

Regular Session, 2012

HOUSE BILL NO. 445

BY REPRESENTATIVE LOPINTO

1 AN ACT

2 To enact R.S. 27:311(D)(5) and (6), relative to video draw poker; to provide for the holding  
3 of franchise payments until remitted to the state; to provide for liability of device  
4 owners and shareholders, officers, directors, partners, managers, and managing  
5 members for payment of the franchise payment to the state of Louisiana; to provide  
6 for rulemaking; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 27:311(D)(5) and (6) are hereby enacted to read as follows:

9 §311. Licensing by division; fees; franchise payments; enforcement activities

10 \* \* \*

11 D.

12 \* \* \*

13 (5) The franchise payment authorized by the provisions of this Section shall  
14 be securely held by the device owner on behalf of the state of Louisiana, until such  
15 time as the franchise payment is remitted to and received by the division. Any  
16 franchise payment held in accordance with the provisions of this Paragraph shall be  
17 deemed to be held in trust for the state of Louisiana. Upon the failure of a device  
18 owner to remit any portion of the franchise payment to the division, the device owner  
19 and its shareholders, officers, and directors if a corporation, its partners if a  
20 partnership, and its members, managers, and managing members if a limited liability  
21 company, shall be jointly and severally liable to the state of Louisiana for the  
22 franchise payment until it is remitted to and received by the division.

23 (6) The Louisiana Gaming Control Board shall adopt rules to provide for the  
24 collection of franchise payments as provided for in this Section. Such rules shall be

1 adopted pursuant to the provisions of the Administrative Procedure Act and R.S.  
2 27:15(B)(8).

3 \* \* \*

4 Section 2. In the event Senate Bill 575 of the 2012 Regular Session is enacted into  
5 law, the Louisiana State Law Institute is hereby directed to redesignate R.S. 27:311(D)(5)  
6 and (6) as provided in this Act as R.S. 27:435(D)(5) and (6).

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_