

1 AN ACT relating to charitable gaming.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 238.545 is amended to read as follows:

- 4 (1) A licensed charitable organization shall be limited by the following:
- 5 (a) In the conduct of bingo, to one (1) session per day, two (2) sessions per week,
6 for a period not to exceed five (5) consecutive hours in any day and not to
7 exceed ten (10) total hours per week:
- 8 1. No licensed charitable organization shall conduct bingo at more than one
9 (1) location during the same twenty-four (24) hour period;
- 10 2. No licensed charitable organization shall award prizes for bingo that
11 exceed five thousand dollars (\$5,000) in fair market value per twenty-
12 four (24) hour period, including the value of door prizes; and
- 13 3. No person under the age of eighteen (18) shall be permitted to purchase
14 bingo supplies or play bingo unless he or she is playing for noncash
15 prizes and is accompanied by a parent or legal guardian and only if the
16 value of any noncash prize awarded does not exceed ten dollars (\$10);
- 17 (b) 1. A licensed charitable organization may provide card-minding devices
18 for use by players of bingo games.
- 19 2. If a licensed charitable organization offers card-minding devices for use
20 by players, the devices shall be capable of being used in conjunction
21 with bingo cards or paper sheets at all times.
- 22 3. The department shall have broad authority to define and regulate the use
23 of card-minding devices and shall promulgate an administrative
24 regulation concerning use and control of them;
- 25 (c) Charity game tickets shall be sold only at the address of the location
26 designated on the license to conduct charitable gaming;
- 27 (d) Charity game tickets may be sold, with prior approval of the department:

- 1 1. At any authorized special charity fundraising event conducted by a
2 licensed charitable organization at any off-site location; or
3 2. By a licensed charitable organization possessing a special limited
4 charitable gaming license at any off-site location; and
5 (e) An automated charity game ticket dispenser may be utilized by a licensed
6 charitable organization, with the prior approval of the department, only at the
7 address of the location designated on the license to conduct charitable gaming.
8 The department shall promulgate administrative regulations regulating the use
9 and control of approved automated charity game ticket dispensers.
- 10 (2) (a) No prize for an individual charity game ticket shall exceed five hundred
11 ninety-nine dollars (\$599) in value, not including the value of cumulative or
12 carryover prizes awarded in seal card games.
- 13 (b) Cumulative or carryover prizes in seal card games shall not exceed two
14 thousand four hundred dollars (\$2,400).
- 15 (c) Information concerning rules of the particular game and prizes that are to be
16 awarded in excess of fifty dollars (\$50) in each separate package or series of
17 packages with the same serial number and all rules governing the handling of
18 cumulative or carryover prizes in seal card games shall be posted prominently
19 in an area where charity game tickets are sold. A legible poster that lists prizes
20 to be awarded, and on which prizes actually awarded are posted at the
21 completion of the sale of each separate package shall satisfy this requirement.
- 22 (d) Any unclaimed money or prize shall return to the charitable organization.
- 23 (e) No paper charity game ticket shall be sold in the Commonwealth of Kentucky
24 that does not conform to the standards for opacity, randomization, minimum
25 information, winner protection, color, and cutting established by the
26 department.
- 27 (f) No electronic pulltab device representation of a charity game ticket shall be

1 sold in the Commonwealth of Kentucky that does not conform to the
2 construction standards set forth in an administrative regulation promulgated
3 by the department. Electronic pulltab devices shall only be used for charitable
4 gaming.

5 (g) No person under the age of eighteen (18) shall be permitted to purchase, or
6 open in any manner, a charity game ticket.

7 (3) (a) Tickets for a raffle shall be sold separately, and each ticket shall constitute a
8 separate and equal chance to win.

9 (b) All raffle tickets shall be sold for the price stated on the ticket, and no person
10 shall be required to purchase more than one (1) ticket or to pay for anything
11 other than a ticket to enter a raffle.

12 (c) Raffle tickets and tickets for charity fundraising raffle games approved by the
13 department which are offered exclusively at charity fundraising events and
14 special limited charity fundraising events are not required to be sold separately
15 and may be sold at discounted package rates.

16 (d) Raffle tickets shall have a unique identifier on each ticket.

17 (e) Winners shall be drawn at random at a date, time, and place announced in
18 advance or printed on the ticket.

19 (f) All prizes for a raffle shall be identified in advance of the drawing and all
20 prizes identified shall be awarded.

21 (4) With respect to charity fundraising events, a licensed charitable organization shall
22 be limited as follows:

23 (a) No licensed charitable organization shall conduct a charity fundraising event
24 or a special limited charity fundraising event unless they have a license for the
25 respective event issued by the department;

26 (b) No special license shall be required for any wheel game, such as a cake wheel,
27 that awards only noncash prizes the value of which does not exceed one

1 hundred dollars (\$100);

2 (c) The department may grant approval for a licensed charitable organization to
3 play bingo games at a charity fundraising event. Cash prizes for bingo games
4 played during a charity fundraising event may not exceed five thousand
5 dollars (\$5,000) for the entire event. No person under the age of eighteen (18)
6 shall be permitted to play bingo at a charity fundraising event unless
7 accompanied by a parent or legal guardian;

8 (d) The department may grant approval for a licensed charitable organization to
9 play special limited charitable games at a charity fundraising event authorized
10 under this section. The department shall not grant approval for the playing of
11 special limited charitable games under the provisions of a charity fundraising
12 event license unless the proposed event meets the definition of a charity
13 fundraising event held for community, social, or entertainment purposes apart
14 from charitable gaming in accordance with KRS 238.505(8);

15 (e) Except for state, county, city fairs, and special limited charity fundraising
16 events, a charity fundraising event license issued under this section shall not
17 exceed seventy-two (72) consecutive hours. A licensed charitable organization
18 shall not be eligible for more than eight (8) total charity fundraising event
19 licenses per year, including two (2) special limited charity fundraising event
20 licenses. No person under eighteen (18) years of age shall be allowed to play
21 or conduct any special limited charitable game. The department shall have
22 broad authority to regulate the conduct of special limited charity fundraising
23 events in accordance with the provisions of KRS 238.547; and

24 (f) Charity fundraising events may be held:

- 25 1. On or in the premises of a licensed charitable organization;
- 26 2. In a licensed charitable gaming facility, subject to restrictions contained
27 in KRS 238.555(7); or

- 1 3. At an unlicensed facility which shall be subject to the requirements
2 stipulated in KRS 238.555(3), and subject to the restrictions contained in
3 KRS 238.547(2).~~Charity fundraising events at an unlicensed facility~~
4 ~~shall be limited to:~~
- 5 a. ~~No more than one (1) such event per week; and~~
 - 6 b. ~~No more than seven (7) such events per year, with no more than~~
7 ~~five (5) licensed charitable organizations conducting such events at~~
8 ~~an unlicensed facility per year.]~~
- 9 (5) Presentation of false, fraudulent, or altered identification by a minor shall be an
10 affirmative defense in any disciplinary action or prosecution that may result from a
11 violation of age restrictions contained in this section, if the appearance and
12 character of the minor were such that his or her age could not be reasonably
13 ascertained by other means.