

SENATE BILL NO. 247 (Substitute of Senate Bill No. 202 by Senator Cortez)

BY SENATORS CORTEZ, JOHNS AND WARD AND REPRESENTATIVE STEFANSKI

AN ACT

To amend and reenact R.S. 13:4721, R.S. 14:90.5(A), (B), and (C), R.S. 27:15(B)(1), 15.1, 24(A)(5) and (6), the introductory paragraph of 27.1(C), 44(9), (11), and (13), 58(5), 65(B)(11), 205(11) and (12), 239.1, 353(2) and (5), 361(F), 364(A)(1)(c)(ii) and (5), 371(C), 372(B) and (C), and 375(D), 417(A)(2)(introductory paragraph), and R.S. 46:1816(B)(8), to enact R.S. 14:90(E) and 90.3(K) and R.S. 27:15(B)(8)(c), 205(35), 249.1, Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:601 through 611, and 627, and to repeal R.S. 27:24(A)(5)(f), relative to sports wagering; to provide for definitions; to require a license to conduct sports wagering; to provide relative to duties and powers of the Louisiana Gaming Control Board and the gaming division in the office of state police; to provide for requirements and limitations on licensees and permittees; to authorize cash wagers; to authorize racehorse wagering at certain licensees; to require a sports lounge; to provide regarding a computerized wagering platform; to provide for limitations on wagering; to authorize self-service machines; to authorize electronic wagering through established wager accounts; to provide for recordkeeping; to provide for exceptions from criminal law; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:15(B)(1), 15.1, 24(A)(5) and (6), the introductory paragraph of 27.1(C), 44(9), (11), and (13), 58(5), 65(B)(11), 205(11) and (12), 239.1, 353(2) and (5), 361(F), 364(A)(1)(c)(ii) and (5), 371(C), 372(B) and (C), 375(D), and 417(A)(2)(introductory paragraph) are hereby amended and reenacted and R.S. 27:15(B)(8)(c), 205(35), 249.1, Chapter 10 of Title 27 of the Louisiana Revised Statutes of

1950, comprised of R.S. 27:601 through 611, and 627, are hereby enacted to read as follows:

§15. Board's authority; responsibilities

* * *

B. The board shall:

(1) Have all regulatory authority, control, and jurisdiction, including investigation, licensing, and enforcement, and all power incidental or necessary to such regulatory authority, control, and jurisdiction over all aspects of gaming activities and operations as authorized pursuant to the provisions of the Louisiana Riverboat Economic Development and Gaming Control Act, the Louisiana Economic Development and Gaming Corporation Act, the Video Draw Poker Devices Control Law, ~~and the Louisiana Fantasy Sports Contests Act,~~ **and the Louisiana Sports Wagering Act**, except as otherwise specified in this Title. Further, the board shall have all regulatory, enforcement, and supervisory authority which exists in the state as to gaming on Indian lands as provided in the provisions of Act No. 888 of the 1990 Regular Session of the Legislature and Act No. 817 of the 1993 Regular Session of the Legislature.

* * *

(8)

* * *

(c) Adopt, pursuant to the Administrative Procedure Act and as specifically provided for in R.S. 27:603, all rules necessary to implement, administer, and regulate sports wagering as authorized by Chapter 10 of this Title.

* * *

§15.1. Sports wagering

~~A. In the event of the legalization of sports wagering in any parish as a result of the proposition election held on November 3, 2020, the~~ **The** Louisiana Gaming Control Board shall have all regulatory authority, control, and jurisdiction, including investigation, licensing, and enforcement, and all power incidental or necessary to such regulatory authority, control, and jurisdiction over all aspects of sports

wagering activities and operations, except as otherwise specified in this Title.

~~B. For purposes of this Section, "sports wagering" shall be defined as the business of accepting wagers on any sports event or sports contest by any system or method of wagering.~~

* * *

§24. Rulemaking authority; fees and fines, collection

A. The board, in accordance with the Administrative Procedure Act and R.S. 27:15(B)(8), shall promulgate all rules and regulations necessary to carry out the provisions of this Title, including but not limited to the following:

* * *

(5) A procedure requiring the withholding of payments of progressive slot machine annuities and cash gaming winnings of persons who have outstanding child support arrearages or owing child support overpayments, prior to the payment of a progressive slot machine annuity, beginning with the second annuity payment, or cash gaming winnings. Progressive slot machine annuities or cash gaming winnings shall ~~only~~ include only payments for which the entity licensed or permitted under ~~Chapters~~ **Chapter** 1, 4, ~~5, or 7, or 10~~ of this Title ~~27 of the Louisiana Revised Statutes of 1950~~, is required to file form W2-G, or a substantially equivalent form, with the United States Internal Revenue Service.

(a) The board may require that the agency reporting current child support arrearages or overpayments ~~to~~ provide information relating to such arrearages or overpayments in a manner, format, or record approved by the board that gives the entity licensed or permitted under ~~Chapters~~ **Chapter** 1, 4, ~~5, or 7, or 10~~ of this Title ~~27 of the Louisiana Revised Statutes of 1950~~, real-time or immediate electronic database access to the information. If the information relating to such arrearages or overpayments by the agency reporting current child support arrearages or overpayments is not available through real-time or immediate electronic database access, the licensee shall not be responsible for withholding cash gaming winnings in accordance with the provisions of this Subparagraph.

(b) The board or any entity licensed or permitted under ~~Chapters~~ **Chapter** 1,

1 4, 5, or 7, or 10 of this Title 27 of the Louisiana Revised Statutes of 1950, including
2 any of its officers, employees, attorneys, accountants, or other agents, shall not be
3 civilly or criminally liable to any person, including any customer, for any disclosure
4 of information made in accordance with this Section, for encumbering or
5 surrendering assets in response to information provided by the Department of
6 Children and Family Services, or for any claims for damages arising from
7 withholding or failing to withhold any progressive slot machine annuities or cash
8 gaming winnings, based upon information provided to it.

9 (c) If any entity licensed or permitted under ~~Chapters~~ **Chapter** 1, 4, 5, ~~or 7,~~
10 or 10 of this Title 27 of the Louisiana Revised Statutes of 1950, determines that the
11 winner of a progressive slot machine annuity or cash gaming winnings is a person
12 who has outstanding child support arrearages or owes child support overpayments,
13 the entity licensed or permitted under ~~Chapters~~ **Chapter** 1, 4, 5, ~~or 7, or 10~~ of this
14 Title 27 of the Louisiana Revised Statutes of 1950, shall deduct the child support
15 arrearage or child support overpayment from the payment of the progressive slot
16 machine annuity or cash gaming winnings. The deducted amount shall be forwarded
17 to the Department of Children and Family Services within seven days, and the entity
18 licensed or permitted under ~~Chapters~~ **Chapter** 1, 4, 5, ~~or 7, or 10~~ of this Title 27 of
19 the Louisiana Revised Statutes of 1950, shall pay the remainder to the person who
20 has outstanding child support arrearages or owes child support overpayments. If the
21 remainder is equal to or less than zero, the person who has an outstanding child
22 support arrearage or child support overpayment shall not receive a payment.

