

NOTE: A unanimous vote of members present is needed to open the off-the-floor agenda.

APRIL 04, 2024 ITEMS OFF-THE-FLOOR

RESOLUTION

OTF #1. Resolution in support of proposed Senate Bill No. 397 and the filing of an amicus curiae brief to the Louisiana Supreme Court relative to historical horse racing. (Laughlin/Cooper)

APPOINTMENT

OTF #2. Resolution to appoint Arthur Laughlin, Joe Impastato, and Patrick Burke and to confirm the reappointments of Deputy Chief Bret Ibert as the Sheriff's appointee, Chief Mike Ferrell as the Municipal Police Chiefs' appointee, and Chief Merrick Tassin as the District Fire Chiefs' appointee to the Board of Commissioners for the St. Tammany Parish Communications District No. 1. (Laughlin) (Parishwide)

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. OTF #1

COUNCIL SPONSOR: LAUGHLIN/COOPER

PROVIDED BY: CIVIL DA

ON THE 4TH DAY OF APRIL, 2024

RESOLUTION IN SUPPORT OF PROPOSED SENATE BILL NO. 397 AND THE FILING OF AN AMICUS CURIAE BRIEF TO THE LOUISIANA SUPREME COURT RELATIVE TO HISTORICAL HORSE RACING.

WHEREAS, Senator Patrick McMath and Representative Kim Carver have proposed legislation designated as Senate Bill No. 397, which seeks to amend La. R.S. 4:214 to add a provision that will prohibit the operation of historical horse racing at any offtrack wagering facilities located in St. Tammany Parish; and,

WHEREAS, on March 18, 2024, in a case entitled *Donovan Fremin, et al. v. Boyd Racing, LLC, et al.*, C-725,007, Div. 26, 19th JDC, Parish of East Baton Rouge, State of Louisiana, Judge Richard “Chip” Moore issued a judgment in favor of the Plaintiffs, and against the defendants, Churchill Downs Louisiana Horesracing Company, LLC and Louisiana Downs Investment Company, finding that pursuant to Article 12, Section 6 of the Louisiana Constitution, no historical horse racing may be conducted in any parish unless and until historical horse racing receives approval from a majority of voters residing in the affected parish; and,

WHEREAS, on March 19, 2024, the Louisiana State Racing Commission, Churchill Downs Louisiana Horseracing Company, LLC, Louisiana Downs Investment Company, LLC, and the Louisiana Horseman’s Benevolent and Protective Association filed a motion for leave to appeal Judge Moore’s ruling directly to the Louisiana Supreme Court, and it is anticipated that the Louisiana Supreme Court will review the decision issued in the *Fremin* case cited above, and St. Tammany Parish Government intends to file an *amicus curiae* – “friend of the court” – brief in support of Judge Moore’s ruling.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to support Senate Bill No. 397, which prohibits the operation of historical horse racing at licensed offtrack wagering facilities in St. Tammany Parish, and further supports the filing an *amicus curiae* brief urging the Louisiana Supreme Court to uphold the 19th JDC decision in the case captioned *Donovan Fremin, et al. v. Boyd Racing, LLC, et al.*, C-725,007, Div. 26, 19th JDC, Parish of East Baton Rouge, State of Louisiana, finding that historical horse racing is a new form of gaming which requires a vote of the people pursuant to Article 12, Section 6 of the Louisiana Constitution.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 4TH DAY OF APRIL, 2024 AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

ARTHUR LAUGHLIN, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

2024 Regular Session

SENATE BILL NO. 397

BY SENATOR MCMATH AND REPRESENTATIVE CARVER

HORSE RACING. Provides relative to historical horse racing. (gov sig)

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AN ACT

To amend and reenact R.S. 4:214(M)(3) and to enact R.S. 4:214(M)(4), relative to historical horse racing; to prohibit conducting wagering on historical horse racing in St. Tammany Parish; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:214(M)(3) is hereby amended and reenacted and R.S. 4:214(M)(4) is hereby enacted to read as follows:

§214. Offtrack wagering facilities; licensing; criteria; management; appeal of license suspension or revocation; limitation on facilities with historical horse racing

* * *

M. * * *

(3) **Historical horse racing shall not be conducted at any offtrack wagering facility located in St. Tammany Parish.**

~~(4)~~The commission shall promulgate rules relative to the enforcement of the restrictions provided for in this Subsection.

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

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

	DIGEST	
SB 397 Original	2024 Regular Session	McMath

Present law authorizes the operation of historical horse racing at licensed offtrack wagering facilities in locations licensed by the La. State Racing Commission.

Proposed law prohibits the operation of historical horse racing at licensed offtrack wagering facilities located in St. Tammany Parish licensed by the La. State Racing Commission.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 4:214(M)(3); adds R.S. 4:214(M)(4))