

2026 Regular Session

HOUSE BILL NO. 883

BY REPRESENTATIVE SCHLEGEL

GAMBLING: Provides relative to enforcement of illegal online gambling

1 AN ACT

2 To amend and reenact R.S. 14:90.3(B), (C)(introductory paragraph), (1), (9), and (10), and
3 (D) through (K) and to enact R.S. 14:90.3(C)(11) and (12) and (L) through (R) and
4 R.S. 27:19.1 and 19.2, relative to restrictions against illegal online gambling; to
5 provide for penalties for violations thereof; to provide for enforcement; to provide
6 for remedies; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:90.3(B), (C)(introductory paragraph), (1), (9), and (10), and (D)
9 through (K) are hereby amended and reenacted and R.S. 14:90.3(C)(11) and (12) and (L)
10 through (R) are hereby enacted to read as follows:

11 §90.3. Gambling by computer

12 * * *

13 B. Gambling by computer is the intentional conducting, or directly assisting
14 in the conducting as a business of any game, contest, lottery, or contrivance whereby
15 a person risks the loss of anything of value in order to realize a profit when accessing
16 the Internet, World Wide Web, or any part thereof by way of any computer,
17 computer system, computer network, computer software, or any server. Any game,
18 contest, or promotion that is available on the internet or accessible on a mobile
19 phone, computer terminal, or similar access device that utilizes a dual-currency
20 system of payment allowing the player to exchange the currency for any prize or

1 award, cash, or cash equivalents, or any chance to win any prize or award, cash, or
2 cash equivalents, and simulates any form of gambling constitutes gambling by
3 computer.

4 C. For purposes of this Section, the following definitions apply:

5 (1) "Client" means anyone physically located within this state using a
6 computer to access a computer server to make gambling by computer wagers.

7 * * *

8 (9) "Merchant payment processor" means an entity that establishes a
9 contractual relationship with a person engaged in the business of gambling by
10 computer for the purpose of processing payment transactions on behalf of such
11 person. A "merchant payment processor" does not include any federally insured
12 financial institution, its subsidiaries or affiliates, or any payment card network.

13 (10) "Platform provider" means any person storing or hosting content, files,
14 data, and other information on a web server to make the content, files, data, or other
15 information accessible on a website via a computer, mobile device, tablet, or other
16 interactive device. A "platform provider" does not include any federally insured
17 financial institution, its subsidiaries or affiliates, or any payment card network.

18 ~~(9)~~(11) "Server" means a computer that listens for and services a client.

19 ~~(10)~~(12) "World Wide Web" means a server providing connections to mega
20 lists of information on the Internet; it is made up of millions of individual web sites
21 linked together.

22 D. ~~Whoever~~ Any client, as defined by this Section, who commits the crime
23 of gambling by computer shall be fined not more than five hundred dollars, or
24 imprisoned for not more than six months, or both.

25 E. Whoever engages in gambling by computer, including anyone who
26 designs, develops, manages, supervises, maintains, provides, or produces any
27 computer services, computer system, computer network, computer software, or any
28 server providing a Home Page, Web Site, or any other product accessing the Internet,
29 World Wide Web, or any part thereof offering to any client for the primary purpose

1 of the conducting as a business of any game, contest, lottery, or contrivance whereby
2 a person risks the loss of anything of value in order to realize a profit shall be fined
3 not more than ~~twenty~~ one hundred thousand dollars, or imprisoned with or without
4 hard labor; for not more than five years, or both.

5 F. Any applicant, licensed entity, platform provider, geolocation provider,
6 gaming content supplier, promoter, endorser, media affiliate, or any other person
7 who knowingly supports or facilitates the operation, conduct, or promotion of
8 gambling by computer within this state shall be fined not more than twenty thousand
9 dollars, or imprisoned with or without hard labor for not more than five years, or
10 both. The financial penalties set forth in this Subsection shall be doubled when the
11 knowing support or facilitation of the operation or conduct of gambling by computer
12 involves an individual under twenty-one years of age.

13 G.(1) No merchant payment processor shall knowingly accept or process any
14 financial transaction in connection with the participation of a person physically
15 located in this state who is gambling by computer. A merchant payment processor
16 shall be deemed to have constructive knowledge that all persons and website URLs
17 identified by the attorney general pursuant to R.S. 27:19.1 are engaged in gambling
18 by computer.

