

HOUSE COMMITTEE AMENDMENTS

2019 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 153 by Senator Martiny

1 AMENDMENT NO. 1

2 On page 1, line 3, after "15(B)(1)," and before "29(F)," insert "(D), and (E),"

3 AMENDMENT NO. 2

4 On page 1, line 5, after "375(D)," and before "and to enact" insert "and R.S. 46:1816(B)(8)"

5 AMENDMENT NO. 3

6 On page 1, line 7, after "through" change "608," to "609,"

7 AMENDMENT NO. 4

8 On page 1, line 12, after "wagers;" and before "to provide" insert "to provide relative to civil
9 penalties; to provide relative to the time period for claiming winnings; to provide for the use
10 of funds that are unclaimed winnings;"

11 AMENDMENT NO. 5

12 On page 1, line 15, after "15(B)(1)," and before "29(F)," insert "(D), and (E),"

13 AMENDMENT NO. 6

14 On page 2, line 2, after "through" and before "are" change "608," to "609,"

15 AMENDMENT NO. 7

16 On page 3, between lines 10 and 11, insert the following:

17 "D. In addition to or in lieu of the revocation or suspension of a
18 license, certificate, or permit issued pursuant to the provisions of the
19 Louisiana Riverboat Economic Development and Gaming Control Act, the
20 Louisiana Economic Development and Gaming Corporation Act, the Pari-
21 mutuel Live Racing Facility Economic Redevelopment and Gaming Control
22 Act, the Sports Wagering Control Act, and this Chapter, the board may
23 impose upon the casino gaming operator, the holder of a sports wagering
24 certificate as defined in R.S. 27:602, or the holder of a license as defined
25 in R.S. 27:44 or 353, or a permittee a civil penalty not to exceed one hundred
26 thousand dollars for each violation of any provision of the Louisiana
27 Riverboat Economic Development and Gaming Control Act, the Louisiana
28 Economic Development and Gaming Corporation Act, the Louisiana Pari-
29 mutuel Live Racing Facility Economic Redevelopment and Gaming Control
30 Act, the Sports Wagering Control Act, this Chapter, or any rule or
31 regulation of the board. Payment of the civil penalty shall be a requirement
32 for the retention of any permit, certificate, or license held by the entity which
33 violated any such provisions. If the licensee, certificate holder, or
34 permittee contests the imposition of the civil penalty, the penalty shall be
35 imposed only after an adjudicatory hearing is conducted pursuant to R.S.
36 27:25 and a basis for imposition of the penalty is determined to exist.

37 E. The board by rule may adopt a schedule of penalties for violations
38 of the Louisiana Riverboat Economic Development and Gaming Control Act,
39 the Louisiana Economic Development and Gaming Corporation Act, the

1 Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming
2 Control Act, **the Sports Wagering Control Act**, this Chapter, or any rule or
3 regulation of the board. Any such rules shall be adopted pursuant to the
4 Administrative Procedure Act and as otherwise provided in this Chapter.
5 * * *

6 AMENDMENT NO. 8

7 On page 15, line 13, after "**machine**" delete the remainder of the line and insert "**or kiosk,**
8 **or window,**"

9 AMENDMENT NO. 9

10 On page 15, delete line 19 in its entirety, and insert "**B. In any parish in which sports**
11 **wagering**"

12 AMENDMENT NO. 10

13 On page 17, line 17, change "**casino's or eligible facility's**" to "**riverboat's, eligible**
14 **facility's, or official gaming establishment's**"

15 AMENDMENT NO. 11

16 On page 17, line 23, after "**in the**" delete the remainder of the line, delete line 24 in its
17 entirety and insert the following:

18 "**riverboat, eligible facility, or official gaming establishment is not obstructed**
19 **in any way that could interfere with the ability**"

20 AMENDMENT NO. 12

21 On page 17, line 28, change "**casino's or eligible facility's**" to "**riverboat's, eligible**
22 **facility's, or official gaming establishment's**"

23 AMENDMENT NO. 13

24 On page 19, between lines 6 and 7, insert the following:

25 "**§608. Ninety-day time period to claim winnings; collection and use of**
26 **funds**

