

2024 Regular Session

SENATE BILL NO. 235

BY SENATOR HENSGENS

GAMING. Provides relative to the regulation of sports wagering. (8/1/24)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

AN ACT

To amend and reenact R.S. 27:601(B) and 625(G)(7) and to enact R.S. 27:625(G)(8), and Subpart CC of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.241, relative to sports wagering; to provide regarding definitions, enforcement, licenses and permits, and wagering; to provide for requirements and regulations; to provide for revenue allocation; to create the Louisiana Equine Promotion and Research Fund; to provide for the transfer, deposit, and use of monies in the fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:601(B) and 625(G)(7) are hereby amended and reenacted and R.S. 27:625(G)(8) is hereby enacted to read as follows:

§601. Title and citation; privilege

* * *

B. Any license, permit, approval, or thing obtained ~~or~~ issued **, or renewed** pursuant to the provisions of this Chapter is expressly declared by the legislature to be a pure and absolute revocable privilege and not a right, property or otherwise,

1 under the constitution of the United States or of the state of Louisiana. Further, the
2 legislature declares that no holder of any license or permit acquires any vested
3 interest or right therein or thereunder.

4 * * *

5 §625. State tax; levy

6 * * *

7 G. After complying with the provisions of Subsection D of this Section, each
8 fiscal year the state treasurer shall credit the following amounts to the following
9 funds:

10 * * *

11 (7) **Two and one-half percent of the monies collected pursuant to this**
12 **Section, not to exceed two hundred fifty thousand dollars, shall be credited to**
13 **the Louisiana Equine Promotion and Research Fund as established by R.S.**
14 **39:100:241.**

15 (8) Any remaining funds shall be available as state general funds.

16 Section 2. Subpart CC of Part II-A of Chapter 1 of Subtitle I of Title 39 of the
17 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.241, is hereby enacted to read
18 as follows:

19 **SUBPART CC. LOUISIANA EQUINE PROMOTION AND RESEARCH FUND**

20 **§100.241. Louisiana Equine Promotion and Research Fund**

21 **A. There is hereby created, as a special fund in the state treasury, the**
22 **Louisiana Equine Promotion and Research Fund, hereafter referred to in this**
23 **Section as the "fund".**

24 **B.(1) After compliance with the requirements of Article VII, Section 9(B)**
25 **of the Constitution of Louisiana, the fund shall consist of monies deposited into**
26 **the fund pursuant to the requirements of R.S. 27:625(G)(7) and any other**
27 **monies appropriated annually by the legislature including donations, gifts,**
28 **grants, or any other monies which may be provided by law.**

29 **(2) Monies in the fund shall be invested by the treasurer in the same**

1 **manner as monies in the state general fund, and interest earned on investment**
 2 **of the monies shall be credited to the fund. All unexpended and unencumbered**
 3 **monies in the fund at the end of the fiscal year shall remain in the fund.**

4 **C. Monies in the fund shall be appropriated to the Department of**
 5 **Agriculture and Forestry for the Louisiana Equine Promotion and Research**
 6 **Program in accordance with the provisions of R.S. 3:2076 and 2077.**

The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michelle D. Ridge.

DIGEST

SB 235 Re-Reengrossed 2024 Regular Session Hensgens

Present law provides that any license, permit, approval, or thing obtained or issued pursuant to the provisions of present law is expressly declared by the legislature to be a pure and absolute revocable privilege and not a right, property or otherwise, under the U.S. or state constitution. Further provides that the legislature declares that no holder of any license or permit acquires any vested interest or right therein or thereunder.

Proposed law also adds the renewal of any license, permit, approval, or thing obtained or issued pursuant to present law to the declaration by the legislature that such items are a pure and absolute revocable privilege and not a right under law.

Proposed law creates the La. Equine Promotion and Research Fund within the state treasury and provides for the transfer, deposit, investment, and uses of monies in the fund. Requires monies in the fund to be appropriated to the Dept. of Agriculture and Forestry for the Louisiana Equine Promotion and Research Program in accordance with the provisions of present law.

Present law dedicates revenue generated by the net gaming proceeds from sports wagering as follows:

- (1) 2%, or \$500,000, whichever is greater, to the Behavioral Health and Wellness Fund.
- (2) 25%, not to exceed \$20,000,000, to the Louisiana Early Childhood Education Fund.
- (3) 10% to the Sports Wagering Local Allocation Fund.
- (4) 2.5% credited to the Sports Wagering Purse Supplement Fund. Provides monies in the Sports Wagering Purse Supplement Fund shall only be withdrawn pursuant to the appropriation by the legislature and monies shall be appropriated to the Louisiana Racing Commission solely for the use and in proportion approved in accordance with present law.
- (5) 2%, not to exceed \$500,000, to the Disability Affairs Trust Fund.
- (6) 3%, or \$500,000, whichever is greater, to the Compulsive and Problem Gaming Fund.
- (7) 55.5% to the state general fund.

Proposed law dedicates 2.5%, not to exceed \$250,000, of revenue generated by the net gaming proceeds from sports wagering from the state general fund to the La. Equine Promotion and Research Fund.

Proposed law reduces the amount of revenue distributed to the state general fund in present law from 55.5% to 53%.

Effective August 1, 2024.

(Amends R.S. 27:601(B) and 625(G)(7); adds R.S. 27:625(G)(8) and R.S. 39:100.241)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Increases the maximum amount of monies distributed from revenue generated by net gaming proceeds for sports wagering to the La. Equine Promotion and Research Program from \$500,000 to \$750,000.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Creates the La. Equine Promotion and Research Fund within the state treasury and provides for the transfer, deposit, investment, and uses of monies in the fund.
2. Requires monies in the fund to be appropriated to the Dept. of Agriculture and Forestry for the Louisiana Equine Promotion and Research Program in accordance with the provisions of present law.
3. Dedicates 2.5%, not to exceed \$250,000, of revenue generated by the net gaming proceeds from sports wagering from the state general fund to the La. Equine Promotion and Research Fund.

Senate Floor Amendments to reengrossed bill

1. Makes technical change.