

2018 Regular Session

SENATE BILL NO. 151

BY SENATOR MORRISH

FUNDS/FUNDING. Requires that any gaming revenues beyond the amounts collected during Fiscal Year 2017-2018 be dedicated to TOPS. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 27:92(B)(2), 270(A)(2)(b) and (3)(a), 392(B)(2)(a) and (C),
3 437(B)(1)(c) and (2), and 439(A), and to enact R.S. 27:92(D), 270(D), 392(D),
4 437(D), and 439(C), relative to gaming revenues which exceed the amounts actually
5 collected during Fiscal Year 2017-2018; to provide that certain river boat gaming
6 proceeds, casino gaming revenues, slot machine proceeds, and video draw poker
7 device proceeds and fees shall be used to fund the TOPS program; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 27:92(B)(2), 270(A)(2)(b) and (3)(a), 392(B)(2)(a) and (C),
11 437(B)(1)(c) and (2), and 439(A) are hereby amended and reenacted and R.S. 27:92(D),
12 270(D), 392(D), 437(D), and 439(C) are hereby enacted to read as follows:

13 §92. Collection and disposition of fees

14 * * *

15 B.

16 * * *

17 (2) After complying with the provisions of Paragraph (1) of this Subsection,

1 **and except as provided in Subsection D of this Section,** the state treasurer shall,
2 each fiscal year, credit the following amounts to the following funds:

3 * * *

4 **D. Notwithstanding the provisions of Paragraph (B)(2) of this Section**
5 **or any other law to the contrary, all fees, fines, revenues, and other monies**
6 **collected by the division in excess of Fiscal Year 2017-2018 actual collections**
7 **shall be dedicated to the TOPS program.**

8 * * *

9 §270. Deposit of revenues; expenditures and investments authorized; transfer of
10 revenues to state treasury; corporation operating account; audit of
11 corporation books and records; audits

12 * * *

13 A.

14 * * *

15 (2)

16 (b) Quarterly, the corporation shall transfer to the state treasury for deposit,
17 **except as provided in Subsection D of this Section,** into the Compulsive and
18 Problem Gaming Fund provided for in R.S. 28:842 the amount of revenues withheld
19 and remitted in accordance with R.S. 27:260(D).

20 (3)(a) Daily, the corporation shall transfer to the state treasury for deposit into
21 certain funds in the treasury, as provided in this Paragraph, the amount of net
22 revenues which the corporation determines are surplus to its needs. After first being
23 credited to the Bond Security and Redemption Fund in accordance with Article VII,
24 Section 9(B) of the Constitution of Louisiana, and after satisfying any other
25 requirements of the Constitution and laws of Louisiana, **and except as provided in**
26 **Subsection D of this Section,** such net revenues shall be deposited as follows:

27 * * *

28 **D. Notwithstanding any provision of law to the contrary, all revenues in**
29 **excess of the Fiscal Year 2017-2018 actual collections shall be dedicated to the**

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TOPS program.

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§392. Collection and disposition of fees and taxes

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B.

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(2)(a) After complying with the provisions of Paragraph (1) of this Subsection, **and except as provided in Subsection D of this Section,** the state treasurer shall, each fiscal year, credit one percent from the combined net slot machine proceeds collected by the state from each licensed facility, not to exceed five hundred thousand dollars, to the Compulsive and Problem Gaming Fund established by R.S. 28:842. After crediting such proceeds to the Compulsive and Problem Gaming Fund, the state treasurer shall, each fiscal year, credit the remainder of all taxes generated pursuant to R.S. 27:393 and all fines and other monies collected by the division to a special fund which is hereby created in the state treasury and entitled the "Pari-mutuel Live Racing Facility Gaming Control Fund", hereinafter referred to as the "Gaming Control Fund".

