

1 **(2) The ballot for the election shall state as follows:**

2 **"PROPOSITION TO AUTHORIZE SPORTS WAGERING.**

3 **Shall sports wagering be permitted in the parish of _____ ?**

4 **YES () NO ()"**

5 **B. The voters shall vote for or against the proposition. A vote for the**
6 **proposition being a "YES" vote, and a vote against the proposition being a**
7 **"NO" vote.**

8 **C.(1) If a majority of the qualified electors in the parish voting on the**
9 **proposition vote for the proposition, then sports wagering activities and**
10 **operations shall be permitted in such parish.**

11 **(2) If a majority of the qualified electors in the parish voting on the**
12 **proposition vote against the proposition, then sports wagering activities and**
13 **operations shall not be permitted in the parish.**

14 **D. The secretary of state shall prepare the ballot for the election as set**
15 **forth in the provisions of this Section.**

16 **E. Except as otherwise provided by this Section, the election shall be**
17 **conducted in accordance with the Louisiana Election Code.**

18 Section 2. Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950,
19 comprised of R.S. 27:551 through 555, is hereby enacted to read as follows:

20 **CHAPTER 10. SPORTS WAGERING**

21 **§551. Title**

22 **This Chapter shall be referred to as "The Louisiana Sports Wagering**
23 **Act".**

24 **§552. Definitions**

25 **For purposes of this Chapter:**

26 **(1) "Board" shall have the same meaning as that term has in R.S. 27:3.**

27 **(2) "Casino" means the holder of a license as that term defined in R.S.**
28 **27:44 or 353 or the casino gaming operator as provided in Chapter 5 of this**
29 **Title. "Casino" shall include the entirety of the building and improvements**

1 located upon a riverboat vessel or at a riverboat facility, at an eligible facility,
2 or at the official gaming establishment in the parish of Orleans. A casino as a
3 financial institution subject to the Bank Secrecy Act shall have approved
4 anti-money laundering programs and comply with all applicable provisions of
5 that Act.

6 (3) "Commission" means the Louisiana State Racing Commission as
7 provided in R.S. 4:144.

8 (4) "Eligible facility" shall have the same meaning as that term has in
9 R.S. 27:353(4) and Chapter 7 of this Title.

10 (5) "Financial institution" shall have the same meaning as that term has
11 in the Bank Secrecy Act, 31 U.S.C. 5311 et seq.

12 (6) "Net sports wagering proceeds" means the gross revenue attributable
13 to sports wagering operations less the total amount or value paid out to winning
14 patrons or players.

15 (7) "Operator" means a casino that has elected to operate a sports pool
16 and any suitable entity with whom a casino contracts to operate a sports pool.
17 An operator shall be considered a financial institution, shall comply with the
18 provisions of the Bank Secrecy Act, 31 U.S.C. 5311 et seq., and shall have an
19 approved anti-money laundering program.

20 (8) "Person" shall have the same meaning as that term has in R.S. 27:3.

21 (9)(a) "Sports event" or "sporting event" means any professional sport
22 or athletic event, any Olympic or international sports competition event, any
23 collegiate sports or athletic event, or any portion thereof, including but not
24 limited to the individual performance statistics of athletes in a sports event or
25 combination of sports events. "Sports event" or "sporting event" shall not
26 include a prohibited event or fantasy sports activity.

27 (b) "Professional sport or athletic event" as used in Subparagraph (a) of
28 this Paragraph means an event at which two or more persons participate in a
29 sport or athletic event and receive compensation in excess of actual expenses for

1 their participation in such event.

2 (c) A prohibited event shall include all high school sports events, youth
3 athletic events, electronic sports, and competitive video games.

4 (10) "Sports pool" means the business of accepting wagers on any sports
5 event by any system or method of wagering.

6 (11) "Sports wagering lounge" means the area of a casino approved by
7 the board for sports pool activities.

8 (12) "Suitable" shall have the same meaning as that term has in R.S.
9 27:3.

10 §553. Gaming Control Board; powers and duties

11 A. The board shall perform the duties and functions as authorized by
12 this Chapter and the regulatory authority with respect to the regulation of
13 sports wagering as provided by R.S. 27:15.

