

2018 Regular Session

SENATE BILL NO. 407

BY SENATOR CARTER

LOTTERIES. Authorizes three separate additional lottery games with proceeds from each dedicated to veterans, senior citizens, and persons with disabilities. (See Act)

1 AN ACT

2 To amend and reenact R.S. 47:9008(C) and to enact R.S. 47:9008(B), (D), and (E),  
3 9029(B)(3), (4), and (5), and 9031 through 9033, relative to the Louisiana Lottery  
4 Corporation Law; to provide for the creation of lottery games; to provide for lottery  
5 proceeds; to create additional funds in the Lottery Proceeds Fund; to dedicate  
6 proceeds from certain lottery games to certain funds within the Lottery Proceeds  
7 Fund; to create boards to determine how certain lottery proceeds are spent; to  
8 provide an effective date; to provide for board membership and procedures; and to  
9 provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 47:9008(C) is hereby amended and reenacted and R.S. 47:9008(B),  
12 (D), and (E), and 9029(B)(3), (4), and (5), and 9031 through 9033 are hereby enacted to read  
13 as follows:

14 §9008. Board; lottery games; regulation

15 \* \* \*

16 ~~€~~ **B.** In all other matters, the board shall advise and make recommendations.

17 In addition, the board shall:

1 (1) In accordance with the Administrative Procedure Act conduct hearings  
2 upon complaints charging violations of this Subtitle or of administrative regulations  
3 adopted by the corporation and shall conduct such other hearings as may be provided  
4 by administrative regulation.

5 (2) Review the performance of the corporation and:

6 (a) Advise the president and make recommendations to him regarding  
7 operations of the corporation; and

8 (b) Identify potential improvements in this Subtitle, the administrative  
9 regulations of the corporation, and management of the corporation.

10 (3) Request from the corporation any information the board determines to be  
11 relevant to its duties.

12 (4) Report to the president of the corporation, the governor, the president of  
13 the Senate, and the speaker of the House of Representatives regarding its findings  
14 and recommendations.

15 **C. The board shall create and adopt all rules necessary for the conduct**  
16 **of an instant lottery game to benefit veterans in Louisiana. The board shall:**

17 **(1) Make tickets to the game available for sale continuously to the extent**  
18 **practicable.**

19 **(2) Design the tickets and market and advertise the game in a manner**  
20 **intended to inform the public that the tickets are available for purchase and**  
21 **that all game proceeds are dedicated to veterans programs in this state. The**  
22 **game tickets shall clearly state that the game proceeds are used to benefit**  
23 **veterans in this state. The Louisiana Department of Veterans Affairs may make**  
24 **recommendations to the board relating to marketing and advertising of the**  
25 **game.**

26 **(3) Ensure that all funds from the game are deposited into the Veterans**  
27 **Game Fund.**

28 **D. The board shall create and adopt all rules necessary for the conduct**  
29 **of a lottery game to benefit senior citizens in Louisiana. The board shall:**

1                   (1) Make tickets to the game available for sale continuously to the extent  
2                   practicable.

3                   (2) Design the game tickets and market and advertise in a manner  
4                   intended to inform the public that the game tickets are available for purchase  
5                   and that the game proceeds are dedicated to senior citizen programs in this  
6                   state. The game tickets shall clearly state that the game proceeds are used to  
7                   benefit senior citizens in this state. The Louisiana Department of Health, office  
8                   of aging and adult services, may make recommendations to the board relating  
9                   to marketing and advertising of the game.

10                   (3) Ensure that all funds from the game are deposited into the Senior  
11                   Citizens Game Fund.

12                   E. The board shall create and adopt all rules necessary for the conduct  
13                   of a lottery game to benefit persons with disabilities in Louisiana. The board  
14                   shall:

15                   (1) Make tickets to the game available for sale continuously to the extent  
16                   practicable.

