

Regular Session, 2008

SENATE BILL NO. 187

BY SENATOR MARIONNEAUX

GAMING. Authorizes slot machine gaming at an eligible live horse racing facility in Iberville Parish. (8/15/08)

1 AN ACT  
2 To amend and reenact R.S. 4:211(5) and R.S. 27:353(4) and to enact R.S. 18:1300.24,  
3 relative to conducting live horse racing and pari-mutuel wagering in Iberville Parish;  
4 to provide for the calling and conducting of certain referendum elections in Iberville  
5 Parish, relative to authorizing the conducting of horse racing and pari-mutuel  
6 wagering in the parish, authorizing the operation of an offtrack wagering facility in  
7 Iberville Parish, and authorizing an eligible horse racing facility in Iberville Parish  
8 to conduct slot machine gaming; to provide for the submission of propositions by the  
9 governing authority of Iberville Parish; to provide relative to the approval of the  
10 propositions by the voters; to provide for applicability; to amend the definition of  
11 eligible facility for the purposes of conducting slot machine gaming; to amend the  
12 definition of pari-mutuel facility for the purpose of offtrack wagering; and to provide  
13 for related matters.

14 Notice of intention to introduce this Act has been published.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 4:211(5) is hereby amended and reenacted to read as follows:

17 §211. Definitions

1           Unless the context indicates otherwise, the following terms shall have the  
2 meaning ascribed to them below:

3   \*       \*       \*

4           (5) "Pari-mutuel facility" means any pari-mutuel race track conducting race  
5 meetings ~~during the 1986-87 racing season and licensed prior to the effective date~~  
6 ~~of this Part.~~

7   \*       \*       \*

8 Section 2. R.S. 27:353(4) is hereby amended and reenacted to read as follows:

9 §353. Definitions

10           When used in this Chapter, the following terms shall have these meanings:

11   \*       \*       \*

12           (4) "Eligible facility" means no more than one facility in St. Landry Parish,  
13 Bossier Parish, Orleans Parish, **Iberville Parish**, and Calcasieu Parish at which the  
14 Louisiana State Racing Commission has licensed the conduct or at which the  
15 commission has approved the future licensing of the conduct of not less than eighty  
16 days within a consecutive twenty-week period each year of live horse race meetings,  
17 unless the commission approves the conduct of less than eighty days within a  
18 consecutive twenty-week period or a different consecutive or nonconsecutive period,  
19 whenever an eligible facility is prevented from conducting live racing as a result of  
20 a natural disaster, an act of God, force majeure, a catastrophe, or such other  
21 occurrence over which the eligible facility has no control. Such a determination by  
22 the commission shall not adversely affect the status of the eligible facility to conduct  
23 slot machine gaming. For the 2005 racing season, "eligible facility" shall also  
24 include the facility in St. Landry Parish that will not be able to meet such  
25 requirements due to repairs or construction to the racetrack which are necessary in  
26 order to protect the safety of riders and thoroughbred racehorses and to preserve the  
27 revenues to be received and distributed to the state and local governments at such  
28 facility or as otherwise provided in R.S. 4:214.1.

29   \*       \*       \*

1 Section 3. R.S. 18:1300.24 is hereby enacted to read as follows:

2 **§1300.24. Parishwide elections regarding horse racing, pari-mutuel wagering,**  
3 **slot machine gaming, and offtrack wagering; procedure; Iberville**  
4 **Parish**

5 **A. The governing authority of Iberville Parish, by resolution, shall call**  
6 **a referendum election, as required by Article XII, Section 6(C)(1)(b) of the**  
7 **Constitution of Louisiana, and authorized by the provisions of R.S. 4:181 to be**  
8 **held in that parish on an appropriate date as specified in R.S. 18:402 to be**  
9 **selected by that parish governing authority, to consider the proposition of**  
10 **whether to allow horse racing and pari-mutuel wagering to be conducted in**  
11 **Iberville Parish. The proposition to be printed on the election ballot shall be:**

12 **"Shall the business of horse racing and pari-mutuel**  
13 **wagering be conducted within the parish of Iberville?**

14 **Yes ( ) No ( ). (As required by Article XII, Section**  
15 **6(C)(1)(b) of the Constitution of Louisiana and authorized**  
16 **by R.S. 4:181)."**

