

2015 Regular Session

HOUSE BILL NO. 143

BY REPRESENTATIVES MORENO, ABRAMSON, BADON, BARROW, BOUIE, BROADWATER, TIM BURNS, BURRELL, CONNICK, COX, EDWARDS, GUILLORY, HARRISON, HAZEL, HENRY, HILL, HOFFMANN, HOWARD, HUNTER, KLECKLEY, NANCY LANDRY, TERRY LANDRY, LEGER, MILLER, NORTON, ORTEGO, OURSO, PEARSON, PIERRE, POPE, PRICE, REYNOLDS, RITCHIE, SCHRODER, SIMON, SMITH, TALBOT, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, WILLMOTT, AND WOODRUFF AND SENATOR ALARIO

GAMING: Provides for a dedication of funds realized from unclaimed gaming prize tickets

1 AN ACT

2 To amend and reenact R.S. 4:176(B) and R.S. 46:1816(C) and to enact R.S. 27:94, 252, and
3 394 and R.S. 46:1816(B)(8), relative to unclaimed prize money; to establish a time
4 period for collecting unclaimed jackpot tickets from electronic gaming devices; to
5 provide that unclaimed money from pari-mutuel tickets and unclaimed jackpot
6 tickets shall be used for certain expenses associated with health care services of
7 victims of sexually-oriented criminal offenses; to provide for the submission of funds
8 to the state treasurer; to provide that the state treasurer deposit the collected funds
9 into the Crime Victims Reparations Fund; to establish the use of such funds
10 collected; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 4:176(B) is hereby amended and reenacted to read as follows:

13 §176. Limitation of time for presenting pari-mutuel tickets and disposition of ~~unpaid~~
14 ~~money due on account of pari-mutuel tickets not presented~~ unclaimed monies

15 * * *

16 B. The sum held by any licensee for payment of outstanding winning
17 pari-mutuel tickets and for refunding the price of pari-mutuel tickets shall be retained

1 by such licensee for such purpose until the expiration of ninety days after the close
2 of the race meeting conducted by the licensee. One hundred days after the close of
3 any race meeting, ~~any unclaimed monies subjected to this Section shall be disposed~~
4 ~~of as follows.~~ the licensee shall remit an amount equal to the sum of all unclaimed
5 monies, less the amount of state tax paid by the licensee on such unclaimed monies,
6 to the state treasurer for deposit into the Crime Victims Reparations Fund as
7 provided for in R.S. 46:1816(B)(8). Such funds shall be used exclusively to pay the
8 expenses associated with health care services of victims of sexually-oriented
9 criminal offenses, including forensic medical examinations as defined in R.S.
10 15:622. ~~A sum not to exceed two hundred fifty thousand dollars for each race~~
11 ~~meeting shall be retained by the licensee and the remaining amount, if any, shall be~~
12 ~~paid over to the Louisiana State Racing Commission under oath, which shall then~~
13 ~~deposit said funds to the State General Fund of the state treasury with a report~~
14 ~~submitted under oath.~~

15 Section 2. R.S. 27:94, 252, and 394 are hereby enacted to read as follows:

16 §94. Ninety-day time period to claim jackpot ticket; collection and use of funds

17 A. The holder of a ticket obtained from any electronic gaming device which
18 is included in the definition of "game", "gaming device", and "gaming equipment",
19 as defined in R.S. 27:44, evidencing the right to a payment shall present the ticket
20 for payment within ninety days after the date printed on the ticket. The failure to
21 present such a ticket within the prescribed time shall constitute a waiver of the right
22 to the payment. Thereafter, the holder of such ticket shall have no right to enforce
23 payment of the ticket.

24 B. The funds held by any licensee for payment of outstanding tickets and for
25 the payment of electronic gaming device jackpots shall be retained by such licensee
26 for such purpose until the expiration of ninety days after the date printed on the
27 ticket.

28 C. After such time, the licensee shall remit an amount equal to the sum of
29 any unclaimed monies, less the amount of state tax paid by the licensee on the

1 unclaimed monies, to the state treasurer for deposit into the Crime Victims
2 Reparations Fund as provided for in R.S. 46:1816(B)(8). The funds shall be used
3 exclusively to pay the expenses associated with health care services of victims of
4 sexually-oriented criminal offenses, including forensic medical examinations as
5 defined in R.S. 15:622.

6 * * *

7 §252. Ninety-day time period to claim jackpot ticket; collection and use of funds
8 A. The holder of a ticket obtained from any electronic gaming device which
9 is included in the definition of "game" and "gaming device", as provided for in R.S.
10 27:205, evidencing the right to a payment shall present the ticket for payment within
11 ninety days after the date printed on the ticket. The failure to present such a ticket
12 within the prescribed time shall constitute a waiver of the right to the payment.
13 Thereafter, the holder of such ticket shall have no right to enforce payment of the
14 ticket.

15 B. The funds held by the casino gaming operator for payment of outstanding
16 tickets and for the payment of electronic gaming device jackpots shall be retained by
17 such licensee for such purpose until the expiration of ninety days after the date
18 printed on the ticket.

