

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

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

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11 Section 1. This act may be cited as the "Evelyn
12 Wiesman-Price Act."

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

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20 849.0931 Bingo authorized; conditions for conduct;
21 permitted uses of proceeds; limitations.--

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(1) As used in this section:

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

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1 numbers called for one game may be used for a succeeding game
2 or games.

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

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

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

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

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

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

7 (i)~~(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 or instant bingo, provided the entire proceeds
16 derived from the conduct of such games, less actual business
17 expenses for articles designed for and essential to the
18 operation, conduct, and playing of bingo or instant bingo, are
19 donated by such organizations to the endeavors mentioned
20 above. In no case may the net proceeds from the conduct of
21 such games be used for any other purpose whatsoever. The
22 proceeds derived from the conduct of bingo games or instant
23 bingo shall not be considered solicitation of public
24 donations.

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

30 (5) Except for instant bingo prizes, which are limited
31 to those displayed on the ticket, no jackpot may ~~shall~~ exceed

1 the value of \$250 in actual money or its equivalent, and there
2 shall be no more than three jackpots in any one session of
3 bingo.

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

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

25 (9) Every charitable, nonprofit, or veterans'
26 organization involved in the conduct of a bingo game or
27 instant bingo must be located in the county, or within a
28 15-mile radius of, where the bingo game or instant bingo is
29 located.

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

4 (b) Any organization conducting bingo open to the
5 public may refuse entry to any person who is objectionable or
6 undesirable to the sponsoring organization, but such refusal
7 of entry shall not be on the basis of race, creed, color,
8 religion, sex, national origin, marital status, or physical
9 handicap.

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

12 (a) Property owned by the charitable, nonprofit, or
13 veterans' organization.

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

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

23 (d) Property owned by a municipality or a county when
24 the governing authority has, by appropriate ordinance or
25 resolution, specifically authorized the use of such property
26 for the conduct of such games.

27 (e) With respect to bingo games conducted by a
28 condominium association, a cooperative association, a
29 homeowners' association as defined in s. 720.301, a mobile
30 home owners' association, a group of residents of a mobile
31 home park as defined in chapter 723, or a group of residents

1 of a mobile home park or recreational vehicle park as defined
2 in chapter 513, property owned by the association, property
3 owned by the residents of the mobile home park or recreational
4 vehicle park, or property which is a common area located
5 within the condominium, mobile home park, or recreational
6 vehicle park.

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

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

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

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

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

27 (f) Except as provided under paragraph (e), an instant
28 bingo ticket manufactured, sold or distributed in this state
29 must:

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

4 2. Be manufactured using at least a two-ply paper
5 stock construction so that the instant bingo ticket is opaque;

6 3. Have the form number, the deal's serial number and
7 the name or logo of the manufacturer conspicuously printed on
8 the face or cover of the instant bingo ticket; and

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

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

20 1. Date of sale;

21 2. Form number and the serial number of each deal
22 sold;

23 3. Number of instant bingo tickets in each deal sold;

24 4. Name of distributor or organization to whom each
25 deal is sold; and

26 5. Price of each deal sold.

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28 All information contained on an invoice must be maintained by
29 the distributor or manufacturer for a period of 3 years.
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1 (h) The invoice, or a true and accurate copy thereof,
2 must be on the premises where any deal of instant bingo
3 tickets is stored or in play.

4 (i) The Department of the Lottery shall keep a list of
5 no fewer than six qualified instant bingo ticket manufacturers
6 that are authorized to sell instant bingo tickets within the
7 state. No distributor or charitable, nonprofit, or veterans'
8 organizations shall purchase, distribute, or sell instant
9 bingo tickets manufactured by any manufacturer other than
10 those qualified instant bingo ticket manufacturers listed by
11 the Department of the Lottery.

12 ~~(14)(13)~~ Any organization or other person who
13 willfully and knowingly violates any provision of this section
14 is guilty of a misdemeanor of the first degree, punishable as
15 provided in s. 775.082 or s. 775.083. For a second or
16 subsequent offense, the organization or other person is guilty
17 of a felony of the third degree, punishable as provided in s.
18 775.082, s. 775.083, or s. 775.084.

19 Section 3. This act shall take effect July 1, 2002.
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