

2018 Regular Session

SENATE BILL NO. 417

BY SENATOR WHITE

GAMING. Provides for a referendum election in Tangipahoa Parish regarding riverboat gaming. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 27:43(B)(1) and to enact R.S. 18:1300.24, relative to riverboat
3 gaming operations in Tangipahoa Parish on the portion of the Tangipahoa River
4 southwest of the intersection of Interstate 12 and Louisiana Highway 445; to add the
5 portion of the Tangipahoa River south of Interstate 12 as a designated river and
6 waterway upon which riverboat gaming activities may be conducted; to require and
7 provide for a referendum election in Tangipahoa Parish; to provide for the relocation
8 of an existing riverboat gaming license holder's operations; to provide for
9 applicability; to provide for legislative intent; and to provide for related matters.

10 Notice of intention to introduce this Act has been published.

11 Be it enacted by the Legislature of Louisiana:

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

13 **§1300.24. Riverboat relocation gaming election; procedure; Tangipahoa Parish**

14 **A. A referendum election, to the extent required by this Chapter and**

15 **Article XII, Section 6 of the Constitution of Louisiana, shall be called in**

16 **Tangipahoa Parish at the primary congressional election to be held on**

17 **November 6, 2018, pursuant to R.S. 18:402(B)(1), or on a succeeding**

1 appropriate date selected by the parish governing authority and as provided by
2 law, to consider the proposition of whether a holder of an existing riverboat
3 gaming license shall be allowed to relocate to an approved berth and conduct
4 riverboat gaming operations on the portion of the Tangipahoa River southwest
5 of the intersection of Interstate 12 and Louisiana Highway 445.

6 B. The proposition on the ballot shall be stated as follows: "Shall
7 Louisiana Riverboat Gaming Partnership, an existing riverboat gaming license
8 holder, be allowed to relocate and conduct riverboat gaming operations or
9 activities at a facility to be located in Tangipahoa Parish at an approved berth
10 or docking facility along the Tangipahoa River, southwest of the intersection of
11 Interstate 12 and Louisiana Highway 445, pursuant to an existing riverboat
12 gaming license and with the prior approval of the Louisiana Gaming Control
13 Board, all in accordance with Louisiana Gaming Control Law?"

14 C. Subject to the approval of the Louisiana Gaming Control Board,
15 which is required only prior to the conducting of the election, and if a majority
16 of those voting vote in favor of the proposition, the riverboat gaming license
17 holder may relocate operations to the approved berth or docking facility in
18 Tangipahoa Parish along the Tangipahoa River, southwest of the intersection
19 of Interstate 12 and Louisiana Highway 445. The riverboat gaming license
20 holder shall remain subject to the licensing and regulatory authority of the
21 Louisiana Gaming Control Board and the Louisiana Gaming Control Law.

22 D. Except as provided in this Section, the election shall be conducted as
23 provided in Chapter 6-B of this Title, including but not limited to the provisions
24 providing for the responsibility of the parish governing authority to provide
25 notice to the public as provided by law.

26 Section 2. R.S. 27:43(B)(1) is hereby amended and reenacted to read as follows:

27 §43. Gaming activities allowed on designated rivers and waterways

28 * * *

29 B.(1) For purposes of this Chapter, designated rivers and waterways shall

1 include those portions of the Mississippi, Red, except the portion of the Red River
2 within the borders of Rapides Parish, Calcasieu, Mermentau, or Atchafalaya Rivers
3 and Bayou Segnette within the city limits of Westwego, the Mississippi River Gulf
4 Outlet, Bayou Bienvenue, Lake Pontchartrain, Lake Maurepas, Lake Charles, the
5 Intracoastal Waterway, except the portion thereof within the borders of Terrebonne
6 and Lafourche Parishes, **the portion of the Tangipahoa River south of Interstate**
7 **12 within Tangipahoa Parish,** and the Sabine River north of the Toledo Bend
8 Reservoir Dam subject to the provisions of Paragraph (2) of this Subsection, upon
9 which a gaming operator is authorized to conduct gaming operations in accordance
10 with the provisions of this Chapter.

11 * * *

12 Section 3. The provisions of this Act shall not be construed to increase the number
13 of riverboat gaming licenses authorized by R.S. 27:65(A). Also, other than, subject to voter
14 approval, a portion of the Tangipahoa River becoming a "designated river or waterway" for
15 purposes of the law, the provisions of this Act shall not be construed to expand riverboat
16 gaming activity or operations in Louisiana beyond that authorized by the provisions of the
17 Louisiana Gaming Control Law.

18 Section 4. The provisions of this Act shall not be construed to limit or in any way
19 affect the authority of the Louisiana Gaming Control Board to license and regulate riverboat
20 gaming activity and operations.

21 Section 5. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 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 Ashley E. Menou.

DIGEST

SB 417 Original 2018 Regular Session White

Proposed law calls a referendum election in Tangipahoa parish to be held on November 6, 2018, at the congressional primary election or on a succeeding appropriate date selected by the parish governing authority.

Proposed law provides that the proposition on the ballot shall read: "Shall Louisiana Riverboat Gaming Partnership, an existing riverboat gaming license holder, be allowed to relocate and conduct riverboat gaming operations or activities at a facility to be located in Tangipahoa Parish at an approved berth or docking facility along the Tangipahoa River, southwest of the intersection of Interstate 12 and Louisiana Highway 445, pursuant to an existing riverboat gaming license and with prior approval of the Louisiana Gaming Control Board, and all in accordance with Louisiana Gaming Control Law?"

Proposed law provides that if the board approves the new berth and a majority of the voters vote in favor of the proposition, the licensee may relocate operations to the approved berth in Tangipahoa Parish along the Tangipahoa River, southwest of the intersection of Interstate 12 and La. Highway 445.

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, including the provisions providing for the responsibility of the parish governing authority to provide notice to the public.

Present law authorizes the conducting of gaming activities on a riverboat while on designated rivers or waterways.

Proposed law adds the portion of the Tangipahoa River south of Interstate 12 to the designated rivers and waterways upon which gaming activities may be conducted and otherwise retains present law.

Present law provides that the addition of a designated river or waterway is contingent upon approval of the voters in a referendum election held in any parish which borders the proposed river's or waterway's banks.

Proposed law retains present law.

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

(Amends R.S. 27:43(B)(1); adds R.S. 18:1300.24)