

HOUSE COMMITTEE AMENDMENTS

2019 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 153 by Senator Martiny

1 AMENDMENT NO. 1

2 On page 1, delete line 5 in its entirety and insert the following:

3 "and (A)(5), 371(C), 372(B) and (C), 375(D), and 402 and to enact R.S. 18:1300.24,
4 and"

5 AMENDMENT NO. 2

6 On page 1, delete line 6 in its entirety and insert the following:

7 "R.S. 27:3(25) and (26), 15(B)(8)(c), 29.2.1, 406(D), 412(D), and 430(F)(3), and
8 Chapter 10 of Title 27 of the"

9 AMENDMENT NO. 3

10 On page 1, line 17, after "372(B) and (C)," delete the remainder of the line and insert
11 "375(D), and 402 are hereby amended and"

12 AMENDMENT NO. 4

13 On page 2, delete line 1 in its entirety and insert the following:

14 "reenacted and R.S. 27:3(25) and (26), 15(B)(8)(c), 29.2.1, 406(D), 412(D), and
15 430(F)(3), and Chapter 10 of Title 27 of"

16 AMENDMENT NO. 5

17 On page 4, line 6, change "27:44(15) or 353(5)," to "27:44(15), 353(5), or 412(B),"

18 AMENDMENT NO. 6

19 On page 4, line 9, change "27:44(15) or 353(5)," to "27:44(15), 353(5), or 412(B),"

20 AMENDMENT NO. 7

21 On page 4, line 17, change "R.S. 27:44(15) or 353(5) or" to "R.S. 27:44(15), 353(5), or
22 412(B) or"

23 AMENDMENT NO. 8

24 On page 4, between lines 20 and 21, insert the following:

25 "(3) For purposes of this Title, notwithstanding any provision of law to
26 the contrary, a sports wagering service provider for any licensed establishment
27 under R.S. 27:412(B) shall also be licensed pursuant to R.S. 27:401 et seq."

28 AMENDMENT NO. 9

29 On page 5, delete line 2 in its entirety and insert the following:

1 "D. The holder of a license as defined in R.S. 27:44, ~~or 353, or 412(B), or~~
 2 the casino"

3 AMENDMENT NO. 10

4 On page 12, between lines 2 and 3, insert the following:

5 §402. Definitions

6 As used in this Chapter, the following words and phrases shall have the
 7 following meanings unless the context clearly indicates otherwise:

8 (1) "Board" means the Louisiana Gaming Control Board, as established by
 9 R.S. 27:11.

10 (2) "Certified technicians level one" means qualified service personnel
 11 trained by a manufacturer, distributor, or other qualified entity, or in a training
 12 program approved by the division, who are capable of clearing paper or money jams,
 13 changing paper contained within the video draw poker devices, or retrieving money
 14 from video draw poker devices.

15 (3) "Certified technicians level two" means qualified service personnel
 16 trained by a manufacturer, distributor, or other qualified entity, or in a training
 17 program approved by the division, who are capable of clearing paper or money jams,
 18 changing paper contained within the video draw poker devices, or retrieving money
 19 from video draw poker devices, performing any repairs, parts replacements,
 20 maintenance, cleaning, and other matters related to servicing of video draw poker
 21 devices.

22 **(4) "Designated area" means the area in a licensed establishment where**
 23 **video draw poker or sports wagering may take place, as approved by the**
 24 **division.**

25 ~~(4)(5)~~ "Device operation" means the privilege of operating a video draw
 26 poker device in accordance with the provisions of this Chapter.

27 ~~(5)(6)~~ "Device owner" means a person other than a distributor, who owns
 28 and operates, maintains, repairs, or services one or more video draw poker devices
 29 in licensed establishments.

30 ~~(6)(7)~~ "Distributor" means any person who buys, sells, leases, services, or
 31 repairs video draw poker devices and provides a facility for the inspection of those
 32 devices as required by the division.

33 ~~(7)(8)~~ "Division" shall have the same meaning as that term defined in R.S.
 34 27:3.

35 ~~(8)(9)~~ "Hotel" or "motel" means an operating commercial establishment
 36 which possesses all appropriate licensing as a hotel or motel and which is engaged
 37 primarily in the renting of rooms, generally at a daily rate basis, which provides
 38 overnight lodging to the general public.

39 ~~(9)(10)~~ "Institutional investor" means a person that is:

40 (a) A plan or trust established and maintained by the United States
 41 government, a state, a political subdivision of a state for the benefit of their
 42 respective employees.

43 (b) An investment company that is registered under the Investment Company
 44 Act of 1940.

45 (c) A collective investment trust organized by a bank under Part Nine of the
 46 rules of the Comptroller of the Currency.

47 (d) A closed end investment trust registered with the United States Securities
 48 and Exchange Commission.

49 (e) A mutual fund.

50 (f) A life insurance company or property and casualty insurance company.

51 (g) A federal or state bank.

52 (h) An investment advisor registered under the Investment Advisors Act of
 53 1940.

54 ~~(10)(11)~~ "Licensed establishment" means an establishment that has a Class
 55 A-General retail permit or a Class A-Restaurant permit as defined in Part II of
 56 Chapter 1 or Part II of Chapter 2 of Title 26 of the Louisiana Revised Statutes of

1 1950, for the sale of alcoholic beverages for on-premises consumption or a Louisiana
2 state racing commission licensed race track, pari-mutuel wagering facility, or
3 offtrack wagering facility, or a qualified truck stop facility as defined in R.S. 27:417.
4 Licensed establishment shall not include any premises leased to or utilized by a bona
5 fide nonprofit organization for the conducting of charitable gaming nor any
6 convenience store, quick-stop, food-mart, service station, grocery store, barber shop,
7 laundromat/washateria, package or discount liquor/cigarette establishment, movie
8 theater, or beauty shop.