17 **B. The governing authority of Iberville Parish, by resolution, shall call**  
18 **a referendum election as required by Article XII, Section 6(C)(1)(b) of the**  
19 **Constitution of Louisiana, and by the provisions of R.S. 4:214 to be held in that**  
20 **parish on an appropriate date as specified in R.S. 18:402 to be selected by that**  
21 **parish governing authority, to consider the proposition of whether an offtrack**  
22 **wagering facility shall be established in Iberville Parish. The proposition to be**  
23 **printed on the election ballot shall be:**

24 **"Shall an offtrack wagering facility be established in the**  
25 **parish of Iberville? Yes ( ) No ( ). (As required by Article XII,**  
26 **Section 6(C)(1)(b) of the Constitution of Louisiana, and**  
27 **by the provisions of R.S. 4:214)."**

28 **C. The governing authority of Iberville Parish, by resolution, shall call**  
29 **a referendum election as required by Article XII, Section 6(C)(1)(b) of the**

1 Constitution of Louisiana, and the provisions of R.S. 27:381 to be held in that  
2 parish on an appropriate date as specified in R.S. 18:402 to be selected by that  
3 parish governing authority, to consider the proposition of whether to allow slot  
4 machine gaming at live horse racing facilities to be conducted in Iberville  
5 Parish. The proposition to be printed on the election ballot shall be:

6 "TO AUTHORIZE SLOT MACHINE GAMING AT LIVE  
7 HORSE RACING FACILITIES

8 Shall the business of slot machine gaming at a live horse  
9 racing facility be conducted within the parish of Iberville?

10 Yes ( ) No ( ). (As required by Article XII, Section 6(C)(1)(b)  
11 of the Constitution of Louisiana and by the provisions of R.S.  
12 27:381)."

13 D. Except as otherwise provided in this Section, the election shall be  
14 conducted as provided in Chapter 6-B of this Title, including but not limited to  
15 those provisions providing for the responsibility of the parish governing  
16 authority to provide notice to the public as provided by law.

17 E. The governing authority of Iberville Parish shall call one election for  
18 all propositions.

19 F. (1) If the election authorized by the provisions of R.S. 18:1300.24(A)  
20 is held and if the proposition authorized by that provision is approved by a  
21 majority of the electors voting thereon, then a person desiring to conduct horse  
22 racing and pari-mutuel wagering shall be subject to the licensing authority of  
23 the Louisiana State Racing Commission and to the licensing eligibility,  
24 procedure, and criteria provided for in Chapter 4 of Title 4 of the Louisiana  
25 Revised Statutes of 1950.

26 (2) If the elections authorized by the provisions of R.S. 18:1300.24(A)  
27 and (B) are held and if the propositions authorized by those provisions are  
28 approved by a majority of the electors voting thereon, then a person desiring to  
29 operate an offtrack wagering facility shall be subject to the licensing authority

1 of the Louisiana State Racing Commission and to the licensing eligibility,  
2 procedure, and criteria provided for in Chapter 4 of Title 4 of the Louisiana  
3 Revised Statutes of 1950.

4 (3) If the elections authorized by the provisions of R.S. 18:1300.24(A)  
5 and (C) are held and if the propositions authorized by those provisions are  
6 approved by a majority of the electors voting thereon, then the owner of a pari-  
7 mutuel live horse racing facility licensed by the Louisiana State Racing  
8 Commission to conduct live race meetings shall be subject to the licensing  
9 authority of the Louisiana Gaming Control Board and to the licensing  
10 eligibility, procedure, and criteria provided for in Chapter 7 of Title 27 of the  
11 Louisiana Revised Statutes of 1950.

12 G. Offtrack wagering shall not be conducted in Iberville Parish unless  
13 all the following occur:

14 (1) A majority of the electors have approved both horse racing and  
15 offtrack wagering in Iberville Parish in the elections authorized by the  
16 provisions of this Section.

17 (2) The Louisiana State Racing Commission has approved horse racing  
18 and offtrack wagering in Iberville Parish.

19 H. Slot machine gaming shall not be conducted in Iberville Parish unless  
20 all the following occur:

21 (1) A majority of the electors have approved both horse racing and slot  
22 machine gaming in Iberville Parish in the elections authorized by the provisions  
23 of this Section.

