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Executive Director

LOUISIANA STATE RACING COMMISSION

LSRC COMMITTEE MEETING NOTICE

THE LOUISIANA STATE RACING COMMISSION WILL HOLD A COMMITTEE MEETING AT 4:30PM ON SUNDAY, AUGUST 27, 2023 IN THE EVENT CENTER PREFUNCTION ROOM OF THE EVANGELINE DOWNS RACETRACK & CASINO, 2235 CRESWELL LANE EXTENSION, OPELOUSAS, LOUISIANA. THE PUBLIC MAY ATTEND AND PARTICIPATE IN-PERSON ONLY.

I. COMMITTEE DISCUSSION

A. INFRASTRUCTURE COMPLIANCE COMMITTEE, by Committee Chair Louis Reine

1. **Update** on All Associations' Progress and Projected Timelines on completing Infrastructure Plan Items as Approved by Commission.
2. **Discussion/Review** of Acts 103 & 258 of the 2023 Regular Legislative Session regarding Infrastructure Regulations and Requirements.

II. ADJOURNMENT

A handwritten signature in blue ink, reading "Charles A. Gardiner III", is written over a horizontal line.

Charles A. Gardiner III
Executive Director

This notice was posted by the entrance of the Louisiana State Racing Commission, Tuesday, August 22, 2023 at 4:00PM.

10/26/22 Commission Approved Plan for Itemized Requirements for Delta Downs Infrastructure Improvements

1. Security

- a. Must maintain adequate staffing of security officers on backside to patrol the backside, check every vehicle coming into the backside for commission-granted licenses, and check every horse trailer for the names of horses entering and exiting the backside.
- b. Must provide security personnel who are visible to the public no later than 90 minutes before post time.
- c. LSRC must provide list of individuals ruled off of the racetrack and dates the individual is ruled off of the racetrack to post at guard shack and at all points of entry at the end of each race meet.
- d. Must provide current list of horses on the backside and those that have left the backside to be made available to State Stewards.

2. Barns on Backside/Backside Improvements

- a. Barn buildings, fences, bathrooms, and outdoor and indoor lighting shall be kept in good working order.
 - b. Stall dimensions of 12-feet by 12-feet inside for new and rebuilt barns going forward.
 - c. An association shall maintain and repair roads on the backside
 - d. An association shall pick up manure bins daily when horses are stalled on the backside.
 - e. Stall Linings need replacement with plywood, which will be put in place and inspected to ensure safe environment for housing horses. *(Delta-specific per LaHBPA)*
 - Barn Walls - installation of plywood onto concrete stall walls. The project scope is for 6 barns or 360 stalls. *(Estimated budget of \$250,000 - Planned by Delta Downs)*
 - f. Add 10 toilets and 10 showers on the backside. *(Delta-specific per LaHBPA)*
 - g. Delta Downs must build 120 additional stalls (12-feet by 12-feet inside each minimum), to include feed rooms, tack rooms, and bathrooms on each side for each barn. *(Delta-specific per LaHBPA)*
 - h. Maintain quality water system on backside. *(Delta-specific per LaHBPA)*
 - i. Delta Downs must add 50 parking spaces on backside for trainers. *(Delta-specific per LaHBPA)*
 - j. Delta Downs must build a dormitory including 40 dorm rooms, with minimum room dimensions of 10-feet by 12.5-feet, with adequate showers and toilets accessible.
- (#2 Continued on Next Page)*

2. Barns on Backside/Backside Improvements (Continued from Previous Page)

k. Multi-phase project involving the asphalt paving and overlay of all existing rock paths and asphalt roadways in the stable area. *(Total estimated budget \$1,600,000 – Planned by Delta Downs)*

- **Phase 1- repair and overlay main roadway from east gate to west camera tower. *Estimated 3-month duration. Estimated budget \$350,000***
- **Phase 2 - asphalt parking areas along barns 1-14 to include roadside and kitchen parking. *Estimated 3-month duration. Estimated budget \$360,000***
- **Phase 3 - asphalt race parking at barn 22 and roads at barns 18 & 15. *Estimated 3-month duration. Estimated budget \$270,000***
- **Phase 4 - asphalt roads at barns 19, 15 & 17. *Estimated 3-month duration. Estimated budget \$150,000***
- **Phase 5 - asphalt north road, relocate water mains and improve drainage for new elevation. Asphalt trailer parking. *Estimated 6-month duration. Estimated budget \$470,000***

3. Paddock

- a. Ensure paddock, paddock stalls, and parade ring are kept clean, in good repair, and free of dangerous surfaces on which horses and people can walk.**
- b. Must provide an employee to remove horse manure from the paddock area during live racing in a timely manner.**
- c. All paddock stalls must have a working fan.**
- d. An association shall maintain healthy, well-groomed landscaping in the paddock area throughout live race meets.**
- e. An association shall ensure that trash cans are available in the paddock area and that all litter on paddock area grounds is removed daily when horses are stalled on the backside.**
- f. Installation of new flooring in the covered paddock area and tile pavers in areas exposed to the elements. *(Estimated budget \$250,000 – Planned by Delta Downs)***

4. Backside Internet Access

- a. Association shall make wireless internet available on the backside free of charge to horsemen and commission staff**

5. Grandstand, Apron, and Clubhouse

- a. Grandstand and clubhouse must be kept clean, in good repair, and properly ventilated for use by the public.**
- b. Must grant access to public on live race days no later than 1 hour before post time**
- c. Must provide live pari-mutuel tellers at betting windows & open concession stand to sell programs and forms no later than 1 hour before post time**
- d. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.**
- e. All elevators and escalators must be kept clean and in good working condition during any hours of operation.**

6. Winner's Circle

- a. Must ensure that the winner's circle is kept clean, maintained, and upgraded as needed for safety and appearance**
- b. Winners Circle - design and enhance the winner's circle area to include artificial turf, fencing decor and landscaping. Project scope includes site work for redirection of storm water runoff from the building. (*Estimated budget \$300,000 – Planned by Delta Downs*)**

7. Tote Board

- a. Must have a tote board in the infield and a tote board above the stalls in the paddock providing current odds and results during live racing.**
- b. All future tote boards must have digital video capabilities and those located in the infield must have landscaping approved by the commission at the same time as the Association's race meet applications for licenses, dates, and wagering are considered for approval**

8. Racing Surfaces

- a. An association must get a soil sample tested by certified expert for its dirt course twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.**
- b. An association must get its turf course inspected and evaluated by a certified expert twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.**

