
SENATE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Senator Cortez to Reengrossed House Bill No. 600 by Representative Talbot

1 AMENDMENT NO. 1

2 Delete Amendments 1 through 3 proposed by the Senate Committee on Finance and adopted
3 by the Senate on May 31, 2019

4 AMENDMENT NO. 2

5 In Senate Committee Amendment No. 4 proposed by the Senate Committee on Revenue and
6 Fiscal Affairs and adopted by the Senate on May 29, 2019, on page 1, line 8, change
7 "twenty-five" to "eighteen and one-half"

8 AMENDMENT NO. 3

9 In Senate Committee Amendment No. 7 proposed by the Senate Committee on Revenue and
10 Fiscal Affairs and adopted by the Senate on May 29, 2019, on page 1, line 16, change
11 "twenty-five" to "eighteen and one-half"

12 AMENDMENT NO. 4

13 In Senate Committee Amendment No. 7 proposed by the Senate Committee on Revenue and
14 Fiscal Affairs and adopted by the Senate on May 29, 2019, on page 1, line 18, change
15 "twenty-five" to "eighteen and one-half"

16 AMENDMENT NO. 5

17 In the set of Senate Committee Amendments proposed by the Senate Committee on Revenue
18 and Fiscal Affairs and adopted by the Senate on May 29, 2019, delete Amendments No. 1

19 AMENDMENT NO. 6

20 Delete the set of Senate Floor Amendments proposed Senator Cortez (SFAHB600
21 WATSOND 3220) and adopted by the Senate on June 3, 2019

22 AMENDMENT NO. 7

23 Delete the set of Senate Floor Amendments proposed Senator Cortez (SFAHB600
24 PRATHERT 3312) and adopted by the Senate on June 3, 2019

25 AMENDMENT NO. 8

26 Delete Senate Floor Amendment No. 2 proposed by Senator Gary Smith and adopted by the
27 Senate on June 3, 2019.

28 AMENDMENT NO. 9

29 On page 1, delete line 2, and insert "To amend and reenact R.S. 27:15(D) and (E), 29.1(D)
30 and (E), 29.2(A) and (B), 29.3(A)(1) and (2), and 29.4(D), and to enact R.S. 27:29.2.1,
31 92(D), 302(3), 306, 307, 609, and 610, relative fees, taxes, and fines for sports gaming; to
32 provide for fantasy sports"

33 AMENDMENT NO. 10

34 On page 1. line 3, after "sports contests;" insert "to levy a tax on certain sports wagering;"

1 AMENDMENT NO. 11

2 On page 1, line 9, after "penalties" and before the semi-colon ";" insert "and their
3 distribution; to create a subfund"

4 AMENDMENT NO. 12

5 On page 2, delete lines 7 through 9, and insert:

6 "B.(1) The initial fee for a fantasy sports contest license or permit for
7 an operator who has not been licensed at any time prior in Louisiana shall be
8 five thousand dollars.

9 (2) The annual renewal fee for a fantasy sports contest license or
10 permit shall be submitted to the division on the anniversary date of the
11 issuance of the license or permit. The annual renewal fee shall be as follows:

12 (a) If the licensee's annual revenue is less than one hundred thousand
13 dollars, the annual fee shall be five thousand dollars.

14 (b) If the licensee's annual revenue is one hundred thousand dollars
15 or more, but less than three hundred thousand dollars, the annual fee shall be
16 fifteen thousand dollars.

17 (c) If the licensee's annual revenue is more than three hundred
18 thousand dollars, the annual fee shall be forty thousand dollars."

19 AMENDMENT NO. 13

20 On page 3, between lines 6 and 7, insert the following:

21 "Section 2. R.S. 27:15(D) and (E), 29.1(D) and (E), 29.2(A) and (B),
22 29.3(A)(1) and (2), and 29.4(D) are hereby amended and reenacted and R.S.
23 27:29.2.1, 92(D), 609 and 610 are hereby enacted to read as follows:

24 §15. Board's authority; responsibilities
25 * * *

26 D. In addition to or in lieu of the revocation or suspension of a
27 license, certificate, or permit issued pursuant to the provisions of the
28 Louisiana Riverboat Economic Development and Gaming Control Act, the
29 Louisiana Economic Development and Gaming Corporation Act, the Pari-
30 mutuel Live Racing Facility Economic Redevelopment and Gaming Control
31 Act, the Sports Wagering Control Act, and this Chapter, the board may
32 impose upon the casino gaming operator, the holder of a sports wagering
33 certificate as defined in R.S. 27:602, or the holder of a license as defined in
34 R.S. 27:44 or 353, or a permittee a civil penalty not to exceed one hundred
35 thousand dollars for each violation of any provision of the Louisiana
36 Riverboat Economic Development and Gaming Control Act, the Louisiana
37 Economic Development and Gaming Corporation Act, the Louisiana Pari-
38 mutuel Live Racing Facility Economic Redevelopment and Gaming Control
39 Act, the Sports Wagering Control Act, this Chapter, or any rule or regulation
40 of the board. Payment of the civil penalty shall be a requirement for the
41 retention of any permit, certificate, or license held by the entity which
42 violated any such provisions. If the licensee, certificate holder, or permittee
43 contests the imposition of the civil penalty, the penalty shall be imposed only
44 after an adjudicatory hearing is conducted pursuant to R.S. 27:25 and a basis
45 for imposition of the penalty is determined to exist.

