

2022 Regular Session

SENATE BILL NO. 285

BY SENATOR SMITH

GAMING. Makes technical changes to update cross references to gaming laws and authorizes the Louisiana Gaming Control Board to conduct open meetings via video conferencing. (7/1/22)

1 AN ACT

2 To amend and reenact 14:90.4(B), R.S. 26:80(F)(1)(b), 280(A)(7) and (F)(1)(b), and R.S.

3 27:3(20) and (21), 11(G), and 29.3(A)(1), relative to the gaming control board; to

4 provide relative to video draw poker laws and non-gaming suppliers; to provide for

5 technical changes to cross reference with current law; to provide for authorization

6 to allow the board to publicly meet via video conferencing; to provide for notice of

7 the video conference on its website; to provide for a mechanism to receive public

8 comment; to provide for definitions; to provide for discretion of the gaming control

9 board relative to non-gaming suppliers; to provide for an effective date; and to

10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 14:90.4(B) is hereby amended and reenacted to read as follows:

13 §90.4. Unlawful playing of video draw poker devices by persons under the age of

14 twenty-one; penalty

15 \* \* \*

16 B. For purposes of this Section, "video draw poker device" means a device,

17 as defined in R.S. ~~27:301(B)(15)~~ **27:402(17)**, placed in an establishment licensed for

1 operation and regulated under the applicable provisions of Chapter **6 8** of Title 27 of  
2 the Louisiana Revised Statutes of 1950.

3 \* \* \*

4 Section 2. R.S. 26:80(F)(1)(b) and 280(A)(7) and (F)(1)(b) are hereby amended and  
5 reenacted to read as follows:

6 §80. Qualifications of applicants for permits

7 \* \* \*

8 F.(1) \* \* \*

9 (b) The provisions of Subparagraph(a) of this Paragraph shall not apply to  
10 any applicant who is also applying for a video gaming license under the provisions  
11 of Chapter **6 8** of Title 27 of the Louisiana Revised Statutes of 1950.

12 \* \* \*

13 §280. Qualifications of applicants for permits

14 A. Applicants for state and local permits of all kinds shall demonstrate that  
15 they meet the following qualifications and conditions:

16 \* \* \*

17 (7) If the applicant is also applying for a video gaming license under the  
18 provisions of Chapter **6 8** of Title 27 of the Louisiana Revised Statutes of 1950, have  
19 not been convicted in this or in any other state or by the United States or any other  
20 country of theft or any crime involving false statements or declarations, or gambling  
21 as defined by the laws and ordinances of any municipality, any parish, any state, or  
22 the United States.

23 \* \* \*

24 F.(1) \* \* \*

25 (b) The provisions of Subparagraph (a) of this Paragraph shall not apply to  
26 any applicant who is also applying for a video gaming license under the provisions  
27 of Chapter **6 8** of Title 27 of the Louisiana Revised Statutes of 1950.

28 \* \* \*

29 Section 3. R.S. 27:3(20) and (21), 11(G), and 29.3(A)(1) are hereby amended and

1 reenacted to read as follows:

2 §3. Definitions

3 For the purposes of this Title, the following terms have the following  
4 meanings, unless the context clearly indicates otherwise:

5 \* \* \*

6 (20) "Permit" means any permit or authorization, or application therefor,  
7 issued pursuant to the provisions of this Title except Chapter ~~6~~ 8.

8 (21) "Permittee" means any person who is issued or applying for a permit  
9 pursuant to the provisions of this Title except Chapter ~~6~~ 8.

10 \* \* \*

11 §11. Louisiana Gaming Control Board; creation; members; terms; meetings

12 \* \* \*

13 G.~~(1)~~ All meetings of the board shall be open and subject to the provisions  
14 of R.S. 42:11 et seq. A record of all proceedings at regular and special meetings of  
15 the board shall be kept and shall be open to public inspection, except as otherwise  
16 provided by this Title or in R.S. 42:17.