* * *

C. Notwithstanding the provisions of Subsection B of this Section to the contrary and after complying with the provisions of Paragraphs (1) through (3) of Subsection B of this Section, **and except as provided in Subsection D of this Section,** the state treasurer shall in each fiscal year deposit and credit the remaining portion of taxable net slot machine proceeds collected from the licensed eligible facility in Orleans Parish as follows:

* * *

D. Notwithstanding the provisions of Subparagraph (B)(2)(a) and Subsection C of this Section or any other provision of law to the contrary, all net slot machine proceeds collected by the state from each licensed facility in excess of the Fiscal Year 2017-2018 actual collection shall be dedicated to the TOPS

1 **program.**

2 * * *

3 §437. Video Draw Poker Device Fund; distribution and expenditure

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5 B.(1)

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7 (c) Thereafter, the state treasurer shall, each fiscal year, **except as provided**
8 **in Subsection D of this Section,** credit to a special fund, which is hereby created in
9 the state treasury and entitled the Video Draw Poker Device Fund, an amount equal
10 to all revenues received by the division pursuant to the provisions of this Chapter,
11 except those funds specified by the provisions of R.S. 27:435(D)(4), which shall be
12 deposited as provided by R.S. 27:439 and those funds withheld pursuant to R.S.
13 27:443(A)(2) which shall be remitted for deposit to the Compulsive and Problem
14 Gaming Fund provided for in R.S. 28:842.

15 (2) After complying with the provisions of Paragraph (1) of this Subsection,
16 **and except as provided in Subsection D of this Section,** the state treasurer shall,
17 each fiscal year, credit the following amounts to the following special funds:

18 * * *

19 **D. Notwithstanding the provisions of Subparagraph (B)(1)(c) and**
20 **Paragraph (B)(2) of this Section or any provision of law to the contrary, all**
21 **revenues received by the division pursuant to the provisions of this Chapter in**
22 **excess of the Fiscal Year 2017-2018 actual collections shall be dedicated to the**
23 **TOPS program.**

24 * * *

25 §439. Video Draw Poker Device Purse Supplement Fund; distribution and
26 expenditure

27 A. Funds specified pursuant to the provisions of R.S. 27:435(D)(4) shall be
28 forwarded by the division to the state treasurer for immediate deposit in the state
29 treasury. The funds so deposited shall first be credited to the Bond Security and

1 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution
2 of Louisiana. Thereafter, **except as provided in Subsection C of this Section,** the
3 state treasurer shall, each fiscal year, credit to a special fund, which is hereby created
4 in the state treasury and entitled the Video Draw Poker Device Purse Supplement
5 Fund, an amount equal to all funds specified pursuant to R.S. 27:435(D)(4). Monies
6 in the Video Draw Poker Purse Supplement Fund shall only be withdrawn pursuant
7 to an appropriation by the legislature and shall be used solely as provided in
8 Subsection B of this Section.

9 * * *

10 **C. Notwithstanding the provisions of Subsection A of this Section or any**
11 **provision of law to the contrary, all revenues in excess of the Fiscal Year 2017-**
12 **2018 actual collections of the amount equal to all funds specified pursuant to**
13 **R.S. 27:435(D)(4), shall be dedicated to the TOPS program.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Martha S. Hess.

SB 151 Original DIGEST 2018 Regular Session Morrish

Present law provides for the distribution of gaming proceeds from river boat gaming, casino gaming, slot machine gaming, and video draw poker gaming.

Proposed law retains present law but further provides that the gaming revenues which exceed the amounts actually collected during Fiscal Year 2017-2018 from river boat gaming, casino gaming, slot machine gaming, and video draw poker gaming, shall be used to fund the TOPS program.

Effective August 1, 2018.

(Amends R.S. 27:92(B)(2), 270(A)(2)(b) and (3)(a), 392(B)(2)(a) and (C), 437(B)(1)(c) and (2), and 439(A); adds R.S. 27:92(D), 270(D), 392(D), 437(D), and 439(C))