23 (d) Any entity licensed or permitted under ~~Chapters~~ **Chapter** 1, 4, 5, ~~or 7, or~~
24 10 of this Title 27 of the Louisiana Revised Statutes of 1950, may deduct an
25 administrative fee from each payment of a progressive slot machine annuity,
26 beginning with the second annuity payment, or cash gaming winnings, of persons
27 who have outstanding child support arrearages or owe child support overpayments
28 per singular or periodic payment, not to exceed thirty-five dollars.

29 (e) The board shall also require that the entity licensed or permitted under
30 Chapters 1, 4, 5, ~~or 7, or 10~~ of Title 27 of the Louisiana Revised Statutes of 1950,

1 adopt procedures designed to prevent employees from willfully failing to withhold
2 payments of progressive slot machine annuities or cash gaming winnings from
3 persons who have outstanding child support arrearages or child support
4 overpayments, based upon the information provided by the Department of Children
5 and Family Services that allows the licensee to identify such persons.

6 (6) The administration and enforcement of accumulating unclaimed monies
7 on which the time period for collection has expired, the remittance thereof to the
8 state treasurer, and related matters as required by R.S. 27:94, 252, ~~and 394,~~ **and 609.**

9 * * *

10 §27.1. Uniform compulsive and problem gambling program

11 * * *

12 C. Within one hundred twenty days from the adoption of the rules provided
13 for in Subsection B of this Section, each holder of a license as defined in R.S.
14 27:44~~(14)~~, ~~R.S. 27:353(5),~~ **and 602,** and the casino gaming operator shall submit for
15 approval to the board a comprehensive program that provides policies and
16 procedures that, at a minimum, shall cover the following areas of concern and are
17 designed to:

18 * * *

19 §44. Definitions

20 When used in this Chapter, the following terms shall mean:

21 * * *

22 (9)**(a)** "Game" means any banking or percentage game which is played with
23 cards, dice, or any electronic, electrical, or mechanical device or machine for money,
24 property, or any thing of value. "Game" does not include a lottery, bingo, pull tabs,
25 raffles, electronic video bingo, cable television bingo, dog race wagering, or any
26 wagering on any type of sports event, including but not limited to football,
27 basketball, baseball, hockey, boxing, tennis, wrestling, jai alai, or other sports contest
28 or event. ~~Game~~ **"Game"** shall also include racehorse wagering.

29 **(b) Notwithstanding any provision of Subparagraph (a) of this**
30 **Paragraph to the contrary, "game" shall include wagering on certain sports**

1 events through its sports book for a licensee who is also licensed by the board
2 in accordance with Chapter 10 of this Title.

3 * * *

4 (11)(a) "Gaming device" or "gaming equipment" means any equipment or
5 mechanical, electro-mechanical, or electronic contrivance, component, or machine,
6 including a slot machine, used directly or indirectly in connection with gaming or
7 any game, which affects the result of a wager by determining wins or losses.

8 (b) Notwithstanding any provision of Subparagraph (a) of this
9 Paragraph to the contrary "gaming device" or "gaming equipment" shall also
10 include a sports wagering mechanism as that term is defined in R.S. 27:602 if
11 the riverboat gaming operator is also licensed by the board for a sports book in
12 accordance with Chapter 10 of this Title.

13 * * *

14 (13) "Gaming position" means a gaming device seat or a space at a table
15 game. Each gaming device seat shall be counted as one position and each space at
16 a table game shall be counted as one position, subject to the rules and regulations of
17 the board. The board shall specifically provide by rule for the counting of gaming
18 positions for devices and games where seats and spaces are not readily countable.
19 "Gaming position" shall not include a seat or space at a sports wagering
20 mechanism or at a sports wagering window.

21 * * *

22 §58. Division responsibilities

23 The division shall:

24 * * *

25 (5)(a) Require all licensees to utilize a cashless wagering system, except for
26 racehorse wagering and the play of slot machines, whereby all players' money is
27 converted to tokens, electronic cards, or chips used only for wagering in the gaming
28 establishment.

29 (b) Notwithstanding any provision of Subparagraph (a) of this
30 Paragraph to the contrary, a licensee may accept cash wagers in its sports book

if it is also licensed by the board in accordance with Chapter 10 of this Title.

* * *

§65. Licenses to conduct gaming activities upon riverboats; limitations

* * *

B. Gaming shall be conducted aboard riverboats, subject to the following requirements:

* * *

(11)~~(a)~~ Except for racehorse wagering and the play of slot machines, gaming wagers may be made only with tokens, chips, vouchers, coupons, or electronic cards issued by the licensee. Such tokens, chips, vouchers, coupons, or electronic cards may be used while aboard the riverboat only for the purpose of making wagers on gaming games. Electronic cards may be used which are affixed with a magnetic storage media, a "smart card" or those containing an integrated circuit chip, but excluding credit cards issued by any other entity or institution or cards which automatically withdraw funds from a credit, savings, or checking account held at a depository institution as defined by Section 3 of the Federal Deposit Insurance Act, which includes any credit union.

(b) Notwithstanding any provision of Subparagraph (a) of this Paragraph to the contrary, if the riverboat is also licensed by the board for a sports book in accordance with Chapter 10 of this Title, sports wagers may also be made in cash or through a patron's verified sports wagering account.

* * *

§205. Definitions

When used in this Chapter, the following terms have these meanings:

* * *

(11)~~(a)~~ "Game" means any banking or percentage game located exclusively within an official gaming establishment which is played with cards, dice, or any electronic, electrical, or mechanical device or machine for money, property, or any thing of value. ~~Game~~ "Game" does not include lottery, bingo, charitable games, raffles, electronic video bingo, pull tabs, cable television bingo, wagering on dog ~~or~~

horse races, sports betting, or wagering on any type of sports event, inclusive **including** but not limited to football, basketball, baseball, hockey, boxing, tennis, wrestling, jai alai, or other sports contest or event. **"Game" shall also include racehorse wagering.**

(b) Notwithstanding any provision of Subparagraph (a) of this Paragraph to the contrary, "game" shall include sports betting through its sports book if the casino gaming operator is licensed by the board in accordance with Chapter 10 of this Title.

(12)(a) "Gaming device" means any equipment or mechanical, electromechanical, or electronic contrivance, component, or machine used directly or indirectly in connection with gaming or any game which affects the result of a wager by determining win or loss. The term includes a system for processing information which can alter the normal criteria of random selection, which affects the operation of any game, or which determines the outcome of a game. The term does not include a system or device ~~which~~ **that** affects a game solely by stopping its operation so that the outcome remains undetermined.

(b) Notwithstanding any provision of Subparagraph (a) of this Paragraph to the contrary, "gaming device" shall also include a sports wagering mechanism as that term is defined in R.S. 27:602 if the casino gaming operator is also licensed by the board for a sports book in accordance with Chapter 10 of this Title.

* * *

(35) "Racehorse wagering" means wagers placed on horse racing conducted under the pari-mutuel form of wagering at licensed racing facilities that are accepted by a licensed racehorse wagering operator in accordance with the provisions of this Chapter.

* * *

§239.1. Wagering at the official gaming establishment

~~Wagering~~ **A. Except for racehorse wagering and as provided in Subsection B of this Section, wagering** at the official gaming establishment may

1 be made with tokens, chips, vouchers, coupons, or electronic cards issued by the
2 casino gaming operator or an approved casino manager acting on behalf of the casino
3 gaming operator. Electronic cards may be used which are affixed with a magnetic
4 storage media, a "smart card" or those containing an integrated circuit chip, but
5 excluding credit cards issued by any other entity or institution or cards which
6 automatically withdraw funds from a credit, savings, or checking account held at a
7 depository institution as defined by Section 3 of the Federal Deposit Insurance Act,
8 which includes any credit union.

