

2026 Regular Session

HOUSE BILL NO. 883

BY REPRESENTATIVE SCHLEGEL

GAMBLING: Provides relative to enforcement of illegal online gambling

1 AN ACT

2 To amend and reenact R.S. 14:90.3(B), (C)(introductory paragraph), (1), and (7) through
3 (10), and (D) through (K) and to enact R.S. 14:90.3(C)(11) and (12) and (L) through
4 (Q) and R.S. 27:19.1 and 19.2, relative to restrictions against illegal online gambling;
5 to provide for penalties for violations thereof; to provide for enforcement; to provide
6 for remedies; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:90.3(B), (C)(introductory paragraph), (1), and (7) through (10),
9 and (D) through (K) are hereby amended and reenacted and R.S. 14:90.3(C)(11) and (12)
10 and (L) through (Q) are hereby enacted to read as follows:

11 §90.3. Gambling by computer

12 * * *

13 B. Gambling by computer is the intentional conducting, or directly assisting
14 in the conducting as a business of any game, contest, lottery, or contrivance whereby
15 a person risks the loss of anything of value in order to realize a profit when accessing
16 the Internet, World Wide Web, or any part thereof by way of any computer,
17 computer system, computer network, computer software, or any server. Any game,
18 contest, or promotion that is available on the internet or accessible on a mobile
19 phone, computer terminal, or similar access device that utilizes a dual-currency
20 system of payment allowing the player to exchange the currency for any prize or

1 award, cash, or cash equivalents, or any chance to win any prize or award, cash, or
2 cash equivalents, and simulates any form of gambling constitutes gambling by
3 computer.

4 C. For purposes of this Section, the following definitions apply:

5 (1) "Client" means anyone using a computer to access a computer server to to
6 make gambling by computer wagers.

7 * * *

8 (7) "Financial transaction provider" means any person facilitating or
9 participating in any financial transaction between a gambling by computer player and
10 a gambling by computer operator, including a payment processor, credit card issuer,
11 financial institution, money transmitting business, or payment network utilized to
12 affect a credit card transaction, debit card transaction, electronic funds transfer, or
13 money transmitting service, or other participant in a designated payment system.

14 ~~(7)~~(8) "Home Page" means the index or location for each computer site on
15 the World Wide Web.

16 ~~(8)~~(9) "Internet" means the global information system that is logically linked
17 together by a globally unique address space based on the Internet Protocol or its
18 subsequent extensions, is able to support communications using the Transmission
19 Control Protocol/Internet Protocol suite or its subsequent extensions, and other
20 Internet Protocol compatible protocols, and provides, uses or makes accessible,
21 either publicly or privately, high level services layered on the communications and
22 related infrastructure ~~described herein.~~

23 (10) "Platform provider" means any person storing or hosting content, files,
24 data, and other information on a web server to make the content, files, data, or other
25 information accessible on a website via a computer, mobile device, tablet, or other
26 interactive device.

27 ~~(9)~~(11) "Server" means a computer that listens for and services a client.

1 ~~(10)~~(12) "World Wide Web" means a server providing connections to mega
2 lists of information on the Internet; it is made up of millions of individual web sites
3 linked together.

4 D. ~~Whoever~~ Any client, as defined by this Section, who commits the crime
5 of gambling by computer shall be fined not more than five hundred dollars, or
6 imprisoned for not more than six months, or both.

7 E. Whoever engages in gambling by computer, including anyone who
8 designs, develops, manages, supervises, maintains, provides, or produces any
9 computer services, computer system, computer network, computer software, or any
10 server providing a Home Page, Web Site, or any other product accessing the Internet,
11 World Wide Web, or any part thereof offering to any client for the primary purpose
12 of the conducting as a business of any game, contest, lottery, or contrivance whereby
13 a person risks the loss of anything of value in order to realize a profit shall be fined
14 not more than ~~twenty~~ one hundred thousand dollars, or imprisoned with or without
15 hard labor; for not more than five years, or both.

16 F. Any applicant, licensed entity, financial transaction provider, platform
17 provider, geolocation provider, gaming content supplier, promoter, endorser, media
18 affiliate, or any other person who knowingly supports or facilitates the operation,
19 conduct, or promotion of gambling by computer within this state shall be fined not
20 more than twenty thousand dollars, or imprisoned with or without hard labor for not
21 more than five years, or both. The financial penalties set forth in this Subsection
22 shall be doubled when the knowing support or facilitation of the operation or conduct
23 of gambling by computer involves an individual under twenty-one years of age.

24 G.(1) No financial transaction provider shall knowingly accept or process
25 any financial transaction in connection with the participation of a person gambling
26 by computer. A financial transaction provider shall be deemed to have constructive
27 knowledge that all persons and website URLs identified by the attorney general
28 pursuant to R.S. 27:19 are engaged in gambling by computer.

