

2015 Regular Session

HOUSE BILL NO. 344

BY REPRESENTATIVE HAZEL

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

GAMING: Provides with respect to the regulation of video draw poker employee permits

AN ACT

To amend and reenact R.S. 27:427(H) and 449(B) and (C) and to enact R.S. 27:449(D), relative to video draw poker employee permits; to provide with respect to the issuance of video draw poker employee permits; to provide that a person who is the holder of a valid video draw poker employee permit shall not be required to undergo an additional suitability determination to be named a designated representative; to prohibit a person who has had a video draw poker employee permit denied or revoked from serving as a designated representative; to prohibit provisional authorization to work for a person who has had a video draw poker employee permit denied or revoked; to require a subsequent suitability determination for an employee with an expired video draw poker employee permit prior to that person serving as a designated representative; to establish a time period that a provisional authorization to work is valid; to require that a licensee maintain a list of designated representatives; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:427(H) and 449(B) and (C) are hereby amended and reenacted and R.S. 27:449(D) is hereby enacted to read as follows:

§427. Suitability requirements

* * *

1 H.(1) ~~On or after August 15, 2009, a licensee who employs a designated~~
2 ~~representative~~ Before an individual is named as a designated representative of the
3 licensee at a licensed qualified truck stop facility, Louisiana State Racing
4 Commission licensed pari-mutuel wagering facility, or an offtrack wagering facility,
5 the licensee shall do all of the following prior to employing the person both of the
6 following:

7 (a) Obtain conviction records of an applicant seeking employment as a
8 designated representative pursuant to the provisions of R.S. 15:587(F).

9 (b) Determine that, based upon those conviction records, the applicant meets
10 the suitability requirements provided for in Subsection A of this Section.

11 (2) A licensee is exempt from complying with Paragraph (1) of this
12 Subsection if the person holds a valid video draw poker employee permit. If the
13 designated representative's video draw poker employee permit expires, the licensee
14 shall immediately comply with Paragraph (1) of this Subsection.

15 (3) A person whose video draw poker employee permit is suspended or who
16 has had his permit revoked within the last five years, unless he currently holds a
17 valid video draw poker permit, is prohibited from serving as a designated
18 representative.

19 ~~(2)~~(4) The licensee shall have a continuing duty to inform the division of any
20 action taken by the designated representative which they believe would constitute a
21 violation of this Chapter.

22 ~~(3)~~(5) The licensee shall maintain the information required by the provisions
23 of this Subsection and have it readily available for inspection by the division.

24 (6) The licensee shall maintain a list of names of the persons employed as
25 designated representatives, have the list readily available for inspection by the
26 division, and provide the list to the division upon request. The list shall also indicate
27 whether that person holds a valid video draw poker employee permit.

28 * * *

1 §449. Provisional authorization to work pending suitability determination

2 * * *

3 B. The document acknowledging receipt of the application and supporting
4 documentation shall ~~serve~~ indicate whether it serves as a provisional authorization
5 for the applicant to work in the capacity for which the applicant is seeking the video
6 draw poker employee permit.

7 C. No provisional authorization shall be issued to an applicant who has
8 previously had a video draw poker employee permit denied or revoked.

9 ~~C.D.~~ The provisional authorization shall expire ninety days from the date of
10 issuance or when the division approves or denies the application for the issuance of
11 a video draw poker employee permit, whichever occurs first.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 344 Reengrossed 2015 Regular Session Hazel

Abstract: Amends provisions of law regarding designated representatives employed at video draw poker licensed facilities.

Present law provides for the operation of video draw poker devices at truck stops, horse tracks, and offtrack wagering facilities.

Present law provides for video draw poker employee permits for technician levels one and two. The permits require a suitability determination, are nontransferable, and have a term of five years.

Present law provides that prior to employing a person as a designated representative at a truck stop facility, pari-mutuel wagering facility, or offtrack wagering facility, the video draw poker licensee is required to obtain that person's conviction records and determine if they meet the suitability requirements of present law.

Proposed law provides that if the employee is the holder of a valid video draw poker employee permit, he does not have to undergo an additional suitability determination.

Proposed law provides that if the permit expires, the employee has to undergo the suitability determination and if the employee has had a permit revoked or denied within five years, he is ineligible to serve as a designated representative unless he has a current employee permit.

Proposed law provides that the licensee shall maintain a list of names of the persons employed as designated representatives, have the list readily available for inspection by the division, and provide the list to the division upon request. The list shall also indicate whether that person holds a valid video draw poker employee permit.

Present law provides for a provisional authorization to work when the applicant receives notice from the gaming division of state police indicating it has received the application for a video draw poker employee permit.

Present law provides that the provisional authorization expires when the division takes final action on the application and either denies or grants the video draw poker employee permit.

Proposed law changes present law to provide that the notice of receipt of application shall indicate whether or not it is a provisional authorization to work and that the authorization expires within 90 days or when the division takes action on the application, whichever occurs first.

Proposed law prohibits the issuance of a provisional authorization to work to a person who has previously had a video draw poker permit denied or revoked.

(Amends R.S. 27:427(H) and 449(B) and (C); Adds R.S. 27:449(D))