9 **B. Notwithstanding any provision of Subsection A of this Section to the**
10 **contrary, if the casino gaming operator is issued a license to operate a sports**
11 **book by the board in accordance with Chapter 10 of this Title, sports wagers at**
12 **the official gaming establishment may also be made in cash or through a**
13 **patron's verified sports wagering account.**

14 * * *

15 **§249.1. Issuance of permit to conduct racehorse wagering**

16 **A. The division shall issue a permit to a qualified racehorse wagering**
17 **operator to conduct racehorse wagering at the official gaming establishment in**
18 **accordance with the provisions of this Chapter.**

19 **B. An applicant for a permit to conduct racehorse wagering shall submit**
20 **with his application a written contract of the terms between the applicant and**
21 **the casino gaming operator authorizing the applicant to conduct racehorse**
22 **wagering at the official gaming establishment.**

23 **C. The division shall promulgate rules and regulations for the conducting**
24 **of racehorse wagering at the official gaming establishment in accordance with**
25 **the provisions of this Chapter.**

26 **D. The racehorse wagering operator shall deliver to the designated**
27 **representative at the licensed racing association operated by the racehorse**
28 **wagering operator twenty-five percent of the audited net profits derived from**
29 **racehorse wagering authorized under this Part for use as purse supplements.**
30 **These funds shall be used in addition to all other funds available for use as**

purses under current provisions of law. Such amounts shall be paid quarterly,
within thirty days of the end of each quarter.

* * *

§353. Definitions

When used in this Chapter, the following terms shall have these meanings:

* * *

(2) "Designated ~~slot-machine~~ gaming area" means the contiguous area of an eligible live racing facility at which ~~slot-machine~~ gaming may be conducted in accordance with the provisions of this Chapter, determined by measuring the area, in square feet, inside the interior walls of the licensed eligible facility, excluding any space therein in which gaming activities may not be conducted, such as bathrooms, stairwells, cage and beverage areas, and emergency evacuation routes of any width that meet or exceed the minimum size required by law.

* * *

(5) "Emergency evacuation route" means those areas within the designated ~~slot-machine~~ gaming area of a licensed eligible facility which are clearly defined and identified by the licensee as necessary and approved by the state fire marshal or other federal or state regulatory agency for the evacuation of patrons and employees from the facility, and from which and in which no gaming activity may occur.

* * *

§361. Conduct of slot machine gaming; temporary conduct

* * *

F.(1) Wagering at an eligible live racing facility may be made with tokens, chips, vouchers, coupons, or electronic cards issued by the licensed eligible facility or an approved facility manager acting on behalf of the facility. Electronic cards may be used which are affixed with a magnetic storage media, a "smart card" or those containing an integrated circuit chip, but excluding credit cards issued by any other entity or institution or cards which automatically withdraw funds from a credit, savings, or checking account held at a depository institution as defined by Section 3 of the Federal Deposit Insurance Act, which includes any credit union.

1 **(2) Notwithstanding any provision of Paragraph (1) of this Subsection to**
2 **the contrary, if the holder of a license as defined in R.S. 27:353 is also issued a**
3 **license to operate a sports book by the board in accordance with Chapter 10 of**
4 **this Title, sports wagers at the eligible facility may also be made in cash or**
5 **through a patron's verified sports wagering account.**

6 * * *

7 §364. Gaming Control Board; powers and duties

8 A. The board shall:

9 (1)

10 * * *

11 (c) Such rules may include:

12 * * *

13 (ii) Requiring certain minimum physical security standards be observed in
14 designated ~~slot-machine~~ gaming areas.

15 * * *

16 (5) Approve the location, plans, and construction of the designated ~~slot~~
17 ~~machine~~ gaming area in an eligible facility.

18 * * *

19 §371. Prohibition on operation of video draw poker devices; prohibition on any
20 other type of game

21 * * *

22 C.**(1)** Nothing in this Chapter shall be construed to permit the operation or
23 play of any type of game the play of which requires the participation of an employee
24 of the licensee.

25 **(2) Notwithstanding any provision of Paragraph (1) of this Subsection to**
26 **the contrary, participation of an employee of the licensee may be permitted if**
27 **the licensee is also issued a license to operate a sports book by the board in**
28 **accordance with Chapter 10 of this Title and the employee's participation is in**
29 **compliance with and regarding activities related to operations regulated by that**
30 **Chapter.**

§372. ~~Slot machine gaming~~ **Gaming** area limitations

* * *

B.~~(1)~~ No gaming devices other than slot machines and authorized pari-mutuel wagering devices and equipment shall be in the designated ~~slot machine~~ gaming area.

(2) Notwithstanding any provision of Paragraph (1) of this Subsection to the contrary, sports wagering mechanisms as that term is defined in R.S. 27:602 may also be authorized in the designated gaming area if the holder of a license as defined in R.S. 27:353 is also issued a license to operate a sports book by the board in accordance with Chapter 10 of this Title.

C. As used in this Section, "gaming position" means a slot machine seat. Each slot machine seat shall be counted as one position, subject to the rules and regulations of the board. The board shall specifically provide by rule for the counting of gaming positions for devices and games where seats and spaces are not readily countable. **"Gaming position" shall not include a seat or space at a sports wagering mechanism or at a sports wagering window.**

* * *

§375. Crimes and penalties; false statements; unauthorized slot machines; skimming of slot machine proceeds; payroll check cashing; gambling devices

* * *

D. Any owner of an eligible facility who has been granted a license to operate slot machine gaming who cashes or accepts for cashing or permits any employee or other person to cash or accept for cashing an identifiable employee payroll check in the designated ~~slot machine~~ gaming area shall, upon conviction, be imprisoned for not more than six months or fined not more than five thousand dollars, or both.

* * *

§417. Qualified truck stop criteria; amenities

A. As used in this Chapter, 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

eighteen-wheel tractor-trailers, and which also meets all of the following criteria:

* * *

(2) It must have a Class A-General retail permit operating as a sports wagering lounge which sells food or an onsite restaurant, except for reason of force majeure affecting the ability to maintain the onsite restaurant for a reasonable period of time as determined by the division following the interruption of such ability, which for the purposes of qualifying as a qualified truck stop facility, shall be required to have only the following features:

* * *

CHAPTER 10. SPORTS WAGERING

PART I. GENERAL PROVISIONS

§601. Title and citation; privilege

A. This Chapter shall be cited and referred to as the "Louisiana Sports Wagering Act".

B. Any license, permit, approval, or thing obtained or issued pursuant to the provisions of this Chapter is expressly declared by the legislature to be a pure and absolute revocable privilege and not a right, property or otherwise, under the constitution of the United States or of the state of Louisiana. Further, the legislature declares that no holder of any license or permit acquires any vested interest or right therein or thereunder.

§602. Definitions

For purposes of this Chapter, the following terms shall have the following meanings ascribed to them unless the context clearly indicates otherwise:

(1) "Anti-money laundering standards" or "AML" means the requirements and guidelines provided in the federal Bank Secrecy Act of 1970, as amended, and the Anti-Money Laundering Act of 2020, as amended, for the prevention and detection of money laundering and the financing of terrorism.