9. Grass and Drainage

- a. An association shall keep all grass areas maintained with adequate grass cutting and weed eating.**
- b. An association shall maintain all drainage throughout the backside.**

10. Concession and Restaurant Services

- a. Have food and beverages available to guests at the racetrack during open hours of operation.**
- b. Provide sit down dining experience on all weekend live race days and during stakes races.**
- c. Provide tables and seats for guests to sit at and eat outside along the apron of the racetrack.**
- d. Provide at least one quick service snack bar and a full service bar to be open during each live race day, with all quick service snack bars and full service bars to be open at least one hour before first race and one hour after last race.**

11. Annual Plan of Operation Report

- a. An association shall provide an annual report to the commission, due by January 30 after each fiscal year ends starting with fiscal year 2022 due on January 30, 2023, regarding the association's plan of operation for the upcoming fiscal year to include details about customer service, full-time and seasonal employment, marketing and promotions for horse racing, capital improvements, facility maintenance, facility improvements, and a summary of the prior fiscal year's plan of operation implementation and status

12. Quarterly Reports

- a. Each association shall provide quarterly reports to the commission of the names and addresses of each individual, corporation, firm, partnership, association, or other legal entity that furnishes professional services, as defined in R.S. 4:158.2, to the association. These reports must also specify whether or not the listed entities are any of the following: a registered Louisiana business, a female-owned business, and a minority-owned business.
- b. Each association shall provide quarterly reports to the commission of the demographic information of its workforce, to include: race, gender, and Louisiana residency.
- c. Each association shall provide quarterly reports on its marketing plan, which shall include and not be limited to dollars spent on TV ads, radios ads, magazine ads, billboards, giveaways, rewards, and any other dollars spent on promotions, marketing, and advertising, all broken down by racetrack and casino.

13. Infrastructure Fund & Investments

- a. All Associations shall follow the required actions per R.S. 4:164 (as enacted by SB 272/ Act 530) and LSRC's Rule LAC 35:VII.5771 "Minimum Infrastructure Investment Requirements"

14. Employment Requirements

- a. Pari-mutuel tellers must be available at the ratio of 1 teller to every 50 guests on track on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays and at the ratio of 1 teller to every 50 guests on track with a minimum of 3 tellers to be in each betting area on the first floor on Fridays and Saturdays and a minimum of 1 teller in each betting area on the clubhouse floors and private areas.
- b. After submitting annual plan of operation, must comply with Commission determinations of number of full-time and seasonal employees needed to operate food service, marketing, pari-mutuel windows, kiosk repairs, racing officials, and racetrack maintenance during race meets.
- c. All pari-mutuel tellers must accept bets and payout bets.

15. Marketing Requirements

- a. An association must submit its marketing plan for calendar year 2024 to the Commission and must have Commission approval of its marketing plan prior to January 1, 2024.
- b. An association must submit its marketing plan for calendar year 2023, including marketing, promotions, and advertising for the racetrack, and present it at the October 26, 2022 LSRC Meeting; the association's marketing plan must be approved by the Commission no later than March 1, 2023.

16. Broadcasting Live Races

- a. An association shall ensure that televisions are broadcasting live races from its racetrack and are all in working operation adequately throughout the following areas operated by the association: casino, bars, restaurants, off-track betting areas, track betting and viewing areas, and in the backside track kitchen.

17. Racetrack Website

- a. Must stream its live racing in real time with capabilities of replays for races in its current meet on its website and/or application for a smart television or provide a link on its website that allows viewing of live races and replays at no charge from a 3rd Party Provider.
- b. Provide on racetrack website a phone number that will be answered by a live person to allow reservations to be requested and confirmed for guests and horsemen from 8:00 AM to 6:00 PM on non-race days and from 8:00 AM through the last race being made official on race days or provide technology that allows reservations to be made by guests and horsemen.

18. Parking Areas

- a. All parking areas on association property, regardless of their location, must have drainage that removes all puddles caused by rain.
- b. An association shall maintain healthy landscaping for every day of the year at all entry roads and parking areas.
- c. On a regular basis, security personnel shall check all handicap parking spaces on association property for any cars parked without displayed handicap eligibility and shall ensure that no vehicles are blocking wheelchair access to handicap vehicles.

19. Maintenance Equipment

- a. Each racetrack shall have a functioning rock picker attachment for tractors for removal of rocks and stones on racing surfaces.
- b. Each racetrack that has at least one escalator on its premises shall have a functioning duplex escalator cleaning machine or similar equipment specifically made to clean escalators.

20. Off-Track Wagering Facilities

- a. An association shall ensure that food and beverages are always available to guests at its off-track wagering facilities during open hours of operation.
- b. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- c. All off-track wagering facilities must be open and taking wagers during the hours that any racetrack in the United States is conducting live racing, except by agreement with the Commission or its designee.
- d. The Commission will encourage each association to pursue additional OTBs.
- e. These are the minimum requirements for off-track wagering facilities, and the association reserves the right to exceed these minimums as allowable under State Law.

21. Horse Move-in and Move-out

- a. Must be prepared to allow horses to move in to allotted stalls and train on its racetrack grounds no later than 30 days prior to the start of a race meet, unless ordered by the Commission to be a longer period.
- b. Must allow horses to stay housed in the allotted stalls and train on the racetrack grounds for at least 15 days after the end of a race meet, unless change agreed by prior agreement between Association and LaHBPA.
- c. If there is an agreement between Association and LaHBPA for additional time to rent stalls, the stale rate will be \$8 per stall per day subject to annual review by the Commission.

22. Reporting Altercations

- a. An association shall provide a written report as mandated by the rules of the Commission of any physical altercation that occurs on its grounds to the commission within 5 days of incident; the individuals involved in the reported physical altercation may be subject to immediate suspension by the commission.

