

1 HB320  
2 182574-1  
3 By Representatives Nordgren, Brown, Wood and Boyd  
4 (Constitutional Amendment)  
5 RFD: Local Legislation  
6 First Read: 28-FEB-17

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8 SYNOPSIS: Under existing law, Constitutional Amendment  
9 508 of the Constitution of Alabama of 1901, relates  
10 to Calhoun County and authorizes the operation of  
11 bingo games for prizes for charitable, educational,  
12 or other lawful purposes subject to any ordinance  
13 or resolution and rules of the local governing  
14 body.

15 This bill would propose a local  
16 constitutional amendment relating to Calhoun County  
17 to specifically prohibit a bingo permittee or  
18 licensee from operating any bingo games within  
19 1,000 yards of any residence or in a residential  
20 area.

21  
22 A BILL  
23 TO BE ENTITLED  
24 AN ACT

25  
26 Relating to Calhoun County; proposing a local  
27 constitutional amendment to Constitutional Amendment 508, now

1 appearing as Section 1 of the Calhoun County Local Amendments  
2 of the Official ReCompilation of the Constitution of Alabama  
3 of 1901, as amended, authorizing the operation of bingo games  
4 for prizes or money in the county; and to prohibit any bingo  
5 permittee or licensee from operating bingo near a residential  
6 area.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. The following amendment to the  
9 Constitution of Alabama of 1901, is proposed and shall become  
10 valid as a part of the Constitution when all requirements of  
11 this act are fulfilled:

12 PROPOSED AMENDMENT

13 "Amendment 508.

14 "The operation of bingo games for prizes or money by  
15 certain nonprofit organizations for charitable, educational,  
16 or other lawful purposes shall be legal in Calhoun county,  
17 subject to the provisions of any resolution or ordinance by  
18 the county governing body or the governing bodies of the  
19 respective cities and towns, within their respective  
20 jurisdictions as provided by law regulating such operation.  
21 The said governing bodies shall have the authority to  
22 promulgate rules and regulations for the issuance of permits  
23 or licenses and for operation of bingo games, within their  
24 respective jurisdictions; provided, however, that said  
25 governing bodies must ensure compliance pursuant to said law  
26 and the following provisions:

1           "(a) No person under the age of 19 shall be  
2 permitted to play any game or games of bingo, unless  
3 accompanied by a parent or guardian; nor shall any person  
4 under the age of 19 be permitted to conduct or assist in the  
5 conduct of any game of bingo;

6           "(b) No bingo permit or license shall be issued to  
7 any nonprofit organization, unless such organization shall  
8 have been in existence for at least 12 months immediately  
9 prior to the issuance of the permit or license;

10           "(c) Bingo games shall be operated only on the  
11 premises owned or leased by the nonprofit organization  
12 operating the bingo game. If the premises is leased, the rate  
13 or rental shall not be based on a percentage of receipts or  
14 profits resulting from the operation of bingo games;

15           "(d) No nonprofit organization shall enter into any  
16 contract with any individual, firm, association or corporation  
17 to have said individual or entity operate bingo games or  
18 concessions on behalf of the nonprofit organization, nor shall  
19 said nonprofit organization pay consulting fees to any  
20 individual or entity for any services performed in relation to  
21 the operation or conduct of a bingo game;

22           "(e) A nonprofit organization shall not lend its  
23 name or allow its identity to be used by any other person or  
24 entity in the operating or advertising of a bingo game in  
25 which said nonprofit organization is not directly and solely  
26 operating said bingo game;

1           "(f) Prizes given by any qualified nonprofit  
2 organization for the playing of bingo games shall not exceed  
3 the cash amount or gifts of equivalent value, set by the  
4 legislature, during any bingo session. The legislature shall  
5 set a maximum amount for any calendar week;

6           "(g) No person or organization, by whatever name or  
7 composition thereof, shall take any expenses for the operation  
8 of a bingo game except as permitted by law.

9           "(h) No bingo permittee or licensee may operate any  
10 bingo game within 1,000 yards of a residence or in a  
11 residential area."

12           "The provisions of this constitutional amendment  
13 shall be self-executing, but the legislature shall have the  
14 right and power by general, special or local act to adopt laws  
15 supplemental to this amendment or in furtherance of the  
16 general purposes and objectives herein set forth.

17           Section 2. An election upon the proposed amendment  
18 shall be held in accordance with Section 284.01 of the  
19 Constitution of Alabama of 1901, now appearing as Section  
20 284.01 of the Official Recompilation of the Constitution of  
21 Alabama of 1901, as amended, and the election laws of this  
22 state.

23           Section 3. The appropriate election official shall  
24 assign a ballot number for the proposed constitutional  
25 amendment on the election ballot and shall set forth the  
26 following description of the substance or subject matter of  
27 the proposed constitutional amendment:

1                   "Relating to Calhoun County, proposing a local  
2                   amendment to Amendment 508 of the Constitution of Alabama of  
3                   1901, authorizing the operation of bingo games for prizes or  
4                   money in the county; and to prohibit any bingo permittee or  
5                   licensee from operating bingo near a residential area.

6                   "Proposed by Act \_\_\_\_\_"

7                   This description shall be followed by the following  
8                   language:

9                   "Yes ( ) No ( )."