46 E. The board by rule may adopt a schedule of penalties for violations
47 of the Louisiana Riverboat Economic Development and Gaming Control Act,
48 the Louisiana Economic Development and Gaming Corporation Act, the
49 Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming
50 Control Act, the Sports Wagering Control Act, this Chapter, or any rule or
51 regulation of the board. Any such rules shall be adopted pursuant to the
52 Administrative Procedure Act and as otherwise provided in this Chapter.

53 * * *
54 §29.1. Manufacturer; permits

* * *

D. The annual fee for a manufacturer of slot machines, sports wagering systems, and video draw poker devices permit issued under the provisions of this Section is fifteen thousand dollars. This fee is required to be submitted at the time of application and on the anniversary date of the issuance of the permit thereafter.

E. The annual fee for a manufacturer of gaming equipment other than slot machines, sports wagering systems, and video draw poker devices permit issued under the provisions of this Section is seven thousand five hundred dollars. This fee is required to be submitted at the time of application and on the anniversary date of the issuance of the permit thereafter.

§29.2. Gaming supplier permits

A. The board shall issue a gaming supplier permit to suitable persons who supply, sell, lease, or repair, or contract to supply, sell, lease, or repair gaming devices, equipment, and supplies to the holder of a license as defined in ~~R.S. 27:44(14), R.S. 27:353(5)~~ R.S. 27:44 and 353, or the casino gaming operator, or the sports wagering service provider as defined in R.S. 27:602. A person shall not supply, sell, lease, or repair or contract to supply, sell, lease, or repair gaming devices, equipment, and supplies unless they possess a valid gaming supplier permit.

B. Gaming devices, supplies, or equipment may not be distributed to the holder of a license as defined in ~~R.S. 27:44(14), R.S. 27:353(5)~~ R.S. 27:44 and 353, or a casino gaming operator, the sports wagering service provider as defined in R.S. 27:602, or supplier unless such devices, equipment, or supplies conform to rules adopted by the board for such purpose.

* * *

§29.2.1. Sports wagering service provider permits

A. The annual fee for a sports wagering service provider permit issued under the provisions of this Section shall be fifty thousand dollars. This fee shall be submitted to the division at the time of application and on the anniversary date of the issuance of the permit thereafter.

B.(1) The board shall issue a sports wagering service provider permit to any suitable person who desires to contract to manage, administer, and control sports wagers for a holder of a license as defined in R.S. 27:44(15) or 353(5) or the casino gaming operator.

(2) A person shall not contract to manage, administer, or control sports wagers unless the person possesses a sports wagering service provider permit.

C. A sports wagering service provider shall keep books and records for the management, administering, and controlling of sports wagering authorized under this Title and for services for which it is contracted by a licensee or operator. The keeping of books and records shall be separate and distinct from any other business the sports wagering service provider might operate. A sports wagering service provider shall file a quarterly return with the board listing all of its contracts and services related to sports wagering authorized under this Title.

§29.3. Non-gaming supplier permit

A.(1) The division shall issue a non-gaming supplier permit to suitable persons who furnish services or goods and receive compensation or remuneration for such goods or services to the holder of a license as defined in R.S. 27:44 and 353, or the casino gaming operator, or the sports wagering service provider as defined in R.S. 27:602. The board shall promulgate rules establishing the threshold amount of goods and services for which a non-gaming supplier permit is required. Such services include but are not limited to industries offering goods or services whether or not directly related to gaming activity, including junket operators and limousine services contracting with the holder of a license as defined in R.S. 27:44 and 353, or the casino gaming operator, or the sports wagering service provider as defined in R.S. 27:602, suppliers of food and nonalcoholic beverages, gaming employee or dealer training schools, garbage handlers, vending machine providers, linen suppliers, or maintenance companies. Any employee or dealer training school, other than employee or training schools conducted by a licensee, or the casino gaming operator, shall be conducted at an institution approved by the Board of Regents or the State Board of Elementary and Secondary Education.

(2) Any person who, directly or indirectly, furnishes services or goods to the holder of a license as defined in R.S. 27:44 and 353, or the casino gaming operator,

1 or the sports wagering service provider as defined in R.S. 27:602, regardless of the
2 dollar amount of the goods and services furnished or who has a business association
3 with the holder of a license as defined in R.S. 27:44 and 353, or the casino operator,
4 or the sports wagering service provider as defined in R.S. 27:602, may be required
5 by the board or division, where applicable, to be found suitable or apply for a non-
6 gaming supplier permit. Failure to supply all information required by the board or
7 division, where applicable, may result in a finding of unsuitability or denial of a non-
8 gaming supplier permit.