27 **A. The holder of a sports wager receipt evidencing the right to a**
28 **payment shall present the receipt for payment within ninety days after**
29 **the date of the conclusion of the sports event. The failure to present such**
30 **receipt within the prescribed time shall constitute a waiver of the right**
31 **to the payment. Thereafter, the holder of the receipt shall have no right**
32 **to enforce payment of the wager receipt.**

33 **B. The funds held by any certificate holder or service provider for**
34 **the payment of outstanding sports wager receipts shall be retained by**
35 **such certificate holder or service provider for such purpose until the**
36 **expiration of ninety days after the conclusion of the sports event.**

37 **C. After such time, the certificate holder or service provider shall**
38 **each day accumulate the amount equal to the sum of any unclaimed**
39 **monies, less the amount of state tax paid by the certificate holder or**
40 **service provider on the unclaimed monies that expire that day. On or**
41 **before the fifteenth day of the first month following the end of a**
42 **calendar-year quarter, the certificate holder or service provider shall**
43 **remit to the state treasurer for deposit into the Crime Victims**
44 **Reparations Fund, as provided for in R.S. 46:1816(B)(8), an amount**
45 **equal to the accumulated total for the previous calendar-year quarter.**

1 The funds shall be used exclusively to pay the expenses associated with
2 health care services of victims of sexually-oriented criminal offenses,
3 including forensic medical examinations as defined in R.S. 15:622."

4 AMENDMENT NO. 14

5 On page 19, at the beginning of line 7, change "§608." to "§609."

6 AMENDMENT NO. 15

7 On page 19, delete lines 16 through 27 in their entirety and insert the following:

8 "C. After complying with the provisions of Subsection B of this Section,
9 each fiscal year, the state treasurer shall disburse the monies collected pursuant
10 to this Section from sports wagering service providers or sports wagering
11 certificate holders as follows:

12 (1) One percent of the monies collected pursuant to this Section, not to
13 exceed five hundred thousand dollars, shall be credited to the Compulsive and
14 Problem Gaming Fund established by R.S. 28:842. If the amount collected
15 pursuant to this Paragraph exceeds five hundred thousand dollars, after
16 payment to the Compulsive and Problem Gaming Fund, as required by this
17 Paragraph, the remaining monies collected pursuant to this Paragraph shall be
18 credited to the Louisiana Early Childhood Education Fund as established by
19 R.S. 17:407.30.

20 (2) Ten percent of the monies collected pursuant to this Section shall be
21 credited to the Louisiana Early Childhood Education Fund as established by
22 R.S. 17:407.30.

23 (3) Two percent of the monies collected pursuant to this Section shall be
24 remitted, by proportionate distribution, to each parish governing authority in
25 which the taxable conduct occurred."

26 AMENDMENT NO. 16

27 On page 22, between lines 23 and 24, insert the following:

28 "Section 5. R.S. 46:1816(B)(8) is hereby amended and reenacted to read as follows:
29 §1816. Crime Victims Reparations Fund; creation; sources and use of funds

30 * * *
31 B. The fund shall be composed of:
32 * * *

33 (8) Monies deposited by the state treasurer from the collection of unclaimed
34 prize money as provided for in R.S. 4:176 and R.S. 27:94, 252, ~~and 394,~~ **and 608**
35 which shall be used exclusively to pay the expenses associated with health care
36 services of victims of sexually-oriented criminal offenses, including forensic medical
37 examinations as defined in R.S. 15:622.

38 * * *"

39 AMENDMENT NO. 17

40 On page 22, delete line 24 in its entirety and insert "Section 6. Sections 1, 2, 3, and 5 of this
41 Act shall become effective if"

42 AMENDMENT NO. 18

43 On page 22, line 25, after "become" and before "effective" delete "operative and"

44 AMENDMENT NO. 19

1 On page 22, delete line 27 in its entirety and insert "Section 7. This Section and Sections
2 4, 6, and 8 of this Act shall become effective upon"

3 AMENDMENT NO. 20

4 On page 23, after line 2, insert the following:

5 "Section 8. If House Bill No. 587 of the 2019 Regular Session of the
6 Legislature becomes effective, the provisions of R.S. 27:609 and 610 as enacted by
7 the Act which originated as House Bill No. 587 of the 2019 Regular Session of the
8 Legislature shall supersede the provisions of R.S. 27:609 as enacted by this Act, and
9 R.S. 27:609 as provided in this Act shall not become effective."