(2) "Applicant" means a person, business, or legal entity who has submitted an application to the board seeking a license or permit, or the

1 renewal of a license or permit.

2 (3) "Application" means the forms and schedules prescribed by the
3 board upon which an applicant seeks a license or permit, or the renewal of a
4 license or permit. An application shall also include any other information or fee
5 required by the board to be submitted with an application such as disclosure
6 statements, financial statements, and any type of fees.

7 (4) "Board" means the Louisiana Gaming Control Board, as established
8 by R.S. 27:11.

9 (5) "Business or legal entity" shall have the same meaning as that term
10 is defined in R.S. 27:3.

11 (6) "Division" shall have the same meaning as that term is defined in
12 R.S. 27:3.

13 (7) "Electronic sports wagering" means sports wagering via a sports
14 wagering mechanism on a licensee's premises or through a website or mobile
15 application.

16 (8) "License" means a license or authorization to operate, or to contract
17 with a sports wagering platform provider to operate, a sports book in this state
18 in compliance with the provisions of this Chapter.

19 (9) "Licensee" means any person issued a license by the board.

20 (10) "Louisiana State Racing Commission" means the commission
21 established in R.S. 4:144.

22 (11) "Mobile application" means an application on a mobile phone or
23 other device through which a player is able to register, fund, and place a wager
24 with an operator on a sports event and receive a credit on the player's sports
25 wagering account.

26 (12) "Mobile wagering" means wagering on a sports event through a
27 website or mobile application.

28 (13) "Net gaming proceeds" means the amount equal to the total gross
29 revenue of all wagers placed by patrons less the total amount of all winnings
30 paid out to patrons and the amount of eligible promotional play determined

1 pursuant to R.S. 27:627.

2 (14) "Operator" or "sports wagering operator" means the entity that
3 actually books a sports wager. The operator may be:

4 (a) The licensee who manages and operates a sports book itself.

5 (b) The licensee's contracted sports wagering platform provider, in
6 accordance with the scope of that contract, when the licensee chooses to contract
7 the management and operation of all or a portion of its sports book
8 line-of-business with a platform provider.

9 (15) "Patron" or "player" means an individual who places a wager on
10 a sports event.

11 (16) "Permit" has the same meaning as that term is defined in R.S. 27:3.

12 (17) "Permittee" has the same meaning as that term is defined in R.S.
13 27:3.

14 (18) "Person" has the same meaning as that term is defined in R.S. 27:3.

15 (19) "Representation of value" means tokens, chips, vouchers, coupons,
16 or electronic cards that are issued by the licensee and authorized for use in
17 sports wagering by rules and regulations promulgated by the board.

18 (20) "Sports book" means the offering of sports wagering by an operator
19 on a licensee's premises or through a sports wagering platform.

20 (21) "Sports event" means any professional sport or athletic event, any
21 collegiate sport or athletic event, any amateur sport or athletic event, any
22 Olympic or international sports competition event, any competitive video game
23 or other electronic sports event, or any other special event or competition of
24 relative skill as authorized by the board to be a sports event for purposes of this
25 Chapter. "Sports event" shall not include high school sports, youth events, any
26 international sports events where the majority of the participants are under the
27 age of eighteen years, fantasy sports contests as provided in Chapter 6 of this
28 Title, and any event prohibited by law.

29 (22) "Sports wager" or "sports bet" means a sum of money or
30 representation of value risked by a player on an occurrence associated with a

1 sports event for which the outcome is uncertain. The term includes but is not
2 limited to single-game bets, teaser bets, parlay bets, over-under bets, moneyline
3 bets, pools, exchange wagering, in-game wagering, in-play bets, proposition
4 bets, and straight bets.

5 (23) "Sports wagering" means the acceptance of wagers on sports events
6 or on portions of a sports event or on the individual performance or statistics
7 of athletes or participants in a sports event or a combination of sports events,
8 by any system or method of wagering.

9 (24) "Sports wagering account" means an electronic financial record
10 established with an operator for an individual patron in which the patron may
11 deposit and withdraw funds for sports wagering and other authorized
12 purchases and to which the operator may credit winnings or other amounts due
13 to that patron or authorized by that patron.

14 (25) "Sports wagering mechanism" or "kiosk" means a board-approved
15 self-service mechanical, electrical, or computerized terminal, device, apparatus,
16 or piece of equipment that is directly tied to a licensee's approved sports
17 wagering platform that allows a patron to place a sports wager in a
18 board-approved location on a licensee's premises. "Sports wagering
19 mechanism" does not include a personal computer, mobile phone, or other
20 device owned and used by a player to wager on a sports event.

21 (26) "Sports wagering platform" means an integrated system of
22 hardware, software, or applications, including mobile applications and servers,
23 through which an operator conducts the business of offering sports wagering in
24 accordance with this Chapter.

25 (27) "Sports wagering platform provider" means a suitable business or
26 legal entity that holds a permit from the board to engage in the operation of a
27 sports book on behalf of a licensee.

28 §603. Gaming Control Board; state police; duties and powers

29 A.(1) The board shall perform the duties and functions as authorized by
30 this Chapter and shall possess authority, control, and jurisdiction and all power

incidental and necessary thereto with respect to the regulation of sports
wagering as provided by Chapters 1 and 2 of this Title.

(2)(a) In accordance with the Administrative Procedure Act, the board
shall:

(i) Develop qualifications and standards and a process and procedure for
the issuance of a license to operate a sports book as well as the renewal thereof.
A process and procedure for notification to eligible applicants of available
licenses as required by R.S. 27:604(B) shall be included.

(ii) Develop qualifications and standards and a procedure and process
for permitting sports wagering platform providers, manufacturers, suppliers,
and personnel as well as the renewals thereof.

(iii) Promulgate forms, processes, and procedures necessary to
implement, administer, and regulate sports wagering as authorized by this
Chapter.

(iv) Establish standards for the amount of reserves required to be
maintained by an operator and the allowable form of those reserves, including
standards for initial reserves for a new licensee or newly permitted sports
wagering platform provider.

(v) Establish guidelines for the acceptance of wagers on a series of sports
events by an operator.

(vi) Prohibit an operator from unilaterally rescinding a wager except in
compliance with rules of the board.

(vii) For cash wagers placed in person or via a sports wagering
mechanism, establish standards for the type of wagering tickets which may be
used, information required to be printed on a ticket, and methods for issuing
tickets.

(viii) Establish the method of accounting to be used by an operator, the
types of records required to be kept, and the length of time records shall be
retained.

(ix) Require an operator to comply with AML standards.

1 (x) Provide standards for the use of credit and checks by players and
2 other protections for players.

3 (xi) Require an operator to submit for approval by the board its internal
4 controls for all aspects of electronic wagering, including procedures for system
5 integrity, system security, operations, accounting, patron disputes, and
6 reporting of problem gamblers.

7 (xii) Require an operator to submit for approval by the board its
8 operational controls for server-based gaming systems, software, and hardware
9 utilized on electronic sports wagering, including but not limited to appearance,
10 functionality, contents, collection, storage and retention of data, and security.

11 (xiii) Require an operator to submit for approval by the board its
12 operational controls for patron's sports wagering accounts, including but not
13 limited to procedures for establishment and closure of an online account,
14 funding for withdrawal of funds from an online account, and generation of an
15 account statement.