17 **(2) Notwithstanding any other provision of law to the contrary, the board**  
18 **may conduct, and its members may attend and participate in an emergency**  
19 **meeting occurring via video conference as the chairman determines to be**  
20 **necessary.**

21 **(a) No later than twenty-four hours prior to a meeting conducted**  
22 **pursuant to the provisions of this Paragraph, the board shall provide for the**  
23 **following:**

24 **(i) The notice and agenda for the meeting, which shall be posted on the**  
25 **board's website and emailed to any member of the public or the news media**  
26 **who requests notice of the board meeting.**

27 **(ii) The notice and agenda shall provide detailed information regarding**  
28 **how members of the public may participate in the meeting and submit**  
29 **comments regarding matters on the agenda.**



1 services for which a non-gaming supplier permit is required. **The board may limit**  
 2 **the calculation of compensation or remuneration based on goods and services**  
 3 **related to operations in Louisiana.** Such services include but are not limited to  
 4 industries offering goods or services whether or not directly related to gaming  
 5 activity, including junket operators and limousine services contracting with the  
 6 holder of a license as defined in R.S. 27:44 or 353, or the casino gaming operator,  
 7 or a sports wagering operator as defined in R.S. 27:602, suppliers of food and  
 8 nonalcoholic beverages, gaming employee or dealer training schools, garbage  
 9 handlers, vending machine providers, linen suppliers, or maintenance companies.  
 10 Any employee or dealer training school, other than employee or training schools  
 11 conducted by a licensee, or the casino gaming operator, shall be conducted at an  
 12 institution approved by the Board of Regents or the State Board of Elementary and  
 13 Secondary Education.

14 \* \* \*

15 Section 4. This Act shall become effective on July 1, 2022; if vetoed by the governor  
 16 and subsequently approved by the legislature, this Act shall become effective on the day  
 17 following such approval by the legislature or July 1, 2022, whichever is later.

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

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DIGEST

SB 285 Engrossed

2022 Regular Session

Smith

Present law references video poker laws to provisions in Chapter 6 of Title 27 of Louisiana Revised Statutes of 1950.

Proposed law makes technical changes to properly reference video poker laws from Chapter 6 to Chapter 8 of Title 27 of Louisiana Revised Statutes of 1950.

Present law provides that all meetings of the board must be open in accordance with the "Open Meetings Law".

Present law provides for a record of all proceedings at regular and special meetings of the board must be kept and open to public inspection, except as otherwise provided in current law.

Proposed law retains present law and allows the chairman of the board to conduct an emergency board meeting via video conference when necessary.

Proposed law defines "video conference" as a method of communication which enables persons in different locations to participate in a meeting and to see, hear, and communicate with each other.

Proposed law requires that the board post the notice and meeting agenda on its website no later than 24 hours prior to a meeting conducted via video conference. Proposed law further provides that the board emails the notice and agenda to any member of the public or the news media who requests notice of the meeting.

Proposed law requires the agenda contain only those matters that are essential to the ongoing operations of the board as determined by the chairman.

Proposed law requires that the board unanimously adopt the agenda at the beginning of any emergency meeting conducted by video conference.

Proposed law provides that the notice and agenda of the meeting must provide detailed information regarding how the public can participate and submit comments regarding matters on the agenda.

Proposed law requires that the chairman of the board ensure the entire meeting, excluding any matter discussed in executive session, is clear and audible to everyone.

Proposed law limits the board to conducting no more than two consecutive emergency meetings by video conference except when the meeting is held during or subject to a gubernatorially declared disaster.

Present law requires the division to issue a non-gaming supplier permit to suitable persons who furnish services or goods and receive compensation or remuneration for such goods or services to certain licensees, the casino gaming operator, or a sports wagering operator.

Proposed law retains present law and allows the board discretion in limiting the calculation of compensation or remuneration based on goods and services related to non-gaming supplier permit operations in the state.

Effective July 1, 2022.

(Amends R.S. 14:90.4(B), R.S. 26:80(F)(1)(b), 280(A)(7) and (F)(1)(b), and R.S. 27:3(20) and (21), 11(G), and 29.3(A)(1))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Makes technical changes.
2. Adds requirement that the agenda contain only those matters that are essential to the ongoing operations of the board as determined by the chairman.
3. Adds requirement that the board unanimously adopt the agenda at the beginning of any emergency meeting conducted by video conference.
4. Prohibits the board from conducting more than two consecutive emergency meetings by video conference except when the meeting is held during or subject to a gubernatorially declared disaster.