NOTE: The Commission reserves the right to amend this infrastructure improvement plan as needed

10/26/22 Commission Approved Plan for Itemized Requirements for Evangeline Downs Infrastructure Improvements

1. Security

- a. Must maintain adequate staffing of security officers on backside to patrol the backside, check every vehicle coming into the backside for commission-granted licenses, and check every horse trailer for the names of horses entering and exiting the backside.
- b. Must provide security personnel who are visible to the public no later than 90 minutes before post time.
- c. LSRC must provide list of individuals ruled off of the racetrack and dates the individual is ruled off of the racetrack to post at guard shack and at all points of entry at the end of each race meet.
- d. Must provide current list of horses on the backside and those that have left the backside to be made available to State Stewards.
- e. Clocker and Trainer Stands, Guard Shack Cover - re-design and replace one clocker stand and 2 trainers stands. Update guard shack backside entry area. *(Estimated budget of \$225,000 – Planned by Evangeline Downs)*

2. Barns on Backside/Backside Improvements

- a. Barn buildings, fences, bathrooms, and outdoor and indoor lighting shall be kept in good working order.
- b. Stall dimensions of 12-feet by 12-feet inside for new and rebuilt barns going forward.
- c. An association shall maintain and repair roads on the backside
- d. An association shall pick up manure bins daily when horses are stalled on the backside.
- e. Evangeline Downs shall ensure that roads/entrance to receiving barn are paved to prevent limestone rocks from being dragged onto the track by equipment. *(EvD-specific per LaHBPA)*
- f. Evangeline Downs must build 120 additional stalls (12-feet by 12-feet inside each minimum), to include feed rooms, tack rooms, and bathrooms on each side for each barn. *(EvD-specific per LaHBPA)*
- g. Evangeline Downs must provide 15 additional bathrooms (each bathroom must have a toilet, shower, and sink) on the backside and existing bathrooms must be repaired. *(EvD-specific per LaHBPA)*
- h. Evangeline Downs must build an additional 20 dorm rooms. *(EvD-specific per LaHBPA)*
- i. Dorm Restrooms -remodel 4 dorm restrooms. *(Estimated budget of \$200,000 – Planned by Evangeline Downs)*

3. Paddock

- a. Ensure paddock, paddock stalls, and parade ring are kept clean, in good repair, and free of dangerous surfaces on which horses and people can walk.
- b. Must provide an employee to remove horse manure from the paddock area during live racing in a timely manner.
- c. All paddock stalls must have a working fan.
- d. An association shall maintain healthy, well-groomed landscaping in the paddock area throughout live race meets.
- e. An association shall ensure that trash cans are available in the paddock area and that all litter on paddock area grounds is removed daily when horses are stalled on the backside.
- f. Paddock, Winners Circle and Paddock Fencing - replace pavers in paddock. Remodel winners circle, paddock area, and fencing. *(Estimated budget of \$625,000 – Planned by Evangeline Downs)*

4. Backside Internet Access

- a. Association shall make wireless internet available on the backside free of charge to horsemen and commission staff

5. Grandstand, Apron, and Clubhouse

- a. Grandstand and clubhouse must be kept clean, in good repair, and properly ventilated for use by the public.
- b. Must grant access to public on live race days no later than 1 hour before post time
- c. Must provide live pari-mutuel tellers at betting windows & open concession stand to sell programs and forms no later than 1 hour before post time
- d. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- e. All elevators and escalators must be kept clean and in good working condition during any hours of operation.
- f. Clubhouse - update suites and John Henry room. *(Estimated budget of \$200,000 – Planned by Evangeline Downs)*

6. Winner's Circle

- a. Must ensure that the winner's circle is kept clean, maintained, and upgraded as needed for safety and appearance

7. Tote Board

- a. Must have a tote board in the infield and a tote board above the stalls in the paddock providing current odds and results during live racing.
- b. All future tote boards must have digital video capabilities and those located in the infield must have landscaping approved by the commission at the same time as the Association's race meet applications for licenses, dates, and wagering are considered for approval

8. Racing Surfaces

- a. An association must get a soil sample tested by certified expert for its dirt course twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.
- b. An association must get its turf course inspected and evaluated by a certified expert twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.
- c. Evangeline Downs shall provide additional staff needed to repair divots in turf course. *(EvD-specific per LaHBPA)*

9. Grass and Drainage

- a. An association shall keep all grass areas maintained with adequate grass cutting and weed eating.
- b. An association shall maintain all drainage throughout the backside.
- c. Evangeline Downs shall maintain turf course drainage system to ensure it functions properly. *(EvD-specific per LaHBPA)*
- d. Pave Road Between Clockers Stand and Road -asphalt overlay the existing road including proper grading and drainage. Also include new asphalt around high traffic areas. *(Estimated budget of \$500,000 – Planned by Evangeline Downs)*

10. Concession and Restaurant Services

- a. Have food and beverages available to guests at the racetrack during open hours of operation.
- b. Provide sit down dining experience on all weekend live race days and during stakes races.
- c. Provide tables and seats for guests to sit at and eat outside along the apron of the racetrack.
- d. Provide at least one quick service snack bar and a full service bar to be open during each live race day, with all quick service snack bars and full service bars to be open at least one hour before first race and one hour after last race.

11. Annual Plan of Operation Report

- a. An association shall provide an annual report to the commission, due by January 30 after each fiscal year ends starting with fiscal year 2022 due on January 30, 2023, regarding the association's plan of operation for the upcoming fiscal year to include details about customer service, full-time and seasonal employment, marketing and promotions for horse racing, capital improvements, facility maintenance, facility improvements, and a summary of the prior fiscal year's plan of operation implementation and status

12. Quarterly Reports

- a. Each association shall provide quarterly reports to the commission of the names and addresses of each individual, corporation, firm, partnership, association, or other legal entity that furnishes professional services, as defined in R.S. 4:158.2, to the association. These reports must also specify whether or not the listed entities are any of the following: a registered Louisiana business, a female-owned business, and a minority-owned business.
- b. Each association shall provide quarterly reports to the commission of the demographic information of its workforce, to include: race, gender, and Louisiana residency.
- c. Each association shall provide quarterly reports on its marketing plan, which shall include and not be limited to dollars spent on TV ads, radios ads, magazine ads, billboards, giveaways, rewards, and any other dollars spent on promotions, marketing, and advertising, all broken down by racetrack and casino.

13. Infrastructure Fund & Investments

- a. All Associations shall follow the required actions per R.S. 4:164 (as enacted by SB 272/ Act 530) and LSRC's Rule LAC 35:VII.5771 "Minimum Infrastructure Investment Requirements"

14. Employment Requirements

- a. Pari-mutuel tellers must be available at the ratio of 1 teller to every 50 guests on track on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays and at the ratio of 1 teller to every 50 guests on track with a minimum of 3 tellers to be in each betting area on the first floor on Fridays and Saturdays and a minimum of 1 teller in each betting area on the clubhouse floors and private areas.
- b. After submitting annual plan of operation, must comply with Commission determinations of number of full-time and seasonal employees needed to operate food service, marketing, pari-mutuel windows, kiosk repairs, racing officials, and racetrack maintenance during race meets.
- c. All pari-mutuel tellers must accept bets and payout bets.

