

By the Committees on Finance and Taxation; Criminal Justice;
and Senator Silver

314-1872-02

1 A bill to be entitled
2 An act relating to bingo; amending s. 849.0931,
3 F.S.; defining the terms "instant bingo" and
4 "deal"; providing rules for the operation of
5 instant bingo games; providing penalties;
6 providing an effective date.

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

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10 Section 1. Subsections (1), (2), (5), (7), (8), (9),
11 (10), and (11) of section 849.0931, Florida Statutes, are
12 amended, present subsection (13) of that section is renumbered
13 as subsection (14), and a new subsection (13) is added to that
14 section, to read:

15 849.0931 Bingo authorized; conditions for conduct;
16 permitted uses of proceeds; limitations.--

17 (1) As used in this section:

18 (a) "Bingo game" means and refers to the activity,
19 commonly known as "bingo," in which participants pay a sum of
20 money for the use of one or more bingo cards. When the game
21 commences, numbers are drawn by chance, one by one, and
22 announced. The players cover or mark those numbers on the
23 bingo cards which they have purchased until a player receives
24 a given order of numbers in sequence that has been
25 preannounced for that particular game. This player calls out
26 "bingo" and is declared the winner of a predetermined prize.
27 More than one game may be played upon a bingo card, and
28 numbers called for one game may be used for a succeeding game
29 or games.

30 (b) "Bingo card" means and refers to the flat piece of
31 paper or thin pasteboard employed by players engaged in the

1 game of bingo. The bingo card shall have not fewer than 24
2 playing numbers printed on it. These playing numbers shall
3 range from 1 through 75, inclusive. More than one set of
4 bingo numbers may be printed on any single piece of paper.

5 (c) "Charitable, nonprofit, or veterans' organization"
6 means an organization which has qualified for exemption from
7 federal income tax as an exempt organization under the
8 provisions of s. 501(c) of the Internal Revenue Code of 1954
9 or s. 528 of the Internal Revenue Code of 1986, as amended;
10 which is engaged in charitable, civic, community, benevolent,
11 religious, or scholastic works or other similar activities;
12 and which has been in existence and active for a period of 3
13 years or more.

14 (d) "Deal" means a separate set or package of not more
15 than 4,000 instant bingo tickets in which the predetermined
16 minimum prize payout is at least 65 percent of the total
17 receipts from the sale of the entire deal.

18 (e) "Instant bingo" means a game that is played using
19 tickets by which a player wins a prize by opening and removing
20 a cover from the ticket to reveal a set of numbers, letters,
21 objects, or patterns, some of which have been predesignated in
22 advance as prize winners.

23 (f)~~(d)~~ "Objects" means a set of 75 balls or other
24 precision shapes that are imprinted with letters and numbers
25 in such a way that numbers 1 through 15 are marked with the
26 letter "B," numbers 16 through 30 are marked with the letter
27 "I," numbers 31 through 45 are marked with the letter "N,"
28 numbers 46 through 60 are marked with the letter "G," and
29 numbers 61 through 75 are marked with the letter "O."

30 (g)~~(e)~~ "Rack" means the container in which the objects
31 are placed after being drawn and announced.

1 (h)~~(f)~~ "Receptacle" means the container from which the
2 objects are drawn or ejected.

3 (i)~~(g)~~ "Session" means a designated set of games
4 played in a day or part of a day.

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

21 (b) It is the express intent of the Legislature that
22 no charitable, nonprofit, or veterans' organization serve as a
23 sponsor of a bingo game or instant bingo conducted by another,
24 but such organization may only be directly involved in the
25 conduct of such a game as provided in this act.

26 (5) Except for instant bingo prizes, which are limited
27 to those displayed on the ticket, no jackpot may ~~shall~~ exceed
28 the value of \$250 in actual money or its equivalent, and there
29 shall be no more than three jackpots in any one session of
30 bingo.

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1 (7) Except for instant bingo prizes, which are limited
2 to those displayed on the ticket,there shall be no more than
3 three jackpots on any one day of play. All other game prizes
4 may ~~shall~~ not exceed \$50.

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

22 (9) Every charitable, nonprofit, or veterans'
23 organization involved in the conduct of a bingo game or
24 instant bingo must be located in the county, or within a
25 15-mile radius of, where the bingo game or instant bingo is
26 located.

27 (10)(a) No one under 18 years of age shall be allowed
28 to play any bingo game or instant bingo or be involved in the
29 conduct of a bingo game or instant bingo in any way.

30 (b) Any organization conducting bingo open to the
31 public may refuse entry to any person who is objectionable or

1 | undesirable to the sponsoring organization, but such refusal
2 | of entry shall not be on the basis of race, creed, color,
3 | religion, sex, national origin, marital status, or physical
4 | handicap.

5 | (11) Bingo games or instant bingo may be held only on
6 | the following premises:

7 | (a) Property owned by the charitable, nonprofit, or
8 | veterans' organization.

9 | (b) Property owned by the charitable, nonprofit, or
10 | veterans' organization that will benefit by the proceeds.

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

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

22 | (e) With respect to bingo games conducted by a
23 | condominium association, a cooperative association, a
24 | homeowners' association as defined in s. 720.301, a mobile
25 | home owners' association, a group of residents of a mobile
26 | home park as defined in chapter 723, or a group of residents
27 | of a mobile home park or recreational vehicle park as defined
28 | in chapter 513, property owned by the association, property
29 | owned by the residents of the mobile home park or recreational
30 | vehicle park, or property which is a common area located

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1 within the condominium, mobile home park, or recreational
2 vehicle park.

