

SENATE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Senator Martiny to Re-Reengrossed House Bill No. 459 by Representative Talbot

1 AMENDMENT NO. 1

2 Of the set of Senate Committee Amendments proposed by the Senate Committee on
3 Judiciary B and adopted by the Senate on May 29, 2019, delete Amendments Nos 1, 2, 5,
4 6, and 12

5 AMENDMENT NO. 2

6 On page 1, line 2, after "reenact" delete the remainder of the line and insert the following:

7 "R.S. 13:4721, R.S. 14:90(C), 90.3(F), and 90.5(B) and (C), R.S. 27:3(24),
8 15(B)(1), 29(F), (H), and (I), 29.2(D), 29.3(D), 44(10), (12), and (14), 58(5),
9 65(B)(11), 205(12) and (13), 239.1, 302, 304, 353(2) and (4.1), 361(F),
10 364(A)(1)(c)(ii) and 5), 371(C), 372(B) and (C), and 375(D), and R.S.
11 46:1816(B)(8), and to enact R.S. 18:1300.24, and R.S. 27:3(25) and (26),
12 15(B)(8)(c), and 29.2.1, 92(D), 306 through 316, and Chapter 10 of Title 27
13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:601
14 through 610, relative"

15 AMENDMENT NO. 3

16 On page 1, at the beginning of line 3, change "fantasy sports contests;" to "sports betting;"

17 AMENDMENT NO. 4

18 On page 1, line 8, before "to provide for effectiveness;" insert the following:

19 "to require an election to authorize sports wagering; to provide for
20 definitions; to provide regarding criteria for permits; to provide regarding
21 sports wagering certificates; to provide relative to the time period for
22 claiming winnings; to provide for the use of the fund in which unclaimed
23 winnings are deposited; to create a subfund; to provide for the disposition of
24 the avails of the tax, fees, and penalties; to provide regarding the duties and
25 powers of the Gaming Control Board; to provide regarding rulemaking; to
26 provide regarding prohibited wagers; to provide for certain requirements,
27 conditions and limitations;"

28 AMENDMENT NO. 5

29 On page 9, between lines 11 and 12, insert the following:

30 "Section 2. R.S. 27:3(24), 15(B)(1), 29(F), (H), and (I), 29.2(D), 29.3(D), 44(10),
31 (12), and (14), 58(5), 65(B)(11), 205(12) and (13), 239.1, 353(2) and (4.1), 361(F),
32 364(A)(1)(c)(ii) and 5), 371(C), 372(B) and (C), and 375(D) are hereby amended and
33 reenacted and R.S. 27:3(25) and (26), 15(B)(8)(c), and 29.2.1, 92(D), and Chapter 10 of Title
34 27 of the Louisiana Revised Statutes of 1950, comprised of R.S. 27:601 through 610, are
35 hereby enacted to read as follows:

36 §3. Definitions

37 For the purposes of this Title, the following terms have the following
38 meanings, unless the context clearly indicates otherwise:

39 * * *

40 (24) "Sports wagering service provider" means a person who has entered into
41 a contract with the holder of a sports wagering certificate issued pursuant to the

1 provisions of Chapter 10 of this Title to manage, administer, or control sports
2 wagering for the certificate holder.

3 (25) "Sports wagering service provider permit" means the permit of a sports
4 wagering service provider.

5 (26) "Suitable", "suitability", or "suitability requirements" means the criteria
6 provided for in R.S. 27:28.

7 * * *

8 §15. Board's authority; responsibilities

9 * * *

10 B. The board shall:

11 (1) Have all regulatory authority, control, and jurisdiction, including
12 investigation, licensing, and enforcement, and all power incidental or necessary to
13 such regulatory authority, control, and jurisdiction over all aspects of gaming
14 activities and operations as authorized pursuant to the provisions of the Louisiana
15 Riverboat Economic Development and Gaming Control Act, the Louisiana
16 Economic Development and Gaming Corporation Act, the Video Draw Poker
17 Devices Control Law, the Sports Wagering Control Law, and the Louisiana Fantasy
18 Sports Contests Act, except as otherwise specified in this Title. Further, the board
19 shall have all regulatory, enforcement, and supervisory authority which exists in the
20 state as to gaming on Indian lands as provided in the provisions of Act No. 888 of
21 the 1990 Regular Session of the Legislature and Act No. 817 of the 1993 Regular
22 Session of the Legislature.

23 * * *

24 (8)

25 * * *

26 (c) Adopt, pursuant to the Administrative Procedure Act and as specifically
27 provided for in R.S. 27:605, all rules necessary to implement, administer, and
28 regulate sports wagering as authorized by Chapter 10 of this Title.

