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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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DIGEST

SB 181 Engrossed

2025 Regular Session

Bass

Present law defines "gambling by computer" as the intentional conducting, or directly assisting in the conducting as a business of any game, contest, lottery, or contrivance whereby a person risks the loss of anything of value in order to realize a profit when accessing the internet, World Wide Web, or any part thereof by way of any computer, computer system, computer network, computer software, or any server.

Proposed law retains present law and adds that any game, contest, or promotion that is available on the internet or accessible on a mobile phone, computer terminal, or similar access device that utilizes a dual-currency system of payment allowing the player to exchange the currency for any prize or award or cash or cash equivalents, or any chance to win any prize or award or cash or cash equivalents, and simulates any form of gambling shall constitute illegal gambling by computer and shall not be considered a legal sweepstakes. Such forms of gambling shall include but not be limited to the following:

- (1) Casino-style gaming, such as slot machines, video poker, and table games, including blackjack, roulette, craps, and poker.
- (2) Lottery games, including draw games, instant win games, keno, and bingo.
- (3) Sports wagering.

Present law provides that whoever designs, develops, manages, supervises, maintains, provides, or produces any computer services, computer system, computer network, computer software, or any server providing a homepage, website, or any other product accessing the internet, World Wide Web, or any part thereof offering to any client for the primary purpose of conducting as a business of any game, contest, lottery, or contrivance whereby a person risks the loss of anything of value in order to realize a profit shall be fined not more than \$20,000, or imprisoned with or without hard labor, for not more than five years, or both.

Proposed law retains present law, but increases the fine from a maximum of \$20,000 to at least \$10,000 but not more than \$100,000 per occurrence.

Proposed law provides that in addition to the criminal penalties, a violation shall also be considered a deceptive and unfair trade practice and subject the violator to any action and penalty provided for in the Unfair Trade Practices and Consumer Protection Law.

Proposed law prohibits any applicant, licensed or permitted entity, gaming employee, officer or director of a licensed or permitted entity, any investor, or any other person or entity from operating, conducting, or promoting games as described in proposed law within the state.

Proposed law prohibits any applicant, licensed or permitted entity, geolocation provider, gaming manufacturer, gaming supplier, platform provider, promoter, or media affiliate from providing support for the operation, conduct, or promotion of illegal gambling by computer, including illegal online sweepstakes games as described in proposed law within the state.

Proposed law requires the La. Gaming Control Board (LGCB) and the La. State Police (LSP) to enforce the provisions of proposed law by bringing civil enforcement actions to enjoin the unlawful conduct.

Present law authorizes the purchase, sale, exchange, or other transaction related to stocks, bonds, futures, options, commodities, or other similar instruments or transactions occurring on a stock or commodities exchange, brokerage house, or similar entity.

Proposed law repeals present law.

Present law provides for suitability standards for applicants seeking to obtain a license or permit, enter into a casino operating contract with the state, or obtain any other approval by clear and convincing evidence to the LGCB or the LSP.

Proposed law retains existing suitability standards and further requires the LSP to determine whether the applicant or any of its affiliates, including entities under common control, within the past five years, has knowingly accepted revenue, directly or indirectly, or profited from gambling in a jurisdiction that is any of the following:

- (1) A Non-Cooperative Country or Territory on the "High-Risk Jurisdictions subject to a Call for Action" blacklist maintained by the Financial Action Task Force, an international organization established to combat money laundering, terrorism, and proliferation financing.
- (2) Designated as a state sponsor of terrorism by the United States Department of State.
- (3) A country or territory that prohibits land-based gaming, online gaming, or both.
- (4) Any other country or territory determined by the board as knowingly supporting or fostering illegal gambling.

Proposed law requires, if the LSP or LGCB determines that a licensed gaming manufacturer or gaming supplier, or any of its affiliates accepts revenue in or from a jurisdiction enumerated in proposed law, then the board shall revoke the gaming manufacturer or gaming supplier's permit if, after notice and opportunity for hearing, the board determines that the discontinuance of operations of the licensee would further the public interest.

Proposed law provides that the LGCB requires each applicant for a manufacturer or gaming supplier permit, and annually upon permit issuance, to submit a disclosure of any activity in a jurisdiction enumerated in proposed law. The disclosure is required to state the jurisdictions in which the applicant or permittee, or any affiliates of either, since the last annual submission, accepted revenue, directly or indirectly, for the supply of gaming supplies, devices, equipment, or illegal interactive gambling content in any jurisdiction enumerated in proposed law. A material misrepresentation or omission on the disclosure may result in any of the following:

- (1) Denial of an application for a gaming manufacturer or gaming supplier permit.
- (2) Administrative action including but not limited to penalty, suspension, or revocation of its gaming permit.
- (3) A recommendation or finding of unsuitability for any officers and directors, or any other person involved in the misrepresentation or omission.

Effective August 1, 2025.

(Amends R.S. 14:90.3(B) and (E) through (K); adds R.S. 14:90.3(L), (M), and (N) and R.S. 27:28(L), (M), and (N))

Summary of Amendments Adopted by Senate

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

1. Make technical changes.