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HOUSE FLOOR AMENDMENTS

2021 Regular Session

Amendments proposed by Representative Stefanski to Engrossed House Bill No. 697 by Representative Stefanski

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 13:4721," and before "R.S. 27:3(10)" delete "R.S. 14.90.5(A)
3 through (C)," and insert "R.S. 14:90.5(A) through (C),"

4 AMENDMENT NO. 2

5 On page 1, line 7, after "627," and before "and Chapter" delete "R.S. 39:100.61(D),"

6 AMENDMENT NO. 3

7 On page 1, at the end of line 8 delete "9105," and insert "9107,"

8 AMENDMENT NO. 4

9 On page 1, line 9, after "definitions; to" and before "sports wagering;" delete "authorizes"
10 and insert "authorize"

11 AMENDMENT NO. 5

12 On page 1, line 16, after "Fund;" delete the remainder of the line in its entirety, at the
13 beginning of line 17 delete "Developmental Disability Services Subfund;" and insert "to
14 create the Lottery Sports Wagering Fund;"

15 AMENDMENT NO. 6

16 On page 2, line 23, after "where" and before "sports" delete "a"

17 AMENDMENT NO. 7

18 On page 2, at the beginning of line 24 delete "book is being" and insert "wagering is"

19 AMENDMENT NO. 8

20 On page 2, line 26 after "Section 2." delete "R.S. 14:90.5(A), (B), and (C)" and insert "R.S.
21 14:90.5(A) through (C)"

22 AMENDMENT NO. 9

23 On page 4, delete line 1 in its entirety and insert the following:

24 "mechanism, or via a mobile application as defined in R.S."

25 AMENDMENT NO. 10

26 On page 7, delete line 1 and insert "lease, or repair ~~or contract to supply, sell, lease, or repair~~
27 gaming devices, equipment,"

1 AMENDMENT NO. 11

2 On page 8, at the end of line 2, delete "R.S. 27:625." and insert "R.S. 27:624."

3 AMENDMENT NO. 12

4 On page 8, line 5, after "behalf of" delete "the licensee." and insert "an operator in this state."

5 AMENDMENT NO. 13

6 On page 8, at the end of line 6, delete "R.S. 27:624." and insert "R.S. 27:623."

7 AMENDMENT NO. 14

8 On page 9, delete lines 20 through 28 in their entirety, delete page 10 in its entirety, on page
9 11, delete lines 1 through 8 in their entirety and at the beginning of line 9 delete "§622." and
10 insert "§621."

11 AMENDMENT NO. 15

12 On page 11, line 12, after "submitted" and before "at" delete "to the board"

13 AMENDMENT NO. 16

14 On page 11, line 15, after "submitted" and before "on" delete "to the board"

15 AMENDMENT NO. 17

16 On page 11, line 17, after "submitted" and before "at" delete "to the board"

17 AMENDMENT NO. 18

18 On page 11, at the end of line 20 delete "R.S. 27:627." and at the beginning of line 21 delete
19 "§623." and insert the following:

20 "R.S. 27:626.

21 §622."

22 AMENDMENT NO. 19

23 On page 11, line 24, after "submitted" and before "at" delete "to the board"

24 AMENDMENT NO. 20

25 On page 11, line 27, after "submitted" and before "on" delete "to the board"

26 AMENDMENT NO. 21

27 On page 11, line 29, after "submitted" and before "at" delete "to the board"

28 AMENDMENT NO. 22

29 On page 12, at the end of line 3 delete "R.S. 27:627." and at the beginning of line 21 delete
30 "§624." and insert the following:

31 "R.S. 27:626.

32 §623."

1 AMENDMENT NO. 23

2 On page 12, line 7, after "submitted" and before "at" delete "to the board"

3 AMENDMENT NO. 24

4 On page 12, line 10, after "submitted" and before "on" delete "to the board"

5 AMENDMENT NO. 25

6 On page 12, line 12, after "submitted" and before "at" delete "to the board"

7 AMENDMENT NO. 26

8 On page 12, at the end of line 15 delete "R.S. 27:627." and at the beginning of line 21 delete
9 "§625." and insert the following:

10 "R.S. 27:626.

11 §624."

