SLS 23RS-252

ORIGINAL

2023 Regular Session

SENATE BILL NO. 192

BY SENATOR SMITH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

GAMING. Provides relative to the Louisiana Gaming Control Board. (8/1/23)

1	AN ACT
2	To amend and reenact R.S. 27:11(A), 604(B)(2) and (3)(b), and 628(B), and to enact R.S.
3	27:20(D) and 27.5, relative to the Louisiana Gaming Control Board; to provide for
4	board responsibilities; to provide for state police gaming enforcement division
5	responsibilities; to establish human trafficking awareness and prevention training for
6	licensees; to provide for sports wagering licenses; to provide for the sports wagering
7	local allocation fund; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 27:11(A), 604(B)(2) and (3)(b), and 628(B) are hereby amended and
10	reenacted, and R.S. 27:20(D) and 27.5 are hereby enacted to read as follows:
11	§11. Louisiana Gaming Control Board; creation; members; terms; meetings
12	A.(1) The Louisiana Gaming Control Board is hereby created. The board
13	shall consist of nine members who shall be appointed by the governor and two ex
14	officio members. In making the appointments, the governor shall appoint at least one
15	member from each congressional district and such appointments shall, as nearly as
16	practicable, be made in a manner that is representative of the population of the state.
17	All such appointments are subject to confirmation by the Senate. Members shall

Page 1 of 6 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	serve staggered terms of six years. No person shall serve more than two terms
2	whether consecutive or not. No person shall be appointed to serve on the board who
3	had previously been confirmed by the Senate and served on any gaming regulatory
4	board or commission in this state prior to the establishment of the Louisiana Gaming
5	Control Board.
6	(2) The board shall not be considered a professional or occupational
7	licensing board for the purposes of Title 37 of the Louisiana Revised Statutes
8	<u>of 1950.</u>
9	* * *
10	§20. Department of Public Safety and Corrections, office of state police
11	* * *
12	D. The gaming enforcement division, office of state police, Department
13	of Public Safety and Corrections shall not be considered a professional or
14	occupational licensing board for purposes of Title 37 of the Louisiana Revised
15	Statutes of 1950.
16	* * *
17	§27.5. Uniform Human Trafficking Awareness and Prevention Training
18	A. Human trafficking is a serious and widely recognized problem. It is
19	imperative for the health, safety, and welfare of the residents of the state of
20	Louisiana that a comprehensive and uniform human trafficking awareness and
21	prevention training be developed for the gaming industry.
22	B. The board in conjunction with the governor's office of human
23	trafficking prevention and industry professionals shall develop and implement
24	a comprehensive in-person and digital human trafficking awareness and
25	prevention training for the gaming industry. If such development is not
26	practical for the board, the board may approve third-party human trafficking
27	awareness and prevention training programs. The training shall include but is
28	not limited to training on identifying victims of human trafficking at gaming
29	establishments in Louisiana.

Page 2 of 6 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

ORIGINAL SB NO. 192

1	<u>C.</u> The board shall adopt rules in accordance with the Administrative
2	Procedure Act setting forth the minimum training requirements to be imposed
3	on all licensees and permittees that are necessary to implement the provisions
4	of this Section. Each licensee, permittee, and employee of a licensee or permittee
5	shall certify participation in and completion of the human trafficking awareness
6	and prevention training to the division on an annual basis as a condition of
7	maintaining any gaming license or permit issued by the board.
8	* * *
9	§604. License; limited; requirements; contract with platform provider
10	* * *
11	B.(1) * * * *
12	(2)(a) For the initial application process, if any entity identified in Paragraph
13	(1) of this Subsection elects not to apply for a license or fails to submit a completed
14	application to the board prior to January 1, 2022, or within thirty days of applications
15	being available, whichever is later, it shall not be considered for a license. The board
16	may consider for the remaining licenses, applications from:
17	(i) Licensed establishments as defined in R.S. 27:402 and provided for in
18	Chapter 8 of this Title. Any licensed establishment that is also licensed by the
19	Louisiana State Racing Commission with the commission's approval may apply to
20	be licensed to operate a sports book.
21	(ii) Operators as defined in R.S. 27:302 and provided for in Chapter 6 of this
22	Title.
23	(b) From the licensed establishments and operators identified in
24	Subparagraph (a) of this Paragraph, if the number of applications received by the
25	board that are determined to be from eligible applicants exceeds the number of
26	licenses available, the board shall provide for a concealed bid process and issue the
27	available licenses, in accordance with the board's ranking of the bids, to the
28	applicants that in the board's discretion have the greatest potential for revenue
29	generation for the state. Should the sports wagering license held by an entity

