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SENATE BILL 710

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

GARY DON REAGAN

AN ACT

RELATING TO CHARITABLE GAMING; RESTRICTING CHARITABLE GAMES OF
CHANCE; AMENDING AND ENACTING CERTAIN SECTIONS OF THE NMSA 1978;
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-19-1 NMSA 1978 (being Laws 1963,
Chapter 303, Section 19-1, as amended) is amended to read:

"30-19-1. DEFINITIONS RELATING TO GAMBLING. -- As used in
Chapter 30, Article 19 NMSA 1978:

A. "antique gambling device" means a gambling device
twenty-five years of age or older and substantially in original
condition that is not used for gambling or commercial gambling
or located in a gambling place;

B. "bet" means a bargain in which the parties agree
that, dependent upon chance, even though accompanied by some

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1 skill, one stands to win or lose anything of value specified in
2 the agreement. A bet does not include:

3 (1) bona fide business transactions that are
4 valid under the law of contracts, including without limitation:

5 (a) contracts for the purchase or sale,
6 at a future date, of securities or other commodities; and

7 (b) agreements to compensate for loss
8 caused by the happening of the chance, including without
9 limitation contracts for indemnity or guaranty and life or
10 health and accident insurance;

11 (2) offers of purses, prizes or premiums to the
12 actual contestants in any bona fide contest for the
13 determination of skill, speed, strength or endurance or to the
14 bona fide owners of animals or vehicles entered in such contest;

15 (3) a lottery as defined in this section; or

16 (4) betting otherwise permitted by law;

17 ~~[C. "lottery" means an enterprise other than the New~~
18 ~~Mexico state lottery established and operated pursuant to the~~
19 ~~New Mexico Lottery Act wherein, for a consideration, the~~
20 ~~participants are given an opportunity to win a prize, the award~~
21 ~~of which is determined by chance, even though accompanied by~~
22 ~~some skill. As used in this subsection, "consideration" means~~
23 ~~anything of pecuniary value required to be paid to the promoter~~
24 ~~in order to participate in such enterprise;~~

25 ~~D.]~~ C. "gambling device" means a contrivance other

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1 than an antique gambling device that, for a consideration,
2 affords the player an opportunity to obtain anything of value,
3 the award of which is determined by chance, even though
4 accompanied by some skill and whether or not the prize is
5 automatically paid by the device; [~~and~~

6 ~~E.]~~ D. "gambling place" means any building or tent,
7 any vehicle, whether self-propelled or not, or any room within
8 any of them, one of whose principal uses is:

9 (1) making and settling of bets;

10 (2) receiving, holding, recording or forwarding
11 bets or offers to bet;

12 (3) conducting lotteries; or

13 (4) playing gambling devices;

14 E. "lottery" means an enterprise other than the New
15 Mexico state lottery established and operated pursuant to the
16 New Mexico Lottery Act or a game of chance, the play of which is
17 specifically permitted by state law, where for a consideration
18 the participants are given an opportunity to win a prize, the
19 award of which is determined by chance, even though accompanied
20 by some skill. As used in this subsection, "consideration"
21 means anything of pecuniary value required to be paid to the
22 promoter in order to participate in the enterprise;

23 F. "raffle" means a game in which the prize is won
24 by random drawing of the name or number of one or more persons
25 purchasing a chance; and

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1 G. "video gambling" means any form of gambling in
2 which, upon payment of a consideration, an electronic device may
3 be played that simulates the play of a game of chance, utilizes
4 a video display and microprocessors and that by chance, or
5 through some combination of chance and skill, a player may
6 receive or the device may dispense to the player currency, coins
7 or tokens or free games or credits that may be redeemed for
8 currency, coins or tokens."

9 Section 2. Section 30-19-6 NMSA 1978 (being Laws 1963,
10 Chapter 303, Section 19-6, as amended) is amended to read:

11 "30-19-6. [~~PERMISSIVE LOTTERY~~] AUTHORIZED GAMBLING--FAIRS,
12 THEATERS AND TAX-EXEMPT ORGANIZATIONS--VIDEO GAMBLING ACT AND
13 CHARITY GAMES ACT ACTIVITIES. --

14 A. Nothing in [~~Article 19~~] Chapter 30, Article 19
15 NMSA 1978 [~~shall be construed to apply to any~~] prohibits a sale
16 or drawing of [any] a prize at [any] a fair held in this state
17 for the benefit of [any] a church, public library or religious
18 society [situate or being] located in this state or for
19 charitable purposes when all the proceeds of [such] the fair
20 [shall be] are expended in this state for the benefit of [such]
21 the church, public library, religious society or other
22 charitable purposes. A [~~lottery shall be operated~~] sale or
23 drawing conducted pursuant to this subsection is for the benefit
24 of the organization or charitable purpose only [when] if the
25 entire proceeds [of] from the [~~lottery~~] sale or drawing go to

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1 the organization or charitable purpose and no part of ~~[such]~~ the
2 proceeds go to any individual member or employee ~~[thereof]~~ of
3 the organization.

