

By Representative Stabins

1 A bill to be entitled
2 An act relating to bingo; amending s. 849.0931,
3 F.S., which provides requirements for the
4 conduct of bingo; revising definitions;
5 providing requirements with respect to the
6 conduct of bingo by members of charitable,
7 nonprofit, or veterans' organizations;
8 prohibiting tipping of persons conducting bingo
9 games; revising requirements relating to
10 prizes, days and times when bingo may be
11 conducted, and players' responsibilities;
12 prohibiting video or computerized bingo cards;
13 specifying construction regarding prosecution
14 of persons conducting unauthorized bingo;
15 specifying that counties and municipalities may
16 impose stricter regulations and adopt certain
17 zoning ordinances; providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 849.0931, Florida Statutes, is
22 amended to read:

23 849.0931 Bingo authorized; conditions for conduct;
24 permitted uses of proceeds; limitations.--

25 (1) As used in this section:

26 (a) "Bingo game" means and refers to the activity,
27 commonly known as "bingo," in which participants pay a sum of
28 money for the use of one or more bingo cards. When the game
29 commences, numbers are drawn by chance, one by one, and
30 announced. The players cover or mark those numbers on the
31 bingo cards which they have purchased until a player receives

1 a given order of numbers in sequence that has been
2 preannounced for that particular game. This player calls out
3 "bingo" and is declared the winner of a predetermined prize.
4 More than one game may be played upon a bingo card, and
5 numbers called for one game may be used for a succeeding game
6 or games.

7 (b) "Bingo card" means and refers to the flat piece of
8 paper or thin pasteboard employed by players engaged in the
9 game of bingo. The bingo card shall have not fewer than 24
10 playing numbers printed on it. These playing numbers shall
11 range from 1 through 75, inclusive. More than one set of
12 bingo numbers may be printed on any single piece of paper.

13 (c) "Charitable, nonprofit, or veterans' organization"
14 means an organization which has qualified for exemption from
15 federal income tax as an exempt organization under the
16 provisions of s. 501(c) of the Internal Revenue Code of 1954
17 or s. 528 of the Internal Revenue Code of 1986, as amended;
18 which is engaged in charitable, civic, community, benevolent,
19 religious, or scholastic works or other similar activities;
20 and which has been in existence and active for a period of 3
21 years or more.

22 (d) "Member" means an individual who has qualified for
23 and has been granted membership in an organization authorized
24 to conduct bingo or a bona fide auxiliary of that organization
25 pursuant to its bylaws, articles of incorporation, charter,
26 rules, or other written statement.

27 (e)~~(d)~~ "Objects" means a set of 75 balls or other
28 precision shapes that are imprinted with letters and numbers
29 in such a way that numbers 1 through 15 are marked with the
30 letter "B," numbers 16 through 30 are marked with the letter
31 "I," numbers 31 through 45 are marked with the letter "N,"

1 numbers 46 through 60 are marked with the letter "G," and
2 numbers 61 through 75 are marked with the letter "O."

3 (f)~~(e)~~ "Rack" means the container in which the objects
4 are placed after being drawn and announced.

5 (g)~~(f)~~ "Receptacle" means the container from which the
6 objects are drawn or ejected.

7 (h)~~(g)~~ "Session" means a designated set of games
8 played in a day ~~or part of a day~~.

9 (2)(a) None of the provisions of this chapter shall be
10 construed to prohibit or prevent charitable, nonprofit, or
11 veterans' organizations engaged in charitable, civic,
12 community, benevolent, religious, or scholastic works or other
13 similar endeavors, which organizations have been in existence
14 and active for a period of 3 years or more, from conducting
15 bingo games, provided the entire proceeds derived from the
16 conduct of such games, less actual business expenses for
17 articles designed for and essential to the operation, conduct,
18 and playing of bingo, are donated by such organizations to the
19 endeavors mentioned above. In no case may the net proceeds
20 from the conduct of such games be used for any other purpose
21 whatsoever. The proceeds derived from the conduct of bingo
22 games shall not be considered solicitation of public
23 donations.

24 (b) It is the express intent of the Legislature that
25 no charitable, nonprofit, or veterans' organization serve as a
26 sponsor of a bingo game conducted by another. Only members of
27 the organization conducting a bingo session may take part in
28 the conduct of the bingo session, regardless of the location
29 at which the bingo session is conducted and regardless of who
30 owns such facility, even if the facility is owned by another
31 organization authorized to conduct bingo. Under no

1 circumstance may anyone other than a member of the
2 organization which conducts a bingo session be involved in
3 collecting or distributing the fee charged the players for
4 participating in the bingo session, regardless of the location
5 used for conducting the session. This prohibition does not
6 include food and drink concession sales, if the concession is
7 operated by someone other than the organization conducting the
8 bingo session, ~~but such organization may only be directly~~
9 ~~involved in the conduct of such a game as provided in this~~
10 ~~act.~~