12 AMENDMENT NO. 27

13 On page 12, line 19, after "submitted" and before "at" delete "to the board"

14 AMENDMENT NO. 28

15 On page 12, line 22, after "submitted" and before "on" delete "to the board"

16 AMENDMENT NO. 29

17 On page 12, line 24, after "submitted" and before "at" delete "to the board"

18 AMENDMENT NO. 30

19 On page 12, at the end of line 27, delete "R.S. 27:627." and insert "R.S. 27:626."

20 AMENDMENT NO. 31

21 On page 13, at the beginning of line 1, delete "§626." and insert "§625."

22 AMENDMENT NO. 32

23 On page 13, at the end of line 2, delete "of" and at the beginning of line 3 delete "a licensee
24 or an operator"

25 AMENDMENT NO. 33

26 On page 13, delete line 4 in its entirety and insert the following:

27 "pursuant to this Title conducted onsite at a licensed sports wagering
28 establishment. Any sports wagering conducted through a mobile application or a
29 website on the premises of a licensed sports wagering establishment shall be
30 considered electronic wagering and shall be taxed pursuant to Subsection B of this
31 Section."

1 AMENDMENT NO. 34

2 On page 13, line 5, after "levied" and before "percent" delete "an eighteen" and insert "a
3 fifteen"

4 AMENDMENT NO. 35

5 On page 13, line 6, after "proceeds" and before "from" delete "of a licensee or an operator"

6 AMENDMENT NO. 36

7 On page 13, at the end of line 8 insert the following:

8 "The provisions of this Subsection shall not apply to electronic sports
9 wagering conducted through a sports wagering mechanism."

10 AMENDMENT NO. 37

11 On page 13, delete lines 9 and 10 in their entirety and insert the following:

12 "C. Within twenty days of the last day of each calendar month the division
13 shall collect the taxes imposed pursuant to the provisions of this Section for the
14 immediately preceding calendar month."

15 AMENDMENT NO. 38

16 On page 13, line 16, after "E." and before "The" insert the following:

17 "In a month when the amount of net gaming proceeds of an operator from
18 sports wagering is a negative number, the operator may carry over the negative
19 amount to the return filed for the subsequent month. However, no amount shall be
20 carried over in any period more than twelve months after the month in which the
21 amount carried over was originally due.

22 F."

23 AMENDMENT NO. 39

24 On page 13, at the beginning of line 18, delete "§627." and insert "§626."

25 AMENDMENT NO. 40

26 On page 13, at the beginning of line 19, delete "(1)" and insert "A."

27 AMENDMENT NO. 41

28 On page 13, line 23, after "license" and before "and permit" insert a comma "," and
29 "application."

30 AMENDMENT NO. 42

31 On page 14, at the beginning of line 1, delete "(2)" and insert "B."

32 AMENDMENT NO. 43

33 On page 14, delete lines 7 through 20 in their entirety and insert the following:

34 "§627. Promotional play
35 Eligible promotional play shall be equal to the amount of dollars directly

1 attributable to promotional play wagers related to sports wagering and actually
2 redeemed by players and patrons. Eligible promotional play shall not exceed an
3 amount of five million dollars per calendar year."

4 AMENDMENT NO. 44

5 On page 14, at the beginning of line 21 delete "Section 5." and insert "Section 4."

6 AMENDMENT NO. 45

7 On page 14, line 23, after "through" and before "is hereby" delete "9105," and insert "9107,"

8 AMENDMENT NO. 46

9 On page 15, line 9, after "Corporation" and before "shall" insert "through an operator"

10 AMENDMENT NO. 47

11 On page 15, line 12, after "including" and before "a" delete "through"

12 AMENDMENT NO. 48

13 On page 16, line 22, after "Board" and before "the" delete "shall mean" and insert "means"

14 AMENDMENT NO. 49

15 On page 16, between lines 24 and 25 insert the following:

16 "(6) "Distributor" means a permitted business or legal entity that is domiciled
17 in this state and markets, buys, sells, leases, services, or repairs sports wagering
18 mechanisms in this state."

19 AMENDMENT NO. 50

20 On page 16, at the beginning of line 25, delete "(6)" and insert "(7)"

21 AMENDMENT NO. 51

22 On page 16, line 26, after "or" and before "a website" delete "through" and insert "via"

23 AMENDMENT NO. 52

24 On page 16, at the beginning of line 28, delete "(7)" and insert "(8)"

25 AMENDMENT NO. 53

26 On page 16, at the end of line 29, delete the period "." and insert "and shall not include sports
27 wagering authorized pursuant to this Subtitle."