9 * * *

10 §29.4. Key and non-key gaming employee permit

11 * * *

12 D. The holder of a key or non-key gaming employee permit issued under this
13 Title shall be authorized to work in the capacity for which permitted for the holder
14 of a license as defined in R.S. 27:44(14), R.S. 27:353(5), R.S. 27:44 and 353, or the
15 casino gaming operator, or the sports wagering service provider as defined in R.S.
16 27:602.

17 * * *

18 §92. Collection and disposition of fees

19 * * *

20 D.(1) There is hereby established in the state treasury a special subfund in
21 the Riverboat Gaming Enforcement Fund to be known as the "Sports Wagering
22 Enforcement Subfund", hereafter in this Section, the "subfund".

23 (2) The monies in the subfund shall be withdrawn only pursuant to
24 appropriation by the legislature and shall be used solely for the following:

25 (a) For the expenses of the Department of Public Safety and Corrections and
26 the Department of Justice, including regulatory, administrative, investigative,
27 enforcement, legal, and such other expenses as may be necessary to carry out the
28 provisions of this Chapter and Chapter 10 of this Title and the rules and regulations
29 of the board.

30 (b) For the expenses of the Louisiana Gaming Control Board for the
31 regulation of gaming activities authorized by Chapter 10 of this Title.

32 * * *

33 §609. Sports wagering certificate fee

34 A. The initial application fee for a sports wagering certificate shall be fifty
35 thousand dollars and shall be nonrefundable.

36 B. A sports wagering certificate shall be issued to an applicant upon approval
37 by the board of the application and payment of the sports wagering certificate fee.
38 The fee shall be one hundred thousand dollars and the certificate shall be for a term
39 of five years.

40 C. The division shall collect all fees, fines, and taxes imposed or assessed
41 under the provisions of this Section and those fees related to sports wagering
42 activities in Chapter 1 of this Title and deposit the fees into the Sports Wagering
43 Enforcement Subfund as established in R.S. 27:92(D).

44 §610. State tax; levy

45 A. There is hereby levied a thirteen percent tax upon the net sports wagering
46 proceeds offered to consumers within this state.

47 B. The division shall collect all fees, fines, and taxes imposed or assessed
48 under the provisions of this Section.

49 C. All fees, fines, revenues, taxes, and other monies collected by the division
50 pursuant to this Section, shall be forwarded upon receipt to the state treasurer for
51 immediate deposit into the state treasury. Funds deposited into the treasury shall first
52 be credited to the Bond Security and Redemption Fund in accordance with Article
53 VII, Section 9(B) of the Constitution of Louisiana.

54 D. After complying with the provisions of Subsection C of this Section, each
55 fiscal year, the state treasurer shall disburse the tax levied pursuant to Subsection A
56 of this Section from sports wagering service providers or sports wagering certificate
57 holders as follows:

58 (1) One thirteenth of avails of the tax levied in Subsection A of this Section,
59 not to exceed \$750,000 shall be credited to the Compulsive and Problem Gaming
60 Fund established by R.S. 28:842, and the remainder of the avails shall be credited to
61 the Louisiana Early Childhood Education Fund as established by R.S. 17:407.30.

1 (2) Ten thirteenth of avails of the tax levied in Subsection A of this Section
2 shall be credited to the Louisiana Early Childhood Education Fund as established
3 by R.S. 17:407.30.

4 (3) Two thirteenth of avails of the tax levied in Subsection A of this Section
5 shall be remitted to each parish governing authority in proportion to the amount of
6 proceeds derived from the taxable conduct occurring in that parish."

7 AMENDMENT NO. 14

8 On page 3, delete line 7, and insert the following:

9 "Section 3. In the event of a conflict between the provisions of
10 Section 1 of this Act and the provisions of the Act which originated as House
11 Bill No. 459 of the 2019 Regular Session of the Louisiana Legislature, the
12 provisions of this Act shall supersede those of the Act which originated as
13 House Bill No. 459.

14 Section 4. Section 1 of this Act shall become effective July 1, 2019;
15 however, those provisions shall not be implemented until rules and
16 regulations regarding fantasy sports contest including fees, fines, and
17 penalties are promulgated and effective by the Louisiana Gaming Control
18 Board.

19 Section 5. Section 2 of this Act shall become effective if the Act
20 which originated as HB 459 of this 2019 Regular Session is enacted and
21 includes an election on the authorization of sports wagering in Louisiana.

22 Section 6. Sections 3, 4, and 5 of this Act and this Section shall
23 become effective upon signature by the governor or, if not signed by the
24 governor, upon expiration of the time for bills to become law without
25 signature by the governor, as provided by Article III, Section 18 of the
26 Constitution of Louisiana. If vetoed by the governor and subsequently
27 approved by the legislature, this Act shall become effective on the day
28 following such approval."