

SENATE BILL NO. 192

BY SENATOR SMITH AND REPRESENTATIVES KNOX AND LAFLEUR

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

1 AN ACT

2 To amend and reenact R.S. 27:11(A), 604(B)(2) and (3)(b), 625(G)(6), and 628(B), and to
3 enact R.S. 27:20(D), 27.5, and 625(G)(7), relative to the Louisiana Gaming Control
4 Board; to provide for board responsibilities; to provide for state police gaming
5 enforcement division responsibilities; to establish human trafficking awareness and
6 prevention training for licensees; to provide for sports wagering licenses; to provide
7 for dedication of sports wagering gaming revenue; to provide for the sports wagering
8 local allocation fund; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 27:11(A), 604(B)(2) and (3)(b), 625(G)(6), and 628(B) are hereby
11 amended and reenacted, and R.S. 27:20(D), 27.5, and 625(G)(7) are hereby enacted to read
12 as follows:

13 §11. Louisiana Gaming Control Board; creation; members; terms; meetings

14 A.(1) The Louisiana Gaming Control Board is hereby created. The board
15 shall consist of nine members who shall be appointed by the governor and two ex
16 officio members. In making the appointments, the governor shall appoint at least one
17 member from each congressional district and such appointments shall, as nearly as
18 practicable, be made in a manner that is representative of the population of the state.
19 All such appointments are subject to confirmation by the Senate. Members shall
20 serve staggered terms of six years. No person shall serve more than two terms
21 whether consecutive or not. No person shall be appointed to serve on the board who
22 had previously been confirmed by the Senate and served on any gaming regulatory
23 board or commission in this state prior to the establishment of the Louisiana Gaming
24 Control Board.

25 **(2) The board shall not be considered a professional or occupational**

1 licensing board for the purposes of Title 37 of the Louisiana Revised Statutes
2 of 1950.

3 * * *

4 §20. Department of Public Safety and Corrections, office of state police

5 * * *

6 D. The gaming enforcement division, office of state police, Department
7 of Public Safety and Corrections shall not be considered a professional or
8 occupational licensing board for purposes of Title 37 of the Louisiana Revised
9 Statutes of 1950.

10 * * *

11 §27.5. Uniform Human Trafficking Awareness and Prevention Training

12 A. Human trafficking is a serious and widely recognized problem. It is
13 imperative for the health, safety, and welfare of the residents of the state of
14 Louisiana that a comprehensive and uniform human trafficking awareness and
15 prevention training be developed for the gaming industry.

16 B. The board in conjunction with the governor's office of human
17 trafficking prevention and industry professionals shall develop and implement
18 a comprehensive in-person and digital human trafficking awareness and
19 prevention training for the gaming industry. If such development is not
20 practical for the board, the board may approve third-party human trafficking
21 awareness and prevention training programs. The training shall include but is
22 not limited to training on identifying victims of human trafficking at gaming
23 establishments in Louisiana.

24 C. The board shall adopt rules in accordance with the Administrative
25 Procedure Act setting forth the minimum training requirements to be imposed
26 on all licensees and permittees that are necessary to implement the provisions
27 of this Section. Each licensee, permittee, and employee of a licensee or permittee
28 shall certify participation in and completion of the human trafficking awareness
29 and prevention training to the division on an annual basis as a condition of
30 maintaining any gaming license or permit issued by the board.

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§604. License; limited; requirements; contract with platform provider

B.(1)

~~(2)(a) For the initial application process, if any entity identified in Paragraph (1) of this Subsection elects not to apply for a license or fails to submit a completed application to the board prior to January 1, 2022, or within thirty days of applications being available, whichever is later, it shall not be considered for a license. The board may consider for the remaining licenses, applications from:~~

~~(i) Licensed establishments as defined in R.S. 27:402 and provided for in Chapter 8 of this Title. Any licensed establishment that is also licensed by the Louisiana State Racing Commission with the commission's approval may apply to be licensed to operate a sports book.~~

~~(ii) Operators as defined in R.S. 27:302 and provided for in Chapter 6 of this Title.~~

~~(b) From the licensed establishments and operators identified in Subparagraph (a) of this Paragraph, if the number of applications received by the board that are determined to be from eligible applicants exceeds the number of licenses available, the board shall provide for a concealed bid process and issue the available licenses, in accordance with the board's ranking of the bids, to the applicants that in the board's discretion have the greatest potential for revenue generation for the state.~~ **Should the sports wagering license held by an entity identified in Paragraph (1) of this Subsection be surrendered, that entity may reapply, or a new entity identified in Paragraph (1) of this Subsection may apply, for the sports wagering license within two years of the board's acceptance of the surrender. Should the sports wagering license of an entity identified in Paragraph (1) of this Subsection be revoked, any new entity approved by the board to operate under a new license identified in Paragraph (1) of this Subsection shall have the first option to apply for the sports wagering license within two years of the effective date of the approval.**

1 (3)(a) * * *

2 (b) Should a license become available after the initial issuance and entities
3 identified in Paragraph (1) **and Paragraph (2)** of this Subsection decline to apply
4 or the number of available licenses exceeds the number of entities identified in
5 Paragraph (1) of this Subsection who are interested, the board shall notify ~~the entities~~
6 ~~identified in Subparagraph (2)(a) of this Subsection~~ **licensed establishments as**
7 **defined in R.S. 27:402 and provided for in Chapter 8 of this Title, any licensed**
8 **establishment that is also licensed by the Louisiana State Racing Commission**
9 **with the commission's approval may apply to be licensed to operate a sports**
10 **book, and operators as defined in R.S. 27:302 and provided for in Chapter 6 of**
11 **this Title** who do not have a sports wagering license about the available license and
12 provide those entities an opportunity to apply for the license by a certain date. If the
13 number of applications determined by the board to be eligible applicants exceeds the
14 number of available licenses, the board shall provide for a concealed bid process and
15 issue the available licenses, in accordance with the board's ranking of the bids, to the
16 applicants that in the board's discretion have the greatest potential for revenue
17 generation for the state.

18 * * *

19 §625. State tax; levy

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21 G. After complying with the provisions of Subsection D of this Section, each
22 fiscal year the state treasurer shall credit the following amounts to the following
23 funds:

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25 **(6) Three percent of the monies collected pursuant to this Section, or five**
26 **hundred thousand dollars, whichever is greater, shall be credited to the**
27 **Compulsive and Problem Gaming Fund established by R.S. 28:842.**

28 ~~(7)~~ Any remaining funds shall be available as state general funds.

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30 §628. Sports Wagering Local Allocation Fund

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B. Monies in the fund shall be remitted monthly, by proportionate distribution, to each parish governing authority in which the taxable conduct pursuant to R.S. 27:625 occurred. The distribution associated with mobile wagering **only** shall be proportionate to the population percentage of each parish that approved a proposition to allow sports wagering compared to the total population of such parishes based on the latest federal decennial census.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____