

1 SB9
2 170715-1
3 By Senator Marsh (N & P)
4 RFD: Local Legislation
5 First Read: 08-SEP-15

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Calhoun County; to amend Sections
14 45-8-150.07 and 45-8-150.08 of the Code of Alabama 1975,
15 relating to bingo games, to provide that a minimum amount of
16 adjusted gross proceeds shall be designated for charitable or
17 educational purposes, and to increase the maximum amount of
18 prize money that may be paid in one week.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Sections 45-8-150.07 and 45-8-150.08 of
21 the Code of Alabama 1975, are hereby amended to read as
22 follows:

23 "§45-8-150.07.

24 "(a) All of the net proceeds of a bingo game shall
25 be designated and expended for charitable or educational
26 purposes. Provided, however, in no event shall less than 10
27 percent of the adjusted gross proceeds be designated for

1 charitable or educational purposes. Adjusted gross proceeds
2 shall be defined as gross proceeds less prize payouts. Net
3 proceeds shall include gross proceeds less reasonable expenses
4 incurred or paid in connection with the holding, operating, or
5 conducting of bingo games, including all of the following bona
6 fide expenses, in reasonable amounts:

7 "(1) The purchase or rental of equipment necessary
8 for conducting bingo games and payment of services reasonably
9 necessary for the repair and maintenance of equipment.

10 "(2) The payment of cash prizes or the purchase of
11 prizes or merchandise.

12 "(3) The actual rental or mortgage payment on the
13 location at which bingo is conducted or a pro rata share if
14 the building is used for other purposes in addition to the
15 operation of bingo games. The rental or mortgage payment shall
16 be reasonable as compared to the fair rental value or fair
17 market value of similar property located in the area where the
18 bingo games are conducted.

19 "(4) Actual insurance or a pro rata share if the
20 building is used for other purposes in addition to the
21 operation of bingo games.

22 "(5) Utilities or a pro rata share if the building
23 is used for other purposes in addition to the operation of
24 bingo games.

25 "(6) Janitorial services or a pro rata share if the
26 building is used for other purposes in addition to the
27 operation of bingo games.

1 "(7) The fee required for issuance or reissuance of
2 a permit to conduct bingo, including the fee to be collected
3 by the governing body and paid to the Calhoun County Bingo
4 Regulatory Commission.

5 "(8) Security personnel or a pro rata share if the
6 building is used for other purposes in addition to the
7 operation of bingo games.

8 "(9) Accountant fees in connection with the
9 preparing and filing of financial statements required by this
10 article.

11 "(10) A reserve for a cash operating account not to
12 exceed fifteen thousand dollars (\$15,000).

13 "(11) Other reasonable expenses incurred by the
14 permit holder, not inconsistent with this article.

15 "(b) Each permit holder shall transfer the proceeds
16 for charity or education to the charity or educational agency
17 at the end of each calendar quarter or place the proceeds in a
18 separate account for the benefit of charity or education in an
19 interest bearing trust account at the end of each calendar
20 quarter. If the proceeds are placed in a trust account they
21 shall be transferred to the charity or educational agency at
22 the end of the next calendar quarter preceding the transfer.

23 "§45-8-150.08.

24 "(a) Bingo may not be conducted with any equipment
25 which is not owned, being purchased, or being rented at a
26 reasonable rate by the permit holder, except as otherwise
27 provided in this article.

1 "(b) (1) Prizes awarded by any organization for the
2 playing of bingo games during a bingo session shall not be
3 less than 50 percent of the gross receipts in cash or gifts of
4 equivalent value during the bingo session.

5 "(2) The maximum amount of prize money that may be
6 paid in any one week for all games during the week shall be
7 not more than ~~one hundred twenty thousand dollars (\$120,000)~~
8 five million dollars (\$5,000,000).

9 "(c) A permit holder shall display its bingo license
10 conspicuously at the location where the bingo game is
11 conducted.

12 "(d) In any advertisement for bingo, the permit
13 holder shall indicate the purposes for which the net proceeds
14 will be used by the permit holder.

15 "(e) A permit holder shall conduct bingo games only
16 at the single location specified in the application of the
17 permit holder. Any video or audio broadcast of bingo from that
18 location shall be performed in accordance with all state and
19 federal laws relating to the broadcasting of gambling events,
20 and any proceeds received by the permit holder as a result of
21 the broadcast shall be considered part of the gross proceeds
22 of the bingo session which is broadcast.

23 "(f) A permit holder shall not conduct more than six
24 bingo sessions during any one calendar week and no session
25 shall exceed 10 hours.

1 "(g) The same organization shall not be issued a
2 permit more than once quarterly and no session shall exceed 10
3 hours.

4 "(h) No person under the age of 19 years shall be
5 permitted to play, unless accompanied by a parent or guardian,
6 any game or games of bingo conducted pursuant to any permit
7 issued pursuant to this article. No person under the age of 19
8 years shall be permitted to conduct or assist in conducting
9 any game of bingo or other related activity in the location
10 where the bingo games are conducted."

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.