

SENATE BILL NO. 316

BY SENATORS JOHNS AND GARY SMITH AND REPRESENTATIVES BAGNERIS,
CARPENTER, MARCELLE AND NORTON

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AN ACT

To amend and reenact R.S. 27:15(B)(8)(b), 44(4) and (14) through (25), 65(B)(15), and 66(B)(1), and to enact R.S. 27:44(26), 46, 65(B)(16), and 67, relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide relative to the Louisiana Gaming Control Board; to provide relative to gaming activity locations; to provide relative to economic development plan applications for relocating gaming operations; to provide relative to requirements of a riverboat; to provide relative to designated gaming area; to provide for tournaments; to provide for limitations; to provide for definitions; to provide for rulemaking; to provide for exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:15(B)(8)(b), 44(4) and (14) through (25), 65(B)(15), and 66(B)(1) are hereby amended and reenacted and R.S. 27:44(26), 46, 65(B)(16), and 67 are hereby enacted to read as follows:

§15. Board's authority; responsibilities

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B. The board shall:

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(8)(a)

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(b) Promulgate rules and regulations in accordance with the Administrative Procedure Act as necessary for the administration and enforcement of R.S. 27:**44(4) and (14), 67,** 94, 252, and 394.

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§44. Definitions

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(4) "Designated gaming area" means that portion of a riverboat in which gaming activities may be conducted. Such designated gaming area shall not exceed ~~sixty percent of the total square footage of the passenger access area of the vessel or thirty thousand square feet, whichever is lesser~~ **two thousand three hundred sixty-five gaming positions, subject to the rules and regulations of the board.**

* * *

(14) "Gaming position" means a gaming device seat or a space at a table game. Each gaming device seat shall be counted as one position and each space at a table game shall be counted as one position, subject to the rules and regulations of the board. The board shall specifically provide by rule for the counting of gaming positions for devices and games where seats and spaces are not readily countable.

~~(14)~~**(15)** "License" or "gaming license" means a license or authorization to conduct gaming activities on a riverboat issued pursuant to the provisions of this Chapter.

~~(15)~~**(16)** "Net gaming proceeds" means the total of all cash and property, including checks received by a licensee, whether collected or not, received by the licensee from gaming operations, less the total of all cash paid out as winnings to patrons.

~~(16)~~**(17)** "Non-certificated vessel" means a riverboat vessel which does not hold a Certificate of Inspection issued by the United States Coast Guard. Such vessels may include those that formerly held a Certificate of Inspection issued by the United States Coast Guard and those for which the Coast Guard declines to issue a Certificate of Inspection.

~~(17)~~**(18)** "Passenger" means a natural person who is present on a riverboat but has no part in the vessel's operation.

~~(18)~~**(19)** "Permit" shall have the same meaning as that term defined in R.S. 27:3.

~~(19)~~**(20)** "Permittee" shall have the same meaning as that term defined in R.S.

1 27:3.

2 ~~(20)~~**(21)** "Person" shall have the same meaning as that term defined in R.S.

3 27:3.

4 ~~(21)~~**(22)** "Racehorse wagering" means wagers placed on horse racing
5 conducted under the pari-mutuel form of wagering at licensed racing facilities that
6 is accepted by a licensed racehorse wagering operator under the provisions of this
7 Chapter.

8 ~~(22)~~**(23)** "Racehorse wagering operator" means the licensed racing
9 association whose facility is located closest to the licensed berth of the riverboat on
10 which gaming activities are approved.

11 ~~(23)~~**(24)** "Riverboat" means a vessel or facility which:

12 (a) Carries a valid Certificate of Inspection issued by the United States Coast
13 Guard with regard to the carriage of passengers on designated rivers or waterways
14 within or contiguous to the boundaries of the state of Louisiana.

15 (b) Carries a valid Certificate of Inspection from the United States Coast
16 Guard for the carriage of a minimum of six hundred passengers and crew.

17 (c) Has a minimum length of one hundred fifty feet.

18 (d) Is of such type and design so as to replicate as nearly as practicable
19 historic Louisiana river borne steamboat passenger vessels of the nineteenth century
20 era. It shall not, however, be a requirement that the vessel be ~~steam-propelled~~;

21 **(i) Steam-propelled** or maintain overnight facilities for its passengers.

