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DIGEST

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Morrell

SB No. 575

Present law provides for the operation of video draw poker devices.

Present law provides for the regulation of video draw poker device operations by the La. Gaming Control Board and the office of state police, gaming division.

Proposed law retains present law.

Present law authorizes DPS&C, state police gaming division, to issue renewals of licenses for the operation of video draw poker devices at facilities with no more than three video draw poker devices at their licensed establishments.

Proposed law authorizes the issuance of new licenses as well as license renewals of three machine locations.

Present law provides that a person who has an alcoholic beverage permit for on premises consumption of alcohol may be granted a license to operate no more than three video draw poker devices at that premises.

Present law provides suitability requirements for the issuance of video draw poker licenses and qualification criteria for the issuance of permits for the consumption of alcoholic beverages on the premises of a restaurant or bar.

Proposed law retains the provisions of present law and further provides that if a person has met the qualifications for the granting of a permit to sell alcoholic beverages on the premises of a restaurant or bar, and meets the other requirements of proposed law, they shall be granted a license to operate not more than three video draw poker devices.

Present law defines a "video draw poker device" as any unit, mechanism, or device authorized that, upon insertion of cash, is available to play or simulate the play of the game of draw poker or other card games approved by the division, utilizing a cathode ray tube or video display screen and microprocessors in which the player may win games or credits that can be redeemed for cash only.

Proposed law changes the present law definition to exclude line up games, mechanical reel games, and slot machines from the definition of a video draw poker device.

Present law provides for specifications of video draw poker devices.

Present law provides that no multi-hand games or minimum wager may be authorized with respect to any video draw poker device located in Orleans Parish unless it has been determined by the Louisiana Gaming Control Board that permitting such game or wager in Orleans Parish will not violate the terms or provisions of the land based casino contract, as entered into on October 30, 1998, and amended effective October 19, 1999, March 29, 2001, and March 31, 2001.

Proposed law retains present law and adds the February 14, 2005, and December 16, 2005, amendments to the land based casino contract.

Present law provides that a qualified truck stop shall mean a facility covering at least five developed contiguous acres which sells fuel, lubricating oil, and other vehicular merchandise, such as batteries, tires, or vehicle parts for eighteen-wheeler tractor-trailers, and which meet certain criteria.

Present law, among other criteria, requires that a qualified truck stop provide seating for at least 50 patrons.

Proposed law requires that such seating be centralized.

Present law provides that qualified truck stop facility restaurants provide full table service for sit down meals.

Proposed law removes this requirement except for qualified truck stop facilities located in Orleans Parish.

Present law requires that qualified truck stop facilities have stabilized parking areas as a criteria for licensing as a qualified truck stop.

Present law allows a qualified truck stop to temporarily continue operating video draw poker devices for a reasonable period of time as determined by the La. Gaming Control Board or the gaming division of the office of state police, if, for reason of force majeure, the truck stop facility loses the ability to maintain one or more of the required amenities.

Proposed law retains present law and adds a similar allowance if the qualified truck stop facility loses the ability to maintain the onsite repair facility, or the parking facility by reason of force majeure.

Proposed law provides for the statutory reorganization of the provisions of present law regarding the licensing and operation of video draw poker devices and the locations of truck stop facilities.

Effective Aug. 1, 2012.

(Amends R.S. 14:90(C), R.S. 27:20(A)(1)(d)(ii) and R.S. 27:401-457; Adds R.S. 27:501-502; Repeals R.S. 27:301-326)

#### Summary of Amendments Adopted by Senate

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

1. Adds to the restrictions provided for the land based casino contract, the 2005 February and December amendments to such contract.
2. Deletes requirement that a truck stop facility must sell lubricating oil and other vehicular merchandise as a qualification for video draw poker devices.
3. Adds requirement to the criteria for a qualified truck stop that the seating for at least 50 patrons must be located in a centralized area.
4. Adds allowance for temporarily continuing operation of video draw poker devices by a qualified truck stop facility when, for reason of force majeure, the facility loses its ability to maintain one or more of the required criteria.

##### Senate Floor Amendments to engrossed bill.

1. Technical amendments made.
2. Clarifies the meters required by the rules and regulations are mechanical.
3. Clarifies the nonresettable meters housed in a secure compartment are mechanical.
4. Deletes section on progressive jackpots.
5. Adds truck stops sell lubricating oil and other vehicular merchandise such as batteries, tires, or vehicle parts for 18-wheel tractor trailers.

6. Removes provision that once parking areas are approved they not be subject to approval or review by the division.
7. Clarifies the operation of poker devices as video poker devices.
8. Changes video gaming device to draw poker devices.
9. Clarifies a person of good, "moral" character.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill.

1. Provided that force majeure provisions apply to restaurant facilities, onsite repair facilities and parking areas.
2. Clarified which regulatory functions belong to the Louisiana Gaming Control Board and which functions belong to the gaming division, office of state police.
3. Added provisions requiring truck stop facility restaurants in Orleans Parish to provide full table service.
4. Amended provisions regarding the location of truck stop facilities with respect to property used for certain purposes.