

2018 Regular Session

SENATE BILL NO. 398

BY SENATOR GARY SMITH

GAMING. Provides for a statewide referendum election on sports wagering as an authorized form of gaming. (See Act)

1 AN ACT
2 To amend and reenact R.S. 27:44(10) and 205(12) and to enact R.S. 18:1300.24, relative to
3 gaming; to provide for a referendum election to add sports wagering as a form of
4 authorized gaming; to provide for applicability; to provide for legislative intent; to
5 provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:1300.24 is hereby enacted to read as follows:

8 **§1300.24. Sports wagering gaming election; procedure**

9 **A. A statewide referendum election, to the extent required by this**
10 **Chapter and Article XII, Section 6 of the Constitution of Louisiana, shall be**
11 **called at the primary congressional election to be held on November 6, 2018,**
12 **pursuant to R.S. 18:402(B)(1), and as provided by law, to consider the**
13 **proposition of whether sports wagering shall be allowed as a form of gaming in**
14 **the state of Louisiana.**

15 **B. The proposition on the ballot shall be stated as follows: "Shall sports**
16 **wagering be a form of gaming allowed in the state of Louisiana, pursuant to a**
17 **gaming license and with the prior approval of the Louisiana Gaming Control**

1 **Board, all in accordance with Louisiana Gaming Control Law?"**

2 **C. If a majority of those voting vote in favor of the proposition, a license**
3 **holder under Chapter 4 or 5 of Title 27 of the Louisiana Revised Statutes of**
4 **1950 may engage in sports wagering within the state of Louisiana. The license**
5 **holder shall remain subject to the licensing and regulatory authority of the**
6 **Louisiana Gaming Control Board and the Louisiana Gaming Control Law.**

7 **D. Except as provided in this Section, the election shall be conducted as**
8 **provided in Chapter 6-B of this Title, including but not limited to the provisions**
9 **providing for notice to the public as provided by law.**

10 Section 2. R.S. 27:44(10) and 205(12) are hereby amended and reenacted to read as
11 follows:

12 §44. Definitions

13 When used in this Chapter, the following terms shall mean:

14 * * *

15 (10) "Game" means any banking or percentage game which is played with
16 cards, dice, or any electronic, electrical, or mechanical device or machine for money,
17 property, or any thing of value. "Game" does not include a lottery, bingo, pull tabs,
18 raffles, electronic video bingo, cable television bingo, **or** dog race wagering~~, or,~~
19 **"Game" shall include** any wagering on any type of sports event, including but not
20 limited to football, basketball, baseball, hockey, boxing, tennis, wrestling, jai alai,
21 or other sports contest or event. Game shall also include racehorse wagering.

22 * * *

23 §205. Definitions

24 When used in this Chapter, the following terms have these meanings:

25 * * *

26 (12) "Game" means any banking or percentage game located exclusively
27 within an official gaming establishment which is played with cards, dice, or any
28 electronic, electrical, or mechanical device or machine for money, property, or any
29 thing of value. Game does not include lottery, bingo, charitable games, raffles,

1 electronic video bingo, pull tabs, cable television bingo, wagering on dog or horse
 2 races, **"Game" shall include** sports betting; or wagering on any type of sports
 3 event, inclusive but not limited to football, basketball, baseball, hockey, boxing,
 4 tennis, wrestling, jai alai, or other sports contest or event.

5 * * *

6 Section 3. The provisions of this Act shall not be construed to limit or in any way
 7 affect the authority of the Louisiana Gaming Control Board to license and regulate gaming
 8 activities and operations.

9 Section 4. Section 2 of this Act shall not become effective unless and until there is
 10 a favorable vote on the statewide referendum provided in Section 1.

11 Section 5. Sections 1, 3, 4 and this Section shall become effective upon signature by
 12 the governor or, if not signed by the governor, upon expiration of the time for bills to
 13 become law without signature by the governor, as provided by Article III, Section 18 of the
 14 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
 15 legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

SB 398 Original

2018 Regular Session

Gary Smith

Proposed law calls for a statewide referendum election to be held on November 6, 2018, at the congressional primary election.

Proposed law provides that the proposition on the ballot shall read: "Shall sports wagering be a form of gaming allowed in the state of Louisiana, pursuant to a gaming license and with the prior approval of the Louisiana Gaming Control Board, all in accordance with Louisiana Gaming Control Law?"

Proposed law provides that if a majority of those voting vote in favor of the proposition, a riverboat or land based casino license holder may engage in sports wagering within the state of Louisiana.

Proposed law provides that the licensee shall remain subject to the regulatory authority of the board and present law.

Proposed law provides that the election shall be conducted pursuant to the La. Election Code.

Present law provides for certain forms of authorized gaming activities.

Proposed law adds sports wagering as an authorized form of gaming for riverboat and land

based casinos and otherwise retains present law.

Provides the provisions regarding the referendum election shall become effective upon signature of the governor or lapse of time for gubernatorial action.

Provides that provisions regarding sports wagering becoming an authorized form of gaming and shall become effective only upon a favorable vote on the referendum.

(Amends R.S. 27:44(10) and 205(12); adds R.S. 18:1300.24)