

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 9
99TH GENERAL ASSEMBLY

Reported from the Committee on Progress and Development, February 16, 2017, with recommendation that the Senate Committee Substitute do pass.

0451S.02C

ADRIANE D. CROUSE, Secretary.

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 39(a) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bingo.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2018, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article III of the Constitution of the state of Missouri:

Section A. Section 39(a), article III, Constitution of Missouri, is repealed
2 and one new section adopted in lieu thereof, to be known as section 39(a), to read
3 as follows:

Section 39(a). The game commonly known as bingo when conducted by
2 religious, charitable, fraternal, veteran or service organizations is not a lottery
3 or gift enterprise within the meaning of subdivision (9) of section 39 of this article
4 if the general assembly authorizes by law that religious, charitable, fraternal,
5 service, or veteran organizations may conduct the game commonly known as
6 bingo, upon the payment of the license fee and the issuance of the license as
7 provided for by law. Any such law shall include the following requirements:

8 (1) All net receipts over and above the actual cost of conducting the game
9 as set by law shall be used only for charitable, religious or philanthropic
10 purposes, and no receipts shall be used to compensate in any manner any person
11 who works for or is in any way affiliated with the licensed organization;

12 (2) No license shall be granted to any organization unless it has been in

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

13 continuous existence for at least five years immediately prior to the application
14 for the license. An organization must have twenty bona fide members to be
15 considered to be in existence;

16 (3) No person shall participate in the management, conduct or operation
17 of any game unless that person:

18 (a) Has been a bona fide member of the licensed organization for the [two
19 years] **six months** immediately preceding such participation, and volunteers the
20 time and service necessary to conduct the game;

21 (b) Is not a paid staff person for the licensed organization;

22 (c) Is not and has never been a professional gambler or gambling
23 promoter;

24 (d) Has never purchased a tax stamp for wagering or gambling activity;

25 (e) Has never been convicted of any felony;

26 (f) Has never been convicted of or pleaded nolo contendere to any illegal
27 gambling activity;

28 (g) Is of good moral character;

29 (4) Any person, any officer or director of any firm or corporation, and any
30 partner of any partnership renting or leasing to a licensed organization any
31 equipment or premises for use in a game shall meet all of the qualifications of
32 paragraph (3) except subparagraph (a);

33 (5) No lease, rental arrangement or purchase arrangement for any
34 equipment or premise for use in a game shall provide for payment in excess of the
35 reasonable market rental rate for such premises and in no case shall any
36 payment based on a percentage of the gross receipts or proceeds be permitted;

37 (6) No person, firm, partnership or corporation shall receive any
38 remuneration or profit for participating in the management, conduct or operation
39 of the game;

40 (7) [No advertising of any game shall be permitted except on the premises
41 of the licensed organization or through ordinary communications between the
42 organization and its members;

43 (8)] Any other requirement the general assembly finds necessary to insure
44 that any games are conducted solely for the benefit of the eligible organizations
45 and the general community.

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