

2023 Regular Session

SENATE BILL NO. 189

BY SENATOR JACKSON

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

CHARITABLE GAMING. Provides relative to electronic or video bingo machines and licensed premises. (7/1/23)

1 AN ACT

2 To amend and reenact R.S. 4:724(J) and to enact R.S. 4:724(L) and (M), relative to
3 electronic or video bingo; to provide for operation of machines by a licensed
4 distributor if certain criteria are met; to provide for authorized locations; to provide
5 for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 4:724(J) is hereby amended and reenacted and R.S. 4:724(L) and (M)
8 are hereby enacted to read as follows:

9 §724. Use of electronic or video bingo games

10 * * *

11 J.(1) Any license or permit that was issued to any location for the use of
12 electronic bingo machines on or before June 30, 2022, is a bona fide and valid
13 license and permit under Louisiana law.

14 (2) Any license or permit that was issued to any distributor for the use
15 of electronic video bingo machines on or before June 30, 2022, is a bona fide and
16 valid license and permit under Louisiana law.

17 ~~Any person who is licensed as a distributor shall be permitted to operate~~

1 ~~electronic video bingo machines which are not in compliance with the provisions of~~
2 ~~R.S. 4:724(B)(5) if either of the following occurs:~~

3 ~~(a) The licensed distributor has purchased or has entered into a lease~~
4 ~~agreement approved by the office for the total number of electronic video bingo~~
5 ~~machines to be placed at a specific location and the electronic video bingo machines~~
6 ~~have been permitted by the office and placed at a location which has been approved~~
7 ~~by the office on or prior to August 15, 2008; or~~

8 ~~(b) The licensed distributor has delivered to the office or has sent by certified~~
9 ~~mail an application with the required fees to have electronic video bingo machines~~
10 ~~permitted, which application has been received, but not approved by the office on or~~
11 ~~prior to August 15, 2008, and the application includes one of the following:~~

12 ~~(i) Proof of purchase for the total number of video bingo machines to be~~
13 ~~placed at a specific location.~~

14 ~~(ii) A nonrefundable deposit of a minimum of twenty-five percent of the fair~~
15 ~~market value of the wholesale purchase price of the total number of machines to be~~
16 ~~placed at a specific location.~~

17 ~~(iii) A nonrefundable deposit on a lease agreement which is equivalent in~~
18 ~~value to a minimum of twenty-five percent of the fair market value of the wholesale~~
19 ~~purchase price of the total number of machines to be placed at a specific location.~~

20 ~~(2) Electronic video bingo machines authorized by the provisions of this~~
21 ~~Subsection shall only be placed at one of the following locations:~~

22 ~~(a) A location which has been approved by the office on or prior to August~~
23 ~~15, 2008; or~~

24 ~~(b) A location for which a completed application with the required fees for~~
25 ~~the licensing to conduct charitable gaming at a specific location has been received~~
26 ~~by the office on or prior to August 15, 2008. However, locations which have not~~
27 ~~been approved by the office prior to August 15, 2008, but for which an application~~
28 ~~has been timely filed as provided by this Subparagraph, shall have received final~~
29 ~~approval from the office and must be occupied by August 15, 2009, in order to~~

1 ~~operate electronic video bingo machines which are not in compliance with the~~
 2 ~~provisions of R.S. 4:724(B)(5).~~

3 **(3) The office shall not issue any license or permit to any location or to**
 4 **any distributor for use of electronic bingo machines after June 30, 2022.**

5 * * *

6 **L. If any location, where electronic or video bingo machines are validly**
 7 **licensed or permitted on or before June 30, 2022, to operate is damaged or**
 8 **destroyed due to an occurrence that is an act of God, natural disaster, force**
 9 **majeure, catastrophic event, action by a governmental body, or a similar**
 10 **occurrence over which the licensee or permittee has no reasonable control, the**
 11 **office may allow electronic or video bingo machines to operate at the same**
 12 **physical location.**

