

**STORAGE NAME:** h0851s1.rs

**DATE:** April 10, 2000

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
REGULATED SERVICES  
ANALYSIS**

**BILL #:** CS/HB 851

**RELATING TO:** Bingo

**SPONSOR(S):** Committee on Regulated Services, Representatives Edwards and Morroni

**TIED BILL(S):** None

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) REGULATED SERVICES YEAS 9 NAYS 0
  - (2) CRIME & PUNISHMENT
  - (3) COMMUNITY AFFAIRS
  - (4) GENERAL GOVERNMENT APPROPRIATIONS
  - (5)
- 

I. SUMMARY:

The committee substitute creates a bingo study commission. The commission must report recommendations on certain bingo issues to the Governor and the presiding officers of the Legislature by February 1, 2001.

The committee substitute has an unknown fiscal impact on state government; no provision is made by the bill for funding the work of the study commission. There is no fiscal impact on local government.

The committee substitute takes effect upon becoming law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Section 849.0931, F.S., authorizes and limits bingo in Florida. Entities that may conduct bingo include charitable, nonprofit, and veterans' organizations, as well as, homeowner, cooperative, condominium, and mobile home owners' associations and groups of mobile home park residents. The statute limits the dollar amount of prizes, caps the dollar amount of jackpots, limits the number of jackpots per day, and limits the number of days per week that an entity may conduct bingo. The sponsor of the game must be posted and that sponsor must designate persons to be present and in charge of the games. The sponsor of the games must be located in the county or within 15 miles of the location of the games. No one under 18 years of age is permitted to operate or play bingo. Those entities authorized to conduct bingo must own or lease the equipment and facility used to conduct bingo except that a municipal or county facility may be used if approved by ordinance or resolution. There are restrictions on the use of leased facilities. The statute also provides standards for gaming equipment, bingo cards, conduct of play, and declaration of winners.

Organizations that may conduct bingo are limited to three jackpots, two days a week. However, bingo facilities exist that operate many jackpots a day on every day of the week. These are leased facilities. They conduct multiple sessions per day under the sponsorship of different qualifying organizations. This is because the statute limits bingo via regulations upon sponsoring organizations, not upon the particular location where bingo occurs. As such, organizations that do not have their own bingo halls may conduct bingo by leasing facilities, equipment and services from a so called "commercial" or leased bingo halls owned by a person or business that is otherwise not allowed to conduct bingo. Leased halls are able to operate several sessions per day every day of the week so long as they have the appropriate number of sponsors. However, such activities draw the objections of organizations operating their own bingo halls as they, individually, cannot operate at the same level as a leased hall does. Further, differences of opinion remain as to what the statute requires regarding staffing of the games and the handling and allocation of proceeds. There is no single regulatory entity directly responsible for oversight of the operation of bingo in Florida. There are benevolent organizations with sizable membership on both sides of the issue relating to whether limits should be placed on the number of times bingo may be played at a particular location.

C. EFFECT OF PROPOSED CHANGES:

A bingo study commission is created. The commission will consist of nine members of whom five will be appointed by the Governor and two each by the President of the Senate and the Speaker of the House of Representatives. The President and the Speaker are each required to appoint a member of the majority party and a member of the minority party.

The report must provide recommendations regarding the following:

- \* procedures for the conduct of bingo games,
- \* who may actually conduct the bingo game,
- \* whether leased bingo facilities will continue to be allowed,
- \* if leased facilities are allowed, under what arrangements and conditions,
- \* whether there should be any location oriented restrictions,
- \* who may handle money and what accountability is necessary,
- \* the need for uniform control and enforcement of bingo law,
- \* the need for a single governmental official or agency to handle bingo related disputes.

The commission is required to report the study by February 1, 2001.

D. SECTION-BY-SECTION ANALYSIS:

**Section 1.** Creates a nine member Bingo Study Commission.

**Section 2.** Requires that the Governor of Florida appoint five commission members; requires the President of the Senate to appoint two commission members, one of each of the majority and the minority; requires the Speaker of the House to appoint two commission members, one of each of the majority and the minority.

**Section 3.** Requires that the commission report the study to the Governor, President and Speaker by February 1, 2001.

**Section 4.** Requiring recommendations on enumerated issues.

**Section 5.** Providing an effective date.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

The committee substitute has an unknown fiscal impact; funding is not provided by the committee substitute for the work of the study commission.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

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B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On April 10, 2000, the Committee on Regulated Services adopted a substitute strike everything amendment creating a Bingo Study Commission consisting of nine members. The commission must report recommendations on certain bingo issues to the Governor and the presiding officers of the Legislature by February 1, 2001. The committee adopted the study commission amendment as a committee substitute, thereby, replacing all other provisions of the bill.

VII. SIGNATURES:

COMMITTEE ON REGULATED SERVICES:

Prepared by:

Staff Director:

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Eric Lloyd

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Paul Liepshutz