29 * * *

30 §29. Permit required; terms; disposition of fees

31 * * *

32 F. The term of a permit issued pursuant to the provisions of R.S. 27:29.1,
33 29.2, 29.2.1, 29.3, and 86 shall be for five years.

34 * * *

35 H. The division shall collect all fees assessed pursuant to the provisions of
36 R.S. 27:29.1, 29.2, 29.2.1, 29.3, and 29.4. The division shall deposit the fees in
37 accordance with the provisions of R.S. 27:92.

38 I. The failure to remain current in the payment of any fee assessed pursuant
39 to the provisions of R.S. 27:29.1, 29.2, 29.2.1, 29.3, or 29.4 shall result in the
40 suspension of the permit.

41 * * *

42 §29.2. Gaming supplier permits

43 * * *

44 D. A supplier shall furnish to the board a list of any gaming equipment and
45 supplies offered by the supplier for sale or lease in connection with games authorized
46 under this Title. A supplier shall keep books and records for the furnishing of gaming
47 equipment and supplies to gaming operations separate and distinct from any other
48 business that the supplier might operate. A supplier shall file a quarterly return with
49 the board listing all sales and leases. A supplier shall permanently affix its name to
50 all its gaming devices, equipment, and supplies for gaming operations unless
51 otherwise authorized by the board. Any supplier's gaming devices, equipment, or
52 supplies which are used by any person in unauthorized gaming operations shall be
53 forfeited to the board. The holder of a license as defined in R.S. ~~27:44(14)~~, R.S.
54 ~~27:353(5)~~, and 27:44(15) or 353(5), the casino gaming operator, or a sports wagering
55 service provider as defined in R.S. 27:602(16) may own its own gaming devices,
56 equipment, and supplies. Each supplier, ~~the holder of a license as defined in R.S.~~
57 ~~27:44(14)~~, R.S. ~~27:353(5)~~, and 27:44(15) or 353(5), the casino gaming operator, and
58 each sports wagering service provider as defined in R.S. 27:602(16) shall file an
59 annual report with the board listing its inventories of gaming devices, equipment, and
60 supplies.

61 * * *

1 §29.2.1. Sports wagering service provider permits

2 A.(1) The board shall issue a sports wagering service provider permit to any
3 suitable person who desires to contract to manage, administer, and control sports
4 wagers for a holder of a license as defined in R.S. 27:44(15) or 353(5) or the casino
5 gaming operator.

6 (2) A person shall not contract to manage, administer, or control sports
7 wagers unless the person possesses a sports wagering service provider permit.

8 B. A sports wagering service provider shall keep books and records for the
9 management, administering, and controlling of sports wagering authorized under this
10 Title and for services for which it is contracted by a licensee or operator. The
11 keeping of books and records shall be separate and distinct from any other business
12 the sports wagering service provider might operate. A sports wagering service
13 provider shall file a quarterly return with the board listing all of its contracts and
14 services related to sports wagering authorized under this Title.

15 §29.3. Non-gaming supplier permit

16 * * *

17 D. The holder of a license as defined in R.S. 27:44 or 353, ~~or~~ the casino
18 gaming operator, or a sports wagering service provider as defined in R.S. 27:602
19 shall ensure that all persons required to be licensed or permitted, or persons
20 performing regulated tasks who are supplied by contractual agreement or otherwise,
21 are properly licensed or permitted pursuant to this Title.

22 * * *

23 §44. Definitions

24 When used in this Chapter, the following terms shall mean:

25 * * *

26 (10)(a) "Game" means any banking or percentage game which is played with
27 cards, dice, or any electronic, electrical, or mechanical device or machine for money,
28 property, or any thing of value. "Game" does not include a lottery, bingo, pull tabs,
29 raffles, electronic video bingo, cable television bingo, dog race wagering, or any
30 wagering on any type of sports event, including but not limited to football,
31 basketball, baseball, hockey, boxing, tennis, wrestling, jai alai, or other sports contest
32 or event. ~~Game~~ "Game" shall also include racehorse wagering.

33 (b) Notwithstanding any provision of Subparagraph (a) of this Paragraph to
34 the contrary, "game" shall include sports wagering as authorized in Chapter 10 of
35 this Title with a licensee to whom the board has issued a sports wagering certificate
36 as defined in R.S. 27:602.

37 * * *

38 (12)(a) "Gaming device" or "gaming equipment" means any equipment or
39 mechanical, electro-mechanical, or electronic contrivance, component, or machine,
40 including a slot machine, used directly or indirectly in connection with gaming or
41 any game, which affects the result of a wager by determining wins or losses.

