

1 SB43
2 176460-1
3 By Senator Sanders (Constitutional Amendment)
4 RFD: Tourism and Marketing
5 First Read: 07-FEB-17
6 PFD: 02/01/2017

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8 SYNOPSIS: Under existing law, bingo may be played in
9 the Town of White Hall pursuant to Amendment 674 to
10 the Constitution of Alabama of 1901. This bill
11 proposes an amendment to the Constitution of
12 Alabama of 1901, to provide that electronic bingo
13 may be played in the Town of Whitehall and Lowndes
14 County on any machine or device that is authorized
15 by the National Indian Gaming Commission pursuant
16 to the Indian Gaming Regulatory Act, 25 U.S.C. §
17 2701 et seq., and which is operated by any Native
18 American tribe in Alabama.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 Proposing an amendment to the Constitution of
25 Alabama of 1901, relating to legalizing certain operations of
26 electronic bingo games for prizes or money for charitable or
27 educational purposes in the Town of White Hall and Lowndes

1 County; to authorize the Town of White Hall to operate and
2 license electronic bingo games; and to prohibit persons under
3 the age of 18 from playing electronic bingo.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

9 PROPOSED AMENDMENT

10 (a) The operation of bingo games, including
11 electronic bingo, for prizes or money by nonprofit
12 organizations, which shall include the Town of White Hall or
13 any agency thereof, for charitable, educational, or other
14 lawful purposes, shall be legal in the Town of White Hall and
15 Lowndes County, subject to any resolution or ordinance by the
16 town council. The town council shall have the authority to
17 promulgate rules and regulations for the licensing and
18 operation of bingo games and shall insure compliance pursuant
19 to any ordinance and the following provisions:

20 (1) Bingo may be played on any machine or device
21 that is authorized by the National Indian Gaming Commission
22 pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. § 2701
23 et seq., and which is operated by any Native American tribe in
24 Alabama.

25 (2) No person under the age of 18 years shall be
26 permitted to play any game or games of bingo, nor shall any

1 person under the age of 19 years be permitted to conduct or
2 assist in the operation of any game of bingo.

3 (3) A bingo license shall not be issued to any
4 nonprofit organization unless the organization has been in
5 existence for at least two years immediately prior to the
6 issuance of the license.

7 (4) Bingo games shall be operated only on the
8 premises owned or leased by the nonprofit organization
9 operating the bingo game. If the premises are leased, the rate
10 of rental shall not be based on a percentage of receipts or
11 profits resulting from the operation of bingo games unless
12 such percentage is established by promulgated rules and
13 regulations authorized by the town council.

14 (5) A nonprofit organization may enter into any
15 contract with any individual, firm, or corporation to have the
16 individual or entity operate bingo games or concessions on
17 behalf of the nonprofit organization. A nonprofit organization
18 shall not pay consulting fees to any individual or entity for
19 any services performed in relation to the operation or conduct
20 of a bingo game.

21 (6) A nonprofit organization shall not lend its name
22 or allow its identity to be used by another person or entity
23 in the operating or advertising of a bingo game in which the
24 nonprofit organization is not directly and solely operating
25 the bingo game.

1 (7) Prizes given by any nonprofit organization for
2 the playing of bingo games shall not exceed the cash amount or
3 gifts of equivalent value set by regulations.

4 (b) The town council may provide for the
5 implementation of this amendment by the adoption of any
6 resolution or ordinance.

7 (c) The provisions of this amendment are
8 complementary and supplemental to any amendment heretofore
9 ratified authorizing the operation of bingo games in the Town
10 of White Hall in Lowndes County.

11 (d) Any person who violates the regulations provided
12 under the provisions of this amendment shall be guilty of a
13 Class C misdemeanor upon the first conviction under this
14 amendment and any subsequent violation shall be a Class A
15 misdemeanor.

16 Section 2. An election upon the proposed amendment
17 shall be held in accordance with Amendment 555 to the
18 Constitution of Alabama of 1901, now appearing as Section
19 284.01 of the Official Recompilation of the Constitution of
20 Alabama of 1901, as amended, and the election laws of this
21 state.

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

1 "Proposing an amendment to the Constitution of
2 Alabama of 1901, relating to the Town of White Hall and
3 Lowndes County, proposing an amendment to the Constitution of
4 Alabama of 1901, authorizing the operation of electronic bingo
5 games by nonprofit organizations for charitable, educational,
6 and other lawful purposes in the Town of Whitehall and Lowndes
7 County and providing that such bingo may be played on any
8 machine or device that is authorized by the National Indian
9 Gaming Commission pursuant to the Indian Gaming Regulatory
10 Act, 25 U.S.C. §. 2701 et seq., and operated by any Native
11 American tribe in Alabama.

12 "Proposed by Act _____."

13 This description shall be followed by the following
14 language:

15 "Yes () No ()."