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## DIGEST

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Adams

HB No. 146

**Abstract:** Allows for continued operation of the same number of video draw poker devices when fuel sales cannot be achieved due to force majeure or noncommercial circumstances.

Present law provides for the operation of video draw poker devices at qualified truck stop facilities. Provides that the number of video draw poker devices placed at such facilities shall be based on the average monthly fuel sales as follows:

- (1) 100,000 gallons of fuel of which 40,000 gallons are diesel - not more than 50 devices.
- (2) 75,000 gallons of fuel of which 30,000 gallons are diesel - not more than 40 devices.
- (3) 50,000 gallons of fuel of which 10,000 gallons are diesel - not more than 35 devices.

Present law provides that if after a qualified truck stop facility is licensed and an initial determination has been made to authorize the placement and operation of devices at the facility based upon the average of the fuel sales reports for three months, and the qualified truck stop facility thereafter becomes unable to sell a sufficient number of gallons of fuel to permit the minimum number of devices to be operated at the facility, for reasons of force majeure or due to other noncommercial circumstances, the facility shall continue to operate the number of devices based upon the last average calculation of monthly fuel sales reports prior to the interruption in the fuel sales. Upon resolution of the reasons causing the reduction in fuel sales, the division shall use the next three months of monthly fuel sales reports to determine the number of devices authorized to be placed and operated at the facility.

Proposed law retains present law and further provides that the licensee can continue to operate the same number of video draw poker devices that they operated prior to the reduction in fuel sales if that reduction is caused by force majeure or noncommercial circumstances.

(Amends R.S. 27:421(B))