

Bond Case Briefs

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Fremin v. Boyd Racing, LLC

Supreme Court of Louisiana - March 21, 2025 - So.3d - 2025 WL 879737 - 2024-00995 (La. 3/21/25)

Voters and residents in five parishes where historical horse racing was being, or could have been, conducted at offtrack betting facilities brought action against racetracks, seeking declaration that statutory amendments that incorporated historical horse racing as a form of authorized pari-mutuel wagering on horse racing without requiring prior voter approval was unconstitutional, as well as injunctive relief prohibiting historical horse racing.

The District Court denied racetracks' exceptions of no right of action, granted summary judgment in favor of voters and residents, declared historical horse racing a new form of gaming requiring prior local voter approval, and declared the statutory amendments were unconstitutional. Racetracks appealed.

The Supreme Court held that:

- Voters and residents had standing to challenge constitutionality of statutory amendments that incorporated historical horse racing as a form of authorized pari-mutuel wagering on horse racing without requiring prior local voter approval, and
- Statutory amendments that incorporated historical horse racing as a form of authorized pari-mutuel wagering on horse racing without requiring prior local voter approval were unconstitutional.