HLS 20RS-837 ENGROSSED

2020 Regular Session

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HOUSE BILL NO. 368

BY REPRESENTATIVE MACK

GAMBLING/VIDEO POKER: Provides relative to qualified truck stop facilities

AN ACT

2 To enact R.S. 27:416(C)(3)(c), relative to the operation of video draw poker devices at a 3 qualified truck stop facility; to provide relative to a force majeure or catastrophic 4 event; to provide relative to fuel sales; to authorize the qualified truck stop facility 5 to apply for a waiver from the Louisiana Gaming Control Board; and to provide for 6 related matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 27:416(C)(3)(c) is hereby enacted to read as follows: 9 §416. Qualified truck stop facilities; number of devices; fuel sales 10 C. 11 12 13 (3) 14 15 (c) If for reasons of force majeure or other catastrophic event, fifty percent 16 or more of a qualified truck stop facility is destroyed and must be rebuilt according 17 to local, state, or federal basic flood elevation standards, which would inhibit the 18 facility's ability to meet the fuel requirements of this Subsection, such qualified truck 19 stop facility that has been in operation for ten or more years and has maintained fuel 20 sales in compliance with this Subsection, shall offer fuel for sale, but may apply to

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1 the gaming control board for a waiver of the fuel requirements in Paragraphs (2) and

2 (3) of this Subsection.

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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)]

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Abstract: Relative to qualified truck stop facilities, authorizes such facilities to apply for a waiver from the La. Gaming Control Board if 50% or more of the facility is destroyed by reasons of force majeure or catastrophic event and if certain conditions are met.

<u>Present law</u> provides for the operation of video draw poker devices at qualified truck stop facilities. Provides that the number of video draw poker devices placed at a qualified truck stop facility shall be based on the average monthly fuel sales calculated quarterly for the first year of operation and, thereafter, shall be based upon the average monthly fuel sales calculated annually using a calendar year as follows:

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

<u>Present law</u> provides that a qualified truck stop facility, except a qualified truck stop facility located within a radius of 12 miles or less from the location of the official gaming establishment in Orleans Parish, which complies or has complied with one of the fuel sales requirements of <u>present law</u> for five consecutive years shall be permitted to retain the number of devices it operated during the same consecutive five-year period provided it continues to sell a monthly average of 50,000 gallons of fuel.

<u>Proposed law</u> retains <u>present law</u> and adds that if for reasons of force majeure or other catastrophic event, 50% or more of a qualified truck stop facility is destroyed and must be rebuilt according to local, state, or federal basic flood elevation standards, which would inhibit the facility's ability to meet the fuel requirements of <u>present law</u>, such qualified truck stop facility that has been in operation for 10 or more years and has maintained fuel sales in compliance with <u>present law</u>, shall offer fuel for sale, but may apply to the gaming control board for a waiver of the fuel requirements in present law.

(Adds R.S. 27:416(C)(3)(c))

Summary of Amendments Adopted by House

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

1. Provide that any qualified truck stop facility that is required to rebuild pursuant to <u>proposed law</u> shall be in accordance with local, state, or federal basic flood elevation standards <u>rather than</u> building code standards.

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