

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Select Committee on Gaming
 2 Representative Waldman offered the following:

3
 4 **Amendment to Amendment (309065) by Representative Schenck**
 5 **(with title amendment)**

6 Remove lines 7395-7710 of the amendment and insert:

7 Section 123. Effective October 1, 2014, section 849.0931,
 8 Florida Statutes, is transferred, renumbered as section 551.53,
 9 Florida Statutes, and amended to read:

10 551.53 ~~849.0931~~ Bingo authorized; conditions for conduct;
 11 permitted uses of proceeds; limitations.-

12 (1) As used in this section:

13 (a) "Bingo" or "bingo game" means ~~and refers to the~~
 14 ~~activity, commonly known as "bingo,"~~ in which participants pay a
 15 sum of money to play and the winner of the game receives a prize
 16 ~~for the use of one or more bingo cards.~~ When the game commences,
 17 numbers are selected at random ~~drawn by chance,~~ one by one, and

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18 ~~announced.~~ the players cover or mark matching ~~those~~ numbers on
19 their ~~the~~ bingo cards ~~which they have purchased~~ until a card
20 contains a specific pattern of marked numbers matching the
21 ~~player receives a given order of numbers in sequence that has~~
22 ~~been~~ preannounced pattern for that particular game. ~~This player~~
23 ~~calls out "bingo"~~ and is declared the winner of the a
24 predetermined prize. More than one game may be played upon a
25 bingo card, and numbers called for one game may be used for a
26 succeeding game or games.

27 (b) "Bingo card" means each individual predetermined
28 arrangement of numbers conforming to the rules of the game which
29 is available for purchase by the players. While bingo games may
30 use bingo cards of various formats, the traditional bingo card
31 contains a grid of five columns containing five rows containing
32 numbers from 1 through 75, inclusive, with the letters "B I N G
33 O" printed on the card over the top of the columns and with the
34 center square on the card marked with the word "free." and
35 ~~refers to the flat piece of paper or thin pasteboard employed by~~
36 ~~players engaged in the game of bingo. The bingo card shall have~~
37 ~~not fewer than 24 playing numbers printed on it. These playing~~
38 ~~numbers shall range from 1 through 75, inclusive. More than one~~
39 ~~set of bingo numbers may be printed on any single piece of~~
40 ~~paper.~~

41 (c) "Bingo card minder" means a device that may be used by
42 a player to play bingo or instant bingo.

43 1. At a minimum, each bingo card minder must:

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44 a. Be capable of displaying on the device the bingo cards
45 or instant bingo tickets purchased by the player.

46 b. Provide a means to mark bingo cards when randomly
47 determined numbers are conveyed or reveal the contents of
48 instant bingo tickets.

49 c. Identify winning bingo cards or winning instant bingo
50 tickets.

51 2. A bingo card minder must not:

52 a. Be capable of accepting or dispensing any coins or
53 currency.

54 b. Be capable of monitoring any bingo cards or instant
55 bingo tickets other than those cards or tickets purchased by the
56 player.

57 c. Determine the outcome of any game.

58 d. Display spinning reels.

59 3. This paragraph does not limit or prevent any bingo card
60 minder functionality, including:

61 a. Communication protocols for the two-way transmission of
62 game information, including, but not limited to, bingo cards or
63 instant bingo tickets, prize values, selected numbers, and
64 predetermined patterns; and

65 b. Accounting mechanisms to manage the accounting of
66 player winnings, the sale of bingo cards, or the sale of instant
67 bingo tickets.

68 (d) ~~(e)~~ "Charitable, nonprofit, or veterans' organization"
69 means an organization that ~~which~~ has qualified for exemption

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70 from federal income tax as an exempt organization under ~~the~~
71 ~~provisions of~~ s. 501(c) of the Internal Revenue Code of 1954 or
72 s. 528 of the Internal Revenue Code of 1986, as amended; that
73 ~~which~~ is engaged in charitable, civic, community, benevolent,
74 religious, or scholastic works or other similar activities; and
75 that ~~which~~ has been in existence and active for ~~a period of~~ 3
76 years or more.