42 (b) For a licensee to whom the board has issued a sports wagering certificate
43 as defined in R.S. 27:602, "gaming device" or "gaming equipment" shall also include
44 any equipment or mechanical, electro-mechanical, or electronic contrivance,
45 component, or machine used directly or indirectly in connection with sports
46 wagering.

47 * * *

48 (14)(a) "Gaming position" means a gaming device seat or a space at a table
49 game. Each gaming device seat shall be counted as one position and each space at
50 a table game shall be counted as one position, subject to the rules and regulations of
51 the board. The board shall specifically provide by rule for the counting of gaming
52 positions for devices and games where seats and spaces are not readily countable.

53 (b) For a licensee to whom the board has issued a sports wagering certificate
54 as defined in R.S. 27:602, "gaming position" shall also include a self-service
55 wagering machine or self-service kiosk or a wagering window space where a sports
56 wager is accepted and each space, machine, or kiosk where a sports wager is
57 accepted shall be counted as one position, subject to the rules and regulations of the
58 board.

59 * * *

60 §58. Division responsibilities

61 The division shall:

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(5) Require all licensees to utilize a cashless wagering system, except for racehorse wagering, sports wagering, and the play of slot machines, whereby all players' money is converted to tokens, electronic cards, or chips used only for wagering in the gaming establishment.

* * *

§65. Licenses to conduct gaming activities upon riverboats; limitations

* * *

B. Gaming shall be conducted aboard riverboats, subject to the following requirements:

* * *

(11) Except for racehorse wagering, sports wagering, and the play of slot machines, gaming wagers may be made only with tokens, chips, vouchers, coupons, or electronic cards issued by the licensee. Such tokens, chips, vouchers, coupons, or electronic cards may be used while aboard the riverboat only for the purpose of making wagers on gaming games. Electronic cards may be used which are affixed with a magnetic storage media, a "smart card" or those containing an integrated circuit chip, but excluding credit cards issued by any other entity or institution or cards which automatically withdraw funds from a credit, savings, or checking account held at a depository institution as defined by Section 3 of the Federal Deposit Insurance Act, which includes any credit union.

* * *

§92. Collection and disposition of fees

* * *

D.(1) There is hereby established in the state treasury a special subfund in the Riverboat Gaming Enforcement Fund to be known as the "Sports Wagering Enforcement Subfund", hereafter in this Section, the "subfund".

(2) The monies in the subfund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely for the following:

(a) For the expenses of the Department of Public Safety and Corrections and the Department of Justice, including regulatory, administrative, investigative, enforcement, legal, and such other expenses as may be necessary to carry out the provisions of this Chapter and Chapter 10 of this Title and the rules and regulations of the board.

(b) For the expenses of the Louisiana Gaming Control Board for the regulation of gaming activities authorized by Chapter 10 of this Title.

* * *

§205. Definitions

When used in this Chapter, the following terms have these meanings:

* * *

(12)(a) "Game" means any banking or percentage game located exclusively within an official gaming establishment which is played with cards, dice, or any electronic, electrical, or mechanical device or machine for money, property, or any thing of value. ~~Game~~ "Game" does not include lottery, bingo, charitable games, raffles, electronic video bingo, pull tabs, cable television bingo, wagering on dog or horse races, sports betting, or wagering on any type of sports event, inclusive but not limited to football, basketball, baseball, hockey, boxing, tennis, wrestling, jai alai, or other sports contest or event.

(b) Notwithstanding any provision of Subparagraph (a) of this Paragraph to the contrary, "game" shall include sports wagering as authorized in Chapter 10 of this Title if the board has issued the casino gaming operator a sports wagering certificate as defined in R.S. 27:602.

(13)(a) "Gaming device" means any equipment or mechanical, electromechanical, or electronic contrivance, component, or machine used directly or indirectly in connection with gaming or any game which affects the result of a wager by determining win or loss. The term includes a system for processing information which can alter the normal criteria of random selection, which affects the operation of any game, or which determines the outcome of a game. The term does not include a system or device which affects a game solely by stopping its operation so that the outcome remains undetermined.

(b) If the casino gaming operator has been issued a sports wagering certificate by the board to conduct sports wagering in accordance with Chapter 10 of this Title, "gaming device" shall also include any equipment or mechanical, electro-mechanical, or electronic contrivance, component, or machine used directly or indirectly in connection with sports wagering.

