

SENATE BILL NO. 325

BY SENATOR REESE

1 AN ACT

2 To amend and reenact R.S. 27:27.2, relative to the Louisiana Gaming Control Board; to
3 provide for exclusion of certain persons from participating in sports wagering; to
4 provide for rules to exclude certain persons that threaten violence or harm against
5 any person who is involved in a sporting event; to provide for terms and conditions;
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 27:27.2 is hereby amended and reenacted to read as follows:

9 §27.2. Board designated excluded persons

10 A. The board shall adopt rules to provide for the establishment of a list of
11 persons who are to be excluded from any room, premises, or designated gaming area
12 of any establishment where gaming is conducted pursuant to a license or contract
13 issued pursuant to the provisions of this Title. The rules shall define the standards for
14 exclusion and include standards relating to the following persons:

15 (1) Those who are career or professional offenders as defined by the rules of
16 the board.

17 (2) Those who have been convicted of a criminal offense as specified by the
18 board.

19 (3)(a) Those whose presence in a gaming establishment operated by a
20 licensee or the casino operator would be adverse to the interests of Louisiana or
21 gaming operations. For purposes of this Paragraph, the following persons may be
22 excluded:

1 (i) Persons suspected of cheating.

2 (ii) Persons whose gaming privileges, permits, or licenses have been
3 suspended, revoked, or denied.

4 (iii) Persons who pose a threat to the safety of the patrons or employees of
5 the casino operator or casino manager or any casino gaming licensee.

6 (iv) Persons with a documented history of conduct involving the disruption
7 of the gaming operations in any jurisdiction.

8 (v) Persons subject to an order of a Louisiana court excluding such persons
9 from any gaming establishment.

10 (vi) Persons with pending charges for a gaming or gambling crime or a crime
11 related to the integrity of gaming operations.

12 (b) A person may not be excluded from a gaming establishment operated by
13 a licensee or the casino operator for reasons based solely on the skill level of the
14 person.

15 **B. The board shall adopt rules to provide for the establishment of a list**
16 **of persons who are to be excluded from or ejected from a retail sports book and**
17 **from participating in the play or operation of mobile wagering pursuant to a**
18 **license or contract issued pursuant to the provisions of this Title. The rules shall**
19 **define the standards for exclusion or ejection and include standards relating to**
20 **the following persons:**

21 **(1) Those persons excluded as provided in Subsection A of this Section.**

22 **(2) Those persons who, before, during, or after a sporting event, threaten**
23 **violence or harm against any person who is involved in the sporting event,**
24 **where the threat is related to sports gaming.**

25 **(3) Those persons whose presence in a retail sports book or whose**
26 **participation in the play or operation of mobile wagering in this state is**
27 **determined by the board to pose a threat to the interests of the state, to**
28 **achieving the intents and purposes of this Title, or to the strict and effective**
29 **regulation of sports wagering.**

30 **C.** The board and the division shall have the authority to place persons on the

1 excluded list. The board or division may not place a person on the list required by
2 this Section due to the person's race, color, creed, national origin, sex, or disability,
3 as defined in R.S. 51:2232.

4 ~~C.D.~~ Whenever the name and description of any person is placed on an
5 excluded person's list pursuant to this Title, except at that person's request, the
6 division shall serve notice of such fact to such person by either of the following:

7 (1) By personal service.

8 (2) By certified mail to the last known address of such person.

9 ~~D.E.~~ A person may petition the board for removal of his name from the list.
10 The petitioner has the burden of proving he does not meet the criteria of ~~Paragraph~~
11 ~~(A)(1), (2), or (3)~~ **Subsection A** of this Section.

12 ~~E.F.~~ Any person who has been placed on the list of persons to be excluded
13 or ejected from any gaming establishment pursuant to this Title may be imprisoned
14 for up to six months or fined not more than five hundred dollars, or both if he
15 thereafter enters or attempts to enter the premises of a gaming establishment without
16 first having obtained a determination by the board that he should not have been
17 placed on the list of persons to be excluded or ejected.

18 ~~F.G.~~ (1) The board may impose sanctions on a licensee, permittee, or casino
19 gaming operator under this Title, if the licensee, permittee, or casino gaming
20 operator willfully fails to exclude from the licensed gaming establishment a person
21 placed on the exclusion list.

22 (2) The board may seek revocation or suspension of a license, permit, or
23 casino operating contract if the licensee, permittee, or casino gaming operator
24 engages in a pattern of willful failure to exclude from the licensed gaming
25 establishment persons placed on the exclusion list.

26 ~~G.H.~~(1) A person who is placed on the list is entitled to a hearing for review
27 of the listing, unless otherwise agreed by the board or division and the named person,
28 the hearing shall be held by the hearing officer in accordance with R.S. 27:25 not
29 later than thirty days after the receipt of the petition.

30 (2) If upon completion of the hearing, the hearing officer determines that the

1 rule does not or should not apply to the person listed, the division shall notify all
2 licensees, casino gaming operator, and permittees of the determination.

3 H.I. The provisions of this Section shall not apply to persons licensed
4 pursuant to the provisions of the Video Draw Poker Devices Control Law as
5 provided in Chapter 8 of this Title.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____