14 B. The board shall adopt, pursuant to the Administrative Procedure Act,
15 all rules necessary to implement, administer, and regulate sports wagering as
16 authorized by this Chapter.

17 C. The board shall follow its regulatory processes for dispute resolutions
18 for disputes arising from sports wagering.

19 §554. Conducting sports wagering; requirements; limitations

20 A.(1) In a parish in which sports wagering was approved by the voters
21 at the proposition election provided for in R.S. 18:1300.24, a casino may operate
22 a sports pool subject to this Chapter and rules promulgated by the board.

23 (2) In a parish in which sports wagering was not approved by the voters
24 at the proposition election provided for in R.S. 18:1300.24, a casino may not
25 operate a sports pool.

26 B. The board shall promulgate rules regarding limitations on certain
27 wagers being accepted by the operator. At a minimum, the rules shall include
28 the following limitations:

29 (1) An operator shall not knowingly accept wagers placed by persons

1 under twenty-one years of age.

2 (2) An operator shall not knowingly accept wagers from any person
3 prohibited from wagering on sports events and comply with all identity
4 verification and compulsive gaming verifications and protections set forth in
5 law or rule.

6 (3) An operator shall not knowingly accept wagers from a person who
7 is an athlete, coach, referee, or other official prohibited from placing or
8 accepting any wager on a sports event.

9 C. The board shall promulgate rules regarding limitations on certain
10 persons who may place wagers. At a minimum, the rules shall include the
11 following limitations:

12 (1) A wager shall not be placed by a person who is under the age of
13 twenty-one years.

14 (2) A wager shall not be placed by an athlete, coach, referee, or director
15 of a sports governing body or any of its member teams, a player or a referee
16 personnel member, on any sports event overseen by that person's sports
17 governing body based on publicly available information.

18 (3) A wager shall not be placed by any person who holds a position of
19 authority or influence sufficient to exert influence over the participants in the
20 sporting event, including but not limited to coaches, managers, handlers,
21 athletic trainers, or horse trainers, on that sporting event.

22 (4) A wager shall not be placed by any person with access to certain types
23 of exclusive information on any sports events overseen by that person's sports
24 governing body based on publicly available information.

25 D. Subject to the rules of the board, an operator shall immediately report
26 to the board:

27 (1) Any criminal or disciplinary proceedings commenced against the
28 operator or its employees in connection with the operations of a sports pool.

29 (2) Any abnormal betting activity or patterns that may indicate a

1 concern about the integrity of a sports event or events.

2 (3) Any other conduct with the potential to corrupt a betting outcome of
3 a sports event for purposes of financial gain, including but not limited to match
4 fixing.

5 (4) Suspicious or illegal wagering activities, including the use of funds
6 derived from illegal activity, wagers to conceal or launder funds derived from
7 illegal activity, use of agents to place wagers, or use of false identification.

8 E.(1) An operator may accept wagers on sports events through
9 self-service wagering machines or self-service kiosks located at its facility.

10 (2) For purposes of Chapters 4 and 7 of this Title, each wagering window
11 in a sports wagering lounge shall be counted as a single gaming position and
12 each wagering kiosk or self-service wagering station shall be counted as a single
13 gaming position, subject to the rules and regulations of the board.

14 F. An operator may accept wagers made electronically using a mobile or
15 other digital platform. Electronic wagering shall be subject to the following
16 requirements:

17 (1) Prior to the acceptance of any electronic wager, a person shall
18 establish a wagering account through the operator and an initial verification of
19 the account must be completed by the operator.

20 (2) Electronic sports wagers shall only be placed within the boundaries
21 of the casino and its amenities. A parking garage or parking area is not
22 considered part of the casino or its amenities for purposes of this Chapter. For
23 electronic sports wagers to be allowed within the boundary of an amenity, the
24 amenity shall be:

25 (a) Approved by the board pursuant to the provisions of this Chapter.

26 (b) Owned or leased and controlled by the holder of a license as defined
27 in R.S. 27:44 or 353 or the casino gaming operator.

