

## NOTICE OF INTENT

### Department of Public Safety and Corrections Louisiana Gaming Control Board

The Department of Public Safety and Corrections, Louisiana Gaming Control Board, in accordance with R.S. 27:15 and 24 and with the Administrative Procedure Act, R.S. 49:950 *et seq.*, hereby gives notice that it intends to amend LAC 42:XI.2405, *Application and License*.

#### Title 42 LOUISIANA GAMING Part XI. Gaming Control Board

#### Chapter 24. Video Draw Poker

#### §2405. Application and License

A.1. – B.11.a.iv. ...

b. Truck Stop Facilities Only—Fuel Facility Operational—Waiver of Surrender Requirement

i. A licensed truck stop facility may be granted a ~~60~~ 90-day waiver from the surrender provisions of Subparagraph B.11.a of this Section following a force majeure event which has not affected the operation of the fuel facility, but has resulted in the inability of the licensee to maintain and operate the on-site restaurant, the stable parking area, the onsite repair service, or any of its required amenities, provided that the licensee notifies the division in writing of the damage to the licensed establishment in accordance with the notification requirement in Paragraph B.11 of this Section and the division determines, following an on-site inspection of the licensed establishment, that the damage was in fact the result of a force majeure event.

ii. 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~~ 90-day waiver period and the licensee can demonstrate a reasonable likelihood of completing the necessary repairs within the next 60 days.

iii. ...

iv. Under no circumstances shall a licensee continue video poker operations after the expiration of the ~~60~~ 90-day waiver or any extension thereof granted by the division without completing the necessary repairs and resuming normal operations. If the licensee has not completed necessary repairs and resumed normal operations, it shall immediately surrender the license upon the expiration of the ~~60~~ 90-day waiver or any extension granted by the division.

B.11.b.v. - 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), LR 40:1105, 1109 (June 2014), repromulgated LR 40:1382 (July 2014), amended LR 40:1384 (July 2014), LR 41:1498 (August 2015), LR 42:574 (April 2016), amended LR.

#### Public Comments

Interested persons may submit written comments to Earl G. Pitre, Jr., Assistant Attorney General, Louisiana Department of Justice, Gaming Division, 1885 North Third Street, Fifth Floor, Baton Rouge, LA 70802. All comments must be submitted no later than June 11, 2018.



Ronnie Jones  
Chairman