

1 HB736
2 119050-3
3 By Representatives Dukes, Hammon, Grantland and Oden (N & P)
4 RFD: Local Legislation
5 First Read: 23-MAR-10

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ENROLLED, An Act,

Relating to Morgan County; to amend Sections 1 and 6 of Act 96-648 of the 1996 Regular Session (Acts 1996, p. 1032), relating to the operation of bingo within the Cities of Hartselle, Falkville, and Decatur; to further define the term "Bingo"; and to allow bingo permit holders to advertise their bingo sessions upon approval of the local municipal governing body.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 1 and 6 of Act 96-648 of the 1996 Regular Session (Acts 1996, p. 1032), are amended to read as follows:

"Section 1. As used in this act, the following words shall have the following meanings:

"(1) BINGO. For purposes of bingo games operated within the boundaries of Morgan County, the term "game of bingo" or "bingo" shall mean: A game of chance that is played by groups of people seated in a duly authorized and permitted location. Balls bearing a combination of one of five letters (B-I-N-G-O) and a number between 1 and 75 are randomly drawn, usually from a wheel, and announced by a "caller." The game is played on flat pieces of cardboard or disposable paper containing 25 squares arranged in five vertical columns and five horizontal rows (i.e., a 5x5" square matrix). The letters

1 B-I-N-G-O are printed above the five vertical columns, with
2 one letter appearing above each column; the center space on
3 the square matrix may be marked "Free," and one of the 75
4 numbers with which the game typically is played is preprinted
5 in each of the remaining 24 squares. The distribution of the
6 75 numbers commonly corresponds to the following arrangement
7 on the pre-printed card: 1 to 15 in the "B"column; 16 to 30 in
8 the "I" column; 31 to 45 in the "N" column; 46 to 60 in the
9 "G" column; and 61 to 75 in the "O" column. As balls are
10 randomly drawn and the marked letter/number combination
11 announced by the caller, each player covers (with a poker
12 chip, "daub" of paint, or some other marking device) any
13 square on his or her bingo card that corresponds to the
14 announced letter/number combination. Players compete against
15 each other to be the first to achieve a specified winning
16 pattern (typically, five contiguous squares covered
17 vertically, horizontally, or diagonally) announced by the
18 caller before the beginning of each game, and a winner is
19 required to call out the word "Bingo!" to alert other players
20 and the caller to a possible win. Bingo cards are not cleared
21 and a new game begun until it has been confirmed that each
22 space covered on the putative winner's card was, in fact,
23 randomly drawn and announced by the caller during the course
24 of that game. This definition may not be construed to include
25 the operation of the game of bingo by the use of any

1 electronic or electrical equipment or device, computer, or
2 related equipment, telecommunication or data transmission,
3 storage, or receiving equipment.

4 "(2) BINGO SESSION. A consecutive period of time not
5 to exceed five consecutive hours during which bingo is played
6 in a given day and not to exceed one day in a given week.

7 "(3) EQUIVALENT VALUE. The fair market value of the
8 gift on the date the gift is given as the prize in a bingo
9 game.

10 "(4) LOCATION. A single building, hall, enclosure,
11 or outdoor area used for the purpose of playing bingo pursuant
12 to a permit or license issued under this act.

13 "(5) PERMIT HOLDER. A qualified organization or
14 qualified club which has a permit or license pursuant to this
15 act.

16 "(6) Person. Any human being, corporation,
17 association, or other legal entity.

18 "(7) REASONABLE EXPENSES. Includes customary and
19 usual business overhead expenses.

20 "(8) QUALIFIED ORGANIZATION. A bona fide religious,
21 educational, service, senior citizens, fraternal, or veterans'
22 organization which qualifies as an exempt organization under
23 Section 501(c) of the Internal Revenue Code and operates
24 without profit to its members and which has been in existence
25 continuously as that organization for a period of three years

1 and which has owned or leased real property in Morgan County
2 for at least three years immediately prior to making
3 application for operating bingo.

4 "Section 6. (a) Bingo may not be conducted with any
5 equipment which is not owned, being purchased, or being rented
6 at a reasonable rate by the permit holder, except as otherwise
7 provided in subsection (b) of Section 5.

8 "(b) Prizes given by any qualified nonprofit
9 organization for the playing of bingo games shall not exceed
10 the cash amount or gifts of equivalent value of three thousand
11 five hundred dollars (\$3,500) during any bingo session.

12 "(c) A permit holder may advertise bingo games or
13 sessions with approval of the local municipal governing body.

14 "(d) A permit holder shall display its bingo license
15 conspicuously at the location where the bingo game is
16 conducted.

17 "(e) A permit holder shall conduct bingo games only
18 at the single location specified in the application of the
19 permit holder.

20 "(f) A permit holder, pursuant to Section 3, shall
21 not conduct more than one bingo session during any one
22 calendar week not to exceed five hours in duration and no
23 session shall be played after 11:30 p.m. All bingo sessions
24 shall be held Monday to Saturday, inclusive, and no bingo

1 shall be played on a Sunday. No alcoholic beverages shall be
2 served during any bingo session.

3 "(g) No person under the age of 19 years shall be
4 permitted to play any game or games of bingo conducted
5 pursuant to any permit issued under this law. No person under
6 the age of 19 years shall be permitted to conduct or assist in
7 conducting any games of bingo pursuant to this act."

8 Section 2. This act shall become effective
9 immediately following its passage and approval by the
10 Governor, or its otherwise becoming law.