28 (c) Within the vicinity of the gaming area of the casino.

29 (3) An operator shall maintain geofencing or geolocation services and

1 bears all costs and responsibilities as required by the board.

2 §555. Acceptance of certain out-of-state wagers

3 Wagers may be accepted or pooled with wagers from persons who are
4 not physically present in this state if the board determines that such wagering
5 is not inconsistent with federal law or the law of this state, including any foreign
6 nation, in which any such person is located, or the wagering is conducted
7 pursuant to a reciprocal agreement to which the state is a party that is not
8 inconsistent with federal law.

9 Section 3. R.S. 27:15(B)(1), (D), and (E), 44(10), 205(12), and 371(C) are hereby
10 amended and reenacted and R.S. 27:15(B)(8)(c) is hereby enacted to read as follows:

11 §15. Board's authority; responsibilities

12 * * *

13 B. The board shall:

14 (1) Have all regulatory authority, control, and jurisdiction, including
15 investigation, licensing, and enforcement, and all power incidental or necessary to
16 such regulatory authority, control, and jurisdiction over all aspects of gaming
17 activities and operations as authorized pursuant to the provisions of the Louisiana
18 Riverboat Economic Development and Gaming Control Act, the Louisiana
19 Economic Development and Gaming Corporation Act, the Video Draw Poker
20 Devices Control Law, ~~and~~ the Louisiana Fantasy Sports Contests Act, and the
21 Louisiana Sports Wagering Act, except as otherwise specified in this Title. Further,
22 the board shall have all regulatory, enforcement, and supervisory authority which
23 exists in the state as to gaming on Indian lands as provided in the provisions of Act
24 No. 888 of the 1990 Regular Session of the Legislature and Act No. 817 of the 1993
25 Regular Session of the Legislature.

26 * * *

27 (8)

28 * * *

29 (c) Adopt, pursuant to the Administrative Procedure Act and as

1 specifically provided for in R.S. 27:553, all rules necessary to implement,
2 administer, and regulate sports wagering as authorized by Chapter 10 of this
3 Title.

4 * * *

5 D. In addition to or in lieu of the revocation or suspension of a license or
6 permit issued pursuant to the provisions of the Louisiana Riverboat Economic
7 Development and Gaming Control Act, the Louisiana Economic Development and
8 Gaming Corporation Act, the Pari-mutuel Live Racing Facility Economic
9 Redevelopment and Gaming Control Act, and this Chapter, the board may impose
10 upon the casino gaming operator or the holder of a license as defined in R.S. 27:44
11 or 353, or a permittee a civil penalty not to exceed one hundred thousand dollars for
12 each violation of any provision of the Louisiana Riverboat Economic Development
13 and Gaming Control Act, the Louisiana Economic Development and Gaming
14 Corporation Act, **the Louisiana Sports Wagering Act**, the Louisiana Pari-mutuel
15 Live Racing Facility Economic Redevelopment and Gaming Control Act, this
16 Chapter, or any rule or regulation of the board. Payment of the civil penalty shall be
17 a requirement for the retention of any permit, certificate, or license held by the entity
18 which violated any such provisions. If the licensee contests the imposition of the
19 civil penalty, the penalty shall be imposed only after an adjudicatory hearing is
20 conducted pursuant to R.S. 27:25 and a basis for imposition of the penalty is
21 determined to exist.

22 E. The board by rule may adopt a schedule of penalties for violations of the
23 Louisiana Riverboat Economic Development and Gaming Control Act, the Louisiana
24 Economic Development and Gaming Corporation Act, **the Louisiana Sports**
25 **Wagering Act**, the Pari-mutuel Live Racing Facility Economic Redevelopment and
26 Gaming Control Act, this Chapter, or any rule or regulation of the board. Any such
27 rules shall be adopted pursuant to the Administrative Procedure Act and as otherwise
28 provided in this Chapter.