11 ~~(3)(8)~~ Each person involved in the conduct of any
12 bingo game must be a resident of the community where the
13 organization is located and a bona fide member of the
14 organization conducting ~~sponsoring~~ such game and may not be
15 compensated in any way for operation of such bingo game.
16 Tipping such persons is prohibited. When bingo games are
17 conducted by a charitable, nonprofit, or veterans'
18 organization, the organization conducting the bingo games
19 shall ~~be required to~~ designate one member ~~up to three members~~
20 of that organization to be in charge of the games, and that
21 person one of whom shall be present during the entire session
22 at which the bingo games are conducted. The organization
23 conducting the bingo games is responsible for posting a
24 notice, which notice states the name of the organization and
25 the ~~designated member or members~~ conducting the bingo games,
26 in a conspicuous place on the premises at which the session is
27 held. In no event may a caller or any other worker in a bingo
28 game be a participant in that bingo game.

29 ~~(4)(3)~~ If an organization is not engaged in
30 charitable, civic, community, benevolent, religious, or
31 scholastic works ~~efforts of the type set out above,~~ its

1 authority ~~right~~ to conduct bingo games hereunder is
2 conditioned upon the return of all the proceeds from such
3 games to the players in the form of prizes. If at the
4 conclusion of play on any day during which a bingo game is
5 allowed to be played under this section there remain proceeds
6 which have not been paid out as prizes, the organization
7 conducting the game shall at the next scheduled day of play
8 conduct bingo games without any charge to the players and
9 shall continue to do so until the proceeds carried over from
10 the previous days played have been exhausted. This provision
11 in no way extends the limitation on the number of prize or
12 jackpot games allowed in one day as provided for in subsection
13 ~~(6)~~~~(5)~~.

14 ~~(5)~~~~(4)~~ The authority ~~right~~ of a condominium
15 association, a mobile home owners' association, a group of
16 residents of a mobile home park as defined in chapter 723, or
17 a group of residents of a mobile home park or recreational
18 vehicle park as defined in chapter 513 to conduct bingo is
19 conditioned upon the return of the net proceeds from such
20 games to players in the form of prizes after having deducted
21 the actual business expenses for such games for articles
22 designed for and essential to the operation, conduct, and
23 playing of bingo. Any net proceeds remaining after paying
24 prizes may be donated by the association to a charitable,
25 nonprofit, or veterans' organization which is exempt from
26 federal income tax under the provisions of s. 501(c) of the
27 Internal Revenue Code to be used in such recipient
28 organization's charitable, civic, community, benevolent,
29 religious, or scholastic works or similar activities or, in
30 the alternative, such remaining proceeds shall be used as
31 specified in subsection ~~(4)~~~~(3)~~.

1 ~~(6)(5)~~ No jackpot shall exceed the value of \$250 in
2 actual money or its equivalent, and There shall be no more
3 than three jackpots awarded in any one day or session of bingo
4 by any organization. No jackpot shall exceed the value of \$250
5 in actual money or its equivalent. All other game prizes shall
6 not exceed \$50. Jackpot and prize limits apply to all bingo
7 games played in a session, whether players are charged to play
8 the specific game or play the game for free.

9 ~~(7)(6)~~ Bingo may be conducted only between the hours
10 of 10 a.m. and 12 midnight. Each bingo session may be
11 sponsored and conducted by only one organization authorized to
12 conduct bingo. No more than one session may be held on any
13 given day at any given location. Only one organization
14 authorized to conduct bingo may conduct bingo at any given
15 location on any one day. An organization authorized to conduct
16 bingo may conduct bingo a maximum of two days per week.~~The~~
17 ~~number of days per week during which organizations authorized~~
18 ~~hereunder may conduct bingo may not exceed two.~~

19 ~~(7)~~ ~~There shall be no more than three jackpots on any~~
20 ~~one day of play. All other game prizes shall not exceed \$50.~~

21 ~~(8)(9)~~ Every charitable, nonprofit, or veterans'
22 organization involved in the conduct of a bingo game must be
23 located in the county, or within a 15-mile radius of, where
24 the bingo game is located.

25 ~~(9)(10)~~(a) No one under 18 years of age shall be
26 allowed to play any bingo game or be involved in the conduct
27 of a bingo game in any way.

28 (b) Any organization conducting bingo open to the
29 public may refuse entry to any person who is objectionable or
30 undesirable to the sponsoring organization, but such refusal
31 of entry shall not be on the basis of race, creed, color,

1 religion, sex, national origin, marital status, or physical
2 handicap.

3 (10)~~(11)~~ Bingo games may be held only on the following
4 premises:

5 (a) Property owned by the charitable, nonprofit, or
6 veterans' organization.

7 (b) Property owned by the charitable, nonprofit, or
8 veterans' organization that will benefit by the proceeds.

9 (c) Property leased for a period of not less than 1
10 year by a charitable, nonprofit, or veterans' organization,
11 providing the lease or rental agreement does not provide for
12 the payment of a percentage of the proceeds generated at such
13 premises to the lessor or any other party and providing the
14 rental rate for such premises does not exceed the rental rates
15 charged for similar premises in the same locale.