15. Marketing Requirements

- a. An association must submit its marketing plan for calendar year 2024 to the Commission and must have Commission approval of its marketing plan prior to January 1, 2024.
- b. An association must submit its marketing plan for calendar year 2023, including marketing, promotions, and advertising for the racetrack, and present it at the October 26, 2022 LSRC Meeting; the association's marketing plan must be approved by the Commission no later than March 1, 2023.

16. Broadcasting Live Races

- a. An association shall ensure that televisions are broadcasting live races from its racetrack and are all in working operation adequately throughout the following areas operated by the association: casino, bars, restaurants, off-track betting areas, track betting and viewing areas, and in the backside track kitchen.

17. Racetrack Website

- a. Must stream its live racing in real time with capabilities of replays for races in its current meet on its website and/or application for a smart television or provide a link on its website that allows viewing of live races and replays at no charge from a 3rd Party Provider.
- b. Provide on racetrack website a phone number that will be answered by a live person to allow reservations to be requested and confirmed for guests and horsemen from 8:00 AM to 6:00 PM on non-race days and from 8:00 AM through the last race being made official on race days or provide technology that allows reservations to be made by guests and horsemen.

18. Parking Areas

- a. All parking areas on association property, regardless of their location, must have drainage that removes all puddles caused by rain.
- b. An association shall maintain healthy landscaping for every day of the year at all entry roads and parking areas.
- c. On a regular basis, security personnel shall check all handicap parking spaces on association property for any cars parked without displayed handicap eligibility and shall ensure that no vehicles are blocking wheelchair access to handicap vehicles.

19. Maintenance Equipment

- a. Each racetrack shall have a functioning rock picker attachment for tractors for removal of rocks and stones on racing surfaces.
- b. Each racetrack that has at least one escalator on its premises shall have a functioning duplex escalator cleaning machine or similar equipment specifically made to clean escalators.
- c. Heavy Equipment - evaluate and update track equipment (tractors, excavators, track loaders, etc.). *(Estimated budget of \$450,000 – Planned by Evangeline Downs)*

20. Off-Track Wagering Facilities

- a. An association shall ensure that food and beverages are always available to guests at its off-track wagering facilities during open hours of operation.
- b. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- c. All off-track wagering facilities must be open and taking wagers during the hours that any racetrack in the United States is conducting live racing, except by agreement with the Commission or its designee.
- d. The Commission will encourage each association to pursue additional OTBs.
- e. OTB Bathrooms - remodel men's and women's restrooms at the on-site OTB. *(Estimated budget of \$200,000 – Planned by Evangeline Downs)*
- f. These are the minimum requirements for off-track wagering facilities, and the association reserves the right to exceed these minimums as allowable under State Law.

21. Horse Move-in and Move-out

- a. Must be prepared to allow horses to move in to allotted stalls and train on its racetrack grounds no later than 30 days prior to the start of a race meet, unless ordered by the Commission to be a longer period.
- b. Must allow horses to stay housed in the allotted stalls and train on the racetrack grounds for at least 15 days after the end of a race meet, unless change agreed by prior agreement between Association and LaHBPA.
- c. If there is an agreement between Association and LaHBPA for additional time to rent stalls, the stale rate will be \$8 per stall per day subject to annual review by the Commission.

22. Reporting Altercations

- a. An association shall provide a written report as mandated by the rules of the Commission of any physical altercation that occurs on its grounds to the commission within 5 days of incident; the individuals involved in the reported physical altercation may be subject to immediate suspension by the commission.

NOTE: The Commission reserves the right to amend this infrastructure improvement plan as needed

04/17/23 Commission Approved Plan for Itemized Requirements for Fair Grounds Infrastructure Improvements

1. Security

- a. Must maintain adequate staffing of security officers on backside to patrol the backside, check every vehicle coming into the backside for commission-granted licenses, and check every horse trailer for the names of horses entering and exiting the backside.
- b. Must provide security personnel who are visible to the public no later than 90 minutes before post time.
- c. LSRC must provide list of individuals ruled off of the racetrack and dates the individual is ruled off of the racetrack to post at guard shack and at all points of entry at the end of each race meet.
- d. Must provide current list of horses on the backside and those that have left the backside to be made available to State Stewards.

2. Barns on Backside/Backside Improvements

- a. Barn buildings, fences, bathrooms, and outdoor and indoor lighting shall be kept in good working order.
- b. Stall dimensions of 12-feet by 12-feet inside for new and rebuilt barns going forward, with exemption for 2 replacement barns currently planned for construction at Fair Grounds as noted in Item "e" below.
- c. An association shall maintain and repair roads on the backside
- d. An association shall pick up manure bins daily when horses are stalled on the backside.
- e. Fair Grounds must build two new barns to replace the barns destroyed by hurricane Ida and termites, which must be built to match the original dimensions. *(FG-specific per LaHBPA)*
- f. Fair Grounds must improve and upgrade barn lightning to LED. *(FG-specific per LaHBPA)*
- g. EPA Wash Stations and Segregation Project *(Cost \$5,500,000 – Planned by Fair Grounds)*
- h. New High Tech Fire alarm system in every building of barn area *(Cost \$354,000 – Planned by Fair Grounds)*
- i. Barn Roof reseal of Barns 10 & 12 *(Cost \$105,000 – Planned by Fair Grounds)*
- j. Jockey Room Renovation and new washer *(Cost \$62,000 – Planned by Fair Grounds)*
- k. Asphalt and Concrete road / horse path maintenance throughout barn area *(Cost \$50,000 – Planned by Fair Grounds)*
- l. Pressure Washing / Painting *(Cost \$30,000 – Planned by Fair Grounds)*
- m. Barn Area Track Kitchen Renovations *(Cost \$27,000 – Planned by Fair Grounds)*
- n. New barn roll down doors *(Cost \$20,000 – Planned by Fair Grounds)*
- o. Interior Barn Stall Painting *(Cost \$20,000 – Planned by Fair Grounds)*
- p. Barn Living Quarters and Bathroom Renovations *(Cost \$15,000 – Planned by Fair Grounds)*
- q. Stall updates with new plywood to all 4 interior walls *(Cost \$15,000 – Planned by Fair Grounds)*
- r. Enhance / buildup of barn shed rows *(Cost \$12,000 – Planned by Fair Grounds)*

