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The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

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## DIGEST

Martiny (SB 164)

Present law provides for the locations of truck stops.

Proposed law retains present law provisions authorizing a person owning a licensed pari-mutuel wagering facility or offtrack wagering facility to receive a license for placement of video draw poker devices in his facility if all other requirements of law are met. Provides that there is no limit on the number of video draw poker devices which may be placed at the facility and that video draw poker devices in these facilities may schedule games with no minimum wager.

Proposed law prohibits granting a license to a licensed pari-mutuel wagering facility or an offtrack wagering facility, at the time application is made for a license to operate video draw poker devices, within one mile from any property on the National Register of Historic Places, any public playground, any residential property, or a building used primarily as a church, synagogue, public library, or school. Requires that measurement of the distance to be a straight line from the nearest point of the licensed facility to the nearest point of the property on the National Register of Historic Places, any public playground, any residential property, or a building used primarily as a church, synagogue, public library, or school. Defines residential property to be any property which is wholly or partly used for or intended to be used for living or sleeping by human occupants and which includes one or more rooms, including a bathroom and complete kitchen facilities. Provides that residential property includes a mobile home or manufactured housing which has been in its present location for at least 60 days but does not include any hotel or motel.

Present law provides that for locations on which a truck stop facility has not been completely constructed, if application for licensing is made on or before August 1, 2012, the prohibited distance shall be in accordance with the following:

- (1) For facilities which applied for or were issued a certificate of compliance or a valid building permit on or before January 1, 2008 - 500 feet from any property on the National Register of Historic Places, any public playground, or a building used primarily as a church, synagogue, public library, or school.
- (2) For facilities which applied for or were issued a certificate of compliance or a valid building permit after January 1, 2008, but on or before June 1, 2010 - 2,500 feet from any property on the National Register of Historic Places, any public playground, or a building used primarily as a church, synagogue, public library, or school.
- (3) For facilities which applied for or were issued a certificate of compliance or a building

permit after June 1, 2010 - one mile from any property on the National Register of Historic Places, any public playground, residential property, or a building used primarily as a church, synagogue, public library, or school.

Proposed law provides that regardless of the date a facility applied for or was issued a certificate of compliance or a valid building permit, locations on which a truck stop facility has not been completely constructed, if application for licensing is made on or before August 1, 2012, the prohibited distance shall be one mile from any property on the National Register of Historic Places, any public playground, residential property, or a building used primarily as a church, synagogue, public library, or school.

Effective August 1, 2013.

(Amends R.S. 27:415 and 422(D)(1))

#### Summary of Amendments Adopted by Senate

##### Senate Floor Amendments to engrossed bill

1. Add provisions prohibiting issuance of license within a mile of a property on the National Register of Historic Places, public playground, residential property, church, synagogue, public library or school.