

2015 Regular Session

HOUSE BILL NO. 475

BY REPRESENTATIVE LOPINTO

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

GAMBLING: Provides with respect to fantasy or simulation games

1 AN ACT

2 To enact R.S.14:90(D) and 90.3(J), relative to gambling; to provide an exception to the
3 crimes of gambling and gambling by computer; to provide an exception for certain
4 fantasy or simulation games under certain circumstances; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S.14:90(D) and 90.3(J) are hereby enacted to read as follows:

8 §90. Gambling

9 * * *

10 D. Participation in any fantasy or simulation sports game, educational game,
11 or contest as provided in R.S. 14:90.3(J) shall not be considered gambling for the
12 purposes of this Section.

13 * * *

14 §90.3. Gambling by computer

15 * * *

16 J. Participation in any fantasy or simulation sports game, educational game,
17 or contest shall not be considered gambling by computer for the purposes of this
18 Section, if all the following conditions are met:

19 (1) No fantasy or simulation sports team is based on the current membership
20 of an actual team that is a member of an amateur or professional sports organization.

1 (2) All prizes and awards offered to winning participants are established and
2 made known to the participants in advance of the game or contest, and the value of
3 the prizes or awards is not determined by the number of participants or the amount
4 of any fees paid by those participants.

5 (3) All winning outcomes reflect the relative knowledge and skill of the
6 participants and are determined predominantly by accumulated statistical results of
7 the performance of individuals in multiple real-world sporting or other events.

8 (4) No winning outcome is based on either of the following:

9 (a) On the score, point-spread, or any performance or performances of any
10 single real-world team or any combination of such teams.

11 (b) Solely on any single performance of an individual athlete in any single
12 real-world sporting or other event.

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)]

HB 475 Engrossed

2015 Regular Session

Lopinto

Abstract: Authorizes "fantasy football" and other fantasy or simulation games by providing an exception for these games to certain gambling offenses.

Present law provides for the crimes of gambling and gambling by computer.

Proposed law provides an exception to the crimes of gambling and gambling by computer for the participation in any fantasy or simulation sports game, educational game, or contest by computer if all the following conditions are met:

- (1) No fantasy or simulation sports team is based on the current membership of an actual amateur or professional sports team.
- (2) All prizes and awards offered to winning participants are established and made known to the participants in advance of the game or contest, and their value is not determined by the number of participants or the amount of any fees paid by those participants.
- (3) All winning outcomes reflect the relative knowledge and skill of the participants and are determined predominantly by accumulated statistical results of the performance of individuals in multiple real-world sporting or other events.
- (4) No winning outcome is based on either of the following:

- (a) On the score, point-spread, or any performance or performances of any single real-world team or any combination of such teams.
- (b) Solely on any single performance of an individual athlete in any single real-world sporting or other event.

(Adds R.S.14:90(D) and 90.3(J))