3. Paddock

- a. Ensure paddock, paddock stalls, and parade ring are kept clean, in good repair, and free of dangerous surfaces on which horses and people can walk.
- b. Must provide an employee to remove horse manure from the paddock area during live racing in a timely manner.
- c. All paddock stalls must have a working fan.
- d. An association shall maintain healthy, well-groomed landscaping in the paddock area throughout live race meets.
- e. An association shall ensure that trash cans are available in the paddock area and that all litter on paddock area grounds is removed daily when horses are stalled on the backside.
- f. Fair Grounds must update and renovate the paddock, especially the walking path symmetrical oval to improve safety for the connections and the horses and also must provide more walking area for the horses. *(FG-specific per LaHBPA)*

4. Backside Internet Access

- a. Association shall make wireless internet available on the backside free of charge to horsemen and commission staff

5. Grandstand, Apron, and Clubhouse

- a. Grandstand and clubhouse must be kept clean, in good repair, and properly ventilated for use by the public.
- b. Must grant access to public on live race days no later than 1 hour before post time
- c. Must provide live pari-mutuel tellers at betting windows & open concession stand to sell programs and forms no later than 1 hour before post time
- d. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- e. All elevators and escalators must be kept clean and in good working condition during any hours of operation.
- f. New Grandstand Doors *(Cost \$90,000 – Planned by Fair Grounds)*
- g. Window Cleaning *(Cost \$45,000 – Planned by Fair Grounds)*
- h. Updated Suite Furniture *(Cost \$11,000 – Planned by Fair Grounds)*
- i. Reopening VIP PM Room *(Cost \$3,000 – Planned by Fair Grounds)*
- J. Improved Clubhouse Dining Experience *(Cost \$TBD – Planned by Fair Grounds)*

6. Winner's Circle

- a. Must ensure that the winner's circle is kept clean, maintained, and upgraded as needed for safety and appearance

7. Tote Board

- a. Must have a tote board in the infield and a tote board above the stalls in the paddock providing current odds and results during live racing.
- b. All future tote boards must have digital video capabilities and those located in the infield must have landscaping approved by the commission at the same time as the Association's race meet applications for licenses, dates, and wagering are considered for approval
- c. New Tote Board (*Cost \$1,500,000 – Planned by Fair Grounds*)
- d. Tote Board Landscaping (*Cost \$65,000 – Planned by Fair Grounds*)

8. Racing Surfaces

- a. An association must get a soil sample tested by certified expert for its dirt course twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.
- b. An association must get its turf course inspected and evaluated by a certified expert twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.
- c. Turf Renovations (sprigging, aeration, fertilization and seeding) (*Cost \$65,000 – Planned by Fair Grounds*)
- d. Mile Markers (*Cost \$37,000 – Planned by Fair Grounds*)
- e. Track Lighting Evaluation (*Cost \$30,000 – Planned by Fair Grounds*)

9. Grass and Drainage

- a. An association shall keep all grass areas maintained with adequate grass cutting and weed eating.
- b. An association shall maintain all drainage throughout the backside.
- c. Property Landscaping (*Cost \$12,000 – Planned by Fair Grounds*)

10. Concession and Restaurant Services

- a. Have food and beverages available to guests at the racetrack during open hours of operation.
- b. Provide sit down dining experience on all weekend live race days and during stakes races.
- c. Provide tables and seats for guests to sit at and eat outside along the apron of the racetrack.
- d. Provide at least one quick service snack bar and a full service bar to be open during each live race day, with all quick service snack bars and full service bars to be open at least one hour before first race and one hour after last race.

11. Annual Plan of Operation Report

- a. Fair Grounds shall provide an annual report to the commission, due by the 1st Commission Meeting following the 1st Quarter after each fiscal year ends starting with fiscal year 2022, regarding the association's plan of operation for the upcoming fiscal year to include details about customer service, full-time and seasonal employment, marketing and promotions for horse racing, capital improvements, facility maintenance, facility improvements, and a summary of the prior fiscal year's plan of operation implementation and status

12. Quarterly Reports

- a. Each association shall provide quarterly reports to the commission of the names and addresses of each individual, corporation, firm, partnership, association, or other legal entity that furnishes professional services, as defined in R.S. 4:158.2, to the association. These reports must also specify whether or not the listed entities are any of the following: a registered Louisiana business, a female-owned business, and a minority-owned business.
- b. Each association shall provide quarterly reports to the commission of the demographic information of its workforce, to include: race, gender, and Louisiana residency.
- c. Each association shall provide quarterly reports on its marketing plan, which shall include and not be limited to dollars spent on TV ads, radios ads, magazine ads, billboards, giveaways, rewards, and any other dollars spent on promotions, marketing, and advertising, all broken down by racetrack and casino.

13. Infrastructure Fund & Investments

- a. All Associations shall follow the required actions per R.S. 4:164 (as enacted by SB 272/ Act 530) and LSRC's Rule LAC 35:VII.5771 "Minimum Infrastructure Investment Requirements"

14. Employment Requirements

- a. Pari-mutuel tellers must be available at the ratio of 1 teller to every 50 guests on track on Mondays, Tuesdays, Wednesdays, and Thursdays and at the ratio of 1 teller to every 50 guests on track with a minimum of 3 tellers to be in each betting area on the first floor on Fridays, Saturdays, and Sundays and a minimum of 1 teller in each betting area on the clubhouse floors and private areas.
- b. After submitting annual plan of operation, must comply with Commission determinations of number of full-time and seasonal employees needed to operate food service, marketing, pari-mutuel windows, kiosk repairs, racing officials, and racetrack maintenance during race meets.
- c. Increased Wages for employees to provide better service and safety (*Cost \$94,000 – Planned by Fair Grounds*)

15. Marketing Requirements

- a. An association must submit its marketing plan for calendar year 2024 to the Commission and must have Commission approval of its marketing plan prior to January 1, 2024.
- b. An association must submit its marketing plan for calendar year 2023, including marketing, promotions, and advertising for the racetrack, and present it at the October 26, 2022 LSRC Meeting; the association's marketing plan must be approved by the Commission no later than March 1, 2023.
- c. Marketing / Advertising / Rebranding for 2022 – 2023 Meet including special events (*Cost \$400,000 – Planned by Fair Grounds*)

16. Broadcasting Live Races

- a. An association shall ensure that televisions are broadcasting live races from its racetrack and are all in working operation adequately throughout the following areas operated by the association: casino, bars, restaurants, off-track betting areas, track betting and viewing areas, and in the backside track kitchen.
- b. New TVs throughout the building including clubhouse TVs (*Cost \$TBD – Planned by Fair Grounds*)

17. Racetrack Website

- a. Must stream its live racing in real time with capabilities of replays for races in its current meet on its website and/or application for a smart television or provide a link on its website that allows viewing of live races and replays at no charge from a 3rd Party Provider.
- b. Provide on racetrack website a phone number that will be answered by a live person to allow reservations to be requested and confirmed for guests and horsemen from 8:00 AM to 6:00 PM on non-race days and from 8:00 AM through the last race being made official on race days or provide technology that allows reservations to be made by guests and horsemen.