* * *

§239.1. Wagering at the official gaming establishment

Wagering A. Except as provided in Subsection B of this Section, wagering at the official gaming establishment may be made with tokens, chips, vouchers, coupons, or electronic cards issued by the casino gaming operator or an approved casino manager acting on behalf of the casino gaming operator. Electronic cards may be used which are affixed with a magnetic storage media, a "smart card" or those containing an integrated circuit chip, but excluding credit cards issued by any other entity or institution or cards which automatically withdraw funds from a credit, savings, or checking account held at a depository institution as defined by Section 3 of the Federal Deposit Insurance Act, which includes any credit union.

B. Notwithstanding any provision of Subsection A of this Section to the contrary, if the casino gaming operator is issued a sports wagering certificate by the board to conduct sports wagering in accordance with Chapter 10 of this Title, sports wagers at the official gaming establishment shall be made in cash or through a patron's verified wagering account.

* * *

§353. Definitions

When used in this Chapter, the following terms shall have these meanings:

* * *

(2) "~~Designated slot machine gaming area~~" means the contiguous area of an eligible live racing facility at which ~~slot machine~~ gaming may be conducted in accordance with the provisions of this Chapter, ~~determined by measuring the area, in square feet, inside the interior walls of the licensed eligible facility, excluding any space therein in which gaming activities may not be conducted, such as bathrooms, stairwells, cage and beverage areas, and emergency evacuation routes of any width that meet or exceed the minimum size required by law.~~

* * *

(4.1) "Emergency evacuation route" means those areas within the designated ~~slot machine~~ gaming area of a licensed eligible facility which are clearly defined and identified by the licensee as necessary and approved by the state fire marshal or other federal or state regulatory agency for the evacuation of patrons and employees from the facility, and from which and in which no gaming activity may occur.

* * *

§361. Conduct of slot machine gaming; temporary conduct

* * *

F.(1) Wagering at an eligible live racing facility may be made with tokens, chips, vouchers, coupons, or electronic cards issued by the licensed eligible facility or an approved facility manager acting on behalf of the facility. Electronic cards may be used which are affixed with a magnetic storage media, a "smart card" or those containing an integrated circuit chip, but excluding credit cards issued by any other entity or institution or cards which automatically withdraw funds from a credit, savings, or checking account held at a depository institution as defined by Section 3 of the Federal Deposit Insurance Act, which includes any credit union.

(2) Notwithstanding any provision of Subsection A of this Section to the contrary, if the holder of a license as defined in R.S. 27:353(5) is issued a sports wagering certificate by the board to conduct sports wagering in accordance with Chapter 10 of this Title, sports wagers at the eligible facility may be made in cash or through a patron's verified wagering account.

* * *

§364. Gaming Control Board; powers and duties

A. The board shall:

(1)

* * *

(c) Such rules may include:

* * *

1 (ii) Requiring certain minimum physical security standards be observed in
2 designated ~~slot machine~~ gaming areas.

3 * * *

4 (5) Approve the location, plans, and construction of the designated ~~slot~~
5 ~~machine~~ gaming area in an eligible facility.

6 * * *

7 §371. Prohibition on operation of video draw poker devices; prohibition on any
8 other type of game

9 * * *

10 C. ~~Nothing~~ Except sports wagering conducted by the holder of a license
11 defined in R.S. 27:353(5) that possesses a valid sports wagering certificate issued by
12 the board, ~~nothing~~ in this Chapter shall be construed to permit the operation or play
13 of any type of game the play of which requires the participation of an employee of
14 the licensee.

15 §372. ~~Slot machine gaming~~ Gaming area limitations

16 * * *

17 B.(1) No gaming devices other than slot machines and authorized pari-mutuel
18 wagering devices and equipment shall be in the designated ~~slot machine~~ gaming
19 area.

20 (2) Notwithstanding Paragraph (1) of this Subsection to the contrary, if the
21 holder of a license as defined in R.S. 27:353(5) is issued a sports wagering certificate
22 by the board to conduct sports wagering in accordance with Chapter 10 of this Title,
23 authorized self-service sports wagering machines or self-service kiosks or window
24 spaces where sports wagers are accepted and any equipment associated therewith
25 may also be in the gaming area.

26 C.(1) As used in this Section, "gaming position" means a slot machine seat.
27 Each slot machine seat shall be counted as one position, subject to the rules and
28 regulations of the board. The board shall specifically provide by rule for the counting
29 of gaming positions for devices and games where seats and spaces are not readily
30 countable.

31 (2) Notwithstanding Paragraph (1) of this Subsection to the contrary, if the
32 holder of a license as defined in R.S. 27:353(5) is issued a sports wagering certificate
33 by the board to conduct sports wagering in accordance with Chapter 10 of this Title,
34 "gaming position" shall also include a self-service sports wagering machine or self-
35 service kiosk or a wagering window space where sports wagers are accepted. Each
36 machine or kiosk or space shall be counted as one position, subject to the rules and
37 regulations of the board.

