

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 407 Bingo Games; Electronic Verifications
SPONSOR(S): Anderson
TIED BILLS: None **IDEN./SIM. BILLS:** SB 258 by Fasano

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Business Regulation</u>	<u>36 Y, 0 N</u>	<u>Morris</u>	<u>Liepshutz</u>
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

This bill amends s. 849.0931 to allow the use of electronic or other commercially available technology in lieu of vocal verification when announcing and verifying numbers on winning bingo cards or sheets.

The bill has no fiscal impact on state revenue collections or expenditures.

The bill provides that the act will take effect on July 1, 2004.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0407a.br
DATE: March 3, 2004

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | 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. EFFECT OF PROPOSED CHANGES:

Section 849.0931(12), F.S., provides for the guidelines for conducting authorized bingo games. Subsection (12) requires that numbers on the winning cards or sheets be announced and verified in the presence of another player. Any player is entitled at the time the winner is determined to call for a verification of numbers drawn. The verification must be in the presence of the member designated to be in charge of the occasion or, if such person is also the caller, in the presence of an officer of the licensee.

In response to an inquiry on whether an announcement of the winning bingo card or sheet must be vocalized, the Attorney General has opined¹ that s. 849.0931(12)(g), F.S., requires that the announcement of the winning card or sheets must be a vocal announcement of the numbers in the winning pattern. The opinion noted that it would be permissible to use an electronic or mechanical posting to show the winning pattern in addition to the vocal announcement. The Opinion reads in part:

"2. While section 849.0931(12), Florida Statutes, requires that a vocal announcement of the winning numbers for the winning card or sheets be made, it would be permissible, in addition to that announcement, to use an electronic or mechanical posting to show the winning pattern. Therefore, exclusive use of a silent board or monitor to announce winning numbers would not satisfy the requirements of the statute." [emphasis added]

In response to a 2003 Senate inquiry, the Attorney General's Office reaffirmed the 1996 opinion². The office further indicated that any changes in which the manner of verification is conducted would require an amendment to section 849.0931(12)(g), F.S.

This bill amends the guidelines for conducting bingo games provided in s. 849.0931(12)(g), F.S., by authorizing the use of electronic or other commercially available technology in lieu of vocal verification when announcing and verifying numbers on winning cards or sheets.

C. SECTION DIRECTORY:

Section 1. Amends paragraph (g) of subsection (12) of s. 849.0931, Florida Statutes, to allow for electronic verification of winning bingo numbers in lieu of vocal verification.

Section 2. Provides that the act will take effect on July 1, 2004.

¹ Fla. AGO 96-17

² Letter to Senator Mike Fasano from the Office of the Attorney General, dated July 11, 2003.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds, does not reduce the authority that municipalities or counties have to raise revenues in the aggregate, and does not reduce the percentage of state tax shared with counties or municipalities

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES