

2020 Regular Session

SENATE BILL NO. 378

BY SENATOR JOHNS

GAMING. Provides for a proposition election to determine whether sports wagering activities and operations will be permitted in a parish. (6/10/20)

1 AN ACT

2 To enact R.S. 18:1300.24 and R.S. 27:15.1, relative to sports wagering; to provide for a
3 proposition election to authorize sport wagering in a parish; to provide for the
4 Louisiana Gaming Control Board powers and duties; to provide for effective dates;
5 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. Election on sports wagering**

9 **A.(1) At the statewide election occurring on November 3, 2020, a**
10 **proposition shall appear on the ballot in every parish to determine whether**
11 **sports wagering activities and operations shall be permitted in the parish.**

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

13 **"PROPOSITION TO AUTHORIZE SPORTS WAGERING**
14 **ACTIVITIES.**

15 **Shall sports wagering activities and operations be permitted in the parish**
16 **of _____ ?**

17 **YES () NO ()"**

1 **B. The voters shall vote for or against the proposition. A vote for the**
2 **proposition being a "YES" vote, and a vote against the proposition being a**
3 **"NO" vote.**

4 **C.(1) If a majority of the qualified electors in the parish voting on the**
5 **proposition vote for the proposition, then sports wagering activities and**
6 **operations shall be permitted in such parish only after state laws providing for**
7 **the licensing, regulation, and taxation of such activity and operations are**
8 **enacted and become effective.**

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

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

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

16 Section 2. R.S. 27:15.1 is hereby enacted to read as follows:

17 **§15.1. Sports Wagering**

18 **A. In the event of the legalization of sports wagering in any parish as a**
19 **result of the proposition election held on November 3, 2020, the Louisiana**
20 **Gaming Control Board shall have all regulatory authority, control, and**
21 **jurisdiction, including investigation, licensing, and enforcement, and all power**
22 **incidental or necessary to such regulatory authority, control, and jurisdiction**
23 **over all aspects of sports wagering activities and operations, except as otherwise**
24 **specified in this Title.**

25 **B. For purposes of this Section, "sports wagering" shall be defined as**
26 **the business of accepting wagers on any sports event or sports contest by any**
27 **system or method of wagering.**

28 Section 3. R.S. 18:1300.24 shall be considered a special law for purposes of
29 Louisiana Constitution Article XII, Section 6(C)(4).

1 Section 4. Section 2 of this Act shall become effective January 1, 2021, if in the
2 statewide election to be held on November 3, 2020, a majority of the qualified electors in
3 at least one parish in the state vote to approve the proposition to permit sports wagering in
4 such parish. However, sports wagering shall not be authorized by the Louisiana Gaming
5 Control Board in such parish until state laws providing for the licensing, regulation, and
6 taxation of sports wagering activities and operations are enacted and become effective.

7 Section 5. Sections 1, 3, 4 and this Section shall become effective June 10, 2020.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Dawn Romero Watson.

DIGEST

SB 378 Engrossed

2020 Regular Session

Johns

Present constitution provides for gambling to be defined by and suppressed by the legislature.

Present constitution provides that no law authorizing a new form of gaming, gambling, or wagering will be effective nor will such gaming, gambling, or wagering be licensed or permitted to be conducted in a parish unless a referendum election on a proposition to allow such gaming, gambling, or wagering is held in the parish and the proposition is approved by a majority of those voting thereon.

Present constitution provides that notwithstanding the present constitutional provisions regarding prohibited local and special laws, or any other provision of the constitution, the legislature by local or special law may provide for elections on propositions relating to allowing or prohibiting one or more forms of gaming, gambling, or wagering authorized by law.

Proposed law provides for a proposition election to determine whether sports wagering activities and operations will be permitted in a particular parish. Provides that the proposition will be on the ballot at the statewide election occurring on November 3, 2020.

Proposed law provides that if a majority of the qualified electors in the parish voting on the proposition vote "for" the proposition, then sports wagering activities and operations will be permitted in such parish only after state laws providing for the licensing, regulation, and taxation of such activities and operations are enacted and become effective.

Proposed law provides that if a majority of the qualified electors in the parish voting on the proposition vote "against" the proposition, then sports wagering activities and operations will not be permitted in the parish.

Proposed law provides that in the event of the legalization of sports wagering, the Louisiana Gaming Control Board shall have all regulatory authority, control and jurisdiction, including investigation, licensing, and enforcement and all power incidental or necessary to such regulatory authority, control, and jurisdiction over all aspects of sports wagering activities and operations. Defines "sports wagering" as the business of accepting wagers on any sports event or sports contest by any system or method of wagering.

Designates proposed law to be a special law for purposes of constitutional requirement regarding proposition elections on gambling, gaming, or wagering.

Effective June 10, 2020.

(Adds R.S. 18:1300.24 and R.S. 27:15.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Removes provisions relative to authorizing certain casinos to operate sports pool wagering and specific regulations for sports wagering activities and operations by the Louisiana Gaming Control Board.