1 (2) A financial transaction provider may, on its own initiative, block,
2 prohibit, prevent, or otherwise refuse to honor any financial transaction that it
3 reasonably believes is or will be a restricted transaction described in Paragraph (1)
4 of this Subsection. A financial transaction provider shall not be liable in tort to any
5 person for such preventative measures.

6 (3) A financial transaction provider who does not comply with a cease and
7 desist notice pursuant to R.S. 27:19 shall be subject to the penalties in Subsection F
8 of this Section.

9 H.(1) No platform provider shall receive or transmit through its service any
10 exchange of information that it reasonably believes is or will be sent in connection
11 with the participation of a person in gambling by computer. A platform provider
12 shall be deemed to have constructive knowledge that all persons and website URLs
13 identified by the attorney general pursuant to R.S. 27:19 are engaged in gambling by
14 computer.

15 (2) A platform provider may, on its own initiative, block the receipt or
16 transmission through its service of any exchange of information that it reasonably
17 believes is or will be sent in violation of Paragraph (1) of this Subsection. A
18 platform provider shall not be liable in tort to any person for such preventative
19 measures. The provisions of this Paragraph apply only to information regarding
20 illegal conduct of gambling by computer.

21 (3) A platform provider who does not comply with a cease and desist notice
22 pursuant to R.S. 27:19 shall be subject to the penalties in Subsection F of this
23 Section.

24 (4) A platform provider shall be deemed to have constructive knowledge that
25 all persons and website URLs identified by the attorney general pursuant to R.S.
26 27:19 are engaged in gambling by computer. A platform provider who accepts and
27 offers an advertisement for a person or website URL identified by the attorney
28 general pursuant to R.S. 27:19 shall constitute prima facie evidence of support of
29 gambling by computer.

1 I. Each gambling by computer wager offered or accepted by a person
2 constitutes a separate violation for purposes of this Section. Each individual
3 promotion of illegal online gambling in this state constitutes a separate violation.

4 J. Without limiting the penalties provided in this Section, the court shall
5 order forfeiture of any profits, gains, gross receipts, or other benefits earned by the
6 person in connection with violations of this Section.

7 F.K. The conducting or assisting in the conducting of gaming activities or
8 operations upon a riverboat, at the official gaming establishment, by operating an
9 electronic video draw poker device, by a charitable gaming licensee, or at a pari-
10 mutuel wagering facility, conducting slot machine gaming at an eligible horse racing
11 facility, or the operation of a state lottery which is licensed for operation and
12 regulated under the provisions of Chapters 4 and 11 of Title 4, Chapters 4, 5, 6, and
13 7 of Title 27, or Subtitle XI of Title 47 of the Louisiana Revised Statutes of 1950,
14 shall not be considered gambling by computer for the purposes of this Section, ~~so~~ as
15 long as the wagering is done on the premises of the licensed establishment.

16 G.L. The conducting or assisting in the conducting of pari-mutuel wagering
17 at licensed racing facilities under the provisions of Chapter 4 of Title 4 of the
18 Louisiana Revised Statutes of 1950, shall not be considered gambling by computer
19 for the purposes of this Section ~~so~~ as long as the wagering is done on the premises
20 of the licensed establishment.

21 H.M. Nothing in this Section shall prohibit, limit, or otherwise restrict the
22 purchase, sale, exchange, or other transaction related to stocks, bonds, futures,
23 options, commodities, or other similar instruments or transactions occurring on a
24 stock or commodities exchange, brokerage house, or similar entity.

25 I.N. The providing of Internet or other on-line access, transmission, routing,
26 storage, or other communication related services, or Web Site design, development,
27 storage, maintenance, billing, advertising, hypertext linking, transaction processing,
28 or other site related services, by telephone companies, Internet Service Providers,
29 software developers, licensors, or other such parties providing such services to

1 customers in the normal course of their business, shall not be considered gambling
2 by computer even though the activities of such customers using such services to
3 conduct a prohibited game, contest, lottery, or contrivance may constitute gambling
4 by computer for the purposes of this Section. The provisions of this Subsection shall
5 not exempt from criminal prosecution any telephone company, Internet Service
6 Provider, software developer, licensor, or other such party if its primary purpose in
7 providing such service is to conduct gambling as a business.

8 J.O. Except as provided in R.S. 27:305, participation in any fantasy sports
9 contest as defined by R.S. 27:302 shall not be considered gambling by computer for
10 the purposes of this Section.

11 ~~K.P.~~ Sports wagering shall not be considered gambling by computer for
12 purposes of this Section ~~so~~ as long as the wagering is conducted in compliance with
13 Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950 or Chapter 10 of
14 Subtitle XI of Title 47 of the Louisiana Revised Statutes of 1950.

