

2023 Regular Session

SENATE BILL NO. 192

BY SENATOR SMITH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

GAMING. Provides relative to the Louisiana Gaming Control Board. (8/1/23)

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AN ACT

To amend and reenact R.S. 27:11(A), 604(B)(2) and (3)(b), and 628(B), and to enact R.S. 27:20(D) and 27.5, relative to the Louisiana Gaming Control Board; to provide for board responsibilities; to provide for state police gaming enforcement division responsibilities; to establish human trafficking awareness and prevention training for licensees; to provide for sports wagering licenses; to provide for the sports wagering local allocation fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:11(A), 604(B)(2) and (3)(b), and 628(B) are hereby amended and reenacted, and R.S. 27:20(D) and 27.5 are hereby enacted to read as follows:

§11. Louisiana Gaming Control Board; creation; members; terms; meetings

A.(1) The Louisiana Gaming Control Board is hereby created. The board shall consist of nine members who shall be appointed by the governor and two ex officio members. In making the appointments, the governor shall appoint at least one member from each congressional district and such appointments shall, as nearly as practicable, be made in a manner that is representative of the population of the state.

All such appointments are subject to confirmation by the Senate. Members shall

1 serve staggered terms of six years. No person shall serve more than two terms
 2 whether consecutive or not. No person shall be appointed to serve on the board who
 3 had previously been confirmed by the Senate and served on any gaming regulatory
 4 board or commission in this state prior to the establishment of the Louisiana Gaming
 5 Control Board.

6 **(2) The board shall not be considered a professional or occupational**
 7 **licensing board for the purposes of Title 37 of the Louisiana Revised Statutes**
 8 **of 1950.**

9 * * *

10 §20. Department of Public Safety and Corrections, office of state police

11 * * *

12 **D. The gaming enforcement division, office of state police, Department**
 13 **of Public Safety and Corrections shall not be considered a professional or**
 14 **occupational licensing board for purposes of Title 37 of the Louisiana Revised**
 15 **Statutes of 1950.**

16 * * *

17 **§27.5. Uniform Human Trafficking Awareness and Prevention Training**

18 **A. Human trafficking is a serious and widely recognized problem. It is**
 19 **imperative for the health, safety, and welfare of the residents of the state of**
 20 **Louisiana that a comprehensive and uniform human trafficking awareness and**
 21 **prevention training be developed for the gaming industry.**

22 **B. The board in conjunction with the governor's office of human**
 23 **trafficking prevention and industry professionals shall develop and implement**
 24 **a comprehensive in-person and digital human trafficking awareness and**
 25 **prevention training for the gaming industry. If such development is not**
 26 **practical for the board, the board may approve third-party human trafficking**
 27 **awareness and prevention training programs. The training shall include but is**
 28 **not limited to training on identifying victims of human trafficking at gaming**
 29 **establishments in Louisiana.**

1 identified in Paragraph (1) of this Subsection be surrendered, that entity may
 2 reapply for the sports wagering license within two years of the board's
 3 acceptance of the surrender. Should the sports wagering license of an entity
 4 identified in Paragraph (1) of this Subsection be revoked, any new entity
 5 approved by the board to operate under a new license identified in Paragraph
 6 (1) of this Subsection shall have the first option to apply for the sports wagering
 7 license within two years of the effective date of the approval.

8 (3)(a) * * *

9 (b) Should a license become available after the initial issuance and entities
 10 identified in Paragraph (1) **and Paragraph (2)** of this Subsection decline to apply
 11 or the number of available licenses exceeds the number of entities identified in
 12 Paragraph (1) of this Subsection who are interested, the board shall notify ~~the entities~~
 13 ~~identified in Subparagraph (2)(a) of this Subsection~~ **licensed establishments as**
 14 **defined in R.S. 27:402 and provided for in Chapter 8 of this Title, any licensed**
 15 **establishment that is also licensed by the Louisiana State Racing Commission**
 16 **with the commission's approval may apply to be licensed to operate a sports**
 17 **book, and operators as defined in R.S. 27:302 and provided for in Chapter 6 of**
 18 **this Title** who do not have a sports wagering license about the available license and
 19 provide those entities an opportunity to apply for the license by a certain date. If the
 20 number of applications determined by the board to be eligible applicants exceeds the
 21 number of available licenses, the board shall provide for a concealed bid process and
 22 issue the available licenses, in accordance with the board's ranking of the bids, to the
 23 applicants that in the board's discretion have the greatest potential for revenue
 24 generation for the state.

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26 §628. Sports Wagering Local Allocation Fund

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28 B. Monies in the fund shall be remitted monthly, by proportionate
 29 distribution, to each parish governing authority in which the taxable conduct

1 pursuant to R.S. 27:625 occurred. The distribution **associated with mobile wagering**
 2 only shall be proportionate to the population percentage of each parish that approved
 3 a proposition to allow sports wagering compared to the total population of such
 4 parishes based on the latest federal decennial census.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Alan Miller.

DIGEST

SB 192 Engrossed

2023 Regular Session

Smith

Present law provides relative to the functions, duties, and powers of the La. Gaming Control Board (LGCB).

Present law provides for the regulation of professional or occupational boards and commissions.

Proposed law requires that the LGCB not be considered a professional or occupational licensing board for the purposes of present law.

Proposed law requires that the gaming enforcement division, office of state police, Dept. of Public Safety and Corrections not be considered a professional or occupational licensing board for purposes of present law.

Proposed law requires the LGCB in conjunction with the governor's office of human trafficking prevention and industry professionals to develop and implement a comprehensive in-person and digital human trafficking awareness and prevention training for the gaming industry.

Proposed law authorizes the LGCB to approve third-party human trafficking awareness and prevention training programs if it determines that development of the training required by proposed law is not feasible.

Proposed law requires such training to include but not be limited to training on identifying victims of human trafficking at gaming establishments in Louisiana.

Proposed law requires the LGCB to promulgate regulations setting forth the minimum training requirements to be imposed on all licensees and permittees that are required to comply with proposed law.

Proposed law requires all licensees, permittees, and employees to certify participation in and completion of human trafficking awareness and prevention training as provided in proposed law to the gaming enforcement division on an annual basis as a condition of maintaining any gaming license or permit issued by the LGCB.

Present law provides for the initial application process for sports wagering licenses. Present law requires the LGCB to issue no more than 20 sports wagering licenses and only consider applications from the casino gaming operator (land-based casino), the holder of a river boat casino license, or the holder of a live horse racing track.

Proposed law provides that if the sports wagering license is surrendered, that the entity is authorized to reapply for the sports wagering license within two years of the board's acceptance of the surrender.

Proposed law provides that if the sports wagering license is revoked, any new entity approved by the board to operate under a new license (land-based casino, river boat casino, or race track) shall have the first option to apply for the sports wagering license within two years of the effective date of the approval.

Present law provides that if a sports wagering license is available after the initial issuance, a video draw poker device licensed establishment and an off-track wagering facility may apply.

Proposed law retains present law and adds a fantasy sports contest operator as an eligible entity to apply for an available sports wagering license.

Present law provides for a sports wagering local allocation fund, with all monies deposited into the fund to be disbursed to parishes that allow for sports wagering, based on population.

Proposed law retains present law, but as it relates to mobile sports wagering.

Effective August 1, 2023.

(Amends R.S. 27:11(A), 604(B)(2) and (3)(b), and 628(B); adds R.S. 27:20(D) and 27.5)