28 AMENDMENT NO. 54

29 On page 17, at the beginning of line 1, delete "(8)" and insert "(9)"

30 AMENDMENT NO. 55

31 On page 17, at the beginning of line 6, delete "(9)" and insert "(10)"

1 AMENDMENT NO. 56

2 On page 17, line 7, after "to" and before "place" insert "register, fund, and"

3 AMENDMENT NO. 57

4 On page 17, at the beginning of line 9, delete "(10)" and insert "(11)"

5 AMENDMENT NO. 58

6 On page 17, at the beginning of line 11, delete "(11)" and insert "(12)"

7 AMENDMENT NO. 59

8 On page 17, line 12, after "all" and before "wagers" insert "sports"

9 AMENDMENT NO. 60

10 On page 17, line 13, after "patrons" delete the remainder of the line in its entirety and delete
11 lines 14 and 15 and insert a period "." and "(13) "Net proceeds" means gross lottery revenues
12 less amounts paid or"

13 AMENDMENT NO. 61

14 On page 17, delete lines 17 through 21 in their entirety

15 AMENDMENT NO. 62

16 On page 18, at the end of line 3 delete "has a contract with" and at the beginning of line 4
17 delete "an operator and"

18 AMENDMENT NO. 63

19 On page 18, between lines 10 and 11 insert the following:

20 "(22) "Sports book" means the offering of sports wagering by a sports
21 wagering platform provider on the premises of a permitted retail establishment or
22 through a sports wagering platform."

23 AMENDMENT NO. 64

24 On page 18, at the beginning of line 11, delete "(22)" and insert "(23)"

25 AMENDMENT NO. 65

26 On page 18, at the beginning of line 19, delete "(23)" and insert "(24)"

27 AMENDMENT NO. 66

28 On page 18, between lines 23 and 24, insert the following:

29 "(25) "Sports wagering" means the acceptance of a wager on a sports event
30 or on a portion of a sports event or on the individual performance or statistics of an
31 athlete or participant in a sports event or a combination of sports events, by any
32 system or method of wagering."

33 AMENDMENT NO. 67

34 On page 18, at the beginning of line 24, delete "(24)" and insert "(26)"

1 AMENDMENT NO. 68

2 On page 19, at the beginning of line 1 delete "(25)" and insert "(27)"

3 AMENDMENT NO. 69

4 On page 19, at the end of line 3, delete "corporation's" and delete line 4 in its entirety and
5 insert the following:

6 "sports wagering platform provider approved by and contracting with the
7 corporation, which allows a patron to place a sports"

8 AMENDMENT NO. 70

9 On page 19, delete line 8 in its entirety and insert the following:

10 "(28) "Sports wagering platform" means an integrated system"

11 AMENDMENT NO. 71

12 On page 19, line 10, after "offering" and before "wagering" delete "for play" and insert
13 "sports"

14 AMENDMENT NO. 72

15 On page 19, line 11, after "Subtitle" delete the remainder of the line in its entirety and and
16 delete lines 12 through 14 in their entirety and insert a period "." and "(29) "Sports wagering
17 platform provider" or "operator" means a suitable person that holds"

18 AMENDMENT NO. 73

19 On page 19, at the beginning of line 17 delete "(28)" and insert "(30)"

20 AMENDMENT NO. 74

21 On page 22, line 1, after "shall" and before "contract" delete "operate a sports book itself or"

22 AMENDMENT NO. 75

23 On page 22, line 3, after "operated" and before "on" delete "by or"

24 AMENDMENT NO. 76

25 On page 22, delete lines 24 through 28 in their entirety insert the following:

26 "(8) Requirements that a sports wagering platform provider comply with
27 anti-money laundering standards."

28 AMENDMENT NO. 77

29 On page 23, at the beginning of line 1 delete "(10)" and insert "(9)"

30 AMENDMENT NO. 78

31 On page 23, between lines 3 and 4 insert the following:

32 "(10) Establish suitability requirements for applicants and permittees
33 pursuant to this Chapter."

1 AMENDMENT NO. 79

2 On page 23, line 21, after "platform providers" delete the comma "," and delete remainder
3 of the line in its entirety and delete line 22 in its entirety

4 AMENDMENT NO. 80

5 On page 23, between lines 25 and 26 insert the following:

6 "C. The corporation shall provide by administrative rules the qualifications
7 and suitability standards for sports wagering service providers, distributors,
8 manufacturers, vendors, suppliers, personnel, and retail establishments."