9 ~~(11)~~(12) "Manufacturer" means any person who manufactures or assembles
10 and programs video draw poker devices for use in this state.

11 ~~(12)~~(13) "Net device revenue" means the gross revenue of a device less the
12 value of prizes paid as shown on the meters of the device.

13 ~~(13)~~(14) "Person" shall have the same meaning as that term defined in R.S.
14 27:3.

15 ~~(14)~~(15) "Restaurant, bar, tavern, cocktail lounge, or club" means an
16 operating establishment primarily engaged in the retail sale of prepared foods or the
17 sale of alcoholic beverages for on-premises or immediate consumption that has been
18 granted a Class A-General retail permit or a Class A-Restaurant permit, as defined
19 in Part II of Chapter 1 or Part II of Chapter 2 of Title 26 of the Louisiana Revised
20 Statutes of 1950, for the sale of alcoholic beverages for on-premises consumption.

21 ~~(15)~~(16) "Service entity" means any person other than a distributor or device
22 owner who repairs, services, inspects, or examines video draw poker devices.

23 ~~(16)~~(17) "Suitability", "suitable", or "suitability requirements" means the
24 criteria provided for in R.S. 27:427.

25 ~~(17)~~(18) "Video draw poker device" means any unit, mechanism, or device
26 authorized pursuant to the provisions of this Chapter, that, upon insertion of a ticket
27 voucher or cash, is available to play or simulate the play of the game of draw poker,
28 or other card games approved by the division utilizing a video display and
29 microprocessors in which the player may win games or credits that can be redeemed
30 for cash only. The term does not include a device that directly dispenses coins, cash,
31 tokens, or any thing else of value, except the ticket voucher required in accordance
32 with the provisions of this Chapter. The term does not include any device authorized
33 to be used in the conducting of charitable gaming. The term does not include any
34 slot machine as defined in R.S. 27:353.

35 ~~(18)~~(19) "Video draw poker" means any card game approved by the division
36 that utilizes one deck of cards per hand with multiple hands permitted per game.

37 ~~(19)~~(20) "Video draw poker employee" means a person issued a permit
38 pursuant to the provisions of R.S. 27:445.

39 * * *

40 §406. Ticket vouchers and accounting tickets

41 * * *

42 **D. Notwithstanding any provision of law to the contrary, if the licensed**
43 **establishment is issued a sports wagering certificate by the board to conduct**
44 **sports wagering on a gaming device in accordance with Chapter 10 of this Title,**
45 **sports wagers at the licensed establishment shall be made in cash or through a**
46 **person's verified wagering account.**

47 * * *

48 §412. State license qualifications; types of licenses

49 * * *

50 **D.(1) Any establishment licensed pursuant to Subsection B of this**
51 **Section may also apply for a sports wagering certificate pursuant to Chapter 10**
52 **of this Title.**

53 **(2) For a licensed establishment that obtains a sports wagering**
54 **certificate pursuant to Chapter 10 of this Title, each gaming device operated**
55 **shall count as one video draw poker device. No licensed establishment shall**
56 **have more than the allotted number provided for under Subsection B of this**
57 **Section.**

58 * * *

59 §430. Rules and regulations; reporting to board or division

1 * * *

2 F.

3 * * *

4 (3) If the holder of a license, as defined in R.S. 27:412(B), is issued a

5 sports wagering certificate by the board to conduct sports wagering in

6 accordance with Chapter 10 of this Title, the board may establish by rule

7 criteria for the physical placement of self-service sports wagering machines or

8 self-service kiosks or window spaces where sports wagers are accepted and any

9 equipment associated in the designated area approved by the board.

10 * * *

11 AMENDMENT NO. 11

12 On page 12, at the end of line 21, insert "licensed establishment,"

13 AMENDMENT NO. 12

14 On page 14, line 11, change "R.S. 27:44 or 353" to "R.S. 27:44, 353, or 412(B)"

15 AMENDMENT NO. 13

16 On page 14, line 28, change "R.S. 27:44 or 353" to "R.S. 27:44, 353, or 412(B)"

17 AMENDMENT NO. 14

18 On page 15, line 1, after "riverboat," delete the remainder of the line and insert "eligible

19 facility, licensed establishment, or the official"

20 AMENDMENT NO. 15

21 On page 15, line 5, change "R.S. 27:44 or 353" to "R.S. 27:44, 353, or 412(B)"

22 AMENDMENT NO. 16

23 On page 15, at the end of line 20, insert a comma ","

24 AMENDMENT NO. 17

25 On page 15, at the beginning of line 21, change "or 353" to "353, or 412(B)"

26 AMENDMENT NO. 18

27 On page 15, line 22, after "eligible facility," and before "or" insert "licensed

28 establishment"

29 AMENDMENT NO. 19

30 On page 17, line 17, change "the casino's or eligible facility's" to "the casino's, licensed

31 establishment's, or eligible facility's"

32 AMENDMENT NO. 20

33 On page 17, at the end of line 21, insert a comma ","

34 AMENDMENT NO. 21

35 On page 17, at the beginning of line 22 insert "licensed establishment,"

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscoped are additions.

1 AMENDMENT NO. 22

2 On page 17, line 28, after "casino's" and before "or" insert a comma "," and insert "licensed
3 establishment's,

4 AMENDMENT NO. 23

5 On page 18, line 1, after "eligible facility," and before "or" insert "licensed establishment,"

6 AMENDMENT NO. 24

7 On page 18, line 26, after "eligible facility," and before "or" insert "licensed
8 establishment,"