tracks~~, race meets, and races held in Louisiana, provided such regulations
18 are uniform in their application and effect.

19 (7) ~~Make~~ **To make** rules and regulations providing for minimum standards
20 and infrastructure investments required for each association regarding facility
21 maintenance and facility improvements including but not limited to track surface,
22 barns, grandstands, and paddocks in order for the association or licensee to conduct
23 race meets at a particular track.

24 (8) ~~Make~~ **To make** rules and regulations providing for ~~minimum~~ full-time
25 and seasonal employment ~~requirements including but not limited to food service,~~
26 ~~marketing,~~ **recommendations for** pari-mutuel windows, and kiosk repair staffing
27 in order for the association or licensee to conduct race meets at a particular track.

28 (9) To make rules and regulations applicable to offtrack wagering facility
29 licensees for pari-mutuel wagering that occurs in a sports book lounge of an entity
30 licensed by the Louisiana Gaming Control Board to conduct sports wagering

pursuant to Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950.

B. The commission shall not make rules regarding the operation or hours of operation of a racetrack other than matters necessary to the holding of such race meetings and pari-mutuel wagering.

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§164. Facility maintenance and improvement fund

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C.(1) ~~After July 1, 2023~~ **If an association is found not to be in compliance with the minimum standards and infrastructure investments by the date set by the commission for compliance,** ten percent of gross profits shall be deposited into the fund, **up to a maximum of three million dollars,** until such time that all commission-required facility maintenance and improvements have been completed as determined by the commission. Such deposits shall be made at the same time as the state tax is paid.

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Section 2. R.S. 27:361(E)(3)(a) is hereby amended and reenacted to read as follows:

§361. Conduct of slot machine gaming; temporary conduct

* * *

E.(1) * * *

(3)(a) Notwithstanding Paragraph (1) of this Subsection, upon notification from the Louisiana State Racing Commission that the licensed eligible facility is not in compliance with R.S. 4:164 but is cooperating with the commission and working towards compliance, the board may grant or renew a license **pursuant to Paragraph (1) of this Subsection or** for a probationary period ~~not to exceed one year. Barring extenuating circumstances as determined by the board, the probationary period shall not be extended beyond one year. After the probationary period, the board shall either grant or renew the license pursuant to Paragraph (1) of this Subsection for the remainder of the term or revoke the license.~~ **to be determined by the board.**

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Section 3. This Act shall become effective on July 1, 2023; if vetoed by the governor

1 and subsequently approved by the legislature, this Act shall become effective on the day
2 following such approval by the legislature or July 1, 2023, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____