

Regular Session, 2014

HOUSE BILL NO. 1221

BY REPRESENTATIVE BARROW

GAMBLING/RIVERBOAT: Provides with respect to the payment of certain employees in certain riverboat gaming facilities

1 AN ACT

2 To enact R.S. 27:114, relative to the Louisiana Riverboat Economic Development and
3 Gaming Control Act; to provide with respect to the wages of certain employees of
4 riverboat gaming facilities; to provide for penalties; to provide for enforcement; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 27:114 is hereby enacted to read as follows:

8 §114. Payment of employees; penalties; enforcement

9 A. Any employee hired pursuant to the provisions of the Louisiana Riverboat
10 Economic Development and Gaming Control Act, Chapter 4 of Title 27 of the
11 Louisiana Revised Statutes of 1950, and who is not a key or non-key gaming
12 employee or any other employee who is not required to undergo a suitability
13 determination as a condition of his employment shall be paid at least the highest
14 federal minimum wage.

15 B. Any employer who fails or refuses to pay an employee as required by the
16 provisions of Subsection A of this Section shall be liable to the employee for ninety
17 days wages at the appropriate hourly rate plus the difference between the rate the
18 employee was actually paid and the rate to which he was entitled pursuant to
19 Subsection A of this Section, as well as for reasonable attorney fees and court costs.

1 C. The Riverboat Gaming Enforcement Division shall enforce the provisions
2 of this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Barrow

HB No. 1221

Abstract: Requires riverboat gaming facilities to pay certain employees the highest federal minimum wage.

Present law creates the Louisiana Riverboat Economic Development and Gaming Control Act (Act). Present law provides for gaming activities upon designated rivers or waterways. Present law provides definitions, provides for inspections, and licensing.

Present law creates the riverboat gaming commission, which is a board created for licensing, insurance, design and appearance of the facilities, and transactions conducted within the facilities as well as with third parties.

Present law creates the Riverboat Gaming Enforcement Division (division) within the gaming section of the office of state police in the Dept. of Public Safety and Corrections and provides that the division has the powers, duties, and functions to inspect facilities and equipment, initiate actions for violations of the Act, inspect, examine, photocopy, and audit all papers, books, and records of licenses, deny, limit, restrict, suspend, or revoke a license or permit, issue written interrogatories, emergency orders, and conduct investigations.

Proposed law requires that any employee who is not a key or non-key employee or who is not required to undergo a suitability determination as a condition of his employment who was hired pursuant to provisions of the Act shall be paid at least the highest federal minimum wage.

Proposed law provides that if an employer fails to pay an employee the highest federal minimum wage, the employer is liable to the employee for 90 days wages at the appropriate amount, plus the difference between what the employee was actually paid and what he is owed. The employer is also liable for reasonable attorney fees and court costs.

Proposed law requires the division to enforce the provisions of proposed law.

(Adds R.S. 27:114)