38 (3) Notwithstanding Paragraphs (1) and (2) of this Subsection, a wagering
39 window space or kiosk at which wagers were lawfully accepted prior to the effective
40 date of Chapter 10 of Title 27 shall not be counted as a "gaming position" if the
41 wagering window space or kiosk is remodeled, re-purposed, relocated, or replaced
42 for the purpose of conducting sports wagering.

43 * * *

44 §375. Crimes and penalties; false statements; unauthorized slot machines;
45 skimming of slot machine proceeds; payroll check cashing; gambling
46 devices

47 * * *

48 D. Any owner of an eligible facility who has been granted a license to operate
49 slot machine gaming who cashes or accepts for cashing or permits any employee or
50 other person to cash or accept for cashing an identifiable employee payroll check in
51 the designated ~~slot machine~~ gaming area shall, upon conviction, be imprisoned for
52 not more than six months or fined not more than five thousand dollars, or both.

53 * * *

54 CHAPTER 10. SPORTS WAGERING CONTROL ACT

55 §601. Title

56 This Chapter shall be cited and referred to as "The Louisiana Sports
57 Wagering Control Act".

58 §602. Definitions

59 Unless the context clearly indicates otherwise, when used in this Chapter, the
60 following terms shall mean:

1 (1) "Applicant" means a person who has submitted an application to the
 2 board seeking a certificate or permit, or the renewal thereof.

3 (2) "Application" means the forms and schedules prescribed by the board
 4 upon which an applicant seeks a certificate or permit or the renewal thereof.
 5 Application also includes information, disclosure statements, and financial
 6 statements submitted by an applicant as part of an application.

7 (3) "Board" has the same meaning as that term has in R.S. 27:3.

8 (4) "Division" has the same meaning as that term has in R.S. 27:3.

9 (5) "Game" means a wager on a sports event or sporting event approved by
 10 the board.

11 (6) "Gaming activities" or "gaming operations" means the use, operation, or
 12 conducting of any sports wagering at a riverboat, eligible facility, or official gaming
 13 establishment including all activities related to and integral to the operation and
 14 profitability of the licensee or casino gaming operator, including accounting
 15 procedures and internal controls.

16 (7) "Gaming device" or "gaming equipment" means any equipment or
 17 mechanical, electro-mechanical, or electronic contrivance, component, or machine,
 18 used directly or indirectly in connection with a sports wagering system.

19 (8) "Gaming position" means a sports wagering self-service machine or self-
 20 service kiosk or a wagering window space where a sports wager is accepted. Except
 21 as provided in R.S. 27:372, each self-service machine or self-service kiosk shall be
 22 counted as one position and each wagering window space where a sports wager is
 23 accepted shall be counted as one position, subject to the rules and regulations of the
 24 board. The system of electronic sports wagering through a mobile or other digital
 25 platform shall count as one position, subject to the rules and regulations of the board.

26 (9) "Net sports wagering proceeds" means the total of all cash and property,
 27 including checks whether collected or not, received by the sports wagering certificate
 28 holder from sports wagering operations, less the total of all cash paid out as winnings
 29 to patrons.

30 (10) "Permit" has the same meaning as that term has in R.S. 27:3.

31 (11) "Permittee" has the same meaning as that term has in R.S. 27:3.

32 (12) "Person" has the same meaning as that term has in R.S. 27:3.

33 (13)(a) "Sports event" or "sporting event" means any professional sport or
 34 athletic event, any Olympic or international sports competition event, any collegiate
 35 sport or athletic event, or any portions thereof, including but not limited to the
 36 individual performance statistics of athletes in a sports event or combination of
 37 sports events. "Sports event" or "sporting event" shall not include a prohibited event
 38 or fantasy sports activity. A prohibited event shall include any high school sports
 39 event.

40 (b) "Professional sport or athletic event" as used in Subparagraph (a) of this
 41 Paragraph means an event at which two or more persons participate in a sport or
 42 athletic event and receive compensation in excess of actual expenses for their
 43 participation in such event.

44 (14)(a) "Sports wagering" means the business of accepting wagers on a sports
 45 event approved by the board, provided all of the following conditions are met:

46 (i) The outcome of the sports event can be verified.

47 (ii) The outcome of the sports event can be generated by a reliable and
 48 independent process.

49 (iii) The outcome of the sports event is not affected by any wager placed.

