



HB 0393

2003

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

A bill to be entitled
An act relating to bingo; providing a popular name;
amending s. 849.0931, F.S.; defining the terms "instant
bingo" and "deal"; providing rules for the operation of
instant bingo games; providing penalties; providing an
effective date.

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

Section 1. This act shall be known by the popular name the
"Evelyn Wiesman-Price Act."

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

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

(1) As used in this section:

(a) "Bingo game" means and refers to the activity,
commonly known as "bingo," in which participants pay a sum of
money for the use of one or more bingo cards. When the game
commences, numbers are drawn by chance, one by one, and
announced. The players cover or mark those numbers on the bingo
cards which they have purchased until a player receives a given
order of numbers in sequence that has been 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 numbers called for one game may be
used for a succeeding game or games.



HB 0393

2003

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

37 (c) "Charitable, nonprofit, or veterans' organization"
38 means an organization which has qualified for exemption from
39 federal income tax as an exempt organization under the
40 provisions of s. 501(c) of the Internal Revenue Code of 1954 or
41 s. 528 of the Internal Revenue Code of 1986, as amended; which
42 is engaged in charitable, civic, community, benevolent,
43 religious, or scholastic works or other similar activities; and
44 which has been in existence and active for a period of 3 years
45 or more.

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

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

55 (f)~~(d)~~ "Objects" means a set of 75 balls or other
56 precision shapes that are imprinted with letters and numbers in
57 such a way that numbers 1 through 15 are marked with the letter
58 "B," numbers 16 through 30 are marked with the letter "I,"
59 numbers 31 through 45 are marked with the letter "N," numbers 46



HB 0393

2003

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

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

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

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

68 (2) (a) None of the provisions of this chapter shall be
69 construed to prohibit or prevent charitable, nonprofit, or
70 veterans' organizations engaged in charitable, civic, community,
71 benevolent, religious, or scholastic works or other similar
72 endeavors, which organizations have been in existence and active
73 for a period of 3 years or more, from conducting bingo games or
74 instant bingo, provided the entire proceeds derived from the
75 conduct of such games, less actual business expenses for
76 articles designed for and essential to the operation, conduct,
77 and playing of bingo or instant bingo, are donated by such
78 organizations to the endeavors mentioned above. In no case may
79 the net proceeds from the conduct of such games be used for any
80 other purpose whatsoever. The proceeds derived from the conduct
81 of bingo games or instant bingo shall not be considered
82 solicitation of public donations.

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

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



HB 0393

2003

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

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

96 (8) Each person involved in the conduct of any bingo game
97 or instant bingo must be a resident of the community where the
98 organization is located and a bona fide member of the
99 organization sponsoring such game and may not be compensated in
100 any way for operation of such ~~bingo~~ game. When bingo games or
101 instant bingo are conducted by a charitable, nonprofit, or
102 veterans' organization, the organization conducting the ~~bingo~~
103 games shall be required to designate up to three members of that
104 organization to be in charge of the games, one of whom shall be
105 present during the entire session at which the ~~bingo~~ games are
106 conducted. The organization conducting the ~~bingo~~ games is
107 responsible for posting a notice, which notice states the name
108 of the organization and the designated member or members, in a
109 conspicuous place on the premises at which the session is held
110 or instant bingo is played. In no event may a caller in a bingo
111 game be a participant in that bingo game.

112 (9) Every charitable, nonprofit, or veterans' organization
113 involved in the conduct of a bingo game or instant bingo must be
114 located in the county, or within a 15-mile radius of, where the
115 bingo game or instant bingo is located.

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



HB 0393

2003

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

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

126 (a) Property owned by the charitable, nonprofit, or
127 veterans' organization.

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

130 (c) Property leased for a period of not less than 1 year
131 by a charitable, nonprofit, or veterans' organization, providing
132 the lease or rental agreement does not provide for the payment
133 of a percentage of the proceeds generated at such premises to
134 the lessor or any other party and providing the rental rate for
135 such premises does not exceed the rental rates charged for
136 similar premises in the same locale.

137 (d) Property owned by a municipality or a county when the
138 governing authority has, by appropriate ordinance or resolution,
139 specifically authorized the use of such property for the conduct
140 of such games.

141 (e) With respect to bingo games conducted by a condominium
142 association, a cooperative association, a homeowners'
143 association as defined in s. 720.301, a mobile home owners'
144 association, a group of residents of a mobile home park as
145 defined in chapter 723, or a group of residents of a mobile home
146 park or recreational vehicle park as defined in chapter 513,
147 property owned by the association, property owned by the
148 residents of the mobile home park or recreational vehicle park,



HB 0393

2003

149 or property which is a common area located within the
150 condominium, mobile home park, or recreational vehicle park.

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

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

159 (c) Each instant bingo ticket in a deal must bear the same
160 serial number and there may not be more than one serial number
161 in each deal. No serial number printed on a deal of instant
162 bingo tickets may be repeated by the manufacturer on the same
163 form for a period of 3 years.

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

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

171 (f) Except as provided under paragraph (e), an instant
172 bingo ticket manufactured, sold or distributed in this state
173 must:

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

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



HB 0393

2003

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

182 4. Have a form of winner protection that allows the
 183 organization to verify, after the instant bingo ticket has been
 184 played, that the winning instant bingo ticket presented for
 185 payment is an authentic winning instant bingo ticket for the
 186 deal in play. The manufacturer shall provide a written
 187 description of the winner protection with each deal of instant
 188 bingo tickets.

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

- 193 1. Date of sale;
- 194 2. Form number and the serial number of each deal sold;
- 195 3. Number of instant bingo tickets in each deal sold;
- 196 4. Name of distributor or organization to whom each deal
 197 is sold; and
- 198 5. Price of each deal sold.

199
 200 All information contained on an invoice must be maintained by
 201 the distributor or manufacturer for a period of 3 years.

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

205 (i) The Department of the Lottery shall keep a list of no
 206 fewer than six qualified instant bingo ticket manufacturers that
 207 are authorized to sell instant bingo tickets within the state.

208 No distributor or charitable, nonprofit, or veterans'



HB 0393

2003

209 organizations shall purchase, distribute, or sell instant bingo
210 tickets manufactured by any manufacturer other than those
211 qualified instant bingo ticket manufacturers listed by the
212 Department of the Lottery.

213 (14)~~(13)~~ Any organization or other person who willfully
214 and knowingly violates any provision of this section is guilty
215 of a misdemeanor of the first degree, punishable as provided in
216 s. 775.082 or s. 775.083. For a second or subsequent offense,
217 the organization or other person is guilty of a felony of the
218 third degree, punishable as provided in s. 775.082, s. 775.083,
219 or s. 775.084.

220 Section 3. This act shall take effect July 1, 2003.