

2021 Regular Session

ACT No. 362

HOUSE BILL NO. 702 (Substitute for House Bill No. 497 by Representative DuBuisson)

BY REPRESENTATIVES DUBUISSON, FRIEMAN, HOLLIS, NELSON, ROBERT OWEN, AND WRIGHT AND SENATORS HEWITT AND MCMATH

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

AN ACT

To amend and reenact R.S. 18:1300.21(I) and R.S. 27:43(B)(1) and 93(A)(1) and to enact R.S. 18:1300.25, relative to riverboat gaming operations in St. Tammany Parish on portions of Lake Pontchartrain, including those portions that are located south and east of Interstate 10, along with the waterways that are connected thereto; to add portions of Lake Pontchartrain, including those portions that are located south and east of Interstate 10, along with the waterways connected thereto, as a designated waterway upon which riverboat gaming activities may be conducted; to require and provide for a referendum election in St. Tammany Parish; to provide for the relocation of an existing riverboat gaming license holder's operations; to provide for applicability; to provide for legislative intent; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1300.21(I) is hereby amended and reenacted and R.S. 18:1300.25 is hereby enacted to read as follows:

§1300.21. Discontinuance of certain gaming activities, except as continued by local election

* * *

I. Notwithstanding any provision of law to the contrary, no riverboat gaming activities shall be conducted upon a riverboat berthed or docked at a facility on that portion of Lake Pontchartrain or any waterway connected thereto located within St.

1 Tammany Parish. However, if approved by the Louisiana Gaming Control Board
 2 and by a majority of the electors voting in the election on the ballot proposition as
 3 provided in R.S. 18:1300.25, riverboat gaming may be conducted in accordance with
 4 Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950 on that portion of
 5 Lake Pontchartrain or any waterway connected thereto located in St. Tammany
 6 Parish at the location specified in the ballot proposition.

7 * * *

8 §1300.25. St. Tammany Parish riverboat gaming authorization and relocation
 9 election; procedure; specific location

10 A. A referendum election, to the extent required by this Chapter and Article
 11 XII, Section 6 of the Constitution of Louisiana, shall be called in St. Tammany
 12 Parish at the election to be held on October 9, 2021, pursuant to R.S. 18:402, or on
 13 a succeeding appropriate date selected by the parish governing authority and as
 14 provided by law, to consider the proposition of whether a holder of an existing
 15 riverboat gaming license shall be allowed to relocate to an approved berth or docking
 16 facility in St. Tammany Parish and conduct riverboat gaming operations along the
 17 portions of Lake Pontchartrain, specifically the waterways that are a part of the
 18 Lakeshore Marina located south and east of Interstate 10, Exit 261.

19 B. The proposition on the ballot shall be stated as follows: "Shall gaming
 20 operations and activities authorized by the Louisiana Riverboat Economic
 21 Development and Gaming Control Act be authorized in St. Tammany Parish at a site
 22 along those certain waterways in St. Tammany Parish along portions of Lake
 23 Pontchartrain that are part of the Lakeshore Marina located south and east of
 24 Interstate 10, Exit 261, and shall (Name of licensee approved by the Louisiana
 25 Gaming Control Board) or the licensee's successors and assigns be authorized to
 26 relocate from its current location to the location in St. Tammany Parish described
 27 above, and to develop on such location a gaming, hotel, and resort operation all in
 28 accordance with the Louisiana Gaming Control Law, the Louisiana Gaming Control
 29 Board, the Louisiana Election Code, and other relevant constitutional and statutory
 30 authority?"

1 Dam subject to the provisions of Paragraph (2) of this Subsection, upon which a
2 gaming operator is authorized to conduct gaming operations in accordance with the
3 provisions of this Chapter.

4 * * *

5 §93. Authorization of local governing authorities; fees; regulation; local option

6 A.(1) The local governing authority of the parish or municipality in which
7 the licensed berth of a riverboat is located may levy an admission fee of up to two
8 and one-half dollars for each passenger boarding or embarking upon a riverboat,
9 provided that in Bossier Parish, other than in Bossier City, and Caddo Parish an
10 admission fee of up to three dollars may be levied. The governing authority of
11 Bossier City, for each riverboat located in Bossier City in Bossier Parish, shall levy
12 an assessment in the amount of four and five-tenths percent of the monthly net
13 gaming proceeds as defined in R.S. 27:44(15) as the admission fee. In St. Tammany
14 Parish, economic support for drainage and recreation projects and a revenue share
15 of up to five percent of monthly net gaming proceeds as defined in R.S. 27:44(15),
16 set forth in a "Community Agreement" between the riverboat licensee and the St.
17 Tammany Parish Development District, may serve as the admission fee. For
18 purposes of this Section, "licensed berth" shall mean the berth, dock, facility, or
19 boarding area from which a riverboat excursion is authorized to originate by the
20 board or from which a riverboat is authorized by the board to operate. The authority
21 granted to local governing authorities in Calcasieu Parish in this Subsection may be
22 assigned to a gaming district established in accordance with R.S. 33:9576.

23 * * *

24 Section 3. The provisions of this Act shall not be construed to increase the number
25 of riverboat gaming licenses authorized by R.S. 27:65(A). Also, other than, subject to voter
26 approval, a portion of Lake Pontchartrain in St. Tammany Parish becoming a "designated
27 river or waterway" and an acceptable berthing or docking site for purposes of the law, the
28 provisions of this Act shall not be construed to expand riverboat gaming activity or
29 operations in Louisiana beyond that authorized by the provisions of the Louisiana Gaming
30 Control Law.

1 Section 4. The provisions of this Act shall not be construed to limit or in any way
2 affect the authority of the Louisiana Gaming Control Board to license and regulate riverboat
3 gaming activity and operations.

4 Section 5. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____