

2016 Regular Session

SENATE BILL NO. 323

BY SENATOR MORRELL

VIDEO POKER. Provides with respect to fuel sales at qualified truck stop facilities.
(8/1/16)

1 AN ACT

2 To amend and reenact R.S. 27:416(C), relative to the operation of video draw poker devices
3 at qualified truck stop facilities; to provide with respect to the calculation of fuel
4 sales; to provide for exceptions regarding the fuel sales requirements at certain
5 facilities; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 27:416(C) is hereby amended and reenacted to read as follows:

8 §416. Qualified truck stop facilities; number of devices; fuel sales

9 * * *

10 C.(1) Except as provided in R.S. 27:421 **and Paragraph (2) of this**
11 **Subsection**, the number of video draw poker devices placed at a qualified truck stop
12 facility shall be based on the average monthly fuel sales calculated quarterly, using
13 four sets of three calendar months, for the first year of operation and thereafter shall
14 be based upon the average monthly fuel sales calculated annually, using a calendar
15 year, as follows:

16 ~~(1)(a)~~ One hundred thousand gallons of fuel ~~of which forty thousand gallons~~
17 ~~are diesel~~ - not more than fifty devices.

1 ~~(2)(b)~~ Seventy-five thousand gallons of fuel of which thirty thousand gallons
2 are diesel - not more than forty devices.

3 ~~(3)(c)~~ Fifty thousand gallons of fuel of which ten thousand are diesel - not
4 more than thirty-five devices.

5 **(2) In addition to the requirements in Paragraph (1) of this Subsection,**
6 **a qualified truck stop facility, except a qualified truck stop facility located in**
7 **Orleans Parish, which complies or has complied with one of the fuel sales**
8 **requirements of Paragraph (1) of this Subsection for five consecutive years shall**
9 **thereafter be permitted to retain the number of devices it operated during that**
10 **same consecutive five-year period provided it continues to meet the fuel sales**
11 **requirement set forth in Subparagraph (1)(c) of this Subsection.**

12 **(3) The board may adopt rules to recognize alternative fuel sources to**
13 **satisfy the requirements regarding fuel sales provided by this Chapter.**

14 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Ashley E. Menou.

DIGEST

SB 323 Reengrossed

2016 Regular Session

Morrell

Present law provides for the operation of video draw poker devices at qualified truck stop facilities. Provides that the number of video draw poker devices placed at a qualified truck stop facility shall be based on the average monthly fuel sales calculated quarterly for the first year of operation and, thereafter, shall be based upon the average monthly fuel sales calculated annually using a calendar year as follows:

- (1) 100,000 gallons of fuel of which 40,000 gallons are diesel - not more than 50 devices.
- (2) 75,000 gallons of fuel of which 30,000 gallons are diesel - not more than 40 devices.
- (3) 50,000 gallons of fuel of which 10,000 gallons are diesel - not more than 35 devices.

Proposed law removes the requirement that a portion of the required monthly fuel sales for qualified truck stops be diesel fuel sales.

Proposed law provides that a qualified truck stop facility, except a qualified truck stop facility located in Orleans Parish, which complies or has complied with the fuel sales requirements of present law for five consecutive years shall thereafter be permitted to retain the number of devices it operated during that same consecutive five-year period provided it continues to sell a monthly average of 50,000 gallons of fuel.

Proposed law provides that the Gaming Control Board may adopt rules to recognize

alternative fuel sources to satisfy the requirements regarding fuel sales provided by law.

Effective August 1, 2016.

(Amends R.S. 27:416(C))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Deletes requirement that the monthly fuel sales average needed for a qualified truck stop to operate fifty video poker devices be comprised of at least forty thousand gallons of diesel.
2. Deletes requirement that the monthly fuel sales average needed for a qualified truck stop to operate forty video poker devices be comprised of at least thirty thousand gallons of diesel.
3. Deletes requirement that the monthly fuel sales average needed for a qualified truck stop to operate thirty-five video poker devices be comprised of at least ten thousand gallons of diesel.