19 (2) A merchant payment processor may, on its own initiative, block, prohibit,
20 prevent, or otherwise refuse to honor any financial transaction that it reasonably
21 believes is or will be a restricted transaction described in Paragraph (1) of this
22 Subsection. A merchant payment processor shall not be liable in tort to any person
23 for such preventative measures.

24 (3) A merchant payment processor who does not comply with a cease and
25 desist notice pursuant to R.S. 27:19.1 shall be subject to the penalties in Subsection
26 F of this Section.

27 H.(1) No platform provider shall receive or transmit through its service any
28 exchange of information that it reasonably believes is or will be sent in connection
29 with the participation of a person in gambling by computer. A platform provider

1 shall be deemed to have constructive knowledge that all persons and website URLs
2 identified by the attorney general pursuant to R.S. 27:19.1 are engaged in gambling
3 by computer.

4 (2) A platform provider may, on its own initiative, block the receipt or
5 transmission through its service of any exchange of information that it reasonably
6 believes is or will be sent in violation of Paragraph (1) of this Subsection. A
7 platform provider shall not be liable in tort to any person for such preventative
8 measures. The provisions of this Paragraph apply only to information regarding
9 illegal conduct of gambling by computer.

10 (3) A platform provider who does not comply with a cease and desist notice
11 pursuant to R.S. 27:19.1 shall be subject to the penalties in Subsection F of this
12 Section.

13 (4) A platform provider shall be deemed to have constructive knowledge that
14 all persons and website URLs identified by the attorney general pursuant to R.S.
15 27:19.1 are engaged in gambling by computer. A platform provider who accepts and
16 offers an advertisement for a person or website URL identified by the attorney
17 general pursuant to R.S. 27:19.1 shall constitute prima facie evidence of support of
18 gambling by computer.

19 I. Each gambling by computer wager offered or accepted by a person
20 constitutes a separate violation for purposes of this Section. Each individual
21 promotion of illegal online gambling in this state constitutes a separate violation.

22 J. Without limiting the penalties provided in this Section, the court shall
23 order forfeiture of any profits, gains, gross receipts, or other benefits earned by the
24 person in connection with violations of this Section.

25 F.K. The conducting or assisting in the conducting of gaming activities or
26 operations upon a riverboat, at the official gaming establishment, by operating an
27 electronic video draw poker device, by a charitable gaming licensee, or at a pari-
28 mutuel wagering facility, conducting slot machine gaming at an eligible horse racing
29 facility, or the operation of a state lottery which is licensed for operation and

1 regulated under the provisions of Chapters 4 and 11 of Title 4, Chapters 4, 5, 6, and
2 7 of Title 27, or Subtitle XI of Title 47 of the Louisiana Revised Statutes of 1950,
3 shall not be considered gambling by computer for the purposes of this Section, ~~so~~ as
4 long as the wagering is done on the premises of the licensed establishment.

5 G.L. The conducting or assisting in the conducting of pari-mutuel wagering
6 at licensed racing facilities under the provisions of Chapter 4 of Title 4 of the
7 Louisiana Revised Statutes of 1950, shall not be considered gambling by computer
8 for the purposes of this Section ~~so~~ as long as the wagering is done on the premises
9 of the licensed establishment.

10 H.M. Nothing in this Section shall prohibit, limit, or otherwise restrict the
11 purchase, sale, exchange, or other transaction related to stocks, bonds, futures,
12 options, commodities, or other similar instruments or transactions occurring on a
13 stock or commodities exchange, brokerage house, or similar entity.

14 I.N. The providing of Internet or other on-line access, transmission, routing,
15 storage, or other communication related services, or Web Site design, development,
16 storage, maintenance, billing, advertising, hypertext linking, transaction processing,
17 or other site related services, by telephone companies, Internet Service Providers,
18 software developers, licensors, or other such parties providing such services to
19 customers in the normal course of their business, shall not be considered gambling
20 by computer even though the activities of such customers using such services to
21 conduct a prohibited game, contest, lottery, or contrivance may constitute gambling
22 by computer for the purposes of this Section. The provisions of this Subsection shall
23 not exempt from criminal prosecution any telephone company, Internet Service
24 Provider, software developer, licensor, or other such party if its primary purpose in
25 providing such service is to conduct gambling as a business.