17                   (2) Design the game tickets and market and advertise in a manner  
18                   intended to inform the public that the game tickets are available for purchase  
19                   and that the game proceeds are dedicated to programs for persons with  
20                   disabilities in this state. The game tickets shall clearly state that the game  
21                   proceeds are used to benefit persons with disabilities in this state. The  
22                   Governor's Office of Disability Affairs may make recommendations to the  
23                   board relating to marketing and advertising of the game.

24                   (3) Ensure that all funds from the game are deposited into the Persons  
25                   with Disabilities Game Fund.

26   \*       \*       \*

27                   §9029. Deposit of revenues; expenditures and investments authorized; transfer of  
28   revenues to state treasury; dedication and use of proceeds;  
29   corporation operating account; audit of corporation books and

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records; audits

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B.(1) \* \* \*

(3) There is hereby created within the Lottery Proceeds Fund the Veterans Game Fund. Net lottery proceeds from the game provided for in R.S. 47:9008(C) shall be credited to the Veterans Game Fund.

(4) There is hereby created within the Lottery Proceeds Fund the Senior Citizens Game Fund. Net lottery proceeds from the game provided for in R.S. 47:9008(D) shall be credited to the Senior Citizens Game Fund.

(5) There is hereby created within the Lottery Proceeds Fund the Persons with Disabilities Fund. Net lottery proceeds from the game provided for in R.S. 47:9008(E) shall be credited to the Persons with Disabilities Game Fund.

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§9031. Veterans Game Board; disbursement of funds

A. The Veterans Game Board is hereby created to be solely responsible for the disbursement of the funds in the Veterans Game Fund to programs or entities with the purpose of bettering the lives of veterans in Louisiana. Board members shall serve without compensation and shall not require confirmation by the senate.

B. The chief executive officer of the Louisiana Lottery Corporation shall serve as chairman until the first meeting at which time the board shall elect a chairman and vice chairman. The chairman and vice chairman shall be elected annually.

C. The Louisiana Lottery Corporation shall provide administrative support and staff as needed by the board. Staff shall maintain all records of the board at the corporation's office. Administrative costs for the operation of the board, except salary or wages of the employees of the Louisiana Lottery Corporation, shall be paid from the fund.

D. The board shall meet not less than once per quarter at the same

1 location the board of directors of the Louisiana Lottery Corporation holds its  
2 meetings, unless the chairman finds it necessary or convenient in the  
3 performance of the board's duties to meet at another location.

4 E. The board shall consist of:

5 (1) The secretary of the Department of Veterans Affairs, or his designee.

6 (2) The department commander of the Military Order of the Purple  
7 Heart Louisiana, or his designee.

8 (3) The president of the Blue Star Mothers of Louisiana, or her designee.

9 (4) The department chaplain of the American Legion Department of  
10 Louisiana, or his designee.

11 (5) The president of Louisiana Women Veterans, or her designee.

12 (6) The executive director of Military Veterans Advocacy, or his  
13 designee.

14 (7) The department commander of the Disabled American Veterans,  
15 Department of Louisiana, or his designee.

16 (8) Two Gold Star Families representatives, appointed by the lieutenant  
17 governor.

18 F. A majority of those present shall constitute a quorum. Voting by  
19 proxy, by representation, or by mail is prohibited.

20 G. At the end of each fiscal year, the board shall submit to the Louisiana  
21 Lottery board of directors a report of all disbursements and actions taken  
22 toward the board's intended mission.

23 §9032. Senior Citizens Game Board; disbursement of funds

24 A. The Senior Citizens Game Board is hereby created to be solely  
25 responsible for the disbursement of the funds in the Senior Citizens Game Fund  
26 to programs or entities with the purpose of bettering the lives of senior citizens  
27 in Louisiana. Board members shall serve without compensation and do not  
28 require confirmation by the senate.

29 B. The chief executive officer of the Louisiana Lottery Corporation shall

1 serve as chairman until the first meeting at which time the board shall elect a  
2 chairman and vice chairman. The chairman and vice chairman shall be elected  
3 annually.

