

2021 Regular Session

HOUSE BILL NO. 497

BY REPRESENTATIVE DUBUISSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

GAMBLING/RIVERBOAT: Provides for a referendum election in St. Tammany Parish regarding riverboat gaming

1 AN ACT

2 To enact R.S. 18:1300.25 and 1300.26 and R.S. 27:93(A)(12) and to repeal R.S.  
3 18:1300.21(I), relative to riverboat gaming operations; to authorize the calling and  
4 conducting of certain referendum elections in St. Tammany Parish necessary to  
5 authorize the conducting of riverboat gaming at a designated berth or facility; to  
6 provide for the submission of propositions by the governing authority of St.  
7 Tammany Parish; to provide relative to the approval of the propositions by the  
8 voters; to provide for procedures for authorized elections; to provide for the levying  
9 of a fee; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 18:1300.25 and 1300.26 are hereby enacted to read as follows:

12 §1300.25. Riverboat gaming elections; procedure; St. Tammany Parish; riverboat  
13 gaming authorization

14 A. The governing authority of St. Tammany Parish, by resolution, may call  
15 a referendum election as required by Article XII, Section 6(C)(1)(b) of the  
16 Constitution of Louisiana, to be held in the parish on an appropriate date as specified  
17 in R.S. 18:402, to be selected by the parish governing authority, to consider the  
18 proposition of whether to allow riverboat gaming operations and activities to be  
19 conducted in St. Tammany Parish. The proposition to be printed on the election  
20 ballot shall be:

1           "Shall gaming operations and activities allowed under the Louisiana  
2           Riverboat Economic Development and Gaming Control Act be  
3           authorized in St. Tammany Parish? Yes ( ) No ( ). (As required by  
4           Article XII, Section 6(C)(1)(b) of the Constitution of Louisiana)."

5           B. Except as otherwise provided in this Section, the election shall be  
6           conducted as provided in Chapter 6-B of this Title, including but not limited to those  
7           provisions providing for the responsibility of the parish governing authority to  
8           provide notice to the public as provided by law.

9           §1300.26. Riverboat Gaming Elections; St. Tammany Parish; specific locations

10           A. If the election authorized by the provision of R.S. 18:1300.25(A) is held  
11           and if the proposition authorized by that provision is approved by a majority of the  
12           electors voting thereon, then any riverboat gaming licensee desiring to conduct  
13           riverboat gaming operations or activities at a specified berth or docking facility in  
14           St. Tammany Parish on the approved portion of Lake Pontchartrain in St. Tammany  
15           Parish as provided for in Subsection B of this Section, shall apply to the Louisiana  
16           Gaming Control Board for authorization to conduct riverboat gaming operations or  
17           activities at that berth or docking facility, subject to the outcome of the election  
18           authorized by the provisions of this Section.

19           B. If the Louisiana Gaming Control Board authorizes any riverboat gaming  
20           licensee to conduct riverboat gaming operations or activities at a specific berth or  
21           docking facility in eastern St. Tammany Parish along the portions of Lake  
22           Pontchartrain that are part of the Lakeshore Marina located south and east of  
23           Interstate 10, Exit 261, subject to the outcome of the election authorized by the  
24           provisions of this Section, then the governing authority of St. Tammany Parish, by  
25           resolution, shall call a referendum election as required by Article XII, Section  
26           6(C)(2) of the Constitution of Louisiana, to be held in the parish on an appropriate  
27           date as specified in R.S. 18:402, to be selected by the parish governing authority, to  
28           consider the proposition of whether to allow each riverboat gaming licensee which  
29           has been authorized by the Louisiana Gaming Control Board to conduct riverboat

1 gaming operations or activities at that specified berth or docking facility in St.  
2 Tammany Parish.

3 C. The governing authority of St. Tammany Parish shall include in the  
4 proposition to be printed on the election ballot the name of each licensee and the  
5 location of each berth or docking facility which has been authorized by the Louisiana  
6 Gaming Control Board to conduct riverboat gaming operations or activities as  
7 provided in this Section. The proposition to be printed on the election ballot shall  
8 be:

9 "Shall (Name of licensee approved by the Louisiana Gaming Control  
10 Board) \_\_\_\_\_ be allowed to conduct gaming operations and  
11 activities allowed under the Louisiana Riverboat Economic  
12 Development and Gaming Control Act at a berth or docking facility  
13 located along the portions of Lake Pontchartrain that are part of the  
14 Lakeshore Marina located south and east of Interstate 10, Exit 261 in  
15 eastern St. Tammany Parish? Yes ( ) No ( ). (As required by  
16 Article XII, Section 6(C)(2) of the Constitution of Louisiana)."

