

2022 Regular Session

HOUSE BILL NO. 742

BY REPRESENTATIVE BISHOP

GAMBLING/VIDEO POKER: Provides relative to fuel sales requirements and amenity requirements for qualified truck stop facilities

1 AN ACT

2 To enact R.S. 27:416(C)(3)(c) and 417(A)(6)(h) and to repeal R.S. 27:417(A)(2), relative
3 to the Video Draw Poker Devices Control Law; to provide relative to qualified truck
4 stop facilities; to provide relative to the requirements of qualified truck stop
5 facilities; to provide relative to the criteria of qualified truck stop facilities; to
6 provide relative to amenity requirements; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 27:417(C)(3)(c) and 417(A)(6)(h) is hereby enacted to read as
9 follows:

10 §416. Qualified truck stop facilities; number of devices; fuel sales

11 * * *

12 C.

13 * * *

14 (3)

15 * * *

16 (c) A qualified truck stop facility that has met the requirements of
17 Subparagraphs (3)(a) or (3)(b) of this Paragraph shall only be required to offer, in the
18 regular course of business, fuel for sale for individual vehicle consumption
19 notwithstanding the requirements found in Paragraphs (2) and (3) of this Subsection.

20 * * *

1 §417. Qualified truck stop criteria; amenities

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

6 * * *

7 (6) It must have at least four of the following amenities, except for reason
8 of force majeure affecting the ability to maintain the amenities for a reasonable
9 period of time, as determined by the division following the interruption of such
10 ability:

11 * * *

12 (h) A Class-A General retail permit operating as a sports wagering lounge
13 which sells food or has an onsite restaurant.

14 * * *

15 Section 2. R.S. 27:417(A)(2) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 742 Original

2022 Regular Session

Bishop

Abstract: Relative to qualified truck stop facilities, provides relative to fuel sales requirements and amenity requirements.

Present law (R.S. 27:416(C)) requires qualified truck stops facilities to have a fuel facility that offers, in the regular course of business, fuel sales for individual vehicle consumption.

Present law further provides that the number of video draw poker devices placed at a qualified truck stop facility shall be based on the average monthly fuel sales calculated quarterly, using four sets of three calendar months, for the first year of operation and thereafter shall be based upon the average monthly fuel sales calculated annually, using a calendar year, as follows:

- (a) 100,000 gallons of fuel - not more than 50 devices.
- (b) 75,000 gallons of fuel - not more than 40 devices.
- (c) 50,000 gallons of fuel - not more than 35 devices.

Present law further provides that certain facilities that comply with the present law fuel sales requirements for five consecutive years shall be permitted to retain the number of devices it operated during that same consecutive five-year period. Further provides that after 10 years of operation, a qualified facility shall be permitted to retain the number of devices for which the facility qualified in the prior calendar year of operation, not to exceed 40 devices, if the facility meets a minimum fuel sales requirement.

Proposed law provides that a qualified truck stop facility that meets certain requirements of present law shall only be required to offer, in the regular course of business, fuel for sale for individual vehicle consumption notwithstanding certain present law requirements.

Present law (R.S. 27:417(A)) provides relative to certain amenity requirements for qualified truck stop facilities. One such requirement is an onsite restaurant

Proposed law repeals the requirement of an onsite restaurant.

Present law further provides that the qualified truck stop facility shall have at least four of the following amenities:

- (a) A separate truckers' television lounge.
- (b) A full-service laundry facility located in a convenient area for truckers' use.
- (c) Private showers for men and women and not located in an area open to general public restroom facilities.
- (d) A travel store.
- (e) Truck scales.
- (f) Separate truckers' telephones.
- (g) Permanent storage facilities for fuel.

Proposed law adds a Class-A General retail permit operating as a sports wagering lounge which sells food or has an onsite restaurant.

(Adds R.S. 27:416(C)(3)(c) and 417(A)(6)(h); Repeals R.S. 27:417(A)(2))