18. Parking Areas

- a. All parking areas on association property, regardless of their location, must have drainage that removes all puddles caused by rain.
- b. An association shall maintain healthy landscaping for every day of the year at all entry roads and parking areas.
- c. On a regular basis, security personnel shall check all handicap parking spaces on association property for any cars parked without displayed handicap eligibility and shall ensure that no vehicles are blocking wheelchair access to handicap vehicles.
- d. Fair Grounds must create a separate designated and covered ride-share drop off/pick up location. (FG-specific per LaHBPA)

19. Maintenance Equipment

- a. Each racetrack shall have a functioning rock picker attachment for tractors for removal of rocks and stones on racing surfaces.
- b. Each racetrack that has at least one escalator on its premises shall have a functioning duplex escalator cleaning machine or similar equipment specifically made to clean escalators.
- c. New Tractors *(Cost \$450,000 – Planned by Fair Grounds)*
- d. Backup Sweeper Truck for EPA compliance and barn cleanliness *(Cost \$43,000 – Planned by Fair Grounds)*

20. Off-Track Wagering Facilities

- a. An association shall ensure that food and beverages are always available to guests at its off-track wagering facilities during open hours of operation.
- b. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- c. All off-track wagering facilities must be open and taking wagers during the hours that any racetrack in the United States is conducting live racing, except by agreement with the Commission or its designee.
- d. The Commission will encourage each association to pursue additional OTBs.
- e. Additional United Tote Player Banks throughout OTB network *(Cost \$238,000 – Planned by Fair Grounds)*
- f. These are the minimum requirements for off-track wagering facilities, and the association reserves the right to exceed these minimums as allowable under State Law.

21. Horse Move-in and Move-out

- a. Must be prepared to allow horses to move in to allotted stalls and train on its racetrack grounds no later than 30 days prior to the start of a race meet, unless ordered by the Commission to be a longer period.
- b. Must allow horses to stay housed in the allotted stalls and train on the racetrack grounds for at least 15 days after the end of a race meet, unless change agreed by prior agreement between Association and LaHBPA.
- c. If there is an agreement between Association and LaHBPA for additional time to rent stalls, the stale rate will be \$8 per stall per day subject to annual review by the Commission.

22. Reporting Altercations

- a. An association shall provide a written report as mandated by the rules of the Commission of any physical altercation that occurs on its grounds to the commission within 5 days of incident; the individuals involved in the reported physical altercation may be subject to immediate suspension by the commission.

NOTE: The Commission reserves the right to amend this infrastructure improvement plan as needed

10/26/22 Commission Approved Plan for Itemized Requirements for Louisiana Downs Infrastructure Improvements

1. Security

- a. Must maintain adequate staffing of security officers on backside to patrol the backside, check every vehicle coming into the backside for commission-granted licenses, and check every horse trailer for the names of horses entering and exiting the backside.
- b. Must provide security personnel who are visible to the public no later than 90 minutes before post time.
- c. LSRC must provide list of individuals ruled off of the racetrack and dates the individual is ruled off of the racetrack to post at guard shack and at all points of entry at the end of each race meet.
- d. Must provide current list of horses on the backside and those that have left the backside to be made available to State Stewards.

2. Barns on Backside/Backside Improvements

- a. Barn buildings, fences, bathrooms, and outdoor and indoor lighting shall be kept in good working order.
- b. Stall dimensions of 12-feet by 12-feet inside for new and rebuilt barns going forward.
- c. An association shall maintain and repair roads on the backside
- d. An association shall pick up manure bins daily when horses are stalled on the backside.
- e. Louisiana Downs must repair roads in the sale barn area. *(LaD-specific per LaHBPA)*
- f. Louisiana Downs must add dirt to and perform daily maintenance of horse paths *(LaD-specific per LaHBPA)*
- g. Louisiana Downs must complete the repairs and renovation of backside kitchen. *(LaD-specific per LaHBPA)*
- h. Louisiana Downs must renovate and repair backside restrooms. *(LaD-specific per LaHBPA)*
- i. Increase dorm size capacity on backside (discussing new dorm building, repairing 20 rooms in stake barn to make liveable again) *(Planned by Louisiana Downs)*
- j. Barn repairs (walls and structures needing repaired) *(Planned by Louisiana Downs)*
- k. Louisiana Downs must make a backside laundry facility available to all employees on the backside.

3. Paddock

- a. Ensure paddock, paddock stalls, and parade ring are kept clean, in good repair, and free of dangerous surfaces on which horses and people can walk.
- b. Must provide an employee to remove horse manure from the paddock area during live racing in a timely manner.
- c. All paddock stalls must have a working fan.
- d. An association shall maintain healthy, well-groomed landscaping in the paddock area throughout live race meets.
- e. An association shall ensure that trash cans are available in the paddock area and that all litter on paddock area grounds is removed daily when horses are stalled on the backside.