77 (e) ~~(d)~~ "Deal" means an individual game of instant bingo
78 containing a separate set or package of not more than 25,000
79 ~~4,000~~ instant bingo tickets in which the predetermined minimum
80 prize payout is at least 65 percent of the total receipts from
81 the sale of the entire deal.

82 (f) ~~(e)~~ "Flare" means the information board or placard that
83 accompanies each deal of instant bingo tickets ~~and~~ that provides
84 the player with ~~has printed on or affixed to it~~ the following
85 information:

- 86 1. The game name.
- 87 2. The manufacturer's name or distinctive logo.
- 88 3. The form number.
- 89 4. The ticket count.
- 90 5. The prize structure, including the number of symbols or
91 number combinations for winning instant bingo tickets by
92 denomination, with their respective winning symbols or number
93 combinations.
- 94 6. The cost per instant bingo ticket ~~play~~.
- 95 7. The game serial number.

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96 (g)~~(f)~~ "Instant bingo" means a form of bingo that is
97 played ~~at the same location as bingo,~~ using tickets with content
98 hidden from the player wherein prizes are awarded based on the
99 content of the tickets. When the game begins, players are
100 afforded the opportunity to purchase tickets and, based on which
101 set of numbers, letters, objects, patterns, or other means are
102 contained on the ticket, may win a predetermined prize.
103 Traditional instant bingo game styles include Seal Cards, Event
104 Games, and Pull-Tabs ~~by which a player wins a prize by opening~~
105 ~~and removing a cover from the ticket to reveal a set of numbers,~~
106 ~~letters, objects, or patterns, some of which have been~~
107 ~~designated in advance as prize winners.~~

108 (h)~~(g)~~ "Objects" means a set of 75 balls or other
109 precision shapes that are imprinted with letters and numbers in
110 such a way that numbers 1 through 15 are marked with the letter
111 "B," numbers 16 through 30 are marked with the letter "I,"
112 numbers 31 through 45 are marked with the letter "N," numbers 46
113 through 60 are marked with the letter "G," and numbers 61
114 through 75 are marked with the letter "O."

115 (i)~~(h)~~ "Rack" means the container in which the objects are
116 placed after being drawn and announced.

117 (j)~~(i)~~ "Receptacle" means the container from which the
118 objects are drawn or ejected.

119 (k)~~(j)~~ "Session" means a designated set of games played in
120 a day or part of a day.

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121 (1) "Test lab" means an accredited testing laboratory that
122 has been certified by the Gaming Standards Association or the
123 North American Gaming Regulators Association or has been
124 licensed as an accredited test facility in at least three
125 states, other than Florida, that regulate gaming activities and
126 issue such accreditations pursuant to state law.

127 (2) (a) Notwithstanding any other provision of law, a None
128 of the provisions of this chapter shall be construed to prohibit
129 or prevent charitable, nonprofit, or veterans' organization that
130 is organizations engaged in charitable, civic, community,
131 benevolent, religious, or scholastic works or other similar
132 endeavors and that has, which organizations have been in
133 existence and active for a period of 3 years or more may
134 conduct, from conducting bingo games or instant bingo; however,
135 provided the entire proceeds derived from the conduct of such
136 games, less actual business expenses for articles designed for
137 and essential to the operation, conduct, and playing of bingo or
138 instant bingo, must be are donated by such organization to such
139 charitable, civic, community, benevolent, religious, or
140 scholastic works or other similar endeavors organizations to the
141 endeavors mentioned above. In no case may The net proceeds from
142 the conduct of such games may not be used for any other purpose
143 whatsoever. The proceeds derived from the conduct of bingo games
144 or instant bingo are shall not be considered solicitation of
145 public donations.

146 (b) It is the express intent of the Legislature that a ne

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147 charitable, nonprofit, or veterans' organization not serve as a
148 sponsor of a bingo game or instant bingo conducted by another,
149 but such organization may only be directly involved in the
150 conduct of such a game as provided in this section ~~act~~.

151 (c) It is the express intent of the Legislature that this
152 chapter not be construed to prohibit or prevent the adoption of
153 new technology or advances of existing technology relating to
154 bingo or instant bingo.

