

2016 Regular Session

SENATE BILL NO. 93

BY SENATOR DORSEY-COLOMB

INTERNET. Provides gambling exception for certain fantasy or simulation games under certain circumstances. (gov sig)

1 AN ACT

2 To enact R.S. 14:90(D) and 90.3(J), relative to gambling; to provide an exception to the  
3 crimes of gambling and gambling by computer; to provide an exception for certain  
4 fantasy or simulation games under certain circumstances; to provide terms and  
5 conditions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:90(D) and 90.3(J) are hereby enacted to read as follows:

8 §90. Gambling

9 \* \* \*

10 **D. Participation in any fantasy or simulation sports game, educational**  
11 **game, or contest as provided in R.S. 14:90.3(J) shall not be considered gambling**  
12 **for the purposes of this Section.**

13 \* \* \*

14 §90.3. Gambling by computer

15 \* \* \*

16 **J. Participation in any fantasy or simulation sports game, educational**  
17 **game, or contest shall not be considered gambling by computer for the purposes**

1 of this Section, if all of the following conditions are met:

2 (1) No fantasy or simulation sports team is based on the current  
3 membership of an actual team that is a member of an amateur or professional  
4 sports organization.

5 (2) All prizes and awards offered to winning participants are established  
6 and made known to the participants in advance of the game or contest, and the  
7 value of the prizes or awards is not determined by the number of participants  
8 or the amount of any fees paid by those participants.

9 (3) All winning outcomes reflect the relative knowledge and skill of the  
10 participants and are determined predominantly by accumulated statistical  
11 results of the performance of individuals in multiple real-world sporting or  
12 other events.

13 (4) No winning outcome is based on either of the following:

14 (a) On the score, point-spread, or any performance or performances of  
15 any single real-world team or any combination of such teams.

16 (b) Solely on any single performance of an individual athlete in any  
17 single real-world sporting or other event.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

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DIGEST

SB 93 Original

2016 Regular Session

Dorsey-Colomb

Present law provides for the crimes of gambling and gambling by computer.

Proposed law provides an exception to the crimes of gambling and gambling by computer for the participation in any fantasy or simulation sports game, educational game, or contest by computer if all of the following conditions are met:

- (1) No fantasy or simulation sports team is based on the current membership of an actual amateur or professional sports team.
- (2) All prizes and awards offered to winning participants are established and made known to the participants in advance of the game or contest, and the value of the prizes or awards is not determined by the number of participants or the amount of any fees paid by those participants.
- (3) All winning outcomes reflect the relative knowledge and skill of the participants and are determined predominantly by accumulated statistical results of the performance of individuals in multiple real-world sporting or other events.

- (4) No winning outcome is based on either of the following:
- (a) On the score, point-spread, or any performance or performances of any single real-world team or any combination of such teams.
  - (b) Solely on any single performance of an individual athlete in any single real-world sporting or other event.

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

(Adds R.S. 14:90(D) and 90.3(J))