16 (xiv) Establish standards for servers and other equipment used to accept
17 wagers by operators and procedures for inspection and for addressing defective
18 or malfunctioning devices, equipment, and accessories related to sports
19 wagering.

20 (xv) Require an operator to post the toll-free telephone number available
21 to provide information and referral services regarding compulsive or problem
22 gaming.

23 (xvi) Require each operator to submit for board approval a responsible
24 gaming policy that allows patrons to restrict themselves from placing wagers
25 with the operator, including limits on time spent wagering and limits on
26 amounts wagered, and identifies actions by the operator to honor those self-
27 imposed restrictions.

28 (b) For purposes of expeditious implementation of the provisions of this
29 Chapter, the promulgation of the initial administrative rules pertaining to this
30 Chapter shall be considered to constitute a matter of imminent peril to public

1 health, safety, and welfare as provided in R.S. 49:953(B) or 953.1.

2 B.(1) The gaming division of the office of state police shall, at all times
3 considered appropriate by the board, be charged with inspecting and ensuring
4 compliance with all the requirements of this Chapter.

5 (2) The gaming division of the office of state police may be charged by
6 the board with any other tasks deemed necessary to the regulation of sports
7 wagering in this state.

8 PART II. LICENSEE AND PLATFORM PROVIDER

9 §604. License; limited; requirements; contract with platform provider

10 A.(1) No person, business, or legal entity shall operate a sports book
11 without first being licensed by the board.

12 (2) The license to engage in the business of operating a sports book shall
13 be in addition to any other license required by law.

14 B.(1) The board shall issue no more than twenty licenses to operate
15 sports books. The board shall first consider applications for licensing from the
16 following:

17 (a) The casino gaming operator as defined in R.S. 27:205 and provided
18 for in Chapter 5 of this Title.

19 (b) The holder of a license as defined in R.S. 27:44 and provided for in
20 Chapter 4 of this Title.

21 (c) The holder of a license as defined in R.S. 27:353 and provided for in
22 Chapter 7 of this Title, provided the holder of the license also has the approval
23 of the Louisiana State Racing Commission to apply to be licensed for a sports
24 book.

25 (2)(a) For the initial application process, if any entity identified in
26 Paragraph (1) of this Subsection elects not to apply for a license or fails to
27 submit a completed application to the board prior to January 1, 2022, or within
28 thirty days of applications being available, whichever is later, it shall not be
29 considered for a license. The board may consider for the remaining licenses,
30 applications from:

1 (i) Licensed establishments as defined in R.S. 27:402 and provided for in
2 Chapter 8 of this Title. Any licensed establishment that is also licensed by the
3 Louisiana State Racing Commission with the commission's approval may apply
4 to be licensed to operate a sports book.

5 (ii) Operators as defined in R.S. 27:302 and provided for in Chapter 6 of
6 this Title.

7 (b) From the licensed establishments and operators identified in
8 Subparagraph (a) of this Paragraph, if the number of applications received by
9 the board that are determined to be from eligible applicants exceeds the number
10 of licenses available, the board shall provide for a concealed bid process and
11 issue the available licenses, in accordance with the board's ranking of the bids,
12 to the applicants that in the board's discretion have the greatest potential for
13 revenue generation for the state.

14 (3)(a) Should a license become available after the initial issuance, the
15 board shall notify any entity identified in Paragraph (1) of this Subsection who
16 does not have a sports wagering license about the available license and provide
17 those entities an opportunity to apply for the license by a certain date. If the
18 number of applications determined by the board to be eligible applicants
19 exceeds the number of available licenses, the board shall provide for a concealed
20 bid process and issue the available licenses, in accordance with the board's
21 ranking of the bids, to the applicants that in the board's discretion have the
22 greatest potential for revenue generation for the state.

23 (b) Should a license become available after the initial issuance and
24 entities identified in Paragraph (1) of this Subsection decline to apply or the
25 number of available licenses exceeds the number of entities identified in
26 Paragraph (1) of this Subsection who are interested, the board shall notify the
27 entities identified in Subparagraph (2)(a) of this Subsection who do not have a
28 sports wagering license about the available license and provide those entities an
29 opportunity to apply for the license by a certain date. If the number of
30 applications determined by the board to be eligible applicants exceeds the

1 number of available licenses, the board shall provide for a concealed bid process
2 and issue the available licenses, in accordance with the board's ranking of the
3 bids, to the applicants that in the board's discretion have the greatest potential
4 for revenue generation for the state.

5 C. The board shall issue a license to operate a sports book only to an
6 applicant determined by the board to be suitable. In addition to the standards
7 provided in R.S. 27:28, in determining an applicant's suitability as a sports
8 wagering licensee, the board may request from an applicant, and consider as a
9 factor in the determination, any or all of the following:

10 (1) The applicant's capitalization adequacy and the financial ability and
11 means to develop, construct, operate, and maintain infrastructure to support
12 sports wagering activities and operations in compliance with this Chapter and
13 any administrative rules promulgated by the board.

14 (2) The applicant's financial ability to purchase and maintain adequate
15 liability and casualty insurance and to provide an adequate surety bond.

16 (3) The applicant's capitalization adequacy and financial ability to
17 responsibly pay its secured and unsecured debts in accordance with its
18 financing agreements and other contractual obligations.

19 (4) The applicant's history of material noncompliance with licensing
20 requirements or any other regulatory requirements in the state or in any other
21 jurisdiction, where the noncompliance resulted in enforcement action by the
22 person with jurisdiction over the applicant.

23 (5) The applicant's filing or having filed against it a proceeding for
24 bankruptcy, or involvement in any formal process to adjust, defer, suspend, or
25 otherwise negotiate the payment of any debt.

26 (6) The applicant's being named as a defendant in litigation involving the
27 integrity of its business practices.

28 D. Each applicant shall submit as part of its application a detailed plan
29 of design of its sports book lounge and other areas of its establishment where
30 sports wagering mechanisms may be placed. The board shall issue a license only

1 to an applicant whose detailed plan of design the board finds acceptable.

2 E. The board shall issue not more than twenty licenses to applicants that
3 meet the provisions of this Section and all other qualifications and standards as
4 determined by the board.

5 F.(1) A licensee may operate the sports book itself or contract for
6 operation of its onsite or electronic wagering with a sports wagering platform
7 provider. Only a licensee, or its sports wagering platform provider on its behalf,
8 shall process, accept, offer, or solicit sports wagers.

9 (2) A licensee shall be responsible for the conduct of its sports wagering
10 platform provider.

11 G. Prior to beginning operations, an operator shall install and thereafter
12 maintain a computerized bookmaking system, referred to in this Chapter as a
13 sports wagering platform, that meets the specifications required by law and by
14 rule and is approved by the board.

15 **§605. Sports wagering platform provider**

16 A.(1) The board shall issue a sports wagering platform provider permit
17 to a suitable person who desires to contract with a licensee to manage or operate
18 all or a portion of a licensee's sports book line-of-business. A person shall not
19 manage or operate all or a portion of a licensee's sports book unless it possesses
20 a valid permit.

21 (2) In addition to the standards provided in R.S. 27:28, in determining
22 an applicant's suitability as a sports wagering platform provider, the board may
23 request from the applicant and consider as a factor in its determination any of
24 the items of information listed in R.S. 27:604(C) that it considers relevant.

