

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 to receive a license to operate video draw poker devices within 2,500 feet of a residential property. (6/1/10)

1 AN ACT

2 To enact R.S. 27:306(C)(5), relative to the Video Draw Poker Devices Control Law; to
3 provide relative to licenses for truck stop facilities; to provide for an effective date;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

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

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

8 C. * * *

9 **(5) (a) Notwithstanding any provision of law to the contrary, no license**
10 **shall be issued for any truck stop facility to operate video draw poker devices**
11 **within two thousand five hundred feet of any residential property unless such**
12 **facility was licensed before the residential property was occupied.**

13 **(b) "Residential property" shall mean any property which is wholly or**
14 **partly used for or intended to be used for living or sleeping by human occupants**
15 **and which includes one or more rooms, including a bathroom and complete**
16 **kitchen facilities. Residential property shall include a mobile home or**
17 **manufactured housing, provided that it shall have been in its present location**

1 **for at least sixty days.**

2 Section 2. This Act shall become effective on June 1, 2010; if vetoed by the
3 governor and subsequently approved by the legislature, this Act shall become effective on
4 June 1, 2010, or on the day following such approval by the legislature, whichever is later.

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

Martiny (SB 273)

Present law provides for qualifications of certain truck stop facilities seeking to operate video draw poker devices.

Proposed law prohibits issuance of a license to a truck stop facility to operate a video draw poker device within 2,500 feet of any residential property unless the residential facility was licensed before the residential property was occupied.

Defines "residential property" to mean any property which is wholly or partly used for or intended to be used for living or sleeping by human occupants and which includes one or more rooms, including a bathroom and complete kitchen facilities. Includes a mobile home or manufactured housing if it has been in its present location for at least 60 days.

Effective June 1, 2010.

(Adds R.S. 27:306(C)(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.

Senate Floor Amendments to reengrossed bill.

1. Removes authority of parishes or municipalities to designate areas as residential district if they do not already have zoning ordinances to designate such areas.
2. Removes provisions regarding licenses issued or applied for prior to January 1, 2010.
3. Adds provisions prohibiting licenses being issued to a facility located within 2,500 feet of a residential property.
4. Defines "residential property."