155 (3) ~~If~~ An organization ~~is~~ not engaged in charitable,
156 civic, community, benevolent, religious, or scholastic works or
157 other similar endeavors that conducts efforts of the type set
158 out above, its right to conduct bingo games under this section
159 must hereunder is conditioned upon the return of all the
160 proceeds from such games to the players in the form of prizes.
161 If, at the conclusion of play on any day during which a bingo
162 game is allowed to be played under this subsection, section
163 there remain proceeds that ~~which~~ have not been paid out as
164 prizes, the organization conducting the game shall, at the next
165 scheduled day of play, conduct bingo games without any charge to
166 the players and shall continue to do so until the proceeds
167 carried over from the previous days played have been exhausted.
168 This subsection does not extend ~~provision in no way extends~~ the
169 limitation on the number of prize or jackpot games allowed in 1
170 ~~one~~ day as provided for in subsection (5).

171 (4) ~~The right of~~ A condominium association, a cooperative
172 association, a homeowners' association as defined in s. 720.301,

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173 a mobile home owners' association, a group of residents of a
174 mobile home park as defined in chapter 723, or a group of
175 residents of a mobile home park or recreational vehicle park as
176 defined in chapter 513 that conducts to conduct bingo games must
177 ~~is conditioned upon the return of~~ the net proceeds from such
178 games to players in the form of prizes after having deducted the
179 actual business expenses for such games for articles designed
180 for and essential to the operation, conduct, and playing of
181 bingo. Any net proceeds remaining after paying prizes may be
182 used as specified in subsection (3) or may be donated by the
183 association to a charitable, nonprofit, or veterans'
184 organization that ~~which~~ is exempt from federal income tax under
185 ~~the provisions of~~ s. 501(c) of the Internal Revenue Code to be
186 used in such recipient organization's charitable, civic,
187 community, benevolent, religious, or scholastic works or similar
188 activities ~~or, in the alternative, such remaining proceeds shall~~
189 ~~be used as specified in subsection (3).~~

190 (5) (a) Except for instant bingo prizes, which are limited
191 to the amounts displayed on the instant bingo ticket or on the
192 game flare, a jackpot may ~~shall~~ not exceed \$500 ~~the value of~~
193 ~~\$250~~ in actual money or its equivalent, and there may not ~~shall~~
194 be ~~no~~ more than three jackpots in any one session of bingo.

195 (b) (6) Except for instant bingo, which is not limited by
196 this subsection, ~~the number of days per week during which~~
197 organizations authorized under this section may conduct bingo no
198 more than 2 days per week shall not exceed two.

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199 ~~(c)(7)~~ Except for instant bingo prizes, which are limited
200 to the amounts displayed on the instant bingo ticket or on the
201 game flare, there may not ~~shall~~ be ~~no~~ more than three jackpots
202 on any one session of bingo ~~day of play~~. All other game prizes
203 may ~~shall~~ not exceed \$100 ~~\$50~~.

204 ~~(6)(8)~~ Each person involved in conducting a ~~the conduct of~~
205 ~~any~~ bingo game or instant bingo must be a resident of the
206 community where the organization is located and a bona fide
207 member of the organization sponsoring such game and may not be
208 compensated in any way for operation of such game. When bingo
209 games or instant bingo is conducted by a charitable, nonprofit,
210 or veterans' organization, the organization conducting the games
211 must designate up to three members of that organization to be in
212 charge of the games, one of whom shall be present during the
213 entire session at which the games are conducted. The
214 organization conducting the games is responsible for posting in
215 a conspicuous place on the premises at which the session is held
216 or instant bingo is played a notice stating, ~~which notice states~~
217 the name of the organization and the designated member or
218 members, ~~in a conspicuous place on the premises at which the~~
219 ~~session is held or instant bingo is played~~. A caller in a bingo
220 game may not be a participant in that bingo game.

221 ~~(7)(9)~~ Every charitable, nonprofit, or veterans'
222 organization involved in the conduct of a bingo game or instant
223 bingo must be located in the county, or within a 15-mile radius
224 of, where the bingo game or instant bingo is conducted ~~located~~.