25 B.(1) A sports wagering platform provider shall contract with a licensee
26 to provide sports wagering services.

27 (2) Any contract between the licensee and its sports wagering platform
28 provider shall provide for access by the board and the division to any
29 information maintained by the platform provider for verification of compliance
30 with this Chapter.

1 C. A sports wagering platform provider shall use no more than one
2 sports wagering platform to offer, conduct, or operate a sports book on behalf
3 of the licensee.

4 D. A sports wagering platform provider shall keep books and records for
5 the management and operation of sports wagering as authorized by this
6 Chapter and for services for which it is contracted by a licensee. The keeping
7 of books and records shall be separate and distinct from any other business the
8 sports wagering platform provider operates. A sports wagering platform
9 provider shall file quarterly reports with the board listing all of its contracts
10 and services related to sports wagering authorized under this Title.

11 E.(1) The board shall provide by rule for the standards and
12 requirements of a sports wagering platform. The rules shall specify technical
13 requirements as well as operational requirements.

14 (2) Only a sports wagering platform that meets the standards and
15 requirements as provided by rule may be used by an operator to book sports
16 wagers.

17 F. The sports wagering platform provider shall provide the division with
18 a readily available point of contact to ensure compliance with the requirements
19 of this Chapter.

20 G. All servers responsible for the processing of sports wagers shall be
21 physically located in Louisiana. Any other servers used in connection with the
22 sports wagering platform provider may be located outside Louisiana and
23 nothing in this Chapter shall prevent the use of cloud computing.

24 H. Any sports wagering platform utilized for electronic wagering shall
25 have a component of its design to reasonably verify that the person attempting
26 to place the wager is:

27 (1) At least twenty-one years of age.

28 (2) Physically located in the state and not physically located in a parish
29 that has not approved a proposition to authorize sports wagering at the time the
30 wager is initiated or placed.

1 (3) Not a person who is otherwise prohibited from wagering with the
2 operator through law, rule, policy of the operator, self-exclusion, or pursuant
3 to R.S. 27:27.1.

4 §606. Temporary certificate of authority

5 A. When considering a person's application for a license to conduct
6 sports wagering or a permit as a sports wagering platform provider or service
7 provider, the board may issue to the person a temporary certificate of authority
8 to conduct business pursuant to this Chapter if all of the following apply:

9 (1) The person has filed with the board a completed application,
10 including all fees.

11 (2) The person has substantially demonstrated to the satisfaction of the
12 board that the person meets the requirements of this Chapter, the board's rules,
13 including emergency rules, and the board's or division's orders.

14 (3) The person applying for a permit as a sports wagering platform
15 provider or service provider holds a gaming license or permit for similar
16 activity in Louisiana or another state of the United States and the license or
17 permit is in good standing.

18 (4) The person agrees in writing to the following conditions of the
19 temporary certificate of authority issued pursuant to this Section:

20 (a) The temporary certificate of authority does not create a right or
21 privilege.

22 (b) The board may rescind the person's temporary authority to conduct
23 business under this Section at any time, with or without notice to the person and
24 without a hearing, if either of the following apply:

25 (i) The board is informed that the suitability of the person may be at
26 issue.

27 (ii) The person fails to cooperate with the investigation into the
28 qualifications and suitability of the person applying for a license or the person
29 applying for a permit as a sports wagering platform provider or service
30 provider.

1 B.(1) The temporary certificate of authority shall expire six months after
2 issuance.

3 (2) The board may issue one ninety-day extension of the certificate upon
4 a showing of good cause.

5 (3) If a license or permit is issued to the holder of a temporary certificate
6 of authority, the license or permit term shall begin on the date of issuance of the
7 temporary certificate of authority.

8 PART III. WAGERING

9 §607. Operators; sports lounge required; responsibilities; pooling

10 A.(1) An operator may conduct sports wagering in person or via a sports
11 wagering mechanism located on its premises or through a website or mobile
12 application.

13 (2) Each licensee shall house its retail sports book in a sports wagering
14 lounge on its premises which shall be restricted to patrons who are twenty-one
15 years of age or older and shall conform to all requirements concerning square
16 footage, design, equipment, security measures, and related matters which the
17 board shall prescribe by rule.

18 B. An operator shall establish and display the odds at which wagers may
19 be placed on sports events. No operator shall accept a wager in person, via a
20 sports wagering mechanism, or through a website or mobile application unless
21 the wagering proposition is posted by electronic or manual means.

22 C. An operator shall adopt comprehensive rules, which shall be
23 approved by the board, governing sports wagering transactions with its patrons.
24 The rules shall specify the amount to be paid on winning wagers and the effect
25 of schedule changes. The rules, together with any other information the board
26 deems appropriate, shall be conspicuously displayed in the establishment,
27 posted electronically on any sports wagering mechanism, website, or mobile
28 application, and included in the terms and conditions of the sports wagering
29 account system.

30 D. An operator shall maintain records of sports wagering activities and

1 operations in accordance with rules and regulations of the board and follow
2 federal anti-money laundering standards in the day-to-day operations of its
3 business.

4 E. Each operator shall designate one or more key employees who shall
5 be responsible for the operation of the sports book.

6 F. All wagers on sports events authorized pursuant to this Chapter shall
7 be initiated, received, and otherwise made within the state unless otherwise
8 determined by the board in accordance with applicable federal and state laws
9 and regulations. Consistent with the Unlawful Internet Gambling Enforcement
10 Act of 2006, 31 U.S.C. 5361 et seq., the intermediate routing of electronic data
11 relating to a lawful intrastate wager authorized by this Chapter shall not
12 determine the location or locations in which the wager is initiated, received, or
13 otherwise made.

14 G. An operator may pool wagers with persons who are not physically
15 present in this state if the board determines that this wagering is not
16 inconsistent with the law of this state or any federal law, including the law of
17 any foreign nation in which the person is located, or that the wagering is
18 conducted pursuant to a reciprocal agreement to which the state is a party that
19 is not inconsistent with federal law.

20 §608. Limitations on wagering

21 A.(1) To place a sports wager with an operator, a player shall meet all
22 of the following:

23 (a) Be twenty-one years of age or older.

24 (b) Be physically located in a parish that has approved a proposition
25 authorizing sports wagering.

26 (c) Have a wagering account established with the operator, if the player
27 is attempting to place the sports wager through a website or mobile application.

28 (d) Not be prohibited from wagering with the operator by law, rule,
29 policy of the operator, or self-exclusion, or pursuant to R.S. 27:27.1.

30 (2) In order to accept a sports wager from a player, an operator shall

1 confirm that the player meets all of the following criteria:

2 (a) Is twenty-one years of age or older.

3 (b) Is physically located in a parish that has approved a proposition
4 authorizing sports wagering.

5 (c) Has an existing sports wagering account with the operator, if the
6 wager is being placed through a website or mobile application.

7 (d) Is not prohibited from wagering with the operator by law, rule, policy
8 of the operator, or self-exclusion, or pursuant to R.S. 27:27.1.

9 B.(1) An operator shall not knowingly accept a wager from a person who
10 is an athlete, coach, referee or other official, or staff of a participant or team
11 that is participating in the sports event on which the person is attempting to
12 place the wager.

13 (2) An operator shall not knowingly accept a wager from a person who
14 is the operator itself or is a director, officer, owner, or employee of the operator
15 or any relative or other person living in the same household as a director,
16 officer, owner, or employee of the operator.