19 C. After such time, the licensee shall remit an amount equal to the sum of
20 any unclaimed monies, less the amount of state tax paid by the licensee on the
21 unclaimed monies, to the state treasurer for deposit into the Crime Victims
22 Reparations Fund as provided for in R.S. 46:1816(B)(8). The funds shall be used
23 exclusively to pay the expenses associated with health care services of victims of
24 sexually-oriented criminal offenses, including forensic medical examinations as
25 defined in R.S. 15:622.

26 * * *

27 §394. Ninety-day time period to claim jackpot ticket; collection and use of funds
28 A. The holder of a ticket obtained from any electronic gaming device which
29 is included in the definition of "slot machine", as defined in R.S. 27:353, evidencing

1 the right to a payment shall present the ticket for payment within ninety days after
2 the date printed on the ticket. The failure to present such a ticket within the
3 prescribed time shall constitute a waiver of the right to the payment. Thereafter, the
4 holder of such ticket shall have no right to enforce payment of the ticket.

5 B. The funds held by any licensee for payment of outstanding tickets and for
6 the payment of electronic gaming device jackpots shall be retained by such licensee
7 for such purpose until the expiration of ninety days after the date printed on the
8 ticket.

9 C. After such time, the licensee shall remit an amount equal to the sum of
10 any unclaimed monies, less the amount of state tax paid by the licensee on the
11 unclaimed monies, to the state treasurer for deposit into the Crime Victims
12 Reparations Fund as provided for in R.S. 46:1816(B)(8). The funds shall be used
13 exclusively to pay the expenses associated with health care services of victims of
14 sexually-oriented criminal offenses, including forensic medical examinations as
15 defined in R.S. 15:622.

16 Section 3. R.S. 46:1816(C) is hereby amended and reenacted and R.S. 46:1816(B)(8)
17 is hereby enacted to read as follows:

18 §1816. Crime Victims Reparations Fund; creation; sources and use of funds; ~~uses~~

19 * * *

20 B. The fund shall be composed of:

21 * * *

22 (8) Monies deposited by the state treasurer from the collection of unclaimed
23 prize money as provided for in R.S. 4:176 and R.S. 27:94, 252, and 394, which shall
24 be used exclusively to pay the expenses associated with health care services of
25 victims of sexually-oriented criminal offenses, including forensic medical
26 examinations as defined in R.S. 15:622.

27 * * *

28 C.(1) ~~At~~ Except as provided in Paragraph (2) of this Subsection, all monies
29 deposited in the fund shall be used solely to pay reparation awards to victims

1 pursuant to this Chapter and disbursements therefrom shall be made by the state
2 treasurer upon written order of the board, signed by the chairman, or a court.

3 (2) Monies received from the collection of unclaimed prize money as
4 provided for in R.S. 4:176 and R.S. 27:94, 252, and 294 shall be used exclusively to
5 pay the expenses associated with health care services of victims of sexually-oriented
6 criminal offenses, including forensic medical examinations as defined in R.S.
7 15:622.

8 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 143 Reengrossed

2015 Regular Session

Moreno

Abstract: Provides that unclaimed prize tickets from pari-mutuel wagering and electronic gaming shall be collected and used exclusively for health care services of victims of sexually-oriented criminal offenses.

Present law provides for the regulation of gaming at horse racing tracks, the land-based casino, riverboats, and slot machine gaming.

Present law provides for a 90-day time period for presentation of winning pari-mutuel wagering (horse racing) tickets. Further provides that 100 days after the close of a race meeting, a sum not to exceed \$250,000 for each race meeting that is unclaimed is retained by the licensee.

Proposed law deletes present law regarding the unclaimed monies after 100 days and requires the licensee to remit an amount equal to the unclaimed monies, less any state taxes owed on the monies, to the state treasurer for deposit in the Crime Victims Reparations Fund.

Proposed law establishes a 90-day time period to present a winning ticket from an electronic gaming device for payment. Further provides that the failure to present a ticket within the prescribed time constitutes a waiver of the right to the payment. Thereafter, the holder of the ticket has no right to enforce payment of the ticket.

Proposed law provides that the funds held by any licensee or the casino gaming operator for payment of winning tickets and for the payment of electronic gaming device jackpots shall be retained by the licensee until the expiration of 90 days after the date printed on the ticket. Funds collected shall be remitted, less any state taxes owed on the monies, to the state treasurer for deposit into the Crime Victims Reparations Fund.

Proposed law provides that monies collected from all these sources shall be used exclusively for payment of costs associated with health care services of victims of sexually-oriented criminal offenses.

(Amends R.S. 4:176(B) and R.S. 46:1816(C); Adds R.S. 27:94, 252, and 394 and R.S. 46:1816(B)(8))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Require the licensee to deduct the state tax amount owed on the unclaimed monies before remitting the monies to the state treasurer.
2. Delete provisions of the bill related to unclaimed monies at off track betting locations.
3. Clarify that the unclaimed monies provided for in proposed law do not include certain jackpots for electronic gaming.
4. Delete exclusion of forensic medical examinations from the use of the monies provided for in proposed law.

The House Floor Amendments to the engrossed bill:

1. Make technical changes to the bill.