
DIGEST

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HB 64 Reengrossed

2020 First Extraordinary Session

Stefanski

Abstract: Levies an 8% state tax on net revenues of fantasy sports contests, defines net revenues, and dedicates the tax to the La. Early Childhood Education Fund.

Present law establishes the "Louisiana Fantasy Sports Contests Act" that authorizes the electors in the state to determine whether fantasy sports contests are permitted in a particular parish.

Present law defines a "fantasy sports contest" to mean any fantasy or simulation sports game or contest played through the internet or mobile device with all of the following elements:

- (1) Participants create a simulation sports team based on the current membership of actual amateur or professional sports organizations.
- (2) All prizes and awards offered to winning participants are established in advance of the game or contest and the value of the prizes is not determined by the number of participants or the amount of fees paid by participants.
- (3) All winning outcomes reflect the relative knowledge and skill of the participant and are determined by accumulated statistical results of the performance of the individuals.
- (4) No winning outcome is based on the score, point-spread, or any performance or performances of any single real-world team or any combination of teams or on a single performance of an individual athlete in any single real-world sporting or other event.

Present law requires the La. Gaming Control Board to adopt rules necessary to implement, administer, and regulate fantasy sports contests in this state if the electors of a parish approved fantasy sports contests in the parish. Upon adoption of rules by the La. Gaming Control Board and the enactment of laws to provide for the licensing, regulation, and taxation of revenue relative to fantasy sports contests, present law provides the following:

- (1) Authorizes fantasy sports contests only in those parishes that approved the proposition to permit fantasy sports contests in the parish.
- (2) Provides an exception to crimes in present law for gaming and gambling by computer for fantasy sports contests.

Proposed law retains present law.

Proposed law defines "operator's net revenue" for purposes of reporting required by present law as the amount equal to the total entry fees collected from all participants entering such fantasy sports contests minus the winnings paid to participants in the contests.

Proposed law levies an 8% tax on the net revenue of fantasy sports contests offered to consumers within the state and provides that the tax is due and payable monthly.

Proposed law defines "net revenue" of fantasy sports as the amount equal to the total entry fees collected from all participants entering fantasy sports contests minus the winnings paid to participants in the contests, multiplied by the location percentage for the state of La.

Present law defines "location percentage" as, for each fantasy sports contest, the percentage rounded to the nearest tenth of a percent of the total of entry fees collected from fantasy sports contest players located in La. divided by the total entry fees collected from such players participating in fantasy sports contests.

Proposed law deletes the specification that the definition is for each fantasy sports contest. Otherwise retains present law.

Present law defines "entry fee" as cash or cash equivalent required to be paid by a fantasy sports contest participant to an operator to participate in a fantasy sports contest.

Proposed law provides that the division collects the tax and requires the tax to be deposited into the La. Early Childhood Education Fund established in present law following certain requirements established in the constitution.

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

(Amends R.S. 27:302(8) and (9); Adds R.S. 27:302(10) and 316)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Change definition of "operator's net revenue" from the amount equal to the total entry fees collected from all participants entering such fantasy sports contests to the amount equal to the total entry fees collected from all participants entering such fantasy sports contests less the amount of winnings paid out.
2. Provide for effectiveness.
3. Make technical changes.