

Regular Session, 2009

SENATE BILL NO. 273

BY SENATOR MARTINY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

GAMING. Adds restrictions for qualified truck stop facilities. (8/15/09)

AN ACT

To enact R.S. 27:306(C)(5), relative to the Video Draw Poker Devices Control Law; to provide relative to the requirements for qualified truck stop facilities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:306(C)(5) is hereby enacted to read as follows:

§306. State license qualifications; limitations; right to hearing

C. * * *

(5) Notwithstanding any provision of law to the contrary, no license shall be issued for any truck stop facility unless previously applied for or licensed as of January 1, 2010, located, at the time application is made for a license to operate video draw poker devices, within two thousand five hundred feet of any designated residential district unless the applicant for license has applied prior to January 1, 2010, with the local governing authority of the parish where the truck stop is located for a certificate of compliance with applicable zoning ordinances and building codes and a statement of approval for the operation of video draw poker devices at a truck stop facility as required by R.S. 27:324(C)

1 **or has applied with the appropriate authority for a building permit prior to**
2 **January 1, 2010. If a parish or municipality does not have a zoning ordinance**
3 **which designates certain property within their jurisdiction as residential**
4 **districts, the governing authority of the parish or municipality shall have the**
5 **authority to designate to certain areas of their jurisdiction as residential**
6 **districts for the purpose of this Paragraph.**

7 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Martiny (SB 273)

Present law provides for qualifications of qualified truck stop facilities.

Proposed law provides that notwithstanding any provision of law to the contrary, no license shall be issued for any truck stop facility unless previously applied for or licensed as of January 1, 2010, located, at the time application is made for a license to operate video draw poker devices, within 2,500 feet of any designated residential district unless the applicant for license has applied prior to January 1, 2010, with the local governing authority of the parish where the truck stop is located for a certificate of compliance with applicable zoning ordinances and building codes and a statement of approval for the operation of video draw poker devices at a truck stop facility as required by law or has applied with the appropriate authority for a building permit prior to January 1, 2010.

Proposed law further provides if a parish or municipality does not have a zoning ordinance which designates certain property within their jurisdiction as residential districts, the governing authority of the parish or municipality shall have the authority to designate to certain areas of their jurisdiction as residential districts for the purpose of proposed law.

Effective August 15, 2009.

(Adds R.S. 27:306(C)(2)(a)(iii) and (5))

Summary of Amendments Adopted by Senate

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

- 1. Changes "residential property" to "designated residential district".
- 2. Authorizes parishes or municipalities who do not have a zoning ordinance which designates certain property within their jurisdiction as residential districts to designate certain areas of their jurisdiction as residential districts.