4 C. The Louisiana Lottery Corporation shall provide administrative  
5 support and staff as needed by the board. Staff shall maintain all records of the  
6 board at the corporation's office. Administrative costs for the operation of the  
7 board, except salary or wages of the employees of the Louisiana Lottery  
8 Corporation, shall be paid from the fund.

9 D. The board shall meet not less than once per quarter at the same  
10 location the board of directors of the Louisiana Lottery Corporation holds its  
11 meetings, unless the chairman finds it necessary or convenient in the  
12 performance of the board's duties to meet at another location.

13 E. The board shall consist of:

14 (1) The chairman of the Statewide Independent Living Council, or his  
15 designee.

16 (2) The chairman of the Louisiana Rehabilitation Council, or his  
17 designee.

18 (3) The assistant secretary of the Office of Aging and Adult Services, or  
19 her designee.

20 (4) The executive director of the Governor's Office of Elderly Affairs, or  
21 his designee.

22 (5) A representative of the Louisiana Council on Aging, appointed by the  
23 lieutenant governor.

24 F. A majority of those present shall constitute a quorum. Voting by  
25 proxy, by representation, or by mail is prohibited.

26 G. At the end of each fiscal year, the board shall submit to the Louisiana  
27 Lottery board of directors a report of all disbursements and actions toward the  
28 board's intended mission.

29 §9033. Persons with Disabilities Game Board; disbursement of funds

1           **A. The Persons with Disabilities Game Board is hereby created to be**  
2           **solely responsible for the disbursement of the funds in the Persons with**  
3           **Disabilities Game Fund to programs or entities with the purpose of bettering**  
4           **the lives of persons with disabilities in Louisiana. Board members shall serve**  
5           **without compensation and do not require confirmation by the senate.**

6           **B. The chief executive officer of the Louisiana Lottery Corporation shall**  
7           **serve as chairman until the first meeting at which time the board shall elect a**  
8           **chairman and vice chairman. The chairman and vice chairman shall be elected**  
9           **annually.**

10           **C. The Louisiana Lottery Corporation shall provide administrative**  
11           **support and staff as needed by the board. Staff shall maintain all records of the**  
12           **board at the corporation's office. Administrative costs for the operation of the**  
13           **board, except salary or wages of the employees of the Louisiana Lottery**  
14           **Corporation, shall be paid from the fund.**

15           **D. The board shall meet not less than once per quarter at the same**  
16           **location the board of directors of the Louisiana Lottery Corporation holds its**  
17           **meetings, unless the chairman finds it necessary or convenient in the**  
18           **performance of the board's duties to meet in another location.**

19           **E. The board shall consist of:**

20           **(1) The executive director of the Governor's Office of Disability Affairs,**  
21           **or his designee.**

22           **(2) The assistant secretary of the Office for Citizens with Developmental**  
23           **Disabilities, or his designee.**

24           **(3) A representative of the division of special populations, appointed by**  
25           **the superintendent of the Department of Education.**

26           **(4) The chairman of the Developmental Disabilities Council, or his**  
27           **designee.**

28           **(5) The executive director of the Arc of Louisiana, or his designee.**

29           **(6) A representative of the Louisiana Autism Society, appointed by the**

1            **lieutenant governor.**

2                            **(7) The president of the Special Olympics of Louisiana, or his designee.**

3                            **(8) Two members that are parents or guardians of children with**  
4                            **disabilities or immediate relatives or guardians of adults with developmental**  
5                            **disabilities who cannot advocate for themselves, appointed by the lieutenant**  
6                            **governor.**

7                            **F. A majority of those present shall constitute a quorum. Voting by**  
8                            **proxy, by representation, or by mail is prohibited.**

9                            **G. At the end of each fiscal year, the board shall submit to the Louisiana**  
10                           **Lottery board of directors a report of all disbursements and actions taken by**  
11                           **the board toward the board's intended mission.**

12            Section 2. This Act shall take effect and become operative if and when the proposed  
13            amendment of Article XII, Section 6(A)(1) of the Constitution of Louisiana contained in the  
14            Act which originated as Senate Bill No. 244 of this 2018 Regular Session of the Legislature  
15            is adopted at the statewide election to be held on November 6, 2018, and becomes effective.