26 J.O. Except as provided in R.S. 27:305, participation in any fantasy sports
27 contest as defined by R.S. 27:302 shall not be considered gambling by computer for
28 the purposes of this Section.

1 general shall maintain a listing, which will be publicly available on the website of
2 the attorney general, identifying the name of each gambling by computer operator
3 and associated online gambling website URL address, platform provider, or
4 merchant payment processor that has been issued a cease and desist notice pursuant
5 to this Section by either the board or the attorney general. Noncompliance with this
6 Subsection is not a defense to any action commenced pursuant to R.S. 14:90.3.

7 C. The manner of service of a cease and desist notice issued in accordance
8 with this Section shall be made in compliance with Chapters 2 and 3 of Title II, Book
9 II of the Code of Civil Procedure.

10 D. A cease and desist notice served in accordance with this Section is
11 admissible in any proceeding pursuant to R.S. 14:90.3 and constitutes prima facie
12 evidence that the person has knowledge that gambling by computer or the promoting
13 or marketing of gambling by computer was occurring on the internet site of the
14 gambling by computer operator, that the platform provider was allowing the
15 exchange of information, or that the merchant payment processor was allowing the
16 exchange of currency in furtherance of gambling by computer.

17 E. A person outside of this state who owns, maintains, or operates an internet
18 website that transmits information through or with a platform provider and who
19 knows or should know that the information is broadcast within this state submits to
20 the jurisdiction of this state for enforcement pursuant to this Section.

21 F. Prior to sending a cease and desist notice, the attorney general may
22 provide reasonable notice to the board to enable the board to determine if it will join
23 in the notice.

24 G. If the attorney general has reason to believe that a person is offering,
25 operating, conducting, promoting, supporting, or acting in furtherance of gambling
26 by computer or taking any other action in violation of R.S. 14:90.3, he may bring an
27 action in the name of the state to restrain by temporary or permanent injunction the
28 conduct giving rise to such violation.

1 H. The attorney general may exercise his authority in furtherance of the
2 investigation and enforcement of this Section, including, without limitation, to issue
3 subpoenas.

4 I. The attorney general may utilize the division to conduct investigations and
5 enforce the provisions of this Section and the provisions of R.S. 14:90.3.

6 J. The attorney general may enter into agreements with the division, the
7 board, or any other federal or state law enforcement agency for the exchange and
8 release of investigatory and other information.

9 K. The attorney general and the court shall construe liberally this Title and
10 Subpart B of Part V of Title 14, relating to gambling and betting, to prevent
11 prohibited activities.

12 §19.2. Attorney general; illegal online gambling; other civil remedies

13 A. In addition to any other remedy under law, upon application by the
14 attorney general, regardless of whether proceedings have been initiated pursuant to
15 this Chapter, a court may issue any relief it deems appropriate to prevent and restrain
16 activities prohibited by this Chapter. Such relief may include a temporary restraining
17 order, preliminary injunction, or injunction against any person to prevent or restrain
18 gambling by computer and any related transactions or activities, including, without
19 limitation, the removal of any gambling by computer website, the freezing of bank
20 or credit accounts associated with such website or such gambling by computer
21 activity, and the removal of a person's access to such websites or accounts who
22 participates in the gambling by computer activity. In an action seeking injunctive
23 relief, violation of this Chapter shall conclusively be determined irreparable harm.

24 B.(1) In addition to the remedies available in Subsection A of this Section,
25 the attorney general may seek an ex parte injunction to do all the following:

26 (a) Compel a platform provider to remove or disable access to a website
27 violating this Chapter, or a hypertext link to a website violating this Chapter.

28 (b) Enjoin a merchant payment processor from processing transactions for
29 the gambling by computer operator.

1 (c) Compel a person to discontinue supporting, marketing, promoting, or
2 conducting gambling by computer in this state.

3 (2) In such case, a hearing on the ex parte injunction shall be held within
4 thirty days, and after such hearing the court may convert the injunction to a
5 preliminary injunction.