50 (iv) The sports event is conducted in conformity with applicable laws, rules,
 51 and regulations, including the rules governing the sports event.

52 (b) The term "sports wagering" may also include proposition wagers on
 53 novelty occurrences or nonoccurrences, or individual players over a broad spectrum
 54 of possibilities within a sports event that are not dependent on the final outcome of
 55 the sports event as approved by the board.

56 (15) "Sports wagering certificate" means a certificate issued by the board to
 57 the holder of a license as defined in R.S. 27:44 or 353 or the casino gaming operator
 58 that authorizes the conducting of sports wagering by the licensee or operator located
 59 in a parish that approved sports wagering at an election called for that purpose.

60 (16) "Sports wagering service provider" has the same meaning as that term
 61 has in R.S. 27:3.

1 (17) "Sports wagering system" means the methodology and equipment
2 approved by the board for accepting and recording sports wagers.

3 (18) "Suitable", "suitability", or "suitability requirements" have the same
4 meaning as those terms have in R.S. 27:3.

5 §603. Sports wagering gaming activities

6 A. Gaming activities relative to sports wagering may be conducted within the
7 approved gaming area provided all of the following requirements are met:

8 (1) A majority of the qualified electors in the parish voting at a proposition
9 election called for that purpose in accordance with R.S. 18:1300.24 where the sports
10 wagering is taking place voted in favor of permitting sports wagering.

11 (2) The holder of a license defined in R.S. 27:44 or 353 or the casino gaming
12 operator has been awarded a sports wagering certificate by the board to conduct
13 sports wagering at its riverboat, eligibility facility, or the official gaming
14 establishment.

15 (3) The sports wagering is taking place within the designated gaming area or
16 the official gaming establishment of the holder of a license as defined in R.S. 27:44
17 or 353 or the casino gaming operator, as appropriate.

18 (4) The gaming activities relative to sports wagering are being conducted in
19 accordance with this Chapter and all rules, regulations, and requirements of the
20 board.

21 B.(1) A sports wagering certificate holder or sports wagering service provider
22 permittee may accept wagers on an approved sports event at a wagering window or
23 through self-service wagering machines or self-service kiosks.

24 (2) Except as provided in R.S. 27:372, each machine or kiosk or window
25 shall be counted as a single gaming position.

26 §604. Sports wagering certificate; requirements

27 A. The securing of a sports wagering certificate required under the provisions
28 of this Chapter shall be a prerequisite for conducting, operating, or performing any
29 activity regulated pursuant to this Chapter.

30 B. In any parish in which sports wagering has been approved by the voters,
31 a holder of a license as defined in R.S. 27:44 or 353 or the casino gaming operator
32 desiring to obtain a sports wagering certificate for its riverboat, eligible facility, or
33 official gaming establishment located in the parish shall make application to the
34 board on a form and in a manner prescribed by the board. The application forms shall
35 be provided by the board and shall contain such information as required by this
36 Chapter and by rules and regulations promulgated by the board. No application shall
37 be accepted unless the board determines that all relevant requirements of this
38 Chapter have been met.

39 C. No certificate to conduct sports wagering shall be issued unless the board
40 finds:

41 (1) That the applicant is capable of conducting sports wagering, which means
42 that the applicant can demonstrate the capability through training, education,
43 business experience, or a combination thereof, to operate sports wagering.

44 (2) That the applicant's submission of a detailed plan of design of the areas
45 of its riverboat, eligible facility, or official gaming establishment to be used for
46 sports wagering are acceptable.

47 D. Only after the application is approved by the board and the board has
48 received payment of applicable fees and issued the sports wagering certificate to the
49 licensee or operator may the licensee or casino gaming operator conduct sports
50 wagering.

51 E. A sports wagering certificate shall not be transferrable; however, the
52 holder may contract with a sports wagering service provider to manage, administer,
53 or control sports wagers provided the sports wagering service provider has been
54 issued a permit as provided in R.S. 27:29.2.1.

55 §605. Gaming Control Board; duties and powers

56 A. The board shall adopt, pursuant to the Administrative Procedure Act, all
57 rules necessary to implement, administer, and regulate sports wagering as authorized
58 by this Chapter. At a minimum, the rules shall include the following:

59 (1) Standards and procedures to govern the conduct of sports wagering,
60 including but not limited to standards and procedures for the approval of a sports

1 event for wagering under the provisions of this Chapter and the approval of the
2 system of wagering.

3 (2) The method for calculating gross sports wagering revenue and standards
4 for the daily counting and recording of cash and cash equivalents received in the
5 conduct of sports wagering, including ensuring that internal controls are followed,
6 financial books and records are maintained, and audits are conducted.