22 **(ii) Paddlewheel-driven or have an operable paddlewheel.**

23 ~~(e) Is paddlewheel driven~~ **Is approved by the board and a portion of its**
24 **designated gaming area is located within one thousand two hundred feet of a**
25 **riverboat's licensed berth. Such facilities shall be inspected pursuant to R.S.**
26 **27:44.1(D)(1)(b).**

27 ~~(24)~~**(25)** "Slot machine" means any mechanical, electrical, or other device,
28 contrivance, or machine which, upon insertion of a coin, token, or similar object
29 therein or upon payment of any consideration whatsoever, is available to play or
30 operate, the play or operation of which, whether by reason of the skill of the operator

1 or application of the element of chance, or both, may deliver or entitle the person
 2 playing or operating the machine to receive cash, premiums, merchandise, tokens,
 3 or anything of value, whether the payoff is made automatically from the machine or
 4 in any other manner.

5 ~~(25)~~**(26)** "Supervisor" means the person in charge of the division.

6 * * *

7 **§46. Quarterly reporting of professional services and employment information**

8 **A.(1) Each holder of a license as defined in R.S. 27:44(14) shall submit**
 9 **to the board, the Senate Committee on Judiciary B, and the House Committee**
 10 **on the Administration of Criminal Justice the report required by R.S. 27:21.1.**

11 **(2) The report shall also indicate if the entity providing a professional**
 12 **service is a Louisiana business, a female-owned business, or a minority-owned**
 13 **business.**

14 **B. In addition to the report required by Subsection A, each holder of a**
 15 **license as defined in R.S. 27:44(14) shall submit to the board, the Senate**
 16 **Committee on Judiciary B, and the House Committee on the Administration of**
 17 **Criminal Justice a report of the demographic information of their workforce,**
 18 **including but not limited to race, gender, and Louisiana residency.**

19 **C. The report required by this Section shall be submitted to the board**
 20 **and committees on a quarterly basis. The report shall be forwarded to the**
 21 **board and committees by certified mail no later than twenty days after the end**
 22 **of each quarter.**

23 **D. The report required by the provisions of this Section shall not be**
 24 **required to contain the amount of compensation paid to each business entity or**
 25 **employee.**

26 **E. The board may impose sanctions on the licensee for failure to submit**
 27 **to the board and committees the reports required by this Section.**

28 **F. The board shall adopt rules to implement the provisions of this**
 29 **Section. All rules shall be adopted pursuant to the provisions of the**
 30 **Administrative Procedure Act and R.S. 27:15(B)(8).**

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§65. Licenses to conduct gaming activities upon riverboats; limitations

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(15) Licensees may conduct no more than four tournaments per year in which the gaming positions utilized for tournament play are not considered part of the licensee's total number of gaming positions. A tournament conducted pursuant to this Paragraph shall be no more than fourteen days in length.

(16) In addition to the above, gaming must be conducted in accordance with all the terms of the license, the requirements set forth in this Chapter, and rules and regulations adopted by the division and the board.

§66. Gaming while a riverboat is docked in the parish of the official gaming establishment

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B. Notwithstanding any provision in this Chapter to the contrary, the provisions of R.S. 27:65(B)(1)(c) and 66 shall apply to not more than one licensed riverboat at any time which must be located on Lake Pontchartrain in the parish of the official gaming establishment as defined in R.S. 27:203 and 205(26) if and only if:

(1) Such riverboat conducts gaming activities ~~in an area not exceeding thirty thousand square feet in the aggregate~~ **only in the designated gaming area;**

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§67. Economic development relocation application; procedure; requirements

A. Notwithstanding any provision of law to the contrary, a licensee may submit an application to the board to relocate its gaming operations to a facility located within one thousand two hundred feet of the riverboat's licensed berth.

B. Such application must include the licensee's relocation plan, detailed capital improvement and reinvestment plan, and any other information required by the board. The board shall prescribe the form and manner of submission for the applications described in this Section.

1 C. All gaming operations shall be conducted in accordance with the
 2 terms of the license, the requirements of this Title, and rules and regulations
 3 adopted by the board.

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

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____