

Notice of Intent

Department of Public Safety and Corrections

Gaming Control Board

The Louisiana Gaming Control Board hereby gives notice that pursuant to La. R.S. 27:15 and La. R.S. 27:24 it intends to amend LAC 42:XI.2405.B. and LAC 42:XI.2424.B.

Title 42 LOUISIANA GAMING

Part XI. Video Poker

Chapters 1- 23. Reserved

Chapter 24. Video Draw Poker

§2405. Application and License

A. – B.5. ...

6. Upon discovery, hidden ownership, whether by counter letter or other device or agreement, whether oral or written, shall constitute grounds for immediate suspension, revocation or denial of a license or application.

7. If there is more than one owner of a company, applicants and licensees shall disclose all ownership interests in the company so that the aggregate of percentages of individual ownership totals 100 percent.

8. All licensees shall attend all hearings, meetings, seminars and training sessions required by the division. The division shall not be responsible for any costs incurred by the licensees.

9. All licensees shall maintain compliance with all applicable federal gambling law requirements, including any registration required by the provisions of Chapter 24 of Title 15 of the United States Code (§1171 et seq.), which govern the transportation of gambling devices.

10.a. All licensees shall continue to operate the business described in the application during the term of the license. In the event either the business or the video draw poker devices at the location are not in operation for a period of 30 consecutive calendar days during which the business would normally operate, the licensee and device owner shall immediately notify the division of such fact and the licensee shall immediately surrender its license to the board or division.

b. If surrendered in accordance with §2405.B.9.a, no gaming activities may be conducted at the premises unless and until the license is returned to the licensee.

c. The license may be returned to the licensee when business operations are resumed for the unexpired term of the license provided that the license has not been revoked and is not under suspension and further provided that no more than 180 days has elapsed from the date the license was surrendered.

d. Licenses surrendered in accordance with §2405.B.9.a shall not be subject to renewal unless the license has been returned to the licensee.

e. Failure to surrender the license as provided in §2405.B.9.a shall constitute grounds for revocation or suspension of the license.

11.a. Within 15 days following a force-majeure event which has not affected video poker operation but necessitates closing any part of the licensed entity in order to make repairs, a licensee shall notify the division which

may, following an on-site inspection to evaluate damage to the premises, grant the licensee a 60 day waiver from the provisions of LAC 42:XI.2405.B.9.a.

b. The division may grant one 60 day extension if it determines that the licensee has made substantial progress towards completing the necessary repairs within the original 60 day waiver period and the applicant can demonstrate a reasonable likelihood of completing the necessary repairs within the next 60 days.

c. Under no circumstances shall a licensee continue video poker operations without completing the necessary repairs and resuming normal operations for a period longer than 120 days.

C. – D.7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 23:1322 (October 1997), LR 24:955 (May 1998), LR 26:346 (February 2000), LR 26:2322 (October 2000), LR 27:61 (January 2001), LR 29:362 (March 2003), LR 30:267 (February 2004), repromulgated LR 30:439 (March 2004), amended LR 34:1037 (June 2008), LR 35:82 (January 2009), repromulgated LR 35:490 (March 2009), amended LR 36:2045 (September 2010), LR 38:2935 (November 2012), amended LR.

§2424. Enforcement Actions of the Board

A. ...

B. Penalty Schedule

Regulation Number	Violation Description	1st	2nd	3rd
Application and License				

2405 B 8	Failure To Attend Required Hearings, Meetings, Etc.	500	1000	Admin Action
Video Gaming Devices				

Revenues				

Regulatory, Communication, and Reporting Responsibilities				

Devices				

Gaming Establishments				

Code of Conduct of Licensee				

Regulation Number	Violation Description	1st	2nd	3rd
Investigations				
* * *				
Miscellaneous				
* * *				

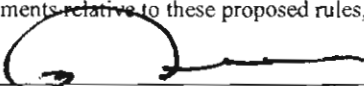
C. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board. LR 36:2874 (December 2010), amended LR 38:2936 (November 2012), amended LR.

Public Comments

All interested persons may contact Earl Pitre, Jr., Attorney General's Gaming Division, telephone (225) 326-6500, and may submit comments relative to these proposed rules, through April 10, 2014, to 1885 North 3rd Street, Suite 500, Baton Rouge, LA 70802.



Ronnie Jones
Chairman