7 (3) The amount of cash reserves to be maintained to cover winnings by the
8 sports wagering certificate holder and sports wagering service provider permittee.

9 (4) Notice requirements pertaining to minimum and maximum wagers on
10 sports wagering.

11 (5) Compulsive and problem gambling standards pertaining to sports
12 wagering consistent with this Title.

13 (6) Standards prohibiting persons under twenty-one years of age from
14 participating in sports wagering.

15 (7) Requirements that each sports wagering certificate holder and sports
16 wagering service provider permittee shall:

17 (a) Provide written information to sports wagering patrons about sports
18 wagering rules, payouts or winning wagers, and other information as the board may
19 require.

20 (b) Provide specifications approved by the board to integrate and update the
21 riverboat's, eligible facility's, or official gaming establishment's surveillance system
22 to cover all areas where sports wagering is conducted. The specifications shall
23 include provisions providing the board and other persons authorized by the board
24 with onsite access to the surveillance system or its signal.

25 (c) Designate one or more locations within the designated gaming area or
26 official gaming establishment to conduct sports wagering.

27 (d) Ensure that visibility of each sports wagering area in the riverboat,
28 eligible facility, or gaming establishment is not obstructed in any way that could
29 interfere with the ability of the sports wagering certificate holder, the board, and
30 other persons authorized under this Title or by the board to oversee the surveillance
31 of the conduct of sports wagering.

32 (e) Integrate the riverboat's, eligible facility's, or official gaming
33 establishment's count room to ensure maximum security of the counting and storage
34 of cash and cash equivalents.

35 (f) Equip each area of a riverboat, eligible facility, or the official gaming
36 establishment in which sports wagering is conducted with all required notices.

37 (g) Ensure that no person under twenty-one years of age participates in sports
38 wagering.

39 B. Provided the board has initiated rulemaking pursuant to the provisions of
40 R.S. 49:953(A), the board may adopt initial administrative rules as required by this
41 Section pursuant to the provisions of R.S. 49:953(B) without a finding that an
42 imminent peril to the public health, safety, or welfare exists.

43 §606. Limitations

44 A. No persons under the age of twenty-one years shall be allowed to place
45 a sports wager, nor shall a sports wagering certificate holder or sports wagering
46 service provider permittee knowingly accept a wager from a person under twenty-
47 one years of age.

48 B. No person shall place a wager nor shall a sports wagering certificate
49 holder or sports wagering service provider permittee knowingly accept a wager from
50 any person who may control the outcome of the sports event on which the wager is
51 attempting to be placed.

52 §607. Electronic sports wagering

53 A sports wagering certificate holder or sports wagering service provider
54 permittee may accept wagers made electronically using a mobile or other digital
55 platform. Electronic wagering shall be subject to the following requirements:

56 (1) Prior to the acceptance of any electronic wager, a patron shall have
57 established a wagering account through the holder or permittee and an initial
58 verification of the account shall be completed by the holder or permittee.

59 (2) Electronic sports wagers shall be placed in the gaming area of the
60 riverboat, eligible facility, or official gaming establishment, as that area is
61 determined by the board, or in other areas of the riverboat, eligible facility, or the

1 official gaming establishment, as the board may approve, provided those areas are
 2 restricted to persons at least twenty-one years of age or older.

3 (3) The holder or permittee maintains geo-fencing or geo-location services
 4 and bears all costs and responsibilities associated therewith as required by the board.

5 (4) The system of electronic sports wagering through a mobile or other digital
 6 platform shall count as one gaming position, subject to the rules and regulations of
 7 the board.

8 §608. Ninety-day time period to claim winnings; collection and use of funds

9 A. The holder of a sports wager receipt evidencing the right to a
 10 payment shall present the receipt for payment within ninety days after the
 11 date of the conclusion of the sports event. The failure to present such a
 12 receipt within the prescribed time shall constitute a waiver of the right to the
 13 payment. Thereafter, the holder of the receipt shall have no right to enforce
 14 payment of the wager receipt.

15 B. The funds held by any certificate holder or service provider for the
 16 payment of outstanding sports wager receipts shall be retained by such
 17 certificate holder or service provider for such purpose until the expiration of
 18 ninety days after the date printed on the sports wager receipt.