29 * * *

1 §44. Definitions

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

3 * * *

4 (10) "Game" means any banking or percentage game which is played with
5 cards, dice, or any electronic, electrical, or mechanical device or machine for money,
6 property, or any thing of value. **"Game" shall include sports wagering as**
7 **provided in Chapter 10 of this Title.** "Game" does not include a lottery, bingo, pull
8 tabs, raffles, electronic video bingo, cable television bingo, ~~or~~ dog race wagering;
9 ~~or any wagering on any type of sports event, including but not limited to football,~~
10 ~~basketball, baseball, hockey, boxing, tennis, wrestling, jai alai, or other sports contest~~
11 ~~or event.~~ ~~Game~~ **"Game"** shall also include racehorse wagering.

12 * * *

13 §205. Definitions

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

15 * * *

16 (12) "Game" means any banking or percentage game located exclusively
17 within an official gaming establishment which is played with cards, dice, or any
18 electronic, electrical, or mechanical device or machine for money, property, or any
19 thing of value. ~~Game~~ **"Game"** does not include lottery, bingo, charitable games,
20 raffles, electronic video bingo, pull tabs, cable television bingo, wagering ~~or~~ on dog
21 ~~or horse races, sports betting, or wagering on any type of sports event, inclusive but~~
22 ~~not limited to football, basketball, baseball, hockey, boxing, tennis, wrestling, jai~~
23 ~~alai, or other sports contest or event.~~ **"Game" shall include sports wagering as**
24 **provided in Chapter 10 of this Title.**

25 * * *

26 §371. Prohibition on operation of video draw poker devices; prohibition on any
27 other type of game

28 * * *

29 C. ~~Nothing in this Chapter shall be construed to permit~~ **Except sports**

1 **wagering as provided in Chapter 10 of this Title**, the operation or play of any type
2 of game the play of which requires the participation of an employee of the licensee
3 **is prohibited.**

4 * * *

5 Section 4. R.S. 13:4721 is hereby amended and reenacted to read as follows:

6 §4721. Gambling houses; definition; declared public nuisances

7 **A.** For the purposes of this ~~Sub-part~~, **Subpart**, or for the purposes of any
8 action or prosecution ~~hereunder~~ **in this Section**, a gambling house is **either:**

9 (1) ~~any~~ **Any** place ~~whatever whatsoever~~ where any game of chance of any
10 kind or character is played for money, for wagers, or for tokens, and where the
11 conduct of such place operates, directly or indirectly, to the profit of one or more
12 individuals and not exclusively to the direct profit of the actual participants in such
13 game; ~~and.~~

14 (2) ~~any~~ **Any** place whatsoever where races, athletic contests, ~~and~~ sports, and
15 games are not actually held and where opportunity is afforded for wagering upon
16 races, athletic contests, sports, and games of chance.

17 **B.** All gambling houses as ~~herein~~ defined **in this Section** are declared to be
18 public nuisances, and the ~~owner~~ **owners** thereof, and the ~~agent~~ **agents** for such
19 ~~owner, owners,~~ or the ~~lessee, sublessee~~ **lessees, sublesses,** or other occupants thereof
20 are declared to be guilty of maintaining a public nuisance.

21 **C. The provisions of this Subpart shall not apply to any place where**
22 **sports wagering activities are being conducted in accordance with Chapter 10**
23 **of Title 27 of the Louisiana Revised Statutes of 1950.**

24 Section 5. R.S. 14:90(C), 90.3(F), and 90.5(C) are hereby amended and reenacted
25 to read as follows:

26 §90. Gambling

27 * * *

28 C. The conducting or assisting in the conducting of gaming activities or
29 operations, **including sports wagering**, upon a riverboat, at the official gaming

1 establishment, by operating an electronic video draw poker device, by a charitable
 2 gaming licensee, or at a pari-mutuel wagering facility, conducting slot machine
 3 gaming at an eligible horse racing facility, or the operation of a state lottery which
 4 is licensed for operation and regulated under the provisions of Chapters 4 and 11 of
 5 Title 4, Chapters 4, 5, 7, ~~and 8,~~ **and 10** of Title 27, or Subtitle XI of Title 47 of the
 6 Louisiana Revised Statutes of 1950, is not gambling for the purposes of this Section,
 7 so long as the wagering is conducted on the premises of the licensed establishment.

