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## DIGEST

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Lopinto

HB No. 445

**Abstract:** Authorizes the holding of franchise payments in constructive trust and establishes liability of device owner business associates to remit franchise payments.

Present law authorizes the operation of video draw poker devices and provides for the remission of franchise payments to the state for the operation of those devices.

Proposed law retains present law and provides that the franchise payment authorized by present law shall be held by the device owner in a constructive trust on behalf of the state of La., until such time as the franchise payment is remitted to and received by the division. While held in constructive trust, the device owner and its shareholders, officers, and directors if a corporation, its partners if a partnership, and its members, managers, and managing members if a limited liability company, shall be jointly and severally liable for the franchise payment until it is remitted to and received by the division.

Further provides that the gaming control board shall adopt rules to implement proposed law.

(Adds R.S. 27:311(D)(5) and (6))