

HOUSE BILL No. 2295

By Committee on Federal and State Affairs

2-10

1 AN ACT concerning the regulation of bingo; amending K.S.A. 2014 Supp.
2 79-4706 and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2014 Supp. 79-4706 is hereby amended to read as
6 follows: 79-4706. Games of bingo shall be managed, operated and
7 conducted in accordance with the bingo act and rules and regulations
8 adopted pursuant thereto and the following restrictions:

9 (a) The entire gross receipts received by any licensee from the
10 operation or conduct of games of bingo, except that portion utilized for the
11 payment of the cost of prizes and license fees and taxes on games of bingo
12 imposed under the provisions of this act, shall be used exclusively for the
13 lawful purposes of the licensee permitted to conduct that game.

14 (b) Games of bingo managed, conducted or operated by a licensee,
15 shall be managed, conducted or operated only by a bona fide member or
16 spouse of a bona fide member of the licensee or parent organization or an
17 auxiliary unit or society of such licensee or of the beneficiary organization.
18 During each session of bingo there must be at least one member of the
19 licensee organization on duty and assisting with the game. Such member
20 must be listed with the office of charitable gaming.

21 (c) No lessor, employee of such lessor or employee, officer or
22 shareholder of a for profit corporation which is the lessor shall play any
23 game of bingo or participate in any drawing on premises leased by any
24 such lessor nor shall such person be responsible for or assist in the
25 management, operation or conduct of any game of bingo or drawing on
26 such premises.

27 (d) No person may participate in the management, conduct or
28 operation of bingo games by a licensee if such person, within five years
29 prior to such participation, has been convicted of or pleaded guilty or nolo
30 contendere to any felony or illegal gambling activity or purchased a tax
31 stamp for wagering or gambling activity.

32 (e) No person may receive any remuneration or profit for
33 participating in the management, conduct or operation of any game of
34 bingo managed, conducted or operated by a licensee. Food offered in the
35 course of a volunteer duty shift and consumed on the premises shall not be
36 considered remuneration, provided the retail value of such food offered

1 does not exceed \$10 per volunteer.

2 (f) The aggregate value of all prizes including the retail value of all
3 merchandise awarded or offered by a licensee in a single session to
4 winners of games of regular and special call bingo shall not exceed ~~\$1,200~~
5 *\$5,000*. The value of a prize awarded in a progressive or mini bingo game
6 shall not be included when determining the limit imposed by this
7 subsection. Any monetary prize of \$500 or more awarded in games of
8 bingo shall be paid by a check drawn on the bingo trust bank account of
9 the licensee. Any monetary prize awarded in games of bingo shall be paid
10 by a check on the bingo trust bank account of the licensee upon the request
11 of the winner of such award.

12 (g) ~~The total number of regular, special and progressive call bingo~~
13 ~~games managed, operated or conducted by any licensee in any session~~
14 ~~shall not exceed 25 and not more than five of such games shall be special~~
15 ~~games.~~ Not more than one licensee may conduct bingo games at a given
16 location or registered premises in any one session.

17 (h) The prize awarded by a licensee in any one regular call bingo
18 game shall not exceed ~~\$50~~ *\$200*. The prize in any one special call bingo
19 game shall not exceed ~~\$500~~ *\$1,000*.

20 (i) The retail value of any merchandise received by a winner of a
21 bingo game shall be considered as the cash value for the purposes of
22 determining the value of the prize.

23 (j) The charge made by a licensee for a single instant bingo ticket
24 shall not exceed ~~\$2~~ *\$4*.

25 (k) Games of bingo ~~shall not~~ *may* be managed, operated or conducted
26 by any licensee ~~on more than two calendar days in any one day of the~~
27 ~~week.~~

28 (l) All licenses issued under the provisions of this act shall be issued
29 in the name of the organization licensed.

30 (m) Each licensee shall keep a record of all games of bingo managed,
31 operated or conducted by it for a period of three years following the date
32 the game is managed, operated or conducted.