8 * * *

9 §90.3. Gambling by computer

10 * * *

11 F. The conducting or assisting in the conducting of gaming activities or
 12 operations, **including sports wagering**, upon a riverboat, at the official gaming
 13 establishment, by operating an electronic video draw poker device, by a charitable
 14 gaming licensee, or at a pari-mutuel wagering facility, conducting slot machine
 15 gaming at an eligible horse racing facility, or the operation of a state lottery which
 16 is licensed for operation and regulated under the provisions of Chapters 4 and 11 of
 17 Title 4, Chapters 4, 5, 6, ~~and 7,~~ **and 10** of Title 27, or Subtitle XI of Title 47 of the
 18 Louisiana Revised Statutes of 1950, shall not be considered gambling by computer
 19 for the purposes of this Section, so long as the wagering is done on the premises of
 20 the licensed establishment.

21 * * *

22 §90.5. Unlawful playing of gaming devices by persons under the age of twenty-one;
 23 underage persons, penalty

24 * * *

25 C. For purposes of this Section, "casino games, gaming devices, or slot
 26 machines" means a game or device, as defined in R.S. 27:44(10) or (12), 205(12) or
 27 (13), or 353(14) operated on a riverboat, at the official gaming establishment, or at
 28 a pari-mutuel wagering facility which offers live horse racing which is licensed for
 29 operation and regulated under the provisions of Chapters 4, 5, ~~and 7,~~ **and 10** of Title

- program.
- (3) "Commission" means the Louisiana State Racing Commission.
 - (4) "Eligible facility" means a facility licensed by the Louisiana State Racing Commission to conduct live horse racing meetings.
 - (5) "Financial institution" means, in accordance with the federal Bank Secrecy Act, a casino, gambling casino, or gaming establishment with an annual gaming revenue of more than \$1 million which is licensed as a casino, gambling casino, or gaming establishment under the law of any state or any Indian gaming operation conducted pursuant to the Indian Gaming Regulatory Act.
 - (6) "Net sports wagering proceeds" means the gross revenue attributable to sports wagering operations less the total amount or value paid out to winning patrons or players.
 - (7) "Operator" means a casino that has elected to operate a sports pool and any suitable entity with whom a casino contracts to operate a sports pool. Provides that an operator shall be considered a financial institution for purposes the Bank Secrecy Act and shall be have an anti-money laundering program.
 - (8) "Person" means any individual, partnership, association, joint stock association, or trust, corporation, or other business entity whether incorporated or not.
 - (9) "Sports event" or "sporting event" means any professional sport or athletic event, any Olympic or international sports competition event, any collegiate sports or athletic event. "Sports event" or "sporting event" does not include a prohibited event or fantasy sports activity. A prohibited event is all high school sports or youth athletic events, electronic sports, and competitive video games.
 - (10) "Sports pool" means the business of accepting wagers on any sports event by any system or method of wagering.
 - (11) "Sports wagering lounge" means the area of a casino approved by the board for sports pool activities.
 - (12) "Suitable" is a set of standards provided in present law regarding character, background, reputation, etc. that persons applying for a license or permit or a contract with the board must meet.

Proposed law authorizes the board to promulgate all rules necessary to implement, administer, and regulate sports wagering. Provides that the board follow its regulatory processes for dispute resolutions for disputes arising from sports wagering.

Proposed law provides that in a parish where voters approved sports wagering, a casino may operate a sports pool.

Proposed law requires the board to promulgate rules regarding limitations on certain wagers being accepted by the operator. Limitations include:

- (1) An operator shall not knowingly accept wagers from any person under 21 years of age.
- (2) An operator shall not knowingly accept wagers from any person prohibited from wagering on sports events and comply with all identity verification and compulsive gaming verifications and protections set forth in law or rule.

- (3) An operator shall not knowingly accept wagers from any person who is an athlete, coach, referee, or other official prohibited from placing any wager on a sports event.