16 (d) Property owned by a municipality or a county when
17 the governing authority has, by appropriate ordinance or
18 resolution, specifically authorized the use of such property
19 for the conduct of such games.

20 (e) With respect to bingo games conducted by a
21 condominium association, a mobile home owners' association, a
22 group of residents of a mobile home park as defined in chapter
23 723, or a group of residents of a mobile home park or
24 recreational vehicle park as defined in chapter 513, property
25 owned by the association, property owned by the residents of
26 the mobile home park or recreational vehicle park, or property
27 which is a common area located within the condominium, mobile
28 home park, or recreational vehicle park.

29 (11)~~(12)~~ Each bingo game shall be conducted in
30 accordance with the following rules:

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1 (a) The objects, whether drawn or ejected, shall be
2 essentially equal as to size, shape, weight, and balance and
3 as to all other characteristics that may control their
4 selection from the receptacle. The caller shall cancel any
5 game if, during the course of a game, the mechanism used in
6 the drawing or ejection of objects becomes jammed in such a
7 manner as to interfere with the accurate determination of the
8 next number to be announced or if the caller determines that
9 more than one object is labeled with the same number or that
10 there is a number to be drawn without a corresponding object.
11 Any player in a game canceled pursuant to this paragraph shall
12 be permitted to play the next game free of charge.

13 (b) Prior to commencement of any bingo session, the
14 member in charge shall cause a verification to be made of all
15 objects to be placed in the receptacle and shall inspect the
16 objects in the presence of a disinterested person to ensure
17 that all objects are present and that there are no
18 duplications or omissions of numbers on the objects. Any
19 player shall be entitled to call for a verification of numbers
20 before, during, and after a session.

21 (c) The card or sheet on which the game is played
22 shall be part of a deck, group, or series, no two of which may
23 be alike in any given game. Video or computerized tracking
24 versions of bingo cards are prohibited.

25 (d) All numbers shall be visibly displayed after being
26 drawn and before being placed in the rack.

27 (e) A bona fide bingo shall consist of a predesignated
28 arrangement of numbers on a card or sheet that correspond with
29 the numbers on the objects drawn from the receptacle and
30 announced. Errors in numbers announced or misplaced in the
31 rack may not be recognized as a bingo.

1 (f) When a caller has started to vocally announce a
2 number, the caller shall complete the call. If any player has
3 obtained a bingo on a previous number, such player will share
4 the prize with the player who gained bingo on the last number
5 called. It is the responsibility of the bingo player to call
6 bingo loudly enough for the caller to stop the game.

7 (g) Numbers on the winning cards or sheets shall be
8 announced and verified in the presence of another player. Any
9 player shall be entitled at the time the winner is determined
10 to call for a verification of numbers drawn. The verification
11 shall be in the presence of the member designated to be in
12 charge of the occasion or, if such person is also the caller,
13 in the presence of an officer of the licensee.

14 (h) Upon determining a winner, the caller shall ask,
15 "Are there any other winners?" If no one replies, the caller
16 shall declare the game closed. No other player is entitled to
17 share the prize unless she or he has declared a bingo prior to
18 this announcement.

19 (i) Seats may not be held or reserved by an
20 organization or person involved in the conduct of any bingo
21 game for players not present, nor may any cards be set aside,
22 held, or reserved from one session to another for any player.

23 (12)(13) Any organization or other person who
24 willfully and knowingly violates any provision of this section
25 is guilty of a misdemeanor of the first degree, punishable as
26 provided in s. 775.082 or s. 775.083. For a second or
27 subsequent offense, the organization or other person is guilty
28 of a felony of the third degree, punishable as provided in s.
29 775.082, s. 775.083, or s. 775.084. This section shall not be
30 construed to prohibit the prosecution of persons who are

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1 conducting bingo other than as authorized by this section
2 under any other applicable statute.

3 (13) The bingo regulations provided in this section
4 constitute the minimum regulations for bingo conducted in this
5 state. This section does not prohibit the imposition of
6 additional stricter bingo regulations by a county or
7 municipality through local ordinance. A local government may
8 also adopt zoning ordinances designed to protect the public's
9 health, safety, and welfare which affect bingo activities in
10 its jurisdiction.

11 Section 2. This act shall take effect upon becoming a
12 law.

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15 HOUSE SUMMARY

16 Revises provisions which regulate the conduct of bingo.
17 Provides requirements with respect to the conduct of
18 bingo by members of charitable, nonprofit, or veterans'
19 organizations. Prohibits tipping of persons conducting
20 bingo games. Revises requirements relating to prizes,
21 days and times when bingo may be conducted, and players'
22 responsibilities. Prohibits video or computerized bingo
23 cards. Specifies construction regarding prosecution of
24 persons conducting unauthorized bingo, and specifies that
25 counties and municipalities may impose stricter
26 regulations and adopt certain zoning ordinances.
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