

1 HB736  
2 119050-2  
3 By Representatives Dukes, Hammon, Grantland and Oden (N & P)  
4 RFD: Local Legislation  
5 First Read: 23-MAR-10

2  
3  
4  
5  
6  
7  
8  
9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
12

13 Relating to Morgan County; to amend Sections 1 and 6  
14 of Act 96-648 of the 1996 Regular Session (Acts 1996, p.  
15 1032), relating to the operation of bingo within the Cities of  
16 Hartselle, Falkville, and Decatur; to further define the term  
17 "Bingo"; and to allow bingo permit holders to advertise their  
18 bingo sessions upon approval of the local municipal governing  
19 body.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Sections 1 and 6 of Act 96-648 of the  
22 1996 Regular Session (Acts 1996, p. 1032), are amended to read  
23 as follows:

24 "Section 1. As used in this act, the following words  
25 shall have the following meanings:

26 "(1) BINGO. For purposes of bingo games operated  
27 within the boundaries of Morgan County, the term "game of

1 bingo" or "bingo" shall mean: A game of chance that is played  
2 by groups of people seated in a duly authorized and permitted  
3 location. Balls bearing a combination of one of five letters  
4 (B-I-N-G-O) and a number between 1 and 75 are randomly drawn,  
5 usually from a wheel, and announced by a "caller." The game is  
6 played on flat pieces of cardboard or disposable paper  
7 containing 25 squares arranged in five vertical columns and  
8 five horizontal rows (i.e., a 5x5" square matrix). The letters  
9 B-I-N-G-O are printed above the five vertical columns, with  
10 one letter appearing above each column; the center space on  
11 the square matrix may be marked "Free," and one of the 75  
12 numbers with which the game typically is played is preprinted  
13 in each of the remaining 24 squares. The distribution of the  
14 75 numbers commonly corresponds to the following arrangement  
15 on the pre-printed card: 1 to 15 in the "B"column; 16 to 30 in  
16 the "I" column; 31 to 45 in the "N" column; 46 to 60 in the  
17 "G" column; and 61 to 75 in the "O" column. As balls are  
18 randomly drawn and the marked letter/number combination  
19 announced by the caller, each player covers (with a poker  
20 chip, "daub" of paint, or some other marking device) any  
21 square on his or her bingo card that corresponds to the  
22 announced letter/number combination. Players compete against  
23 each other to be the first to achieve a specified winning  
24 pattern (typically, five contiguous squares covered  
25 vertically, horizontally, or diagonally) announced by the  
26 caller before the beginning of each game, and a winner is  
27 required to call out the word "Bingo!" to alert other players

1 and the caller to a possible win. Bingo cards are not cleared  
2 and a new game begun until it has been confirmed that each  
3 space covered on the putative winner's card was, in fact,  
4 randomly drawn and announced by the caller during the course  
5 of that game. This definition may not be construed to include  
6 the operation of the game of bingo by the use of any  
7 electronic or electrical equipment or device, computer, or  
8 related equipment, telecommunication or data transmission,  
9 storage, or receiving equipment.

10 "(2) BINGO SESSION. A consecutive period of time not  
11 to exceed five consecutive hours during which bingo is played  
12 in a given day and not to exceed one day in a given week.

13 "(3) EQUIVALENT VALUE. The fair market value of the  
14 gift on the date the gift is given as the prize in a bingo  
15 game.

16 "(4) LOCATION. A single building, hall, enclosure,  
17 or outdoor area used for the purpose of playing bingo pursuant  
18 to a permit or license issued under this act.

19 "(5) PERMIT HOLDER. A qualified organization or  
20 qualified club which has a permit or license pursuant to this  
21 act.

22 "(6) Person. Any human being, corporation,  
23 association, or other legal entity.

24 "(7) REASONABLE EXPENSES. Includes customary and  
25 usual business overhead expenses.

26 "(8) QUALIFIED ORGANIZATION. A bona fide religious,  
27 educational, service, senior citizens, fraternal, or veterans'

1 organization which qualifies as an exempt organization under  
2 Section 501(c) of the Internal Revenue Code and operates  
3 without profit to its members and which has been in existence  
4 continuously as that organization for a period of three years  
5 and which has owned or leased real property in Morgan County  
6 for at least three years immediately prior to making  
7 application for operating bingo.

8 "Section 6. (a) Bingo may not be conducted with any  
9 equipment which is not owned, being purchased, or being rented  
10 at a reasonable rate by the permit holder, except as otherwise  
11 provided in subsection (b) of Section 5.

12 "(b) Prizes given by any qualified nonprofit  
13 organization for the playing of bingo games shall not exceed  
14 the cash amount or gifts of equivalent value of three thousand  
15 five hundred dollars (\$3,500) during any bingo session.

16 "(c) A permit holder may advertise bingo games or  
17 sessions with approval of the local municipal governing body.

18 "(d) A permit holder shall display its bingo license  
19 conspicuously at the location where the bingo game is  
20 conducted.

21 "(e) A permit holder shall conduct bingo games only  
22 at the single location specified in the application of the  
23 permit holder.

24 "(f) A permit holder, pursuant to Section 3, shall  
25 not conduct more than one bingo session during any one  
26 calendar week not to exceed five hours in duration and no  
27 session shall be played after 11:30 p.m. All bingo sessions

1 shall be held Monday to Saturday, inclusive, and no bingo  
2 shall be played on a Sunday. No alcoholic beverages shall be  
3 served during any bingo session.

4 "(g) No person under the age of 19 years shall be  
5 permitted to play any game or games of bingo conducted  
6 pursuant to any permit issued under this law. No person under  
7 the age of 19 years shall be permitted to conduct or assist in  
8 conducting any games of bingo pursuant to this act."

9 Section 2. This act shall become effective  
10 immediately following its passage and approval by the  
11 Governor, or its otherwise becoming law.