24 (2) The Louisiana State Racing Commission has issued a license to  
25 conduct horse racing in Iberville Parish.

26 (3) The Louisiana Gaming Control Board has issued a license to conduct  
27 slot machine gaming at live horse racing facilities in Iberville Parish.

28 I. For the purposes of this Section the following words have the  
29 following meanings:

1                   **(1) "Horse racing and pari-mutuel wagering" means the activity**  
 2                   **provided for in Chapter 4 of Title 4 of the Louisiana Revised Statutes of 1950.**

3                   **(2) "Louisiana Gaming Control Board" means the board established in**  
 4                   **R.S. 27:11 having the authority to regulate slot machine gaming in the state of**  
 5                   **Louisiana as provided for in Chapter 7 of Title 27 of the Louisiana Revised**  
 6                   **Statutes of 1950.**

7                   **(3) "Louisiana State Racing Commission" means the commission within**  
 8                   **the office of the governor having the authority to regulate horse racing, pari-**  
 9                   **mutuel wagering, and offtrack wagering in the state of Louisiana as provided**  
 10                   **for in Chapter 4 of Title 4 of the Louisiana Revised Statutes of 1950.**

11                   **(4) "Slot machine gaming" means the activity provided for in Chapter**  
 12                   **7 of Title 27 of the Louisiana Revised Statutes of 1950.**

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

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#### DIGEST

Marionneaux (SB 187)

Present law provides for the definition of "pari-mutuel facility." Pari-mutuel facility means any pari-mutuel race track conducting race meetings during the 1986-87 racing season and licensed prior to the effective date of this Part.

Proposed law changes the definition of pari-mutuel facility to any pari-mutuel race track conducting race meetings.

Present law provides for the definition of "eligible facility."

Proposed law retains present law and provides that there can be no more than one facility in Iberville Parish.

Proposed law authorizes parishwide elections in Iberville Parish for horse racing, pari-mutuel wagering, slot machine gaming, and offtrack wagering.

Proposed law provides that if the election is held to consider the proposition of whether to allow horse racing and pari-mutuel wagering to be conducted in Iberville Parish and if the proposition is approved by a majority of the electors voting thereon, then a person desiring to conduct horse racing and pari-mutuel wagering shall be subject to the licensing authority of the Louisiana State Racing Commission and to the licensing eligibility, procedure, and criteria provided for in law.

Proposed law provides that if the elections are held to consider the propositions of whether to allow horse racing and pari-mutuel wagering in Iberville Parish and whether an offtrack wagering facility will be established in Iberville Parish are held and if the propositions are approved by a majority of the electors voting thereon, then a person desiring to operate an offtrack wagering facility shall be subject to the licensing authority of the Louisiana State

Racing Commission and to the licensing eligibility, procedure, and criteria provided for in law.

Proposed law provides that if elections are held to consider whether to allow horse racing and pari-mutuel wagering in Iberville Parish and whether to allow slot machine gaming at live horse racing facilities to be conducted in Iberville Parish are held and if the propositions are approved by a majority of the electors voting thereon, then the owner of a pari-mutuel live horse racing facility licensed by the Louisiana State Racing Commission to conduct live race meetings will be subject to the licensing authority of the Louisiana Gaming Control Board and to the licensing eligibility, procedure, and criteria provided for in law.

Proposed law provides that offtrack wagering shall not be conducted in Iberville Parish unless all the following occur:

1. A majority of the electors have approved both horse racing and offtrack wagering in Iberville Parish in the elections authorized by proposed law.
2. The Louisiana State Racing Commission has approved horse racing and offtrack wagering in Iberville Parish.

Proposed law provides that slot machine gaming shall not be conducted in Iberville Parish unless all the following occur:

1. A majority of the electors have approved both horse racing and slot machine gaming in Iberville Parish in the elections authorized by proposed law.
2. The Louisiana State Racing Commission has issued a license to conduct horse racing in Iberville Parish.
3. The Louisiana Gaming Control Board has issued a license to conduct slot machine gaming at live horse racing facilities in Iberville Parish.

Proposed law provides for definitions.

Effective August 15, 2008.

(Amends R.S. 4:211(5) and R.S. 27:353(4); adds R.S. 18:1300.24)