

2020 Second Extraordinary Session

SENATE BILL NO. 77

BY SENATOR SMITH

GAMING. Provides relative to fantasy sports. (gov sig) (Item #32)

1 AN ACT

2 To amend and reenact R.S. 27:305, 308(A)(3), (4)(a), and (B) and to enact R.S. 27:302(11),
3 relative to fantasy sports; to clarify licensee requirements; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 27:305, 308(A)(3), (4)(a), and (B) are hereby amended and reenacted
7 and R.S. 27:302(11) is hereby enacted to read as follows:

8 §302. Definitions

9 For purposes of this Chapter:

10 * * *

11 **(11) "Participation" or "participate" means to pay an entry fee to a**
12 **fantasy sports contest operator.**

13 * * *

14 §305. Fantasy sports contests prohibited in certain parishes

15 Notwithstanding any provision of law to the contrary, **participation in**
16 fantasy sports contests shall not be permitted in any parish in which, at the election
17 held pursuant to R.S. 27:303, a majority of the qualified electors in the parish voting

1 on the proposition to authorize fantasy sports contests in the parish voted against the
2 proposition.

3 * * *

4 §308. Licensee requirements

5 A. As a condition of licensure, a fantasy sports contest operator shall submit
6 evidence to the board that the operator has established and will implement
7 commercially reasonable procedures for fantasy sports contests with an entry fee and
8 that:

9 * * *

10 (3) Provide that no winning outcome is based on the score, point spread, or
11 any performance of any single real-world sports team or combination of such teams
12 or solely on any single performance of an individual athlete or **participant person**
13 **engaged** in any single real-world sporting event.

14 (4) Ensure that any of following persons do not participate in fantasy sports
15 contests:

16 (a) Athletes and individuals who ~~participate~~ **engage** in or officiate a game or
17 competition that is a real-world sport or athletic event that is the subject of a fantasy
18 sports contest.

19 * * *

20 B. A fantasy sports contest operator shall not offer fantasy sports contests
21 based on the performances of ~~participants~~ **athletes or persons that engage** in high
22 school or youth athletic events.

23 * * *

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

The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jerry G. Jones.

DIGEST

SB 77 Reengrossed

2020 Second Extraordinary Session

Smith

Present law provides relative to the Louisiana Fantasy Sports Contests Act.

Present law provides definitions.

Proposed law adds definition of "participation" or "participate" as meaning to pay an entry fee to a fantasy sports contest operator.

Present law provides for the prohibition in certain parishes of fantasy sports contests. Proposed law provides for the prohibition in certain parishes of participation in fantasy sports contests.

Present law provides certain licensee requirements for fantasy sports contest operators, including that as a condition of licensure, a fantasy sports contest operator shall submit evidence to the board that the operator has established and will implement commercially reasonable procedures for fantasy sports contests with an entry fee and (1) provide that no winning outcome is based on the score, point spread, or any performance of any single real-world sports team or combination of such teams or solely on any single performance of an individual athlete or participant in any single real-world sporting event, and (2) ensure no participation in fantasy sports contests of athletes and individuals who participate in or officiate a game or competition that is a real-world sport or athletic event that is the subject of a fantasy sports contest.

Proposed law revises present law requirements to (1) provide that no winning outcome is based on the score, point spread, or any performance of any single real-world sports team or combination of such teams or solely on any single performance of an individual athlete or person engaged in any single real-world sporting event, and (2) ensure no participation in fantasy sports contests of athletes and individuals who engage in or officiate a game or competition that is a real-world sport or athletic event that is the subject of a fantasy sports contest.

Present law provides that a fantasy sports contest operator shall not offer fantasy sports contests based on the performances of participants in high school or youth athletic events.

Proposed law provides that a fantasy sports contest operator shall not offer fantasy sports contests based on the performances of athletes or persons that engage in high school or youth athletic events.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 27:305, and 308(A)(3), (4)(a), and (B); adds R.S. 27:302(11))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Revises language relative to definitions and licensee requirements and prohibitions.