13 **M.(1) A location that has been licensed to conduct electronic video bingo**
 14 **by the office on or before June 30, 2022, may be sold or transferred to a new**
 15 **owner if the new owner is found suitable to hold a charitable gaming license by**
 16 **the office pursuant to this Chapter.**

17 **(2) Electronic video bingo machines licensed by the office on or before**
 18 **June 30, 2022, may be sold or transferred to a new owner if the new owner is**
 19 **found suitable to hold a charitable gaming license by the office pursuant to this**
 20 **Chapter.**

21 Section 2. This Act shall become effective on July 1, 2023.

The original instrument was prepared by Michelle D. Ridge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alan Miller.

SB 189 Reengrossed

DIGEST
2023 Regular Session

Jackson

Present law provides for the operation of electronic video bingo machines, including a prohibition that an electronic video bingo machine shall not contain entertainment display features simulating slot reels or card games.

Proposed law provides that any license or permit that was issued to any location or to any distributor for the use of electronic video bingo machines on or before June 30, 2022, is a bona fide and valid license and permit under Louisiana law.

Present law provides that a licensed distributor may operate electronic video bingo machines which are not in compliance with present law under either of the following circumstances:

- (1) The licensed distributor has purchased or entered into a lease agreement for the total number of electronic video bingo machines to be operated at a specific location on or prior to August 15, 2008.
- (2) The licensed distributor has delivered to the office of charitable gaming (office) or sent by certified mail an application and fees to have machines permitted which has been received and not approved on or prior to August 15, 2008, and the application includes either a proof of purchase or a nonrefundable deposit.

Proposed law repeals present law.

Present law provides that electronic video bingo machines authorized by present law may only be placed at the following two locations:

- (1) A location approved by the office on or prior to August 15, 2008.
- (2) A location for which a completed application with the required fees for the licensing to conduct charitable gaming at a specific location has been received by the office of charitable gaming on or prior to August 15, 2008, and which has received final approval from the office and was occupied by August 15, 2009.

Proposed law repeals present law.

Proposed law prohibits the office from issuing any license or permit to any location or to any distributor for use of electronic video bingo machines after June 30, 2022.

Proposed law provides that if any location, where electronic or video bingo machines are validly licensed or permitted on or before June 30, 2022, to operate is damaged or destroyed due to an occurrence that is an act of God, natural disaster, force majeure, catastrophic event, action by a governmental body, or a similar occurrence over which the licensee or permittee has no reasonable control, the office may allow electronic or video bingo machines to operate at the same physical location.

Proposed law allows for the transfer of a location license and a electronic video bingo machines license.

Effective July 1, 2023.

(Amends R.S. 4:724(J); adds R.S. 4:724(L) and (M))

Summary of Amendments Adopted by Senate

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

1. Provides for the validity of licenses for location and electronic video bingo machines issued before June 30, 2022.
2. Removes provisions relative to licensed distributors and the operation of electronic video machines that were not in compliance and provides for licensing requirements of distributors.
3. Removes references to deadline dates for submission of applications for licensure and approval of applications.

4. Provides that if the legislature amends law to add new licenses, the office of charitable gaming shall not issue a license or permit after June 30, 2022, that would allow any electronic video bingo machine to be placed within one mile of certain places and provides for exceptions to the one-mile radius.
5. Defines residential property.
6. Provides that if a location, where electronic video bingo machines are validly licensed or permitted to operate is damaged or destroyed due to certain events, the office may allow such machines to operate at the same physical location.
7. Provides for the transfer of a location license and electronic video bingo machines license.

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Clarifies that the validity of licenses for location and electronic video bingo machines issued on or before June 30, 2022 remains, rather than just before June 30, 2022.
2. Removed all provisions relative to obtaining permits or licenses for locations or distributors of electronic video bingo machines.
3. Adds provision prohibiting the office from issuing any license or permit to any location or to any distributor for use of electronic video bingo machines after June 30, 2022.