

Bill No. SB 2148

Barcode 473584

CHAMBER ACTION

Senate

House

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
31

WD/2R
04/29/2005 01:35 PM

.
. .
. .
. .
. .
. .

Senator Fasano moved the following amendment:

Senate Amendment (with title amendment)

On page 10, line 27, through
page 12, line 19, delete those lines

and insert: in the presence of an officer of the licensee.
Verification may also be provided through the use of
electronic or other commercially available technology in lieu
of vocal verification. Verification by other than vocal means
must be confined to the premises at which the bingo session is
held and may not be transmitted to any other location.

(h) Upon determining a winner, the caller shall ask, "
Are there any other winners?" If no players reply ~~one replies~~,
the caller shall declare the game closed. No other player is
entitled to share the prize unless she or he has declared a
bingo prior to this announcement.

(i) Seats may not be held or reserved for a player by
anyone unless such player has paid the appropriate charge for
the occupancy of such seat. No person who is a member of the
sponsoring organization may reserve or make payment for the

Barcode 473584

1 purpose of reserving a seat for any player. Accommodations for
 2 persons with physical disabilities shall be made in accordance
 3 with the Americans with Disabilities Act ~~by an organization or~~
 4 ~~person involved in the conduct of any bingo game for players~~
 5 ~~not present, nor may any cards be set aside, held, or reserved~~
 6 ~~from one session to another for any player.~~

7 (14) The regulation and enforcement of bingo conducted
 8 in this state is preempted to the state except for zoning and
 9 matters pertaining to the safety, health, and welfare of bingo
 10 patrons. Any existing local bingo regulation or ordinance that
 11 contains provisions restricting or limiting the number of days
 12 of operation of bingo facilities and that was adopted prior to
 13 March 1, 2005, may be amended to conform to the provisions of
 14 this act. All regulations and ordinances provided for in this
 15 subsection shall remain in full force and effect until
 16 repealed by the enacting county or municipality.

17 (15)(a) No person may conduct or assist in the conduct
 18 of bingo if the person has been convicted within the last 10
 19 years of a felony including fraud, embezzlement, gambling,
 20 theft, or racketeering.

21 (b) No person may be a bingo lessor or employed by a
 22 bingo lessor if the person has been convicted within the last
 23 10 years of a felony including fraud, embezzlement, gambling,
 24 theft, or racketeering.

25 (c) No bingo organization shall lend, sell, or allow
 26 its identity to be used by anyone for the purpose of
 27 conducting bingo.

28 (d) Any person conducting or assisting in the conduct
 29 of any bingo game or any portion of a bingo game shall not be
 30 allowed to participate as a player during that bingo game.
 31 This provision shall not prohibit such a person from assisting

Bill No. SB 2148

Barcode 473584

1 a player by monitoring the player's bingo cards to allow the
2 player to use other facilities on the bingo premises.

3 (e) No person under 18 years of age may conduct or
4 assist in the conduct of bingo or play bingo on any bingo
5 premises.

6 (16)(13) Any organization or other person who
7 willfully and knowingly violates any provision of this section
8 is guilty of a misdemeanor of the first degree, punishable as
9 provided in s. 775.082 or s. 775.083. For a second or
10 subsequent offense, the organization or other person is guilty
11 of a felony of the third degree, punishable as provided in s.
12 775.082, s. 775.083, or s. 775.084.

13 Section 2. Paragraph (b) of subsection (1) and
14 subsection (2) of section 849.0935, Florida Statutes, are
15 amended to read:

16 849.0935 Charitable, nonprofit organizations; drawings
17 by chance; required disclosures; unlawful acts and practices;
18 penalties.--

19 (1) As used in this section, the term:

20 (b) "Organization" means an organization which is
21 exempt from federal income taxation pursuant to 26 U.S.C. s.
22 501(c)(3), (4), (7), (8), (10), or (19), or a chamber of
23 commerce pursuant to 26 U.S.C. s. 501(c)(6), and which has a
24 current determination letter from the Internal Revenue
25 Service, and its bona fide members or officers.

26 (2) The provisions of s. 849.09 shall not be construed
27 to prohibit an organization qualified under 26 U.S.C. s.
28 501(c)(3), (4), (7), (8), (10), or (19), or a chamber of
29 commerce pursuant to 26 U.S.C. s. 501(c)(6), from conducting
30 drawings by chance pursuant to the authority granted by this
31 section, provided the organization has complied with all

Bill No. SB 2148

Barcode 473584

1 applicable provisions of chapter 496.

2

3 (Redesignate subsequent sections.)

4

5

6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 On page 1, lines 16 through 26, delete those lines

9

10 insert:

11 authorizing the use of electronics or other
 12 technology in lieu of vocal verification for
 13 bingo games; providing for accommodations for
 14 persons with physical disabilities; preempting
 15 regulation of bingo to the state; prohibiting
 16 certain persons from conducting or assisting in
 17 the conduct of bingo; prohibiting certain
 18 persons from being a bingo lessor or employee
 19 of such lessor; prohibiting a bingo
 20 organization from allowing use of its identity
 21 for the purpose of conducting bingo;
 22 prohibiting certain persons from participating
 23 in certain bingo games; providing restriction
 24 on sale of bingo cards; providing penalties;
 25 amending s. 849.0935, F.S.; redefining the term
 26 "organization" to include chambers of commerce;
 27 exempting chambers of commerce from provisions
 28 prohibiting drawings by chance; amending s.
 29 849.161, F.S.;

30

31