15 Q. Nothing in this Section shall be construed to impose liability upon a
16 platform provider solely for the hosting, publication, transmission, or display of
17 information provided by a third party to the extent such liability is preempted by 47
18 U.S.C. §230.

19 * * *

20 Section 2. R.S. 27:19.1 and 19.2 are hereby enacted to read as follows:

21 §19.1. Attorney general; illegal online gambling; cease and desist notice

22 A. The attorney general, or the chairman of the board, acting in the board's
23 discretion, may send a written cease and desist notice to any person who operates,
24 conducts, or promotes gambling by computer within this state in violation of R.S.
25 14:90.3, including platform providers who allow the exchange of information
26 regarding gambling by computer or financial transaction providers who allow the
27 exchange of currency in furtherance of gambling by computer. The cease and desist
28 notice shall do all of the following:

29 (1) State, generally, the illegal activity being conducted.

1 (2) State that the person has no more than ten days after the date notice is
2 received to cease the illegal activity.

3 (3) State that failure to comply with Paragraph (2) of this Subsection may
4 result in a fine as described in R.S. 14:90.3.

5 B. If the chairman of the board issues a cease and desist notice pursuant to
6 this Section, the chairman shall promptly forward a copy of the notice to the attorney
7 general. The attorney general shall maintain a depository to collect, maintain, and
8 retain each cease and desist notice sent in accordance with this Section. The attorney
9 general shall maintain a listing, which will be publicly available on the website of
10 the attorney general, identifying the name of each gambling by computer operator
11 and associated online gambling website URL address, platform provider, or financial
12 transaction provider that has been issued a cease and desist notice pursuant to this
13 Section by either the board or the attorney general. Noncompliance with this
14 Subsection is not a defense to any action commenced pursuant to R.S. 14:90.3.

15 C. The manner of service of a cease and desist notice issued in accordance
16 with this Section shall be made in compliance with Chapters 2 and 3 of Title II, Book
17 II of the Code of Civil Procedure or by publication in the depository established by
18 Subsection B of this Section. Notwithstanding any other provision of law, the
19 attorney general shall not be required to make reasonable efforts to locate the
20 gambling by computer operator, platform provider, or financial transaction provider
21 prior to publication of the cease and desist notice, and publication in the depository
22 effectuates service.

23 D. A cease and desist notice served in accordance with this Section is
24 admissible in any proceeding pursuant to R.S. 14:90.3 and constitutes prima facie
25 evidence that the person has knowledge that gambling by computer or the promoting
26 or marketing of gambling by computer was occurring on the internet site of the
27 gambling by computer operator, that the platform provider was allowing the
28 exchange of information, or that the financial transaction provider was allowing the
29 exchange of currency in furtherance of gambling by computer.

1 E. A person outside of this state who owns, maintains, or operates an internet
2 website that transmits information through or with a platform provider and who
3 knows or should know that the information is broadcast within this state submits to
4 the jurisdiction of this state for enforcement pursuant to this Section.

5 F. Prior to sending a cease and desist notice, the attorney general may
6 provide reasonable notice to the board to enable the board to determine if it will join
7 in the notice.

8 G. If the attorney general has reason to believe that a person is offering,
9 operating, conducting, promoting, supporting, or acting in furtherance of gambling
10 by computer or taking any other action in violation of R.S. 14:90.3, he may bring an
11 action in the name of the state to restrain by temporary or permanent injunction the
12 conduct giving rise to such violation.

13 H. The attorney general may exercise his authority in furtherance of the
14 investigation and enforcement of this Section, including, without limitation, to issue
15 subpoenas.

16 I. The attorney general may utilize the division to conduct investigations and
17 enforce the provisions of this Section and the provisions of R.S. 14:90.3.

18 J. The attorney general may enter into agreements with the division, the
19 board, or any other federal or state law enforcement agency for the exchange and
20 release of investigatory and other information.

21 K. The attorney general and the court shall construe liberally this Title and
22 Subpart B of Part V of Title 14, relating to gambling and betting, to prevent
23 prohibited activities.

24 §19.2. Attorney general; illegal online gambling; other civil remedies

25 A. In addition to any other remedy under law, upon application by the
26 attorney general, regardless of whether proceedings have been initiated pursuant to
27 this Chapter, a court may issue any relief it deems appropriate to prevent and restrain
28 activities prohibited by this Chapter. Such relief may include a temporary restraining
29 order, preliminary injunction, or injunction against any person to prevent or restrain

1 gambling by computer and any related transactions or activities, including, without
2 limitation, the removal of any gambling by computer website, the freezing of bank
3 or credit accounts associated with such website or such gambling by computer
4 activity, and the removal of a person's access to such websites or accounts who
5 participates in the gambling by computer activity. In an action seeking injunctive
6 relief, violation of this Chapter shall conclusively be determined irreparable harm.