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225 ~~(8)-(10)~~(a) A person ~~No one~~ under 18 years of age may not
226 ~~shall be allowed to~~ play any bingo game or instant bingo or be
227 involved in the conduct of a bingo game or instant bingo in any
228 way.

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

234 ~~(9)-(11)~~ Bingo games or instant bingo may be held only on
235 the following premises:

236 (a) Property owned by the charitable, nonprofit, or
237 veterans' organization.

238 (b) Property owned by the charitable, nonprofit, or
239 veterans' organization that will benefit from ~~by~~ the proceeds.

240 (c) Property leased or subleased for a period of not less
241 than 1 year by a charitable, nonprofit, or veterans'
242 organization, providing the lease or rental agreement does not
243 provide for the payment of a percentage of the proceeds
244 generated at such premises to the lessor or any other party and
245 providing the rental rate for such premises does not exceed the
246 rental rates charged for similar premises in the same locale.

247 (d) Property owned by a municipality or a county when the
248 governing authority has, by appropriate ordinance or resolution,
249 specifically authorized the use of such property for the conduct
250 of such games.

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251 (e) With respect to bingo games conducted by a condominium
252 association, a cooperative association, a homeowners'
253 association as defined in s. 720.301, a mobile home owners'
254 association, a group of residents of a mobile home park as
255 defined in chapter 723, or a group of residents of a mobile home
256 park or recreational vehicle park as defined in chapter 513,
257 property owned by the association, property owned by the
258 residents of the mobile home park or recreational vehicle park,
259 or property that ~~which~~ is a common area located within the
260 condominium, mobile home park, or recreational vehicle park.

261 ~~(10)-(12)~~ Each bingo game shall be conducted in accordance
262 with the following rules:

263 (a) If the random determination of number is accomplished
264 through the selection of objects, the objects, whether drawn or
265 ejected, shall be essentially equal as to size, shape, weight,
266 and balance and as to all other characteristics that may control
267 their selection from the receptacle. The caller shall cancel any
268 game if, during the course of a game, the mechanism used in the
269 drawing or ejection of objects malfunctions ~~becomes jammed~~ in
270 such a manner as to interfere with the accurate determination of
271 the next number to be announced or if the caller determines that
272 more than one object is labeled with the same number or that
273 there is a number to be drawn without a corresponding object.
274 Any player in a game canceled pursuant to this paragraph shall
275 be permitted to play the next game free of charge.

276 (b) If the random determination of number is accomplished

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277 through the selection of objects, before ~~Prior to commencement~~
278 ~~of~~ any bingo session, the member in charge shall cause a
279 verification to be made of all objects to be placed in the
280 receptacle and shall inspect the objects in the presence of a
281 disinterested person to ensure that all objects are present and
282 that there are no duplications or omissions of numbers on the
283 objects. Any player shall be entitled to call for a verification
284 of objects ~~numbers~~ before, during, and after a session.

285 (c) The bingo cards provided to players on which the game
286 is played shall be unique with no two being ~~The card or sheet on~~
287 ~~which the game is played shall be part of a deck, group, or~~
288 ~~series, no two of which may be alike in any given game.~~

289 (d) Each number randomly determined shall be conveyed to
290 all players participating in the game ~~All numbers shall be~~
291 ~~visibly displayed after being drawn and before being placed in~~
292 ~~the rack.~~

293 (e) A winning bona fide bingo card shall contain marked
294 numbers that correspond to those numbers randomly determined and
295 conveyed to the players in such an arrangement that matches the
296 predetermined pattern ~~consist of a predesignated arrangement of~~
297 ~~numbers on a card or sheet that correspond with the numbers on~~
298 ~~the objects drawn from the receptacle and announced. Errors in~~
299 ~~numbers announced or misplaced in the rack may not be recognized~~
300 ~~as a bingo.~~

301 (f) ~~When a caller has started to vocally announce a~~
302 ~~number, the caller shall complete the call. If any player has~~

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303 ~~obtained a bingo on a previous number, such player will share~~
304 ~~the prize with the player who gained bingo on the last number~~
305 ~~called.~~

306 ~~(g) Numbers on the winning cards or sheets shall be~~
307 ~~announced and verified in the presence of another player. Any~~
308 ~~player shall be entitled at the time the winner is determined to~~
309 ~~call for a verification of numbers drawn. The verification shall~~
310 ~~be in the presence of the member designated to be in charge of~~
311 ~~the occasion or, if such person is also the caller, in the~~
312 ~~presence of an officer of the licensee.~~

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

318 ~~(f)-(i)~~ Seats may not be held or reserved by an
319 organization or person involved in the conduct of any bingo game
320 for players not present, nor may any cards be set aside, held,
321 or reserved from one session to another for any player.

