

Regular Session, 2010

HOUSE BILL NO. 316

BY REPRESENTATIVE CARMODY

GAMING: Exempts "fantasy competition" from certain gambling crimes

1 AN ACT

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

5 Be it enacted by the Legislature of Louisiana:

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

7 §90. Gambling

8 * * *

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

12 * * *

13 §90.3. Gambling by computer

14 * * *

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

18 (1) No fantasy or simulation sports team is based on the current membership
19 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 their value is
3 not determined by the number of participants or the amount of any fees paid by those
4 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)]

Carmody

HB No. 316

Abstract: Authorizes "fantasy football" and other fantasy or simulation sports games by computer.

Proposed law authorizes, as a legitimate form of gaming, 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 team that is a member of an amateur or professional sports organization.
- (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(F) and 90.3(J))