17 C. No sports wagers may be accepted or paid by any operator on any of
18 the following:

19 (1) On any sport or athletic event not authorized by law or the board.

20 (2) On any sport or athletic event which the operator knows or
21 reasonably should know are being placed by or on behalf of an athlete, coach,
22 referee or other official, or staff of a participant or team that is participating in
23 that event.

24 (3) On the occurrence of injuries or penalties, or the outcome of an
25 athlete's disciplinary rulings, or replay reviews.

26 (4) On other types, forms, or categories of wagering prohibited by the
27 board by rule.

28 D. Subject to the rules of the board, an operator shall promptly report
29 to the board on the following activities:

30 (1) Any criminal or disciplinary proceedings commenced against the

1 licensee or its employees, or a sports wagering platform provider or its
2 employees, in connection with the operations of the sports book.

3 (2) Any abnormal wagering activity or patterns that may indicate a
4 concern about the integrity of a sports event.

5 (3) Any other conduct with the potential to corrupt a wagering outcome
6 of a sports event for purposes of financial gain, including but not limited to
7 match fixing.

8 (4) Suspicious or illegal wagering activities, including the use of funds
9 derived from illegal activity, wagers to conceal or launder funds derived from
10 illegal activity, use of agents to place wagers, or use of false identification.

11 E. Every operator shall adopt procedures to obtain personally
12 identifiable information from any individual who places an in-person single
13 wager in an amount of ten thousand dollars or greater on a sports event.

14 F.(1) A sports governing body may submit to the board in writing a
15 request to restrict, limit, or exclude a certain type, form, or category of sports
16 wagering with respect to sporting events of its body if the sports governing body
17 believes that such type, form, or category of sports wagering with respect to
18 sporting events of its body may undermine the integrity or perceived integrity
19 of the body or sporting event of the body.

20 (2) The board shall request comments from operators on any request it
21 receives pursuant to Paragraph (1) of this Subsection.

22 (3) After due consideration to all comments received, the board shall
23 grant the request if the board finds a demonstration of good cause from the
24 requestor that such type, form, or category of sports wagering is likely to
25 undermine the integrity or perceived integrity of the body or the sporting event.

26 (4) The board shall respond to a request concerning a particular event
27 before the start of the event, or if it is not feasible to respond before the start of
28 the event, no later than thirty days after the request is made.

29 (5) If the board determines that the requestor is more likely than not to
30 prevail in successfully demonstrating good cause for its request, the board may

1 provisionally grant the request of the sports governing board until the board
2 makes a final determination as to whether the requestor has demonstrated good
3 cause. Absent such a provisional grant by the board, operators may continue to
4 offer sports wagering on the sporting events that are the subject of such a
5 request during the pendency of the board's consideration of the applicable
6 request.

7 §609. Electronic wagering; kiosk; mobile wagering

8 A.(1) Electronic wagering may be conducted only to the extent that it is
9 conducted in accordance with this Chapter and in accordance with the rules
10 and regulations promulgated by the board.

11 (2) An operator may accept wagers made electronically using a sports
12 wagering mechanism located on its premises or through a website or mobile
13 application.

14 B. Sports wagering mechanism. (1) A player may place a wager via a
15 sports wagering mechanism with cash or vouchers or by utilizing the player's
16 established sports wagering account.

17 (2) Sports wagering mechanisms shall be located only on a licensee's
18 premises in areas where accessibility is limited to patrons twenty-one years of
19 age or older.

20 (3)(a) Sports wagering mechanisms shall be branded in the same brand
21 as the licensee, or the sports wagering platform provider, or both.

22 (b) Each sports wagering mechanism shall:

23 (i) Not have any device or program that will alter the reading of a bet,
24 value, or amount of wagering or deposits to reflect a bet, value, or amount other
25 than that actually wagered or deposited or any switches, jumpers, wire posts,
26 or any other means of manipulation that could affect the operation or outcome
27 of a wager.

28 (ii) Not have any device, switch, program, or function that can alter the
29 readings of the actual amounts or values relating to any function or occurrence
30 of the mechanism.

1 (iii) Have separate secure areas with locking doors for the logic board
2 and software, the cash compartment, and the mechanical meters as required by
3 the rules of the board. Access to one area from the other shall not be allowed at
4 any time.

5 (iv) Not have any functions or parameters adjustable by or through any
6 separate video display or input codes, except for the adjustment of features that
7 are wholly cosmetic.

8 (v) Have a circuit-interrupting device, method, or capability that will
9 disable the machine if the board-approved program is accessed or altered.

10 (vi) Have a serial number or other identification number permanently
11 affixed to the mechanism by the manufacturer.

12 (c) Each sports wagering mechanism shall be linked to an operator's
13 sports wagering platform for purposes of polling or reading mechanism
14 activities and for remote shutdown of mechanism operations. If the platform
15 fails as a result of a malfunction or catastrophic event, or the mechanism loses
16 connectivity to the platform, the mechanism shall not accept any additional
17 wagers until the connection to the platform is restored.

18 (d) The board may provide for additional specifications for mechanisms
19 to be approved and authorized pursuant to the provisions of this Chapter as it
20 considers necessary to maintain the integrity of sports wagering mechanisms
21 and operations.

22 (4)(a) Any sports wager placed with cash via a sports wagering
23 mechanism shall be evidenced by a ticket indicating the name of the operator
24 booking the wager, the sports event on which the wager was placed, the amount
25 of cash wagered, the type of bet and odds if applicable, the date of the event, and
26 any other information required by the board.

27 (b) A patron with a winning ticket shall redeem the ticket at the
28 establishment of the licensee that booked the wager within one hundred eighty
29 days of the date of the event.

30 (5) A sports wagering mechanism may be utilized by a player to make a

1 deposit in the player's sports wagering account.

2 (6) Wagers placed via a sports wagering mechanism through a player's
3 established sports wagering account shall be settled through the player's
4 wagering account.

5 C. Mobile wagering. (1) For purposes of mobile wagering, each licensee
6 may contract with no more than two sports wagering platform providers who
7 may each provide individually branded websites each of which may have an
8 accompanying mobile application bearing the same brand as the website. The
9 website and mobile application shall be offered only under the same brand as
10 the licensee, or the sports wagering platform provider, or both. The website and
11 mobile application shall be, at the discretion of the licensee, in addition to any
12 other websites or mobile applications operated by the platform provider and
13 offering other types of mobile gaming.

14 (2) Wagering through a website or mobile application shall be subject to
15 the following requirements:

16 (a)(i) A patron shall establish a wagering account in person or remotely
17 with the operator before the operator may accept any sports wager through a
18 website or mobile application from the patron, and an initial verification of the
19 account shall be completed by the operator either in person or remotely. An
20 account may be established with a line of credit or as an advance deposit
21 wagering account.

22 (ii) No operator shall accept a sports wager through a website or mobile
23 application from the public or any person who does not have an established
24 account with the operator.

25 (b) No wagers shall be placed when the player is physically located out
26 of state or in a parish that has not approved a proposition authorizing sports
27 wagering. An operator shall maintain geofencing and geolocation services and
28 shall bear all costs and responsibilities associated with the services as required
29 by the board.

