

Regular Session, 2010

HOUSE BILL NO. 314

BY REPRESENTATIVE CARMODY

GAMING: Provides technical changes for certain exceptions to gambling related crimes

1 AN ACT

2 To amend and reenact R.S. 14:90(C) and 90.3(F) and to repeal R.S. 14:90(D) and (E),
3 relative to gambling; to provide technical corrections for certain exceptions to the
4 crimes of gambling and gambling by computer; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:90(C) and 90.3(F) are hereby amended and reenacted to read as
7 follows:

8 §90. Gambling

9 * * *

10 C. ~~The conducting or assisting in the conducting of authorized lottery~~
11 ~~activities or operations in accordance with provisions of R.S. 47:9000 through 9081~~
12 ~~shall not be considered gambling for purposes of this Section.~~

13 ~~D. The intentional~~ conducting or assisting in the conducting of gaming
14 activities or operations upon a riverboat as defined and authorized in R.S. 4:501
15 through R.S. 4:562, whereby a person risks the loss of anything of value in order to
16 realize a profit at the official gaming establishment, by operating an electronic video
17 draw poker device, by a charitable gaming licensee, or at a pari-mutuel wagering
18 facility, conducting slot machine gaming at an eligible horse racing facility, or the
19 operation of a state lottery which is licensed for operation and regulated under the
20 provisions of Chapters 4 and 11 of Title 4, Chapters 4, 5, 6, and 7 of Title 27, or
21 Subtitle XI of Title 47 of the Louisiana Revised Statutes of 1950, is not gambling
22 and shall not be suppressed by any state or local law enforcement officer for the

1 purposes of this Section, so long as the wagering is done on the premises of the
2 licensed establishment.

3 * * *

4 §90.3. Gambling by computer

5 * * *

6 F. The conducting or assisting in the conducting of gaming activities or
7 operations upon a riverboat, at the official gaming establishment, by operating an
8 electronic video draw poker device, by a charitable gaming licensee, or at a pari-
9 mutuel wagering facility, conducting slot machine gaming at an eligible horse racing
10 facility, or the operation of a state lottery which is licensed for operation and
11 regulated under the provisions of ~~Chapter 4~~ Chapters 4 and 11 of Title 4, Chapters
12 4, 5, ~~and 6, and 7~~ of Title 27, ~~or Part V-A of Chapter 14 of Title 33~~ or Subtitle XI of
13 Title 47 of the Louisiana Revised Statutes of 1950, shall not be considered gambling
14 by computer for the purposes of this Section, so long as the wagering is done on the
15 premises of the licensed establishment.

16 * * *

17 Section 2. R.S. 14:90(D) and (E) are hereby repealed in their entirety.

DIGEST

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

Carmody

HB No. 314

Abstract: Provides technical corrections to laws on gaming.

Present law provides for the crimes of gambling and gambling by computer. Present law, more specifically, provides exceptions to those crimes for gaming activities or operations upon a riverboat, at the official gaming establishment, by operating an electronic video draw poker device, by a charitable gaming licensee, or at a pari-mutuel wagering facility or the operation of a state lottery.

Proposed law retains the provisions of present law and includes in that list of previously recognized and established forms of gaming the conducting of slot machine gaming at eligible horse racing facilities all as authorized by present law.

(Amends R.S. 14:90(C) and 90.3(F); Repeals R.S. 14:90(D) and (E))