

2020 Regular Session

HOUSE BILL NO. 670

BY REPRESENTATIVE STEFANSKI

GAMBLING/VIDEO POKER: Provides relative to the criteria and amenity requirements for qualified truck stops

1 AN ACT

2 To amend and reenact R.S. 27:417(A)(2)(introductory paragraph) and (B)(2) and to enact
3 R.S. 27:417(B)(3) and (D), relative to video draw poker devices; to provide relative
4 to criteria and amenity requirements for qualified truck stop facilities; to provide
5 relative to the suspension of operations of the criteria and amenity requirements; to
6 provide relative to the operation of video draw poker devices; to provide relative to
7 the effect of force majeure and the COVID-19 pandemic; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 27:417(A)(2)(introductory paragraph) and (B)(2) are hereby
11 amended and reenacted and R.S. 27:417(B)(3) and (D) are hereby enacted to read as follows:

12 §417. Qualified truck stop criteria; amenities

13 A. As used in this Chapter, a qualified truck stop facility shall mean a facility
14 covering at least five developed contiguous acres which sells fuel, lubricating oil,
15 and other vehicular merchandise, such as batteries, tires, or vehicle parts for
16 eighteen-wheel tractor-trailers, and which also meets all of the following criteria:

17 * * *

18 (2) It must have an onsite restaurant, except for reason of force majeure
19 affecting the ability to maintain the ~~on-site~~ onsite restaurant for a reasonable period
20 of time as determined by the division following the interruption of such ability,

1 which for the purposes of qualifying as a qualified truck stop facility, shall be
2 required to have only the following features:

3 * * *

4 B.

5 * * *

6 (2) In the event of a renovation to any of the criteria or amenity requirements
7 or buildings housing either of these, for a qualified truck stop facility provided for
8 by this Section, the licensee may suspend operations of such criteria or amenity for
9 thirty days in order to complete the renovation. The licensee must notify the division
10 prior to the beginning of the renovation that would cause the suspension of any
11 criteria or amenity. After the initial thirty-day suspension of the criteria or amenity,
12 if the renovation is not completed due to unforeseen circumstances, the licensee may
13 apply to the division, and for good cause shown, the division may grant an additional
14 thirty days for completion. During such suspension of the criteria or amenity, the
15 licensee may continue to operate video draw poker devices.

16 (3) The provisions of this Subsection shall not be construed to adversely
17 affect parish boundary surveys or good faith reliance upon those surveys as provided
18 for in R.S. 27:456.

19 * * *

20 D. For purposes of Subsection A of this Section, force majeure shall be in
21 effect beginning March 17, 2020, through June 30, 2021, due to the COVID-19
22 pandemic.

DIGEST

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HB 670 Engrossed 2020 Regular Session Stefanski

Abstract: Authorizes qualified truck stop facilities to suspend operations for 30 days in order to complete renovations and authorizes the licensee to operate video draw poker devices; requires force majeure to be in effect beginning March 17, 2020, through June 30, 2021, due to the COVID-19 pandemic.

Present law provides that a qualified truck stop facility shall mean a facility covering at least five developed contiguous acres which sells fuel, lubricating oil, and other vehicular merchandise, such as batteries, tires, or vehicle parts for 18-wheel tractor-trailers, and which meets certain criteria provided for in present law (R.S. 27:417(A)).

Present law provides that the criteria and amenity requirements for a qualified truck stop facility provided for by present law shall be suspended if any portion of the property upon which the qualified truck facility is located is expropriated by the state or one of its political subdivisions. Further requires that the suspension remains in effect until it is possible for the licensee to meet the requirements of present law.

Present law allows the licensee to continue to operate video draw poker devices during the period of suspension without meeting the requirements for that particular criteria or amenity affected by the expropriation.

Proposed law retains present law and provides that in the event of a renovation to any of the criteria or amenity requirements or buildings housing either of these, the licensee may suspend operations of such criteria or amenity for 30 days in order to complete the renovation. The licensee must notify the division prior to the beginning of the renovation that would cause the suspension of any criteria or amenity. After the initial 30-day suspension of the criteria or amenity, if the renovation is not completed due to unforeseen circumstances, the licensee may apply to the division, and for good cause shown, the division may grant an additional 30 days for completion. During such suspension of the criteria or amenity, the licensee may continue to operate video draw poker devices.

Proposed law requires the present law criteria and amenity requirements for qualified truck stops to be in effect beginning March 17, 2020, through June 30, 2021, due to the COVID-19 pandemic.

(Amends R.S. 27:417(A)(2)(intro. para.) and (B)(2); Adds R.S. 27:417(B)(3) and (D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Relative to the present law criteria and amenity requirements for qualified truck stops, require force majeure to be in effect beginning March 17, 2020, through June 30, 2021, due to the COVID-19 pandemic.