Proposed law requires the board to promulgate rules regarding limitations on persons who may place wagers. Limitations include:

- (1) A wager shall not be placed by a person who is under the age of 21 years.
- (2) A wager shall not be placed by a person who is an athlete, coach, referee, or director of a sports governing body or any of its member teams, a player or a referee personnel member, on any sports event overseen by that person's sports governing body based on publicly available information.
- (3) A wager shall not be placed by a person who holds a position of authority or influence sufficient to exert influence over the participants in the sporting contest, including but not limited to coaches, managers, handlers, athletic trainers, or horse trainers.
- (4) A wager shall not be placed by a person who has access to certain types of exclusive information on any sports events overseen by that person's sports governing body based on publicly available information.

Proposed law requires an operator to immediately report to the board:

- (1) Any criminal or disciplinary proceedings commenced against the operator or its employees in connection with the operations of a sports pool.
- (2) Any abnormal betting activity or patterns that may indicate a concern about the integrity of a sports event or events.
- (3) Any other conduct with the potential to corrupt a betting outcome of a sports event for purposes of financial gain, including but not limited to match fixing.
- (4) Suspicious or illegal wagering activities, including the use of funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, use of agents to place wagers, or use of false identification.

Proposed law authorizes an operator to accept wagers on sports events through self-service wagering machines or self-service kiosks located at its facility. Provides that for purposes of the law on riverboats and slots at race tracks, each gaming window is counted as a gaming position and each self-service wagering machine or kiosk counts as a gaming position.

Proposed law also authorizes an operator to accept wagers made electronically using a mobile or other digital platform. Requires that:

- (1) Prior to the acceptance of any electronic wager, a person must establish a wagering account through the operator and an initial verification of the account be completed by the operator.
- (2) Electronic sports wagers may only be placed within the boundaries of the casino and its amenities. Provides that for electronic sports wagers to be allowed within the boundary of an amenity, the amenity shall be: approved by the board; owned or leased and controlled by the riverboat, race track or land based casino; and within the vicinity of the gaming area of the casino.
- (3) An operator maintain geofencing or geolocation services and bears all costs and responsibilities as required by the board.

Proposed law provides that wagers may be accepted or pooled with wagers from persons who are not physically present in this state if the board determines that such wagering is not inconsistent with federal law or the law of this state, including any foreign nation, in which any such person is located, or the wagering is conducted pursuant to a reciprocal agreement to which the state is a party that is not inconsistent with federal law.

Present law vests all regulatory authority, control, and jurisdiction over all aspects of gaming activities and operations of riverboats, the land-based casino, video poker, and fantasy sports contests with the Louisiana Gaming Control Board. Authorizes the board to revoke or suspend a license or permit and to impose a civil penalty of up to \$100,000 for violations of present law relative to riverboats, the land-based casino, slot gaming at tracks, video poker, and fantasy sports contests. Provides for the board to adopt a schedule of penalties for violations of present law or any rule.

Proposed law retains present law and adds authority, control, and jurisdiction for the board over sports wagering and adds the sports wagering law to provisions for which revocation or suspension of a license or permit and civil penalties apply.

Present law prohibits gambling houses, gambling, gambling by computer.

Proposed law retains present law, but makes an exception for gaming conducted in accordance with the Louisiana Sports Wagering Act.

Present law provides that it is unlawful for any person under 21 years of age to play casino games, gaming devices, or slot machines.

Proposed law retains present law and includes sports wagering to casino games persons under 21 years of age are prohibited from playing.

Provides that provisions of the Act regarding the proposition election shall be effective on June 10, 2020.

Provides that provisions of the Act regarding regulatory authority of Louisiana Gaming Control Board and certain definitions become effective on December 1, 2020, provided that a majority of the qualified electors in at least one parish vote to approve the proposition to permit sports wagering in their parish.

Provides that provisions of the Act authorizing sports wagering and providing for exceptions from criminal statutes shall become effective if a majority of the qualified electors in at least one parish vote to approve the proposition to permit sports wagering and laws are enacted to tax revenue from sports wagering.

(Amends R.S. 13:4721, R.S. 14: 90(C), 90.3(F) and 90.5(C), R.S. 27:15(B)(1), (D), and (E), 44(10), 205(12), and 371(C); adds R.S. 18:1300.24 and R.S. 27:15(B)(8)(c) and 551-555)