7 B.(1) In addition to the remedies available in Subsection A of this Section,
8 the attorney general may seek an ex parte injunction to do all the following:

9 (a) Compel a platform provider to remove or disable access to a website
10 violating this Chapter, or a hypertext link to a website violating this Chapter.

11 (b) Enjoin a financial transaction provider from processing transactions for
12 the gambling by computer operator.

13 (c) Compel a person to discontinue supporting, marketing, promoting, or
14 conducting gambling by computer in this state.

15 (2) In such case, a hearing on the ex parte injunction shall be held within
16 thirty days, and after such hearing the court may convert the injunction to a
17 preliminary injunction.

18 C. Relief granted pursuant to this Section against a platform provider that is
19 not otherwise engaged in gambling by computer shall:

20 (1) Be limited to the removal of, or disabling of access to, the website
21 violating this Chapter, or a hypertext link to a website violating this Chapter, that is
22 stored on a computer server that such platform provider controls or operates.

23 (2) Specify the website to which it applies.

24 (3) Specify the website or hypertext link to be removed or other access to be
25 disabled.

26 D. Any violation of an order entered against a platform provider or financial
27 transaction provider is punishable by a fine of fifty thousand dollars for a first
28 violation and a fine of one hundred thousand dollars for each subsequent violation
29 for each day that the gambling by computer activity remains accessible on the

1 website to persons physically located in this state or for a financial transaction
2 provider, each subsequent gambling by computer transaction that is processed and
3 each act in support of gambling by computer.

4 E. Relief granted pursuant to this Section against a financial transaction
5 provider or other person that supports the operation, conduct, or promotion of
6 gambling by computer that is not otherwise engaged in illegal online gambling shall:

7 (1) Be limited to the suspension of processing transactions for the gambling
8 by computer operator and with persons physically located in this state, or be limited
9 to ceasing support of the operation, conduct, or promotion of gambling by computer
10 in this state.

11 (2) Specify the website to which it applies.

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)]

HB 883 Original

2026 Regular Session

Schlegel

Abstract: Prohibits platform providers and financial transaction providers from facilitating gambling by computer and authorizes the attorney general to take action against providers alleged to be doing so.

Present law prohibits gambling by computer and provides penalties for violations.

Proposed law adds certain actions which constitute gambling by computer, including the offering of dual-currency games that simulate any form of gambling.

Proposed law provides definitions for "financial transaction provider" and "platform provider".

Proposed law increases the penalty for offering gambling games by computer from up to a \$20,000 fine and up to five years imprisonment with or without hard labor to up to a \$100,000 fine and up to five years imprisonment with or without hard labor.

Proposed law prohibits certain entities, including financial transaction providers and platform providers, from supporting or facilitating another party who offers gambling by computer and provides a penalty of a fine up to \$20,000, up to five years imprisonment with or without hard labor, or both.

Proposed law prohibits financial transaction providers from accepting or processing a transaction it believes to be in connection with gambling by computer and allows the provider to block the transaction on its own initiative.

Proposed law prohibits platform providers from receiving or transmitting communications related to the crime of gambling by computer.

Proposed law provides that each wager offered or accepted constitutes a separate violation of gambling by computer.

Proposed law requires the court to order forfeiture of any profits made by gambling by computer.

Proposed law authorizes the attorney general to send a cease and desist notice to anyone who operates, conducts, or promotes gambling by computer, including platform providers and financial transaction providers who allow the exchange of information regarding gambling by computer or financial transactions involved in gambling by computer.

Proposed law requires the attorney general to maintain a list of each cease and desist notice sent pursuant to proposed law on the attorney general's website.

Proposed law provides for the manner of service of the cease and desist notice.

Proposed law states that a cease and desist notice found on the attorney general's website is prima facie evidence that anyone acting in support knew that gambling by computer was occurring.

Proposed law further authorizes the attorney general to exercise his authority in furtherance of investigating gambling by computer and to utilize the Dept. of Public Safety and Corrections, office of state police, gaming enforcement division.

Proposed law authorizes the attorney general to request a court to order a temporary restraining order, preliminary injunction, injunction, or ex parte injunction to prevent gambling by computer.

Proposed law provides that relief granted pursuant to a court order will be limited to gambling by computer activity and will specify the website to which it applies.

(Amends R.S. 14:90.3(B), (C)(intro. para.), (1), and (7)-(10), and (D)-(K); Adds R.S. 14:90.3(L)-(Q) and R.S. 27:19.1 and 19.2)