6 C. Relief granted pursuant to this Section against a platform provider that is
7 not otherwise engaged in gambling by computer shall:

8 (1) Be limited to the removal of, or disabling of access to, the website
9 violating this Chapter, or a hypertext link to a website violating this Chapter, that is
10 stored on a computer server that such platform provider controls or operates.

11 (2) Specify the website to which it applies.

12 (3) Specify the website or hypertext link to be removed or other access to be
13 disabled.

14 D. Any violation of an order entered against a platform provider or merchant
15 payment processor is punishable by a fine of fifty thousand dollars for a first
16 violation and a fine of one hundred thousand dollars for each subsequent violation
17 for each day that the gambling by computer activity remains accessible on the
18 website to persons physically located in this state or for a merchant payment
19 processor, each subsequent gambling by computer transaction that is processed and
20 each act in support of gambling by computer.

21 E. Relief granted pursuant to this Section against a merchant payment
22 processor or other person that supports the operation, conduct, or promotion of
23 gambling by computer that is not otherwise engaged in illegal online gambling shall:

24 (1) Be limited to the suspension of processing transactions for the gambling
25 by computer operator and with persons physically located in this state, or be limited
26 to ceasing support of the operation, conduct, or promotion of gambling by computer
27 in this state.

28 (2) Specify the website to which it applies.

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 883 Engrossed

2026 Regular Session

Schlegel

Abstract: Prohibits platform providers and financial transaction providers from facilitating gambling by computer and authorizes the attorney general to take action against providers alleged to be doing so.

Present law prohibits gambling by computer and provides penalties for violations.

Proposed law adds certain actions which constitute gambling by computer, including the offering of dual-currency games that simulate any form of gambling.

Proposed law provides definitions for "financial transaction provider" and "platform provider".

Proposed law increases the penalty for offering gambling games by computer from up to a \$20,000 fine and up to five years imprisonment with or without hard labor to up to a \$100,000 fine and up to five years imprisonment with or without hard labor.

Proposed law prohibits certain entities, including financial transaction providers and platform providers, from supporting or facilitating another party who offers gambling by computer and provides a penalty of a fine up to \$20,000, up to five years imprisonment with or without hard labor, or both.

Proposed law prohibits financial transaction providers from accepting or processing a transaction it believes to be in connection with gambling by computer and allows the provider to block the transaction on its own initiative.

Proposed law prohibits platform providers from receiving or transmitting communications related to the crime of gambling by computer.

Proposed law provides that each wager offered or accepted constitutes a separate violation of gambling by computer.

Proposed law requires the court to order forfeiture of any profits made by gambling by computer.

Proposed law authorizes the attorney general to send a cease and desist notice to anyone who operates, conducts, or promotes gambling by computer, including platform providers and financial transaction providers who allow the exchange of information regarding gambling by computer or financial transactions involved in gambling by computer.

Proposed law requires the attorney general to maintain a list of each cease and desist notice sent pursuant to proposed law on the attorney general's website.

Proposed law provides for the manner of service of the cease and desist notice.

Proposed law states that a cease and desist notice found on the attorney general's website is prima facie evidence that anyone acting in support knew that gambling by computer was occurring.

Proposed law further authorizes the attorney general to exercise his authority in furtherance of investigating gambling by computer and to utilize the Dept. of Public Safety and Corrections, office of state police, gaming enforcement division.

Proposed law authorizes the attorney general to request a court to order a temporary restraining order, preliminary injunction, injunction, or ex parte injunction to prevent gambling by computer.

Proposed law provides that relief granted pursuant to a court order will be limited to gambling by computer activity and will specify the website to which it applies.

(Amends R.S. 14:90.3(B), (C)(intro. para.), (1), (9), and (10), and (D)-(K); Adds R.S. 14:90.3(C)(11) and (12) and (L)-(R) and R.S. 27:19.1 and 19.2)

Summary of Amendments Adopted by House

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

1. Change all references of "financial transaction provider" to "merchant payment processor" and provide a definition for "merchant payment processor".
2. Clarify that "client" refers to individuals physically located in Louisiana.
3. Provide that certain provisions regarding merchant payment processors do not apply to a federally insured financial institution, its subsidiaries or affiliates, or any payment card network.