33 (n) No person under the age of 18 years shall participate in the
34 management, operation or conduct of any game of bingo managed,
35 operated or conducted by a licensee under the provisions of this act and no
36 licensee shall sell any instant bingo ticket to a person under the age of 18
37 years.

38 (o) A lessor of premises used for the management, operation or
39 conduct of games of bingo or a licensee may not advertise games of bingo
40 except to the extent and in the manner prescribed by the rules and
41 regulations adopted pursuant to the bingo act. Any advertisement of any
42 game of bingo by or on behalf of such lessor or licensee shall specify the
43 organization which is managing, operating or conducting such game. The

1 announcement of the cancellation of a game of bingo shall not be
2 considered to be an advertisement.

3 (p) (1) Except as provided by paragraph (2) of this subsection, no
4 game of chance or contest where a prize is awarded, other than games of
5 bingo, shall be conducted on any premises where licensees are conducting
6 games of bingo, where the intent of such game of chance or contest is to
7 induce participation in such games of bingo.

8 (2) ~~One drawing~~ *Three drawings* during a session may be conducted
9 by the licensee or the lessor of the premises. Only a nonmonetary prize
10 having a value not exceeding ~~\$25~~ \$50 shall be awarded to the winner of
11 such drawing. There shall be no charge for participation in such drawing.
12 There shall be no requirement to purchase anything of value in order to
13 participate in such drawing. No more than four such drawings shall be
14 conducted by each licensee or lessor during any calendar year.

15 (q) No licensee shall manage, operate or conduct bingo on any leased
16 premises or with leased equipment unless all of the terms and conditions
17 of rental or use, including the rental of chairs, bingo equipment, tables,
18 security guards, janitor service or any other services, are set forth in a lease
19 submitted, approved and on file with the administrator.

20 (r) No premises shall be used for the management, operation or
21 conduct of games of bingo by licensees on more than three calendar days
22 in any one week.

23 ~~(s) No premises shall be subdivided to provide multiple premises
24 where games of bingo are managed, operated or conducted by licensees,
25 whether or not the multiple premises have different addresses.~~

26 ~~(t) No game of bingo shall be managed, operated or conducted by
27 licensees on leased premises if at any time during the immediately
28 preceding 44 hours the premises, or any leased premises within 1,000 feet
29 of them, have been used for the management, operation or conduct of a
30 game of bingo.~~

31 (†) Every licensee who has gross receipts of \$1,000 or more received
32 from participation in games, admission fees or charges and from any other
33 source directly related to the operation or conduct of any games of bingo
34 in any calendar month shall maintain a bingo trust bank account into
35 which all such receipts are deposited daily and from which all payments
36 are made relating to the management, operation or conduct of any games
37 of bingo, except payment of prizes of less than \$200. Having once
38 established such bingo trust bank account, the licensee shall continue to
39 make deposits of all receipts therein. Every licensee shall notify the
40 administrator of the name of the bank in which the bingo trust bank
41 account is maintained, together with the number and name of the account.
42 Every licensee who maintains a bingo trust bank account shall maintain a
43 complete record of all deposits and withdrawals from such bank account

1 and the same shall be available to the administrator to audit at any
2 reasonable time.

3 The records required under this subsection are in addition to all other
4 records required to be kept by the licensee. The records required by this
5 subsection shall be maintained in the same place as all other records
6 required to be kept by the licensee.

7 ~~(v)~~ (t) No instant bingo ticket shall be sold by a licensee more than
8 two hours prior to the start of the first regular or special game of call bingo
9 of a session or one hour after the termination of the last game of call bingo
10 operated or conducted by the licensee for such session.

11 ~~(w)~~ (u) No licensee shall purchase or obtain bingo faces or instant
12 bingo tickets from any person or entity other than a distributor registered
13 pursuant to K.S.A. 79-4712a, and amendments thereto.

