

Regular Session, 2012

HOUSE BILL NO. 446

BY REPRESENTATIVE LOPINTO

GAMBLING/CHARITABLE: Prohibits certain persons associated or affiliated with charitable gaming licensees from benefitting from net gaming proceeds

1 AN ACT

2 To enact R.S. 4:735(D), relative to violations of the Charitable Raffles, Bingo and Keno
3 Licensing Law; to prohibit persons associated or affiliated with charitable gaming
4 licensees from benefitting from net gaming proceeds; to provide for exceptions; to
5 provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 4:735(D) is hereby enacted to read as follows:

8 §735. Violations; penalties

9 * * *

10 D.(1) It shall be unlawful for any person associated or affiliated with a
11 charitable gaming licensee to benefit from any part of the net gaming proceeds of
12 that charitable gaming licensee.

13 (2) The provisions of this Subsection shall not apply to a contribution or
14 disbursement of net gaming proceeds made to, or for the direct benefit of, a group
15 or activity provided that both of the following occur:

16 (a) The contribution or disbursement meets the requirements of R.S.
17 4:735(B)(9).

18 (b) Not more than one-half of the participants of the group or activity
19 receiving the contribution are members or immediate family members of members
20 of the charitable gaming licensee making the contribution or disbursement.

1 (3) For purposes of this Subsection, "net gaming proceeds" shall not include
2 accounting or other professional services not otherwise prohibited by R.S.
3 4:715(A)(6).

4 (4) The provisions of this Subsection shall not be construed to limit or impair
5 the payment of compensation to bingo workers for working bingo games as provided
6 by R.S. 4:715(A)(2)(b).

7 (5) Whoever violates the provisions of this Subsection may be fined not
8 more than five thousand dollars, imprisoned with or without hard labor for not more
9 than one year, or both.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

Lopinto

HB No. 446

Abstract: Prohibits net gaming proceeds from benefitting anyone associated or affiliated with a charitable gaming licensee.

Present law provides for the licensing and conducting of charitable gaming activities.

Present law provides for violations and criminal penalties for committing violations of the charitable gaming law.

Proposed law adds that it shall be unlawful for any person associated or affiliated with a charitable gaming licensee to benefit from any part of the net gaming proceeds of that charitable gaming licensee and provides penalties for violating proposed law provisions. The penalties include a fine of not more than \$5,000, imprisonment with or without hard labor for not more than one year, or both.

Provides that proposed law shall not apply to a contribution or disbursement of net gaming proceeds made to, or for the direct benefit of, a group or activity provided that both of the following occur:

- (1) The contribution or disbursement is used for legitimate charitable gaming purposes.
- (2) Not more than 1/2 of the participants of the group or activity receiving the contribution are members or immediate family members of members of the charitable gaming licensee making the contribution or disbursement.

Proposed law shall not be construed to limit or impair the payment of compensation to bingo workers for working bingo games.

(Adds R.S. 4:735(D))