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

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DIGEST

SB 407 Original

2018 Regular Session

Carter

Present law provides that the board of directors of the Louisiana Lottery Corporation shall adopt rules for the conduct of lottery games and operations.

Proposed law retains present law.

Proposed law adds that the board of directors shall also create and adopt all rules necessary for the conduct of an instant lottery game to benefit veterans in Louisiana. Further provides the board shall do all of the following:

- (1) Make tickets to the game available for sale continuously to the extent practicable.
- (2) Design the tickets and advertise the game in a manner that makes clear to the public that all net proceeds are dedicated to veterans programs in this state.
- (3) Ensure that net proceeds of the game are deposited into the Veterans Game Fund within the Lottery Proceeds Fund.

Proposed law creates a Veterans Game Board to be the entity responsible for disbursement of the net proceeds from the game to programs or entities with the purpose of bettering the lives of veterans in the state.

Proposed law adds that the board of directors of the La. Lottery Corporation shall also create and adopt all rules necessary for the conduct of an instant lottery game to benefit senior citizens in Louisiana. Further provides the board shall do all of the following:

- (1) Make tickets to the game available for sale continuously to the extent practicable.
- (2) Design the tickets and advertise the game in a manner that makes clear to the public that all net proceeds are dedicated to senior citizen programs in this state.
- (3) Ensure that net proceeds of the game are deposited into the Senior Citizens Game Fund within the Lottery Proceeds Fund.

Proposed law creates a Senior Citizens Game Board to be the entity responsible for disbursement of the net proceeds from the game to programs or entities with the purpose of bettering the lives of senior citizens in the state.

Proposed law adds that the board of directors shall also create and adopt all rules necessary for the conduct of an instant lottery game to benefit persons with disabilities in Louisiana. Further provides the board shall do all of the following:

- (1) Make tickets to the game available for sale continuously to the extent practicable.
- (2) Design the tickets and advertise the game in a manner that makes clear to the public that all net proceeds are dedicated to persons with disabilities programs in this state.
- (3) Ensure that net proceeds of the game are deposited into the Persons with Disabilities Game Fund within the Lottery Proceeds Fund.

Proposed law creates a Persons with Disabilities Game Board to be the entity responsible for disbursement of the net proceeds from the game to programs or entities with the purpose of bettering the lives of persons with disabilities in the state.

Proposed law provides the following for the Veterans Game Board, Senior Citizens Game Board, and Persons with Disabilities Game Board:

- (1) The CEO of the La. Lottery Corporation shall serve as chairman until the first meeting at which time each board shall elect a chairman and vice chairman. The chairman and vice chairman for each board shall be elected annually.
- (2) The La. Lottery Corporation shall provide administrative support and staff as needed by each board. Administrative costs for the operation of each board, except salary and wages of the employees of the La. Lottery Corporation, shall be paid from board's respective fund.
- (3) Members shall serve without compensation and do not require confirmation by the senate.
- (4) The board must hold no less than one meeting per quarter.
- (5) The board shall submit a report to the La. Lottery Corporation at the end of each fiscal year of its actions and disbursements.
- (6) A majority of those present constitutes a quorum.

Effective if and when the proposed amendment of Article XII, Section 6(A)(1) of the Constitution of Louisiana contained in the Act which originated as SB 244 of the 2018 RS is adopted at the statewide election to be held on November 6, 2018, and becomes effective.

(Amends R.S. 47:9008(C); adds R.S. 47:9008(B), (D), and (E), 9029(B)(3), (4), and (5), and 9031 - 9033)