

2018 Regular Session

HOUSE BILL NO. 484

BY REPRESENTATIVE TALBOT

GAMING: Provides for a proposition election to authorize fantasy sports contests in Louisiana

1 AN ACT

2 To amend and reenact R.S. 27:15(B)(1) and to enact R.S. 14:90(D) and 90.3(J) and Chapter
3 6 of Title 27 of the Louisiana Revised Statutes, to be comprised of R.S. 27:301
4 through 304, relative to fantasy sports contests; to create the Louisiana Fantasy
5 Sports Contests Act; to provide for a proposition election to authorize fantasy sports
6 contests in this state; to define "fantasy sports contest"; to provide for the duties and
7 authority of the Louisiana Gaming Control Board with respect to the regulation of
8 fantasy sports contests; to provide relative to effectiveness; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 6 of Title 27 of the Louisiana Revised Statutes, comprised of R.S.
12 27:301 through 303, is hereby enacted to read as follows:

13 CHAPTER 6. FANTASY SPORTS CONTESTS

14 §301. Title

15 This Chapter shall be referred to as the "Louisiana Fantasy Sports Contests
16 Act".

17 §302. Definitions

18 For purposes of this Chapter:

19 (1) "Board" means the Louisiana Gaming Control Board.

1 (2) "Fantasy sports contest" means any fantasy or simulation sports game or
2 contest with all of the following elements:

3 (a) Participants create a simulation sports team based on the current
4 membership of actual amateur or professional sports organizations.

5 (b) All prizes and awards offered to winning participants are established and
6 made known to the participants in advance of the game or contest, and the value of
7 the prizes or awards is not determined by the number of participants or the amount
8 of any fees paid by those participants.

9 (c) All winning outcomes reflect the relative knowledge and skill of the
10 participant and are predominantly determined by accumulated statistical results of
11 the performance of the individuals in multiple real-world sporting or other events.

12 (d) No winning outcome is based on either of the following:

13 (i) On the score, point-spread, or any performance or performances of any
14 single real-world team or any combination of such teams.

15 (ii) Solely on any single performance of an individual athlete in any single
16 real-world sporting or other event.

17 §303. Election on fantasy sports contests

18 A. Notwithstanding any provision of law to the contrary, no fantasy sports
19 contest shall be allowed in this state unless first approved at an election held for such
20 purpose pursuant to the provisions of this Section.

21 B.(1) At the statewide election occurring on October 12, 2019, a proposition
22 shall appear on the ballot to determine whether fantasy sports contests shall be
23 permitted in this state.

24 (2) The ballot for the election shall state as follows:

25 "PROPOSITION TO AUTHORIZE FANTASY SPORTS CONTESTS.

26 Shall fantasy sports contests be permitted in Louisiana? YES () NO ()"

27 C.(1) The voters shall vote for or against the proposition. A vote for the
28 proposition being a "YES" vote, and a vote against the proposition being a "NO"
29 vote.

- 1 regulation, and taxation of revenue relative to fantasy sports contests and the Louisiana
 2 Gaming Control Board adopts rules to implement, administer, and regulate fantasy sports
 3 contests as provided by this Act.

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 484 Original

2018 Regular Session

Talbot

Abstract: Creates the Louisiana Fantasy Sports Contests Act, requires a proposition election to determine whether fantasy sports contests shall be permitted statewide, provides for the regulation of such contests, and provides for a contingent effectiveness.

Proposed law creates the "Louisiana Fantasy Sports Contests Act" and provides for a proposition election to be held on October 12, 2018, to determine whether fantasy sports contests shall be permitted. For purposes of proposed law, "fantasy sports contest" means any fantasy or simulation sports game or contest with all of the following elements:

- (1) Participants create a simulation sports team based on the current membership of actual amateur or professional sports organizations.
- (2) All prizes and awards offered to winning participants are established and made known to the participants in advance of the game or contest, and the value of the prizes or awards is not determined by the number of participant or the amount of any fees paid by those participants.
- (3) All winning outcomes reflect the relative knowledge and skill of the participant and are predominantly determined by accumulated statistical results of the performance of the individuals in multiple real-world sporting or other events.
- (4) No winning outcome is based on either of the following:
 - (a) On the score, point-spread, or any performance or performances of any single real-world team or any combination of such teams.
 - (b) Solely on any single performance of an individual athlete in any single real-world sporting or other event.

If at the statewide election to be held on Oct. 12, 2019, a majority of the qualified electors voting on the proposition vote to approve such proposition, proposed law requires the La. Gaming Control Board to adopt all rules necessary to implement, administer, and regulate fantasy sports contests as provided by proposed law.

Upon adoption rules by the La. Gaming Control Board and the enactment of laws to provide for the licensing, regulation, and taxation of revenue relative to fantasy sports contests, proposed law does all of the following:

- (1) Authorizes fantasy sports contests in this state.
- (2) Provides an exception to the present law crimes of gambling (R.S. 14:90) and gambling by computer (R.S. 14:903) for fantasy sports contests.

Present constitution (Art. XII, §6(C)) provides that no new form of gaming, gambling, or wagering shall be licensed or permitted to be conducted unless a referendum election on a proposition to allow such gaming, gambling, or wagering is held and the proposition is approved by a majority of those voting thereon.

Proposed constitutional amendment (HB No. _____, 2018 R.S.) would authorize a statewide referendum election for propositions to permit new forms of gaming, gambling, or wagering in this state.

Proposed law will go in to effect only if the proposed constitutional amendment (HB No. _____, 2018 R.S.) is enacted and subsequently is approved at a statewide election.

(Amends R.S. 27:15(B)(1); Adds R.S. 14:90(D) and 90.3(J) and R.S. 27:301 - 304)