4. Backside Internet Access

- a. Association shall make wireless internet available on the backside free of charge to horsemen and commission staff

5. Grandstand, Apron, Clubhouse, and Casino

- a. Grandstand and clubhouse must be kept clean, in good repair, and properly ventilated for use by the public.
- b. Must grant access to public on live race days no later than 1 hour before post time
- c. Must provide live pari-mutuel tellers at betting windows & open concession stand to sell programs and forms no later than 1 hour before post time
- d. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- e. All elevators and escalators must be kept clean and in good working condition during any hours of operation.
- f. Casino floor music stage (*Planned by Louisiana Downs*)

6. Winner's Circle

- a. Must ensure that the winner's circle is kept clean, maintained, and upgraded as needed for safety and appearance

7. Tote Board

- a. Must have a tote board in the infield and a tote board above the stalls in the paddock providing current odds and results during live racing.
- b. All future tote boards must have digital video capabilities and those located in the infield must have landscaping approved by the commission at the same time as the Association's race meet applications for licenses, dates, and wagering are considered for approval

8. Racing Surfaces

- a. An association must get a soil sample tested by certified expert for its dirt course twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.
- b. An association must get its turf course inspected and evaluated by a certified expert twice each year (before each race meet) and send a copy of the report to the commission in a timely manner to make any necessary adjustments.
- c. Racetrack (Needing material added, sand, organics, etc..) *(Planned by Louisiana Downs)*

9. Grass and Drainage

- a. An association shall keep all grass areas maintained with adequate grass cutting and weed eating.
- b. An association shall maintain all drainage throughout the backside.
- c. Louisiana Downs must increase the frequency of grass cutting and trash removal. (LaD-specific per LaHBPA)

10. Concession and Restaurant Services

- a. Have food and beverages available to guests at the racetrack during open hours of operation.
- b. Provide sit down dining experience on all weekend live race days and during stakes races.
- c. Provide tables and seats for guests to sit at and eat outside along the apron of the racetrack.
- d. Provide at least one quick service snack bar and a full service bar to be open during each live race day, with all quick service snack bars and full service bars to be open at least one hour before first race and one hour after last race.
- e. New Sportsbar/Sportsbook area (Inside Rail) *(Planned by Louisiana Downs)*

11. Annual Plan of Operation Report

- a. An association shall provide an annual report to the commission, due by January 30 after each fiscal year ends starting with fiscal year 2022 due on January 30, 2023, regarding the association's plan of operation for the upcoming fiscal year to include details about customer service, full-time and seasonal employment, marketing and promotions for horse racing, capital improvements, facility maintenance, facility improvements, and a summary of the prior fiscal year's plan of operation implementation and status.

12. Quarterly Reports

- a. Each association shall provide quarterly reports to the commission of the names and addresses of each individual, corporation, firm, partnership, association, or other legal entity that furnishes professional services, as defined in R.S. 4:158.2, to the association. These reports must also specify whether or not the listed entities are any of the following: a registered Louisiana business, a female-owned business, and a minority-owned business.**
- b. Each association shall provide quarterly reports to the commission of the demographic information of its workforce, to include: race, gender, and Louisiana residency.**
- c. Each association shall provide quarterly reports on its marketing plan, which shall include and not be limited to dollars spent on TV ads, radios ads, magazine ads, billboards, giveaways, rewards, and any other dollars spent on promotions, marketing, and advertising, all broken down by racetrack and casino.**

13. Infrastructure Fund & Investments

- a. All Associations shall follow the required actions per R.S. 4:164 (as enacted by SB 272/ Act 530) and LSRC's Rule LAC 35:VII.5771 "Minimum Infrastructure Investment Requirements"**

14. Employment Requirements

- a. Pari-mutuel tellers must be available at the ratio of 1 teller to every 50 guests on track on Mondays, Tuesdays, Wednesdays, and Thursdays and at the ratio of 1 teller to every 50 guests on track with a minimum of 3 tellers to be in each betting area on the first floor on Fridays, Saturdays, and Sundays and a minimum of 1 teller in each betting area on the clubhouse floors and private areas.**
- b. After submitting annual plan of operation, must comply with Commission determinations of number of full-time and seasonal employees needed to operate food service, marketing, pari-mutuel windows, kiosk repairs, racing officials, and racetrack maintenance during race meets.**

15. Marketing Requirements

- a. An association must submit its marketing plan for calendar year 2024 to the Commission and must have Commission approval of its marketing plan prior to January 1, 2024.**
- b. An association must submit its marketing plan for calendar year 2023, including marketing, promotions, and advertising for the racetrack, and present it at the October 26, 2022 LSRC Meeting; the association's marketing plan must be approved by the Commission no later than March 1, 2023.**

16. Broadcasting Live Races

- a. An association shall ensure that televisions are broadcasting live races from its racetrack and are all in working operation adequately throughout the following areas operated by the association: casino, bars, restaurants, off-track betting areas, track betting and viewing areas, and in the backside track kitchen.

17. Racetrack Website

- a. Must stream its live racing in real time with capabilities of replays for races in its current meet on its website and/or application for a smart television or provide a link on its website that allows viewing of live races and replays at no charge from a 3rd Party Provider.
- b. Provide on racetrack website a phone number that will be answered by a live person to allow reservations to be requested and confirmed for guests and horsemen from 8:00 AM to 6:00 PM on non-race days and from 8:00 AM through the last race being made official on race days or provide technology that allows reservations to be made by guests and horsemen.

18. Parking Areas

- a. All parking areas on association property, regardless of their location, must have drainage that removes all puddles caused by rain.
- b. An association shall maintain healthy landscaping for every day of the year at all entry roads and parking areas.
- c. On a regular basis, security personnel shall check all handicap parking spaces on association property for any cars parked without displayed handicap eligibility and shall ensure that no vehicles are blocking wheelchair access to handicap vehicles.

19. Maintenance Equipment

- a. Each racetrack shall have a functioning rock picker attachment for tractors for removal of rocks and stones on racing surfaces.
- b. Each racetrack that has at least one escalator on its premises shall have a functioning duplex escalator cleaning machine or similar equipment specifically made to clean escalators.

20. Off-Track Wagering Facilities

- a. An association shall ensure that food and beverages are always available to guests at its off-track wagering facilities during open hours of operation.
- b. All pari-mutuel wagering areas must have tellers or self-betting terminals to place bets, seating, and tables in an air-conditioned environment for guests to handicap and place wagers on the races. There must be a teller in close proximity that can cash tickets and take bets.
- c. All off-track wagering facilities must be open and taking wagers during the hours that any racetrack in the United States is conducting live racing, except by agreement with the Commission or its designee.
- d. The Commission will encourage each association to pursue additional OTBs.
- e. New HHR machines (*Planned by Louisiana Downs*)
- f. 100 new slot machines (*Planned by Louisiana Downs*)
- g. Applications for 4 additional OTB's (*Planned by Louisiana Downs*)
- h. These are the minimum requirements for off-track wagering facilities, and the association reserves the right to exceed these minimums as allowable under State Law.

