

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

New 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 June 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 June 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 June 1, 2010.

New 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 new law.

New law provides that the subsequent construction, erection, development, or movement of a property on the National Historic Registry, public playground, church, synagogue, public library, or school which causes the truck stop facility to be located within the prohibited distance as provided in new law will not be cause for revocation, withholding, denial of an application, nonrenewal of a license, or issuance of a new license.

New law provides that the subsequent construction, erection, development, or movement of a property on the National Historic Registry, public playground, church, synagogue, public library, or school following the application for a license to operate video draw poker devices at a truck stop facility and the granting of that license which causes the truck stop facility to be located within the prohibited distance as provided in new law will not be cause for the revocation, withholding, denial of an application, nonrenewal of a license, or issuance of a new license.

New law 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. New law excludes hotels and motels from this definition.

Effective June 1, 2010.

(Adds R.S. 27:306(C)(5))