322 (g) Before use, bingo card minders and associated system
323 software must be examined by a test lab for compliance with this
324 section.

325 ~~(11)-(13)~~(a) Instant bingo tickets must be sold at the
326 price displayed ~~printed~~ on the ticket or on the game flare by
327 the manufacturer, not to exceed \$2 ~~\$1~~. Discounts may not be
328 given for the purchase of multiple tickets, nor may tickets be

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329 given away free of charge.

330 (b) Each deal of instant bingo tickets must be accompanied
331 by a flare, and the flare must be available for view by players
332 ~~posted~~ before and during the sale of instant bingo ~~any~~ tickets
333 in that deal.

334 (c) Each instant bingo ticket in a deal must bear the same
335 serial number, and there may not be more than one serial number
336 in each deal. Serial numbers displayed ~~printed~~ on a deal of
337 instant bingo tickets may not be repeated by the manufacturer on
338 the same form for ~~a period of~~ 3 years.

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

342 (d)(e) Instant bingo tickets manufactured, sold, or
343 distributed in this state must comply with the intent of
344 applicable standards on pull-tabs of the North American Gaming
345 Regulators Association, as amended; however, such compliance may
346 not limit any new technology or advancement of existing
347 technology.

348 (e)(f) Except as provided in ~~under~~ paragraph (e), an
349 instant bingo ticket manufactured, sold, or distributed in this
350 state must:

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

354 2. Be manufactured ~~using at least a two-ply paper stock~~

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355 ~~construction~~ so that the instant bingo ticket is opaque.

356 3. Have the form number, the deal's serial number, and the
357 name or logo of the manufacturer conspicuously displayed ~~printed~~
358 on its ~~the~~ face or cover ~~of the instant bingo ticket~~.

359 4. Have a form of winner protection that allows the
360 organization to verify, after the instant bingo ticket has been
361 played, that the winning instant bingo ticket ~~presented for~~
362 ~~payment~~ is an authentic winning instant bingo ticket for the
363 deal in play. The manufacturer shall provide a written
364 description of the winner protection with each deal of instant
365 bingo tickets.

366 (12) (a) (g) Each manufacturer and distributor that sells
367 leases, rents, or distributes bingo cards, instant bingo
368 tickets, or bingo card minders in this state to charitable,
369 nonprofit, or veterans' organizations shall prepare an invoice
370 that contains the following information for each product
371 provided:

372 1. The date ~~of sale~~.

373 2. A description of the product ~~Form number and serial~~
374 ~~number of each deal sold~~.

375 3. The quantity of the product ~~Number of instant bingo~~
376 ~~tickets in each deal sold~~.

377 4. The name of the distributor or organization to whom
378 each product was provided ~~deal is sold~~.

379 5. The price of the product ~~each deal sold~~.

380 (b) All information contained on an invoice must be

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381 maintained by the distributor or manufacturer for 3 years.

382 (c)~~(h)~~ The invoice, or a true and accurate copy thereof,
383 must be on the premises where any bingo cards, instant bingo
384 tickets, or bingo card minders are ~~deal of instant bingo tickets~~
385 ~~is~~ stored or in play.

386 (13)~~(14)~~ An ~~Any~~ organization or ~~other~~ person who willfully
387 and knowingly violates ~~any provision of~~ this section commits a
388 misdemeanor of the first degree, punishable as provided in s.
389 775.082 or s. 775.083. For a second or subsequent offense, the
390 organization or other person commits a felony of the third
391 degree, punishable as provided in s. 775.082, s. 775.083, or s.
392 775.084.

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

396

Remove line 10531 of the amendment and insert:

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act; revising provisions for bingo; transferring,

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renumbering, and amending s.