21. Horse Move-in and Move-out

- a. Must be prepared to allow horses to move in to allotted stalls and train on its racetrack grounds no later than 30 days prior to the start of a race meet, unless ordered by the Commission to be a longer period.
- b. Must allow horses to stay housed in the allotted stalls and train on the racetrack grounds for at least 15 days after the end of a race meet, unless change agreed by prior agreement between Association and LaHBPA.
- c. If there is an agreement between Association and LaHBPA for additional time to rent stalls, the stale rate will be \$8 per stall per day subject to annual review by the Commission.

22. Reporting Altercations

- a. An association shall provide a written report as mandated by the rules of the Commission of any physical altercation that occurs on its grounds to the commission within 5 days of incident; the individuals involved in the reported physical altercation may be subject to immediate suspension by the commission.

NOTE: The Commission reserves the right to amend this infrastructure improvement plan as needed

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.

* * *

§164. Facility maintenance and improvement fund

* * *

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.

* * *

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.**

* * *

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

SB NO. 160

ENROLLED

- 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: _____

SENATE BILL NO. 144

BY SENATOR CORTEZ AND REPRESENTATIVES BACALA, BRYANT, FISHER,
HUGHES, LARVADAIN, MARCELLE, NEWELL, PIERRE,
SELDERS, THOMPSON AND WILLARD

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

AN ACT

To amend and reenact R.S. 4:147(1) and (3), 214.1, and 218.1, relative to horse racing; to provide for duties of the commission; to provide for the number of live horse racing dates; to decrease the license fee collected for historical horse racing; to provide for distribution of collected fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:147(1) and (3), 214.1, and 218.1 are hereby amended and reenacted to read as follows:

§147. Specific duties of commission

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

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

(i) ~~It~~ To the extent possible, it shall prohibit the conducting of any thoroughbred race meetings having the same or overlapping dates for such race meetings at thoroughbred race tracks within ~~a radius of one hundred miles of each other~~ the state.

(ii) ~~It~~ To the extent possible, it shall prohibit the conducting of any exclusively quarter horse race meetings having the same or overlapping dates for such race meetings at any other exclusively quarter horse track within ~~a radius of one hundred miles of each other~~ the state.

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

* * *

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

(b) To make an annual report to the governor and the legislature regarding the race calendar, field size, the number of races, handle, attendance, the effect of overlapping race days compared to previous years, and any other relevant matters along with any recommendations to improve the racing industry in the state.

* * *

§214.1. Minimum live racing dates; offtrack and other authorized wagering

A. An association shall not be licensed to conduct offtrack or other authorized wagering in the state unless it conducts live horse racing for not less than ~~one hundred thirty~~ one hundred twenty-two racing days within each fifty-two week period at the facility designated in its license. Of the required ~~one hundred thirty-one~~ hundred twenty-two racing days, not less than ~~eighty-four~~ seventy-six days shall be thoroughbred horse racing days conducted during no more than twenty-one consecutive weeks and not less than forty-six days shall be quarter horse racing days conducted during no more than twelve consecutive weeks. The foregoing minimum racing requirements are mandatory unless the association is prevented from live racing as a result of a natural disaster, an act of God, force majeure, a catastrophe, or such other occurrence over which the association has no control. When a pari-mutuel wagering facility and a related offtrack betting facility are sold, the purchaser shall conduct the minimum number of live racing days, including the minimum quarter horse racing days, required by this Section as a condition of operating the offtrack betting facility.

B. Notwithstanding any provision of law to the contrary, at any facility subject to the provisions of R.S. 27:372.1(A), the facility shall maintain a minimum of eighty seventy-six thoroughbred horse racing days conducted during twenty

1 consecutive weeks and not less than fifteen days of quarter horse racing conducted
2 during five consecutive weeks. The racing days provided for in this Subsection shall
3 be conducted within a fifty-two week period. The foregoing minimum racing
4 requirements are mandatory unless the association is prevented from live racing as
5 a result of a natural disaster, an act of God, force majeure, a catastrophe, or such
6 other occurrence over which the association has no control. When a pari-mutuel
7 wagering facility and a related offtrack betting facility are sold, the purchaser shall
8 conduct the minimum number of live racing days, including the minimum quarter
9 horse racing days, required by this Section as a condition of operating the offtrack
10 betting facility.

11 C. Notwithstanding Subsections A and B of this Section, the commission
12 may reduce the number of race days by up to twenty-one upon a showing by the
13 association and the Horsemen's Benevolent and Protection Association that the
14 reduction would be in the best interests of the industry.

15 D. If the association and the Horsemen's Benevolent and Protection
16 Association cannot reach an agreement pursuant to Subsection C of this
17 Section, the commission may, by a two-thirds vote of the membership, reduce
18 the number of race days by up to twenty-one upon a showing by the association
19 that without the reduction of race days the association would experience
20 imminent financial distress. The commission shall examine all financial records
21 of the association and any relevant financial records of any affiliates for the
22 purpose of determining equitable cost allocation. Any examination of financial
23 records shall be confidential. After the examination, the commission shall
24 release a summary of relevant facts, but any proprietary information or trade
25 secrets shall remain confidential.

26 * * *

27 §218.1. Historical horse racing fee authorization

28 The commission ~~may~~ shall collect a license fee ~~not to exceed four of one and~~
29 ~~one-half~~ percent of the total amount wagered at each offtrack wagering facility on
30 historical horse racing ~~to cover administrative costs.~~ The fee shall be allocated as

1 follows:

2 (1) Sixty-seven percent to the commission.

3 (2) Eleven and one-half percent to the Louisiana Thoroughbred Breeders
4 Association for promotion of the appropriate breeding industry and for breeder
5 awards.

6 (3) Five percent to the Louisiana Quarterhorse Breeders Association for
7 promotion of the appropriate breeding industry and for breeder awards.

8 (4) Eight and one-quarter percent to the parish governing authority
9 where the offtrack wagering facility is located. When a facility is located within
10 the corporation limits of a city, town, or municipality, one-half of the total funds
11 allocated pursuant to the provisions of this Paragraph shall be disbursed to the
12 governing authority of that city, town, or municipality.

13 (5) Eight and one-quarter percent to the sheriff of the parish where the
14 offtrack wagering facility is located. When a facility is located within the
15 corporation limits of a city, town, or municipality, one-half of the total funds
16 allocated pursuant to the provisions of this Paragraph shall be disbursed to the
17 police department of that city, town, or municipality.

18 Section 2. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become
22 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____