17 D. If the Louisiana Gaming Control Board authorizes any riverboat gaming  
18 licensee to conduct riverboat gaming operations or activities in St. Tammany Parish  
19 as provided for in this Section, then the governing authority of St. Tammany Parish  
20 may call a separate election for each licensee or may call one election for all  
21 licensees.

22 E. Except as otherwise provided in this Section, the election shall be  
23 conducted as provided in Chapter 6-B of this Title, including but not limited to those  
24 provisions providing for the responsibility of the parish governing authority to  
25 provide notice to the public as provided by law.

26 F. As used in this Section, "riverboat gaming" means the holder of a license  
27 to conduct riverboat gaming operations or activities issued by the Louisiana Gaming  
28 Control Board pursuant to the provisions of R.S. 27:1 et seq.

29 Section 2. R.S. 27:93(A)(12) is hereby enacted to read as follows:



to decide the question of whether the berthing of a riverboat upon which gaming is conducted on such river or waterway shall be authorized.

Present law prohibits riverboat gaming activities from being conducted upon a riverboat berthed or docked at a facility on that portion of Lake Pontchartrain or any waterway connected thereto located within St. Tammany Parish.

Present law authorizes the governing authority of the parish or municipality in which the licensed berth of a riverboat is located to levy an admission fee of up to \$2.50 for each passenger boarding or embarking upon the riverboat.

Proposed law provides for the following:

- (1) Provides that the governing authority of St. Tammany Parish, by resolution, may call a referendum election to consider the following propositions:
  - (a) Whether to allow gaming operations and activities allowed under the La. Riverboat Economic Development and Gaming Control Act to be conducted in St. Tammany Parish as required by present constitution (La. Const. Art. XII, §6(C)(1)(b)).
  - (b) Whether a licensee approved by the La. Gaming Control Board shall be allowed to conduct gaming operations and activities allowed under the La. Riverboat Economic Development and Gaming Control Act at a berth or docking facility located along the portions of Lake Pontchartrain that are part of the Lakeshore Marina located south and east of Interstate 10, Exit 261 in eastern St. Tammany Parish.
- (2) If these propositions are approved, then a riverboat gaming licensee desiring to conduct riverboat gaming operations or activities at the specified berth or docking facility in St. Tammany Parish on the approved portion of Lake Pontchartrain shall apply to the La. Gaming Control Board for authorization to conduct riverboat gaming operations or activities at that berth or docking facility, subject to the outcome of another referendum election.
- (3) If the La. Gaming Control Board authorizes one or more riverboat gaming licensees pursuant to the provisions of proposed law, the governing authority of St. Tammany Parish, by resolution, shall call a referendum election to consider a proposition on whether a specified riverboat gaming licensee shall be allowed to conduct riverboat gaming operations or activities at a specified berth or docking facility in St. Tammany Parish, as required by present constitution (La. Const. Art. XII, §6(C)(2)).
- (4) Except as otherwise provided by proposed law, all elections provided for by the provisions of proposed law shall be conducted as provided in the present law election code including but not limited to those provisions providing for the responsibility of the parish governing authority to provide notice to the public as provided by law.
- (5) Provides that the elections shall be held in St. Tammany Parish on an appropriate date as specified in the election code, to be selected by the governing authority of St. Tammany Parish.
- (6) Provides that if the elections authorized by the provisions of proposed law are held and if the propositions are approved by a majority of the electors voting thereon, then in lieu of the admission fee authorized by present law (R.S. 27:93(A)), the governing authority of the location of the berthing facility may levy a fee not to exceed five percent of the monthly net gaming proceeds from each riverboat located within the jurisdiction of the governing authority. Requires the monthly fee to be established

by a "Community Agreement" between the St. Tammany Parish Development District and the riverboat licensee.

- (7) Repeals the present law provision that prohibits riverboat gaming activities from being conducted upon a riverboat berthed or docked at a facility on that portion of Lake Pontchartrain or any waterway connected thereto located within St. Tammany Parish.

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

(Adds R.S. 18:1300.25 and 1300.26 and R.S. 27:93(A)(12); Repeals R.S. 18:1300.21(I))