14 ~~(x)~~ (v) All instant bingo tickets sold or distributed to licensees shall
15 bear on the face thereof a unique serial number which shall not be repeated
16 on the same manufacturer's form number less than every three years. All
17 instant bingo tickets shall be sold or distributed in boxes. Each box shall
18 be sealed by the manufacturer with a seal which includes a warning to the
19 purchaser that the box may have been tampered with if the box was
20 received by the purchaser with the seal broken. Each box of instant bingo
21 tickets shall contain tickets printed in such a manner as to insure that at
22 least 60% of the gross revenues generated by the ultimate sale of all tickets
23 from such box shall be returned to the final purchasers of such tickets. No
24 box of instant bingo tickets may be opened by a licensee unless all tickets
25 contained in a previously opened box with the same form number have
26 been sold.

27 ~~(y)~~ (w) Each box of instant bingo tickets sold or distributed to
28 licensees shall be accompanied by a flare which contains the following
29 information: (1) The name of the game; (2) the manufacturer's name or
30 logo; (3) the game form number; (4) the ticket count in the game; (5) the
31 prize structure for the game, which includes the number of winning tickets
32 by denomination and their respective winning symbol or number
33 combinations; (6) the cost per ticket; (7) the game serial number; (8) the
34 winning numbers or symbols for the top three winning tiers set out in such
35 a manner that each prize may be marked off as the prize is won and
36 awarded; (9) the business name of the distributor; and (10) if sold or
37 distributed to a licensee under the bingo act, the Kansas bingo license
38 number of the licensee to which the game is sold.

39 ~~(z)~~ (x) (1) No progressive game may exceed 20 consecutive sessions
40 conducted by a licensee prior to the awarding of the established prize.

41 (2) No more than two progressive bingo games may be conducted in
42 any one session.

43 (3) A prize for a progressive game may start at an amount not to

1 exceed \$400.

2 (4) If the progressive bingo game prize is not awarded at a bingo
3 session, the progressive bingo game shall be continued at a future occasion
4 until such time a winner is determined. The winning prize shall be the full
5 amount. If there is no winner of a progressive bingo game at a session, a
6 stated consolation prize in an amount not to exceed \$400 may be awarded.
7 Any consolation prize shall be less than the value of the progressive bingo
8 game prize amount.

9 (5) All progressive bingo games and rules for such games shall be
10 described fully and posted in the house rules prior to the start of the
11 session. Such games shall comply with requirements imposed under the
12 bingo act and any rules and regulations adopted pursuant thereto.

13 (6) When a person achieves the first preannounced winning
14 combination, the game shall be completed and the next progressive bingo
15 game and winning combination shall be commenced with a new bingo
16 card or face and all objects or balls in the receptacle.

17 (7) The rules for a progressive bingo game shall remain in effect until
18 the game ends and the winner is determined.

19 (8) Progressive bingo games may not be conducted in conjunction
20 with a session of bingo conducted at a location other than that specified in
21 the license as authorized by ~~subsection (e) of~~ K.S.A. 79-4703(c), and
22 amendments thereto.

23 (9) A licensee shall not cease bingo operations unless all progressive
24 bingo games are completed and prizes are awarded, unless prior approval
25 has been received from the secretary.

26 ~~(aa)~~ (y) Except as specifically provided by rules and regulations
27 adopted pursuant to the bingo act, the distribution, sale or use of bingo
28 cards is prohibited from and after July 1, 2003, and thereafter, only bingo
29 faces shall be distributed, sold or used in call bingo games operated and
30 conducted by licensees.

31 ~~(bb)~~ (z) There shall be no limit on the number of games of instant
32 bingo, in which the winner or winners of such game is determined by
33 matching a letter, number or symbol under a tab of an instant bingo ticket
34 with the winning letter, number or symbol in a designated call game of
35 bingo during the same session, which may be played in any one session.
36 There shall be no limit on the number of instant bingo tickets which may
37 be sold for participation in any such game of instant bingo.

38 ~~(ee)~~ (aa) The total number of mini games of bingo managed, operated
39 or conducted by a licensee during a session shall not exceed 30 games. No
40 mini bingo game shall be conducted by a licensee more than two hours
41 prior to the first regular or special game of call bingo operated or
42 conducted by the licensee for such session, or one hour after the
43 termination of, the last regular or special game of call bingo operated or

1 conducted by the licensee for such session.

2 Sec. 2. K.S.A. 2014 Supp. 79-4706 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.