3 (13)(a) Instant bingo tickets must be sold at the
4 price printed on the ticket by the manufacturer, not to exceed
5 \$1. Discounts may not be given for purchases of multiple
6 tickets, nor may tickets be given away free of charge.

7 (b) The sets of numbers, letters, objects, or patterns
8 that have been predesignated by the manufacturer as winning
9 combinations for a deal of instant bingo tickets must be
10 posted before the sale of any tickets from that deal.

11 (c) Each instant bingo ticket in a deal must bear the
12 same serial number and there may not be more than one serial
13 number in each deal. No serial number printed on a deal of
14 instant bingo tickets may be repeated by the manufacturer on
15 the same form for a period of 3 years.

16 (d) The serial number for each deal must be clearly
17 and legibly placed on the outside of each deal's package, box,
18 or other container.

19 (e) Instant bingo tickets manufactured, sold, or
20 distributed in this state must comply with the standards on
21 pull-tabs of the North American Gaming Regulators Association,
22 as amended from time to time.

23 (f) Except as provided under paragraph (e), an instant
24 bingo ticket manufactured, sold or distributed in this state
25 must:

26 1. Be manufactured so that it is not possible to
27 identify whether it is a winning or losing instant bingo
28 ticket until it has been opened by the player as intended;

29 2. Be manufactured using at least a two-ply paper
30 stock construction so that the instant bingo ticket is opaque;
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1 3. Have the form number, the deal's serial number and
2 the name or logo of the manufacturer conspicuously printed on
3 the face or cover of the instant bingo ticket; and

4 4. Have a form of winner protection that allows the
5 organization to verify, after the instant bingo ticket has
6 been played, that the winning instant bingo ticket presented
7 for payment is an authentic winning instant bingo ticket for
8 the deal in play. The manufacturer shall provide a written
9 description of the winner protection with each deal of instant
10 bingo tickets.

11 (g) Each manufacturer and distributor that sells or
12 distributes instant bingo tickets in this state to charitable,
13 nonprofit, or veterans' organizations shall prepare an invoice
14 that contains the following information:

- 15 1. Date of sale;
16 2. Form number and the serial number of each deal
17 sold;
18 3. Number of instant bingo tickets in each deal sold;
19 4. Name of distributor or organization to whom each
20 deal is sold; and
21 5. Price of each deal sold.

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23 All information contained on an invoice must be maintained by
24 the distributor or manufacturer for a period of 3 years.

25 (h) The invoice, or a true and accurate copy thereof,
26 must be on the premises where any deal of instant bingo
27 tickets is stored or in play.

28 (i) The Department of the Lottery shall keep a list of
29 no fewer than six qualified instant bingo ticket manufacturers
30 that are authorized to sell instant bingo tickets within the
31 state. No distributor or charitable, nonprofit, or veterans'

1 organizations shall purchase, distribute, or sell instant
2 bingo tickets manufactured by any manufacturer other than
3 those qualified instant bingo ticket manufacturers listed by
4 the Department of the Lottery.

5 (14)~~(13)~~ Any organization or other person who
6 willfully and knowingly violates any provision of this section
7 is guilty of a misdemeanor of the first degree, punishable as
8 provided in s. 775.082 or s. 775.083. For a second or
9 subsequent offense, the organization or other person is guilty
10 of a felony of the third degree, punishable as provided in s.
11 775.082, s. 775.083, or s. 775.084.

12 Section 2. This act shall take effect July 1, 2002.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 CS/SB 182

4 The CS removed the exemption in the bill for instant bingo
5 tickets that allowed authorized organizations to conduct such
6 games more than 2 days a week. The term "package" was
7 replaced with the term "deal".

8 The CS provides the following standards of the North American
9 Gaming Regulators Association in relation to the sale of
10 instant bingo tickets:

- 11 1. Each instant bingo ticket in a deal must bear the same
12 serial number and there may not be more than one serial
13 number in each deal.
- 14 2. The serial number for each deal must be clearly and
15 legibly placed on the outside of each deal's package,
16 box, or other container.
- 17 3. Instant bingo tickets manufactured, sold, or distributed
18 in Florida must comply with the standards on pull-tabs
19 of the North American Gaming Regulators Association.

20 The CS requires an instant bingo ticket manufactured, sold or
21 distributed in Florida to meet the following criteria:

- 22 1. Be manufactured so that it is not possible to identify
23 whether it is a winning or losing ticket until it has
24 been opened by the player.
- 25 2. Be manufactured using at least a two-ply paper stock
26 construction.
- 27 3. Have the form number, the deal's serial number and the
28 name or logo of the manufacturer conspicuously printed
29 on the face or cover of the ticket.
- 30 4. Have a form of winner protection that allows the
31 organization to verify, after the ticket has been
32 played, that the winning ticket presented for payment is
33 an authentic winning ticket for the deal in play.

34 The CS requires each manufacturer and distributor that sells
35 or distributes instant bingo tickets in Florida to charitable,
36 nonprofit, or veterans' organizations to prepare an invoice
37 that contains the following:

- 38 1. Date of sale;
- 39 2. Form number and the serial number of each deal sold;
- 40 3. Number of instant bingo tickets in each deal sold;
- 41 4. Name of distributor or organization to whom each deal is
42 sold; and
- 43 5. Price of each deal sold.

1 The CS requires the Department of the Lottery to keep a list
2 of at least six qualified instant bingo ticket manufacturers
3 that are authorized to sell instant bingo tickets in Florida.
4 Distributors and charitable, nonprofit or veterans'
5 organizations are prohibited from purchasing, distributing, or
6 selling instant bingo tickets manufactured by any other
7 manufacturer other than those listed by the Department of the
8 Lottery.
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