19 C. After such time, the certificate holder or service provider shall
 20 each day accumulate the amount equal to the sum of any unclaimed monies,
 21 less the amount of state tax paid by the certificate holder or service provider
 22 on the unclaimed monies that expire that day. On or before the fifteenth day
 23 of the first month following the end of a calendar-year quarter, the certificate
 24 holder or service provider shall remit to the state treasurer for deposit into the
 25 Crime Victims Reparations Fund as provided for in R.S. 46:1816(B)(8) an
 26 amount equal to the accumulated total for the previous calendar-year quarter.
 27 The funds shall be used exclusively to pay the expenses associated with
 28 health care services of victims of sexually-oriented criminal offenses,
 29 including forensic medical examinations as defined in R.S. 15:622.

30 §609. Sports wagering certificate; issuance

31 A. A sports wagering certificate shall be issued to an applicant upon
 32 approval by the board of the application.

33 B. The division shall collect all fees, fines, and taxes imposed or assessed
 34 under the provisions of this Section and those fees related to sports wagering
 35 activities in Chapter 1 of this Title and deposit the fees into the Sports Wagering
 36 Enforcement Subfund as established in R.S. 27:92(D).

37 §610. Dedication of revenue

38 A. The division shall collect all state fees, fines, and taxes imposed or
 39 assessed under the provisions of this Chapter and under the rules, regulations, and
 40 decisions of the board.

41 B. All fees, fines, revenue, taxes, and other monies collected by the division
 42 shall be forwarded upon receipt to the state treasurer for immediate deposit into the
 43 state treasury. Funds deposited into the treasury shall first be credited to the Bond
 44 Security Redemption Fund in accordance with Article VII, Section 9(B) of the
 45 Constitution of Louisiana.

46 C. After complying with the provisions of Subsection C of this Section, each
 47 fiscal year, the state treasurer shall disburse the tax levied pursuant to Subsection A
 48 of this Section from sports wagering service providers or sports wagering certificate
 49 holders as follows:

50 (1) One thirteenth of avails of the tax levied in Subsection A of this Section,
 51 not to exceed \$750,000 shall be credited to the Compulsive and Problem Gaming
 52 Fund established by R.S. 28:842, and the remainder of the avails shall be credited to
 53 the Louisiana Early Childhood Education Fund as established by R.S. 17:407.30.

54 (2) Ten thirteenth of avails of the tax levied in Subsection A of this Section
 55 shall be credited to the Louisiana Early Childhood Education Fund as established
 56 by R.S. 17:407.30.

57 (3) Two thirteenth of avails of the tax levied in Subsection A of this Section
 58 shall be remitted to each parish governing authority in proportion to the amount of
 59 proceeds derived from the taxable conduct occurring in that parish.

60 Section 3. R.S. 13:4721 is hereby amended and reenacted to read as follows:

61 §4721. Gambling houses; definition; declared public nuisances

1 Section 5. R.S. 46:1816(B)(8) is hereby amended and reenacted to read as follows:
2 §1816. Crime Victims Reparations Fund; creation; sources and use of funds

3 * * *

4 B. The fund shall be composed of:

5 * * *

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

11 * * *

12 Section 6. R.S. 18:1300.24 is hereby enacted to read as follows:

13 §1300.24. Sports wagering gaming election; procedure

14 A. At the statewide election occurring on October 12, 2019, a proposition
15 shall appear on the ballot in every parish to determine whether sports wagering shall
16 be permitted in the parish in accordance with the provisions of Title 27 of the
17 Louisiana Revised Statutes of 1950.

18 B. The ballot for the election shall state as follows:

19 "PROPOSITION TO AUTHORIZE SPORTS WAGERING.

20 Shall sports wagering be permitted in the parish of _____ ? YES

21 () NO ()"

22 C.(1) If a majority of the qualified electors in the parish voting on the
23 proposition vote in favor of permitting sports wagering in the parish, then such
24 wagering, in accordance with the provisions of Title 27 of the Louisiana Revised
25 Statutes of 1950, shall be permitted.

26 (2) If a majority of the qualified electors in the parish voting on the
27 proposition vote against permitting sports wagering in the parish, then such wagering
28 shall not be permitted.

29 D. Except as otherwise provided in this Section, the election shall be
30 conducted as provided in Chapter 6-B of this Title including but not limited to the
31 provisions providing for notice to the public as provided by law.

32 Section 7. Section 1 of this Act shall become effective on July 1, 2019.

33 Section 8. Sections 2, 3, 4, and 5 of this Act shall become effective if and when laws
34 become effective regarding permit and certificate fees for the conducting of sports wagering.

35 Section 9. Sections 6, 7, and 8 of this Act and this Section shall become effective
36 upon signature by the governor or, if not signed by the governor, upon expiration of the time
37 for bills to become law without signature by the governor, as provided by Article III, Section
38 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
39 by the legislature, this Act shall become effective on the day following such approval."