

2019 Regular Session

HOUSE BILL NO. 600

BY REPRESENTATIVE TALBOT

TAX/GAMING: Levies a state tax on the net gaming proceeds of fantasy sports contests, and authorizes a fee for issuance of certain licenses or permits

1 AN ACT

2 To enact R.S. 27:302(3) and (4) and 306, relative to the taxation of fantasy sports contests;
3 to levy a state tax on certain fantasy sports contests; to authorize a fee for issuance
4 of certain licenses or permits; to provide for definitions; to provide for certain
5 requirements and limitations; to provide for certain conditions; to provide for the
6 disposition of the avails of the tax; to provide for an effective date; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 27:302(3) and (4) and 306 are hereby enacted to read as follows:

10 §302. Definitions

11 For purposes of this Chapter:

12 * * *

13 (3) "Net gaming proceeds" means the total of all cash and property,
14 including checks received by an operator or licensee, whether collected or not, from
15 gaming operations, less the total of all cash paid out as winnings to patrons.

16 (4) "Operator" or "Licensee" means any person holding or applying for a
17 gaming license or permit that allows the licensee or permittee to administer, conduct,
18 control, or manage fantasy sports contests.

19 * * *

- (4) No winning outcome is based on the score, point-spread, or any performance or performances of any single real-world team or any combination of teams or on a single performance of an individual athlete in any single real-world sporting or other event.

Present law requires the La. Gaming Control Board to adopt rules necessary to implement, administer, and regulate fantasy sports contests in this state if the electors of a parish approved fantasy sports contests in the parish. Upon adoption of 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, present law provides the following:

- (1) Authorizes fantasy sports contests only in those parishes that approved the proposition to permit fantasy sports contests in the parish.
- (2) Provides an exception to crimes in present law for gaming and gambling by computer for fantasy sports contests.

Proposed law levies a 10% tax on the net gaming proceeds of fantasy sports contest gaming conducted in the state and requires the avails to be deposited into the state general fund.

Proposed law provides for a \$10,000 fantasy sports contest license or permit fee.

Proposed law defines net gaming proceeds as the total of all cash and property, including checks received by a licensee or operator, whether collected or not from gaming operations, less the total of all cash paid out as winnings to patrons.

Proposed law requires the tax levied on fantasy sports contests to be collected by the division in the office of state police, which provides investigatory, regulatory, and enforcement services to the La. Gaming Control Board in the implementation, administration, and enforcement of gaming laws, rules, and regulations.

Eff. July 1, 2019.

(Adds R.S. 27:302(3) and (4) and 306)