

GREEN SHEET REDIGEST

HB 670

2020 Regular Session

Stefanski

**GAMBLING/VIDEO POKER: Provides relative to the criteria and amenity requirements for qualified truck stops**

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DIGEST

Present law provides that a qualified truck stop facility 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 18-wheel tractor-trailers, and which meets certain criteria provided for in present law (R.S. 27:417(A)).

Present law provides that the criteria and amenity requirements for a qualified truck stop facility provided for by present law shall be suspended if any portion of the property upon which the qualified truck facility is located is expropriated by the state or one of its political subdivisions. Further requires that the suspension remains in effect until it is possible for the licensee to meet the requirements of present law.

Present law allows the licensee to continue to operate video draw poker devices during the period of suspension without meeting the requirements for that particular criteria or amenity affected by the expropriation.

Proposed law retains present law and provides that in the event of a renovation to any of the criteria or amenity requirements or buildings housing either of these, the licensee may request the approval of the division to suspend operations of such criteria or amenity for 30 days in order to complete the renovation. Provides that the licensee must notify the division prior to the beginning of the renovation that would cause the suspension of any criteria or amenity. Provides that after the initial approved 30-day suspension of the criteria or amenity, if the renovation is not completed due to unforeseen circumstances, the licensee may apply to the division, and for good cause shown, the division may grant an additional 30 days for completion. Provides that during an approved suspension of the criteria or amenity, the licensee may continue to operate video draw poker devices.

Present law allows the temporary waiver of certain criteria and amenities due to a force majeure. Those certain criteria and amenities include: an onsite restaurant; a stable parking area; an onsite repair service facility for eighteen-wheel tractor-trailer motor vehicles; and amenities, including a separate truckers' television lounge, a full-service laundry facility, private showers, travel store with truckers' supplies, truck scales, truckers' telephones, and permanent storage facilities for fuel.

Proposed law provides that any declaration of a state of emergency, or public health emergency, by order or proclamation of the governor or of the president of the United States that mandates a temporary closure or partial closure of gaming operations at a qualified truck stop facility shall be considered a force majeure for the duration of the mandatory closure or mandatory partial closure and 90 days thereafter.

Provides that proposed law shall be retroactively effective to March 17, 2020, effective date of 30 JEB 2020 mandating closure of gaming operations at qualified truck stops.

(Amends R.S. 27:417(A)(2)(intro. para.) and (B)(2); Adds R.S. 27:417(B)(3) and (D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Relative to the present law criteria and amenity requirements for qualified truck stops, require force majeure to be in effect beginning March 17, 2020, through June 30, 2021, due to the COVID-19 pandemic.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the engrossed bill

1. Add requirement that gaming division of state police approve the suspension of operations of a criteria or amenity.
2. Changes from invoking force majeure allowance for COVID-19 from March 17, 2020 through June 30, 2021 to providing force majeure allowance for any gubernatorial or presidential declaration of emergency mandating closure of gaming operations for the duration of the declaration and 90 days thereafter.
3. Adds retroactive effective date.