9 AMENDMENT NO. 81

10 On page 23, at the end of line 26 insert a semi-colon ";" and insert "sports wagering platform
11 providers"

12 AMENDMENT NO. 82

13 On page 23, line 27, after "a" and before "permit," insert "sports wagering platform
14 provider"

15 AMENDMENT NO. 83

16 On page 26, line 21, after "a" and before "permit" "sports wagering platform provider"

17 AMENDMENT NO. 84

18 On page 29, line 11, after "B." and before "corporation" delete "The" and insert the
19 following:

20 "In addition to the requirements set forth in R.S. 47:9094, the"

21 AMENDMENT NO. 85

22 On page 30, delete lines 6 and 7 in their entirety and at the beginning of line 8 delete "I." and
23 insert "H."

24 AMENDMENT NO. 86

25 On page 30, delete lines 15 through 17 in their entirety, and at the beginning of line 18 delete
26 "J." and insert "I."

27 AMENDMENT NO. 87

28 On page 31, line 13, after "to" and before "on" delete "the board" and insert "the
29 corporation"

30 AMENDMENT NO. 88

31 On page 31, delete lines 16 through 18 in their entirety

32 AMENDMENT NO. 89

33 On page 31, at the beginning of line 20, after "A." insert "(1)"

1 AMENDMENT NO. 90

2 On page 31, line 22, after the period "." and before "shall" delete "A person" and insert "No
3 person"

4 AMENDMENT NO. 91

5 On page 31, between lines 23 and 24, insert the following:
6 "(2) Notwithstanding the provisions of Paragraph (1) of this
7 Subsection, only distributors domiciled in Louisiana shall be issued a permit
8 for the services of collection and repair of sports wagering mechanisms."

9 AMENDMENT NO. 92

10 On page 32, line 1, after "wagering" and before "permit issued" delete "service provider" and
11 insert "distributor"

12 AMENDMENT NO. 93

13 On page 32, line 3, after "to" and before "on" delete "the board" and insert "the corporation"

14 AMENDMENT NO. 94

15 On page 32, line 6, after "E." delete the remainder of the line in its entirety and delete lines
16 7 and 8 in their entirety and insert the following:

17 "The corporation shall adopt written policies and rules to guarantee that
18 multiple distributors and vendors shall contract with the operator to provide
19 maximum opportunities for economic development."

20 AMENDMENT NO. 95

21 On page 32, at the end of line 17 delete the period "." and delete lines 18 and 19 in their
22 entirety and insert the following:

23 "consumption and that is located in a parish that approved a proposition to
24 authorize sports wagering.

25 (2) An establishment that holds a retail food establishment permit from the
26 office of public health issued pursuant to the provisions of LAC 51:XXIII 101 et seq.
27 and that is located within a parish that approved a proposition to authorize sports
28 wagering but due to local and municipal laws and ordinances is prohibited from
29 holding a Class A-General retail permit or a Class A-Restaurant permit as defined
30 in Part II of Chapter 1 or Part II of Chapter 2 of Title 26 of the Louisiana Revised
31 Statutes of 1950 for the sale of alcoholic beverages for on-premises consumption."

32 AMENDMENT NO. 96

33 On page 32, line 23, after "wagering" and before "permit issued" delete "distributor" and
34 insert "retail establishment"

35 AMENDMENT NO. 97

36 On page 33, line 1, after "E." delete the remainder of the line in its entirety and delete lines
37 2 and 3 in their entirety and insert the following:

38 "(1) The corporation shall provide by rule the minimum requirements of a
39 contract between its sports wagering platform provider and a retail establishment.
40 The rules shall include a requirement that the contract provide that in consideration

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 for the hosting of a sports wagering mechanism, the retail establishment shall be paid
2 the greater of the following each month:

3 (a) One and one half percent of the cash accumulated in the sports wagering
4 mechanisms located on the retail establishment's premises.

5 (b) Ten percent of the net gaming proceeds of all wagers placed by patrons
6 through a sports wagering mechanism located on the premises of the retail
7 establishment and wagers placed through an operator website or mobile application
8 while the patron is located on the premises of the retail establishment.

9 (2) The monies owed to the retail establishment pursuant to Paragraph (1) of
10 this Subsection shall be remitted to the retail establishment within twenty days of the
11 end of each calendar month for the immediately preceding calendar month."

