

2025 Regular Session

SENATE BILL NO. 181

BY SENATOR BASS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

GAMING. Provides relative to prohibitions in gaming. (8/1/25)

AN ACT

To amend and reenact R.S. 14:90.3(B) and (E) through (K), and to enact R.S. 14:90.3(L), (M), and (N) and R.S. 27:28(L), (M), and (N), relative to gaming; to provide for illegal gambling by computer; to provide for definitions; to prohibit companies from doing business with terrorist-supporting countries; to prohibit sweepstakes gaming; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:90.3(B) and (E) through (K) are hereby amended and reenacted, and R.S. 14:90.3(L), (M), and (N) are hereby enacted to read as follows:

§90.3. Gambling by computer

* * *

B. Gambling by computer is 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~~ **internet**, World Wide Web, or any part thereof by way of any computer, computer system, computer network, computer software, or any server. **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.

* * *

E. Whoever designs, develops, manages, supervises, maintains, provides, or produces any computer services, computer system, computer network, computer software, or any server providing a ~~Home Page, Web Site~~ homepage, website, or any other product accessing the ~~Internet~~ internet, World Wide Web, or any part thereof offering to any client for the primary purpose of 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, or violates Subsections G and H of this Section, shall be fined not ~~more~~ less than ~~twenty~~ ten thousand dollars but not more than one hundred thousand dollars per occurrence, or imprisoned with or without hard labor, for not more than five years, or both.

F. In addition to the criminal penalties set forth in Subsections D and E of this Section, any violation of this Section shall be a deceptive and unfair trade practice and shall subject the offender to any actions and penalties provided for in the Unfair Trade Practices and Consumer Protection Law, R.S. 51:1401 et seq.

G. It shall be unlawful for any applicant, licensed or permitted entity, gaming employee, officer or director of a licensed or permitted entity, any

1 investor, or any other person or entity to operate, conduct, or promote games
2 as described in this Section within the state.

3 H. It shall be unlawful for any applicant, licensed or permitted entity,
4 geolocation provider, gaming manufacturer, gaming supplier, platform
5 provider, promoter, or media affiliate to provide support for the operation,
6 conduct, or promotion of illegal gambling by computer, including illegal online
7 sweepstakes games as described in this Section within the state.

8 I. The Louisiana Gaming Control Board and the division, as defined in
9 R.S. 27:3, shall enforce the provisions of this Section by bringing civil
10 enforcement actions to enjoin the unlawful conduct, requiring the taking down
11 of illegal gambling websites and illegal gambling mobile applications, and
12 imposing civil penalties.

13 J. The conducting or assisting in the conducting of gaming activities or
14 operations upon a riverboat, at the official gaming establishment, by operating an
15 electronic video draw poker device, by a charitable gaming licensee, or at a pari-
16 mutual wagering facility, conducting slot machine gaming at an eligible horse racing
17 facility, or the operation of a state lottery which is licensed for operation and
18 regulated under the provisions of Chapters 4 and 11 of Title 4, Chapters 4, 5, 6, and
19 7 of Title 27, or Subtitle XI of Title 47 of the Louisiana Revised Statutes of 1950,
20 shall not be considered gambling by computer for the purposes of this Section, so
21 long as the wagering is done on the premises of the licensed establishment.

22 ~~G.K.~~ The conducting or assisting in the conducting of pari-mutual wagering
23 at licensed racing facilities under the provisions of Chapter 4 of Title 4 of the
24 Louisiana Revised Statutes of 1950, shall not be considered gambling by computer
25 for the purposes of this Section so long as the wagering is done on the premises of
26 the licensed establishment.

27 ~~H. Nothing in this Section shall prohibit, limit, or otherwise restrict the~~
28 ~~purchase, sale, exchange, or other transaction related to stocks, bonds, futures,~~
29 ~~options, commodities, or other similar instruments or transactions occurring on a~~

~~stock or commodities exchange, brokerage house, or similar entity.~~

~~¶L.~~ The providing of ~~Internet~~ **internet** or other ~~on-line~~ **online** access, transmission, routing, storage, or other communication related services, or ~~Web Site~~ **website** design, development, storage, maintenance, billing, advertising, hypertext linking, transaction processing, or other site related services, by telephone companies, ~~Internet Service Providers~~ **internet service providers**, software developers, licensors, or other such parties providing such services to customers in the normal course of their business, shall not be considered gambling by computer even though the activities of such customers using such services to conduct a prohibited game, contest, lottery, or contrivance may constitute gambling by computer for the purposes of this Section. The provisions of this Subsection shall not exempt from criminal prosecution any telephone company, ~~Internet Service Provider~~ **internet service provider**, software developer, licensor, or other such party if its primary purpose in providing such service is to conduct gambling as a business.

~~¶M.~~ Except as provided in R.S. 27:305, participation in any fantasy sports contest as defined by R.S. 27:302 shall not be considered gambling by computer for the purposes of this Section.

~~¶N.~~ Sports wagering shall not be considered gambling for purposes of this Section so long as the wagering is conducted in compliance with Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950 or Chapter 10 of Subtitle XI of Title 47 of the Louisiana Revised Statutes of 1950.

Section 2. R.S. 27:28(L), (M), and (N) are hereby enacted to read as follows:

§28. Suitability standards

* * *

L. Prior to the approval of an application for a gaming manufacturer or gaming supplier permit pursuant to R.S. 27:29.1 or R.S. 27:29.2, the division shall 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

1 is any of the following:

2 (1) A Non-Cooperative Country or Territory on the "High-Risk
3 Jurisdictions subject to a Call for Action" or black list maintained by the
4 Financial Action Task Force, an international organization established to
5 combat money laundering, terrorism, and proliferation financing.

6 (2) Designated as a state sponsor of terrorism by the United States
7 Department of State.

8 (3) A country or territory which prohibits land-based gaming, online
9 gaming, or both.

10 (4) Any other country or territory determined by the board as knowingly
11 supporting or fostering illegal gambling.

12 M. If the division or board determines that a licensed gaming
13 manufacturer or gaming supplier, or any of its affiliates accepts revenue in or
14 from a jurisdiction as defined in Subsection L of this Section, the board shall
15 revoke the gaming manufacturer or gaming supplier's permit if, after notice
16 and opportunity for hearing, the board determines that the discontinuance of
17 operations of the licensee would further the public interest.

18 N. The board shall require each applicant for a manufacturer or gaming
19 supplier permit, and annually upon permit issuance, to submit a disclosure of
20 any activity in a jurisdiction enumerated in Subsection L of this Section. The
21 disclosure shall state the jurisdictions in which the applicant or permittee, or
22 any affiliates of either, since the last annual submission, accepted revenue,
23 directly or indirectly, for the supply of gaming supplies, devices, equipment, or
24 illegal interactive gambling content in any jurisdiction enumerated in
25 Subsection L of this Section. A material misrepresentation or omission on the
26 disclosure may result in any of the following:

27 (1) Denial of an application for a gaming manufacturer or gaming
28 supplier permit.

29 (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.

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)]

DIGEST

SB 181 Reengrossed

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" or black list 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 U.S. Dept. 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.

Senate Floor Amendments to engrossed bill

1. Make technical changes.