Page 3 of 6 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

SLS 23RS-252

1	<u>identified in Paragraph (1) of this Subsection be surrendered, that entity may</u>
2	reapply for the sports wagering license within two years of the board's
3	acceptance of the surrender. Should the sports wagering license of an entity
4	identified in Paragraph (1) of this Subsection be revoked, any new entity
5	approved by the board to operate under a new license identified in Paragraph
6	(1) of this Subsection shall have the first option to apply for the sports wagering
7	license within two years of the effective date of the approval.
8	(3)(a) * * * *
9	(b) Should a license become available after the initial issuance and entities
10	identified in Paragraph (1) and Paragraph (2) of this Subsection decline to apply
11	or the number of available licenses exceeds the number of entities identified in
12	Paragraph (1) of this Subsection who are interested, the board shall notify the entities
13	identified in Subparagraph (2)(a) of this Subsection licensed establishments as
14	defined in R.S. 27:402 and provided for in Chapter 8 of this Title, any licensed
15	establishment that is also licensed by the Louisiana State Racing Commission
16	with the commission's approval may apply to be licensed to operate a sports
17	book, and operators as defined in R.S. 27:302 and provided for in Chapter 6 of
18	this Title who do not have a sports wagering license about the available license and
19	provide those entities an opportunity to apply for the license by a certain date. If the
20	number of applications determined by the board to be eligible applicants exceeds the
21	number of available licenses, the board shall provide for a concealed bid process and
22	issue the available licenses, in accordance with the board's ranking of the bids, to the
23	applicants that in the board's discretion have the greatest potential for revenue
24	generation for the state.
25	* * *
26	§628. Sports Wagering Local Allocation Fund
27	* * *
28	B. Monies in the fund shall be remitted monthly, by proportionate
29	distribution, to each parish governing authority in which the taxable conduct

Page 4 of 6 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	pursuant to R.S. 27:625 occurred. The distribution associated with mobile wagering
2	only shall be proportionate to the population percentage of each parish that approved
3	a proposition to allow sports wagering compared to the total population of such
4	parishes based on the latest federal decennial census.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

DIGEST

SB 192 Original

2023 Regular Session

Smith

<u>Present law</u> provides relative to the functions, duties, and powers of the La. Gaming Control Board (LGCB).

<u>Present law</u> provides for the regulation of professional or occupational boards and commissions.

<u>Proposed law</u> requires that the LGCB not be considered a professional or occupational licensing board for the purposes of <u>present law</u>.

<u>Proposed law</u> requires that the gaming enforcement division, office of state police, Dept. of Public Safety and Corrections not be considered a professional or occupational licensing board for purposes of <u>present law</u>.

<u>Proposed law</u> requires the LGCB in conjunction with the governor's office of human trafficking prevention and industry professionals to develop and implement a comprehensive in-person and digital human trafficking awareness and prevention training for the gaming industry.

<u>Proposed law</u> authorizes the LGCB to approve third-party human trafficking awareness and prevention training programs if it determines that development of the training required by <u>proposed law</u> is not feasible.

<u>Proposed law</u> requires such training to include but not be limited to training on identifying victims of human trafficking at gaming establishments in Louisiana.

<u>Proposed law</u> requires the LGCB to promulgate regulations setting forth the minimum training requirements to be imposed on all licensees and permittees that are required to comply with <u>proposed law</u>.

<u>Proposed law</u> requires all licensees, permittees, and employees to certify participation in and completion of human trafficking awareness and prevention training as provided in <u>proposed</u> <u>law</u> to the gaming enforcement division on an annual basis as a condition of maintaining any gaming license or permit issued by the LGCB.

<u>Present law</u> provides for the initial application process for sports wagering licenses. <u>Present</u> <u>law</u> requires the LGCB to issue no more than 20 sports wagering licenses and only consider applications from the casino gaming operator (land-based casino), the holder of a river boat casino license, or the holder of a live horse racing track.

<u>Proposed law</u> provides that if the sports wagering license is surrendered, that the entity is authorized to reapply for the sports wagering license within two years of the board's acceptance of the surrender.

Page 5 of 6 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions. <u>Proposed law</u> provides that if the sports wagering license is revoked, any new entity approved by the board to operate under a new license (land-based casino, river boat casino, or race track) shall have the first option to apply for the sports wagering license within two years of the effective date of the approval.

<u>Present law</u> provides that if a sports wagering license is available after the initial issuance, a video draw poker device licensed establishment and an off-track wagering facility may apply.

<u>Proposed law</u> retains <u>present law</u> and adds a fantasy sports contest operator as an eligible entity to apply for an available sports wagering license.

<u>Present law</u> provides for a sports wagering local allocation fund, with all monies deposited into the fund to be disbursed to parishes that allow for sports wagering, based on population.

Proposed law retains present law, but as it relates to mobile sports wagering.

Effective August 1, 2023.

(Amends R.S. 27:11(A), 604(B)(2) and (3)(b), and 628(B); adds R.S. 27:20(D) and 27.5)