12 AMENDMENT NO. 98

13 On page 33, delete lines 5 and 6 in their entirety and at the beginning of line 7 delete "(a)
14 Twenty-one" and insert the following:

15 "A. To place a sports wager with an operator, the corporation shall confirm
16 and a player shall meet all of the following requirements:

17 (1) Is twenty-one"

18 AMENDMENT NO. 99

19 On page 33, at the beginning of line 8 delete "(b) Physically" and insert "(2) Is physically"

20 AMENDMENT NO. 100

21 On page 33, at the beginning of line 10 delete "(c) Have" and insert "(3) Has"

22 AMENDMENT NO. 101

23 On page 33, at the beginning of line 12 delete "(d) Not be" and insert "(4) Is not"

24 AMENDMENT NO. 102

25 On page 34, line 3, after "shall" and before "report" delete "immediately" and insert
26 "promptly"

27 AMENDMENT NO. 103

28 On page 35, line 15 after "E.(1)" delete the remainder of the line in its entirety and at the
29 beginning of line 16 delete "on a winning ticket."

30 AMENDMENT NO. 104

31 On page 35, line 17, after "account" and before "be" delete "shall" and insert "may"

32 AMENDMENT NO. 105

33 On page 35, at the end of line 18 insert the following:

34 "However, the player shall be prohibited from collecting winnings from the
35 sports wagering mechanism in any form other than credits to the sports wagering
36 account of the player."

37 AMENDMENT NO. 106

38 On page 35, at the end of line 21, delete "R.S. 47:9102." and insert "R.S. 47:9103."

1 AMENDMENT NO. 107

2 On page 36, line 23, after "A.(1)" and before "shall" delete "A patron" and insert "A player"

3 AMENDMENT NO. 108

4 On page 36, line 25, after "the" and before "The" delete "patron." and insert "player."

5 AMENDMENT NO. 109

6 On page 37, at the end of line 13 delete the period "." and insert "unless otherwise allowed
7 pursuant to the rules of the corporation."

8 AMENDMENT NO. 110

9 On page 39 delete lines 15 through 28 and delete page 40 in its entirety and on page 41
10 delete lines 1 through 5 in their entirety and at the beginning of line 6 delete "Section 6." and
11 insert the following:

12 "§9105. State tax; levy

13 A. There is hereby levied a ten percent tax upon the net gaming proceeds of
14 an operator from sports wagering offered to consumers within this state pursuant to
15 this Title onsite at a permitted retail establishment through a sports wagering
16 mechanism.

17 B. There is hereby levied a fifteen percent tax upon the net gaming proceeds
18 of an operator from sports wagering offered to consumers within this state pursuant
19 to this Title electronically through a website or mobile application.

20 C. Within twenty days of the last day of each calendar month the corporation
21 shall collect the taxes imposed pursuant to the provisions of this Section for the
22 immediately preceding calendar month.

23 D. All taxes collected by the corporation pursuant to this Section shall be
24 deposited into the Community and Family Support System Fund as provided by R.S.
25 28:826. These monies shall be forwarded upon receipt to the state treasury. Funds
26 deposited into the treasury shall first be credited to the Bond Security and
27 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution
28 of Louisiana.

29 E. In a month when the amount of net gaming proceeds of an operator from
30 sports wagering is a negative number, the operator may carry over the negative
31 amount to the return filed for the subsequent month. However, no amount shall be
32 carried over in any period more than twelve months after the month in which the
33 amount carried over was originally due.

34 §9106. Deposit of revenues

35 Within twenty days following the close of each calendar month, the
36 corporation shall transfer to the Lottery Sports Wagering Fund the amount of net
37 revenue which the corporation determines is surplus to its needs. Net revenues shall
38 be determined by deducting from the corporation's net gaming proceeds the payment
39 costs incurred or estimated to be incurred in the operation and administration of
40 sports wagering authorized pursuant to this Chapter. This shall include the expenses
41 of the corporation and the costs resulting from determining applicant suitability, and
42 any contracts entered into for promotional, advertising, or operational services or for
43 the purchase or lease of sports wagering equipment and materials.

44 §9107. Lottery Sports Wagering Fund

45 A. There is hereby created in the state treasury a special fund designated as
46 the "Lottery Sports Wagering Fund ", hereafter referred to as the "fund". After
47 allocation of money to the Bond Security and Redemption Fund as provided in
48 Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit
49 in and credit to the fund all corporation net revenue as determined by R.S. 47:9106.

1 Interest earned on investment of monies in the fund shall be deposited in and credited
2 to the fund. Unexpended and unencumbered monies in the fund shall remain in the
3 fund. Monies in the fund shall be appropriated, administered, and used solely as
4 provided in this Section.

5 B. The monies in the fund shall be withdrawn only pursuant to appropriation
6 by the legislature and shall be used solely for the expenses provided pursuant to R.S.
7 47:9106 and for the minimum foundation program.

8 Section 5."