30 §610. Payment of winnings; collection and use of funds

1 A.(1) Winning wagers that were placed in person or via a sports
2 wagering mechanism with cash and are evidenced by a ticket receipt shall be
3 redeemed by a player within one hundred eighty days after the date of the
4 event. An operator shall pay tickets upon presentation after performing
5 validation procedures unless otherwise allowed pursuant to the rules and
6 regulations of the board.

7 (2) The failure to present a winning ticket within the prescribed time
8 shall constitute a waiver of the right to the payment, and the holder of the ticket
9 shall thereafter have no right to enforce payment of the ticket.

10 (3)(a) An operator's obligation to pay a winning ticket shall expire one
11 hundred eighty days after the date of the sports event if not presented for
12 payment.

13 (b) The funds held by any operator for payment of outstanding tickets
14 shall be retained by the operator for that purpose until the expiration of one
15 hundred eighty days after the date of the sports event.

16 (c) After such time, the operator shall each day accumulate the amount
17 equal to the sum of any unclaimed winnings, less the amount of state tax paid
18 by the licensee on the unclaimed monies that expire that day. On or before the
19 fifteenth day of the first month following the end of a calendar-year quarter, the
20 licensee shall remit to the state treasurer for deposit into the Crime Victims
21 Reparations Fund as provided for in R.S. 46:1816 an amount equal to the
22 accumulated total for the previous calendar-year quarter. The funds shall be
23 used exclusively to pay the expenses associated with health care services of
24 victims of sexually oriented criminal offenses, including forensic medical
25 examinations as defined in R.S. 15:622.

26 B. Winning wagers placed using a sports wagering account shall be
27 credited by the operator to the patron's account within one day after the date
28 of the event unless otherwise allowed pursuant to the rules and regulations of
29 the board.

30 §611. Layoff bets

An operator may seek to reduce its risk exposure on a sports event by placing a wager with another book. An operator may accept wagers placed by other operators. An operator may place wagers only with other operators. The operator that places a wager shall inform the book accepting the wager that the wager is being placed by a book and shall disclose the book's identity.

* * *

§627. Promotional play

A. Eligible promotional play shall be equal to the amount of dollars directly attributable to promotional play wagers related to sports wagering and actually redeemed by players and patrons. Eligible promotional play shall not exceed an amount of five million dollars per calendar year. The maximum amount of promotional play provided by this Subsection shall apply per licensee.

B. Notwithstanding the provisions provided by Subsection A of this Section in the event a licensee pools its wagers with other Louisiana sports wagering licensees, the maximum amount of eligible promotional play shall apply per pool, and the amount of eligible promotional play per participating licensee shall be allocated in accordance with an agreement among licensees participating in the pool. Pooling and the corresponding agreement among the licensees shall be subject to the approval of the board.

C.(1) In no event shall a pool stack eligible promotional play of participating licensees to exceed the maximum amount provided by Subsection A of this Section.

(2) In no event shall a licensee claim eligible promotional play from more than one sports wagering platform in a calendar year.

Section 2. R.S. 13:4721 is hereby amended and reenacted to read as follows:

§4721. Gambling houses; definition; declared public nuisances

A. For the purposes of this ~~Sub-part~~, **Subpart**, or for the purposes of any action or prosecution ~~hereunder~~ **in this Section**, a gambling house is **either**:

(1) ~~any~~ **Any** place ~~whatever~~ **whatsoever** where any game of chance of any

kind or character is played for money, for wagers, or for tokens, and where the conduct of such place operates, directly or indirectly, to the profit of one or more individuals and not exclusively to the direct profit of the actual participants in such game; ~~and.~~

(2) ~~any~~ **Any** place whatsoever where races, athletic contests, ~~and sports,~~ and games are not actually held and where opportunity is afforded for wagering upon races, athletic contests, sports, and games of chance.

B. All gambling houses as ~~herein~~ defined **in this Section** are declared to be public nuisances, and the ~~owner~~ **owners** thereof, and the ~~agent~~ **agents** for such ~~owner,~~ **owners,** or the ~~lessee, sublessee~~ **lessees, sublessees,** or other occupants thereof are declared to be guilty of maintaining a public nuisance.

C. The provisions of this Subpart shall not apply to any place where sports wagering is being conducted in accordance with Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950.

Section 3. R.S. 14:90.5(A), (B), and (C) are hereby amended and reenacted and R.S. 14:90(E) and 90.3(K) are hereby enacted to read as follows:

§90. Gambling

* * *

E. Sports wagering shall not be considered gambling for purposes of this Section so long as the wagering is conducted in compliance with Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950.

* * *

§90.3. Gambling by computer

* * *

K. Sports wagering shall not be considered gambling by computer for purposes of this Section so long as the wagering is conducted in compliance with Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950.

* * *

§90.5. Unlawful playing of gaming devices by persons under the age of twenty-one; underage persons, penalty

A. It is unlawful for any person under twenty-one years of age to play casino games, gaming devices, or slot machines, **or to place a wager on a sports event.**

B. No person under the age of twenty-one, except an emergency responder acting in his official capacity, shall enter, or be permitted to enter, the designated gaming area of a riverboat, the designated gaming area of the official gaming establishment, or the designated ~~slot machine~~ gaming area of a pari-mutuel wagering facility which offers live horse racing licensed for operation and regulated under the applicable provisions of Chapters 4, 5, and 7 of Title 27 of the Louisiana Revised Statutes of 1950.

C.(1) For purposes of this Section, "casino games, gaming devices, or slot machines" means a game or device, as defined in R.S. 27:44~~(10) or (12)~~, 205~~(12) or (13)~~, or 353~~(14)~~ operated on a riverboat, at the official gaming establishment, or at a pari-mutuel wagering facility which offers live horse racing which is licensed for operation and regulated under the provisions of Chapters 4, 5, and 7 of Title 27 of the Louisiana Revised Statutes of 1950.

(2) For purposes of this Section, "place a wager on a sports event" shall apply to wagers attempted to be or actually placed in person, via a self-service sports wagering mechanism, or through a website or mobile application as those terms are defined in R.S. 27:602 and the operation of which is regulated under the provisions of Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950.

* * *

Section 4. R.S. 46:1816(B)(8) is hereby amended and reenacted to read as follows:

§1816. Crime Victims Reparations Fund; creation; sources and use of funds

* * *

B. The fund shall be composed of:

* * *

(8) Monies deposited by the state treasurer from the collection of unclaimed prize money as provided for in R.S. 4:176 and R.S. 27:94, 252, and 394, **and 609,** which shall be used exclusively to pay the expenses associated with health care

1 services of victims of ~~sexually-oriented~~ **sexually oriented** criminal offenses,
 2 including forensic medical examinations as defined in R.S. 15:622.

3 * * *

4 Section 5. R.S. 27:24(A)(5)(f) is hereby repealed in its entirety.

5 Section 6. The Louisiana State Law Institute is directed to alphabetize and renumber
 6 the terms defined in R.S. 27:205, as amended by the provisions of this Act.

7 Section 7. This Act shall take effect and become operative on July 1, 2021; however,
 8 no license or permit shall be issued by the Louisiana Gaming Control Board relative to
 9 sports wagering activities and operations until state laws are enacted regarding the taxation
 10 of net gaming proceeds generated through the operation of a sports book.

11 Section 8. The provisions of this Act enacting R.S. 27:627 shall supersede the
 12 provisions of the Act which originated as House Bill No. 697 of the 2021 Regular Session
 13 enacting R.S. 27:627.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____