

2020 First Extraordinary Session

SENATE BILL NO. 5

BY SENATORS JOHNS AND SMITH

GAMING. Provides relative to promotional play wagers. (Item #36) (gov sig)

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AN ACT

To amend and reenact R.S. 27:44(16), 205(17), and 353(8), and to enact R.S. 27:44(21.1), 205(30.1), and 353(9.1), relative to gaming; to except certain promotional play wagers in determining net revenue in certain gaming; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:44(16), 205(17), and 353(8) are hereby amended and reenacted, and R.S. 27:44(21.1), 205(30.1), and 353(9.1) are hereby enacted to read as follows:

§44. Definitions

When used in this Chapter, the following terms shall mean:

\* \* \*

(16) "Net gaming proceeds" means the total of all cash and property, including checks received by a licensee, whether collected or not, received by the licensee from gaming operations, less the total of all cash paid out as winnings to patrons and five million dollars annually directly attributable to promotional play wagers.

\* \* \*

1                    **(21.1) "Promotional play wagers" means wagers placed by patrons using**  
 2                    **noncashable vouchers, promotional chips, coupons, electronic credits, electronic**  
 3                    **promotions, scrips, or any other cash equivalent that is provided to the patron**  
 4                    **by the licensee.**

5                    \*           \*           \*

6                    §205. Definitions

7                    When used in this Chapter, the following terms have these meanings:

8                    \*           \*           \*

9                    (17) "Gross revenue" means the total of all value received by the casino  
 10                    gaming operator from gaming operations, including cash, checks, vouchers,  
 11                    instruments and anything received in payment for credit extended to a patron for  
 12                    purposes of gaming, and compensation received for conducting any game in which  
 13                    the casino gaming operator is not party to a wager, less the total of all value or  
 14                    amounts paid out as winnings to patrons and credit instruments or checks which are  
 15                    uncollected as determined by rule of the corporation **and five million dollars**  
 16                    **annually directly attributable to promotional play wagers.**

17                    \*           \*           \*

18                    **(30.1) "Promotional play wagers" means wagers placed by patrons using**  
 19                    **noncashable vouchers, promotional chips, coupons, electronic credits, electronic**  
 20                    **promotions, scrips, or any other cash equivalent that is provided to the patron**  
 21                    **by the casino gaming operator.**

22                    \*           \*           \*

23                    §353. Definitions

24                    When used in this Chapter, the following terms shall have these meanings:

25                    \*           \*           \*

26                    (8) "Net slot machine proceeds" means the total of all cash and property  
 27                    received by a licensee from slot machine gaming operations minus the amount of  
 28                    cash or prizes paid to winners **and five million dollars annually directly**  
 29                    **attributable to promotional play wagers.**

\* \* \*

**(9.1) "Promotional play wagers" means wagers placed by patrons using noncashable vouchers, promotional chips, coupons, electronic credits, electronic promotions, scrips, or any other cash equivalent that is provided to the patron by the licensee.**

\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared by Curry J. Lann.

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#### DIGEST

SB 5 Reengrossed

2020 First Extraordinary Session

Johns

Present law (R.S. 27:44(16)) for purposes of riverboat gaming, defines "net gaming proceeds" as the total of all cash and property, including checks received by a licensee, whether collected or not, received by the licensee from gaming operations, less the total of all cash paid out as winnings to patrons.

Proposed law retains present law but also excepts five million dollars annually directly attributable to "promotional play wagers" from the total of cash and property received in determining "net gaming proceeds".

Present law (R.S. 27:205(17)) for purposes of the land based casino, defines "gross revenue" as the total of all value received by the casino gaming operator from gaming operations, including cash, checks, vouchers, instruments and anything received in payment for credit extended to a patron for purposes of gaming, and compensation received for conducting any game in which the casino gaming operator is not party to a wager, less the total of all value or amounts paid out as winnings to patrons and credit instruments or checks which are uncollected as determined by rule of the corporation.

Proposed law retains present law but also excepts five million dollars annually directly attributable to "promotional play wagers" from the total of all value received by the casino gaming operator.

Present law (R.S. 27:353(8)) for the purposes of slot machine play at race tracks, defines "net slot machine proceeds" as the total of all cash and property received by a licensee from slot machine gaming operations minus the amount of cash or prizes paid to winners.

Proposed law retains present law but also excepts five million dollars annually directly attributable to "promotional play wagers" from the total of cash and property received in determining "net slot machine proceeds".

Proposed law defines "promotional play wagers" for purposes of riverboat gaming, land based casinos, and slot machine play at race tracks, as wagers placed by patrons using noncashable vouchers, promotional chips, coupons, electronic credits, electronic promotions, scrips, or any other cash equivalent that is provided to the patron by the casino gaming operator.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 27:44(16), 205(17), and 353(8); adds R.S. 27:44(21.1), 205(30.1), and 353(9.1))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the engrossed bill

1. Limits exception for "promotional pay wagers" to five million dollars annually directly attributable to "promotional play wagers".
2. Provides for technical corrections.