
DIGEST

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HB 464 Engrossed

2018 Regular Session

Bishop

Abstract: Amends the definitions of "video draw poker" and "video draw poker device" and amends provisions regarding fuel sales and amenities at qualified truck stop facilities.

Present law provides for the Video Draw Poker Devices Control Law which provides for the licensing and regulation of video draw poker devices. For these purposes, present law does all of the following:

- (1) Defines "video draw poker device" as any authorized unit, mechanism, or device that, upon insertion of a ticket voucher or cash, is available to play or simulate the play of the game of draw poker, or other card games approved by the division utilizing a video display and microprocessors in which the player may win games or credits that can be redeemed for cash only. Further provides that the term does not include video line up games, mechanical reel games, or any combination thereof, or any slot machine as defined by present law (R.S. 27:353).

In this regard, proposed law amends present law to remove the provision that excludes video line up games, mechanical reel games, or any combination thereof from the definition of "video draw poker device".

- (2) Defines "video draw poker" as any card game approved by the division that utilizes one deck of cards per hand with multiple hands permitted per game. Further provides that each video draw poker device shall offer the game of draw poker or such other card games as are approved by the division and have certain methods of operation including a limitation that only one deck of cards be used.

In this regard, proposed law amends present law to authorize the use of more than one deck of cards per hand with multiple hands per game and to provide that the card games offered on video draw poker devices may utilize multiple decks.

- (3) Requires a qualified truck stop facility to have a fuel facility that shall offer, in the regular course of business, fuel sales for individual vehicle consumption. Further provides that a person owning or leasing a qualified truck stop facility may be granted a license for the placement of not more than 50 video draw poker devices in his facility based on the amount of fuel sales.

In this regard, proposed law amend present law to provide that after ten years of operation

as a qualified truck stop facility, such facility shall thereafter be permitted to retain the number of devices for which the facility qualified in the prior calendar year of operation without having to meet the fuel sales requirements necessary to retain that number of devices as set forth in present law. However, such qualified truck stop facility is required to comply with the provisions of present law which requires all qualified truck stop facilities to have a fuel facility that shall offer, in the regular course of business, fuel sales for individual vehicle consumption.

- (4) Requires a qualified truck stop facility to meet certain requirements including the requirement that it have an onsite restaurant and provides an exception to this requirement for reasons of force majeure which affect the ability to maintain the onsite restaurant for a reasonable period of time as determined by the division in the office of state police which provides investigatory, regulatory, and enforcement service to the board in the implementation, administration, and enforcement.

In this regard, proposed law removes the determination by the office of state police as to the reasonableness of the duration of being unable to maintain the onsite restaurant because of reasons of force majeure.

- (5) Requires the restaurant at a qualified truck stop facility to have certain features including the requirement that the restaurant be open at least 12 hours a day.

In this regard, proposed law removes the requirement that the qualified truck stop facility restaurant be open at least 12 hours a day and otherwise retains present law.

- (6) Requires a qualified truck stop facility to have parking areas with a stable parking area for at least 50 eighteen-wheel tractor-trailer motor vehicles, either paved or concrete, and provides that parking areas for other vehicles around business entrance ways and exits shall not constitute parking areas for eighteen-wheel tractor-trailer motor vehicles. Further requires all other parking areas not paved or concrete to be certified by an authorized company and proof provided that compaction tests were conducted, subject to approval by the division.

In this regard, proposed law removes the requirement that the parking lots be subject to the approval by the gaming division of state police. In addition, proposed law removes the present law provision which provided that parking areas for other vehicles around business entrance ways and exits shall not constitute parking areas for eighteen-wheel tractor-trailer motor vehicles.

- (7) Authorizes the owner or lessor of a qualified truck stop facility to lease or sublease any restaurant, convenience store, fuel facility, or any other business operation, located on the premises of the qualified truck stop facility to another person, provided that such person executes a written lease which contains a requirement that the lessee or sublessee comply with the laws and regulations which govern the operation of video draw poker devices.

In this regard, proposed law extends the owner or lessor's authority and allows the owner or lessor to lease or sublease a parking area or any portion of the property located on the premises of the qualified truck stop facility.

(Amends R.S. 27:402(17) and (18), 405(C)(2), (3), and (4), 416(C) and (D), 417(A)(2) and (3), and 418(A))