

# ACT No. 186

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 SENATORS ALARIO, APPEL, BROOME, CHABERT, CLAITOR, CORTEZ, DONAHUE, DORSEY-COLOMB, ERDEY, GUILLORY, JOHNS, KOSTELKA, LAFLEUR, LONG, MILLS, MORRELL, MURRAY, NEVERS, PERRY, PETERSON, RISER, GARY SMITH, TARVER, WALSWORTH, WARD, AND WHITE

1 AN ACT

2 To amend and reenact R.S. 4:176(B), R.S. 27:15(B)(8), and R.S. 46:1816(C) and to enact  
3 R.S. 4:176(C) and R.S. 27:24(A)(6), 94, 252, and 394 and R.S. 46:1816(B)(8),  
4 relative to unclaimed prize money; to establish a time period for collecting  
5 unclaimed jackpot tickets from electronic gaming devices; to provide that unclaimed  
6 money from pari-mutuel tickets and unclaimed jackpot tickets shall be used for  
7 certain expenses associated with health care services of victims of sexually-oriented  
8 criminal offenses; to provide for the submission of funds to the state treasurer; to  
9 provide that the state treasurer deposit the collected funds into the Crime Victims  
10 Reparations Fund; to establish the use of such funds collected; and to provide for  
11 related matters.

12 Be it enacted by the Legislature of Louisiana:

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

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

17 \* \* \*

18 B. The sum held by any licensee for payment of outstanding winning  
19 pari-mutuel tickets and for refunding the price of pari-mutuel tickets shall be retained  
20 by such licensee for such purpose until the expiration of ninety days after the close

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

16 C. The Louisiana Racing Commission shall promulgate rules and regulations  
 17 as necessary and in accordance with the Administrative Procedure Act for the  
 18 administration and enforcement of this Section.

19 Section 2. R.S. 27:15(B)(8) is hereby amended and reenacted and R.S. 27:24(A)(6),  
 20 94, 252, and 394 are hereby enacted to read as follows:

21 §15. Board's authority; responsibilities

22 \* \* \*

23 B. The board shall:

24 \* \* \*

25 (8)(a) Adopt such policies and rules as are necessary to the efficient,  
 26 efficacious, and thorough conduct of the business of regulating and controlling the  
 27 gaming operations and activities under its jurisdiction and as are required by this  
 28 Title. Rules shall be adopted pursuant to the Administrative Procedure Act and,  
 29 notwithstanding any other provision of law to the contrary, rules of the board shall  
 30 be subject to legislative oversight and review. The legislative review of the rules

1 shall be conducted by the legislative committees with jurisdiction over gaming and  
2 criminal matters as provided by legislative rule.

3 (b) Promulgate rules and regulations in accordance with the Administrative  
4 Procedure Act as necessary for the administration and enforcement of R.S. 27:94,  
5 252, and 394.

6 \* \* \*

7 §24. Rulemaking authority; fees and fines, collection

8 A. The board, in accordance with the Administrative Procedure Act and R.S.  
9 27:15(B)(8), shall promulgate all rules and regulations necessary to carry out the  
10 provisions of this Title, including but not limited to the following:

11 \* \* \*

12 (6) The administration and enforcement of accumulating unclaimed monies  
13 on which the time period for collection has expired, the remittance thereof to the  
14 state treasurer, and related matters as required by R.S. 27:94, 252 and 394.

15 \* \* \*

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 each day accumulate the amount equal  
29 to the sum of any unclaimed monies, less the amount of state tax paid by the licensee  
30 on the unclaimed monies that expire that day. On or before the fifteenth day of the

1 first month following the end of a calendar-year quarter, the licensee shall remit to  
 2 the state treasurer for deposit into the Crime Victims Reparations Fund as provided  
 3 for in R.S. 46:1816(B)(8) an amount equal to the accumulated total for the previous  
 4 calendar-year quarter. The funds shall be used exclusively to pay the expenses  
 5 associated with health care services of victims of sexually-oriented criminal offenses,  
 6 including forensic medical examinations as defined in R.S. 15:622.

7 \* \* \*

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

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

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

20 C. After such time, the licensee shall each day accumulate the amount equal  
 21 to the sum of any unclaimed monies, less the amount of state tax paid by the licensee  
 22 on the unclaimed monies that expire that day. On or before the fifteenth day of the  
 23 first month following the end of a calendar-year quarter, the licensee shall remit to  
 24 the state treasurer for deposit into the Crime Victims Reparations Fund as provided  
 25 for in R.S. 46:1816(B)(8) an amount equal to the accumulated total for the previous  
 26 calendar-year quarter. The funds shall be used exclusively to pay the expenses  
 27 associated with health care services of victims of sexually-oriented criminal offenses,  
 28 including forensic medical examinations as defined in R.S. 15:622.

29 \* \* \*

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

2                   A. The holder of a ticket obtained from any electronic gaming device which  
 3           is included in the definition of "slot machine", as defined in R.S. 27:353, evidencing  
 4           the right to a payment shall present the ticket for payment within ninety days after  
 5           the date printed on the ticket. The failure to present such a ticket within the  
 6           prescribed time shall constitute a waiver of the right to the payment. Thereafter, the  
 7           holder of such ticket shall have no right to enforce payment of the ticket.

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

12                  C. After such time, the licensee shall each day accumulate the amount equal  
 13          to the sum of any unclaimed monies, less the amount of state tax paid by the licensee  
 14          on the unclaimed monies that expire that day. On or before the fifteenth day of the  
 15          first month following the end of a calendar-year quarter, the licensee shall remit to  
 16          the state treasurer for deposit into the Crime Victims Reparations Fund as provided  
 17          for in R.S. 46:1816(B)(8) an amount equal to the accumulated total for the previous  
 18          calendar-year quarter. The funds shall be used exclusively to pay the expenses  
 19          associated with health care services of victims of sexually-oriented criminal offenses,  
 20          including forensic medical examinations as defined in R.S. 15:622.

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

23          §1816. Crime Victims Reparations Fund; creation; sources and use of funds; ~~uses~~

24   \*       \*       \*

25                  B. The fund shall be composed of:

26   \*       \*       \*

27                  (8) Monies deposited by the state treasurer from the collection of unclaimed  
 28          prize money as provided for in R.S. 4:176 and R.S. 27:94, 252, and 394, which shall  
 29          be used exclusively to pay the expenses associated with health care services of

1 victims of sexually-oriented criminal offenses, including forensic medical  
2 examinations as defined in R.S. 15:622.

3 C.(1) ~~At~~ Except as provided in Paragraph (2) of this Subsection, all monies  
4 deposited in the fund shall be used solely to pay reparation awards to victims  
5 pursuant to this Chapter and disbursements therefrom shall be made by the state  
6 treasurer upon written order of the board, signed by the chairman, or a court.

7 (2) Monies received from the collection of unclaimed prize money as  
8 provided for in R.S. 4:176 and R.S. 27:94, 252, and 294 shall be used exclusively to  
9 pay the expenses associated with health care services of victims of sexually-oriented  
10 criminal offenses, including forensic medical examinations as defined in R.S.  
11 15:622.

12 \* \* \*

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_