4 B. Nothing in ~~[Article 19]~~ Chapter 30, Article 19
5 NMSA 1978 ~~[shall be held to prohibit any]~~ prohibits a bona fide
6 motion picture ~~[theatre]~~ theater from offering prizes of cash or
7 merchandise for advertising purposes in connection with ~~[such]~~
8 the business of the theater or for the purpose of stimulating
9 business, whether or not ~~[any]~~ consideration other than a
10 monetary consideration in excess of the regular price of
11 admission is ~~[exacted]~~ charged for participation in drawings for
12 prizes.

13 C. Nothing in ~~[Article 19]~~ Chapter 30, Article 19
14 NMSA 1978 ~~[shall be held to apply to any]~~ prohibits a bona fide
15 county fair, including ~~[fairs]~~ a fair for more than one county,
16 ~~[which shall have]~~ that has been held annually at the same
17 location for at least two years ~~[and which shall offer]~~ from
18 offering prizes of livestock or poultry in connection with
19 ~~[such]~~ the fair ~~[when]~~ if the proceeds of ~~[such]~~ the drawings
20 ~~[shall be]~~ are used for the benefit of ~~[said]~~ the fair.

21 ~~[D. Nothing in Article 19, Chapter 30 NMSA 1978~~
22 ~~shall be construed to apply to any lottery operated by an~~
23 ~~organization exempt from the state income tax pursuant to~~
24 ~~Subsection C of Section 7-2-4 NMSA 1978 and not subject to the~~
25 ~~provisions of Subsection A of this section; provided that:~~

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1 ~~(1) no more than two lotteries shall be~~
2 ~~operated in any year by such an organization;~~

3 ~~(2) all the gross proceeds less the reasonable~~
4 ~~cost of prizes of any lottery operated by such an organization~~
5 ~~shall be expended in the state for the benefit of the~~
6 ~~organization or public purposes; and~~

7 ~~(3) no part of the proceeds of any lottery~~
8 ~~shall go to any individual member or employee of any~~
9 ~~organization except as payment for the purchase of prizes at no~~
10 ~~more than the reasonable retail price]~~

11 D. Nothing in Chapter 30, Article 19 NMSA 1978
12 prohibits an organization that is exempt from state income tax
13 pursuant to Section 7-2-4 NMSA 1978 from conducting bingo games,
14 raffles or paper lotteries at a fundraising event if:

15 (1) the fundraising events are conducted no
16 more than twice in a calendar year by the qualifying
17 organization;

18 (2) the only persons authorized to participate
19 in the operation or management of the fundraising event are:

20 (a) bona fide members of the qualifying
21 organization who are not paid for their services in the
22 operation or management of the event; or

23 (b) persons who provide goods or services
24 for the fundraising event for a flat fee or an hourly fee
25 pursuant to a written contract with the qualifying organization;

1 (3) no person receives any part of the proceeds
2 of the fundraising event except:

3 (a) as payment for prizes purchased at no
4 more than the reasonable retail prices for the prizes; or

5 (b) pursuant to a contract described in
6 Subparagraph (b) of Paragraph (2) of this subsection;

7 (4) the net proceeds of the fundraising event
8 are expended in the state for the benefit of the qualifying
9 organization or purposes for which it was formed;

10 (5) gross revenue, expenses, prizes paid and
11 the date, time and location of the fundraising event are
12 reported to the alcohol and gaming division of the regulation
13 and licensing department within thirty days after the event;

14 (6) the qualifying organization conducting the
15 fundraising event maintains records for a period of one year
16 after the date of the event that accurately show the gross
17 revenue generated by the event, details of the expenses of
18 conducting the event and details of how the gross revenue is
19 used, and the qualifying organization makes the records
20 available for review by the director of the alcohol and gaming
21 division of the regulation and licensing department or the
22 attorney general, or both, at their request;

23 (7) no video gambling, card games or casino
24 table games are conducted and no slot machines are operated
25 during the fundraising event;

1 (8) no persons less than the age of twenty-one
2 are allowed to participate in the operation or management of the
3 fundraising event or to play any game at the event; and

4 (9) the fundraising event is conducted pursuant
5 to a permit issued by the alcohol and gaming division of the
6 regulation and licensing department.

7 E. As used in this section, "paper lottery" means a
8 game of chance in which preprinted disposable tickets are
9 available for purchase by a player and may entitle him to a
10 prize or other thing of value. The tickets may:

11 (1) display preprinted winners that are
12 determined by rubbing or scraping an area on the ticket to match
13 numbers, letters, symbols or configurations or any combination
14 thereof;

15 (2) have two sections, one section of which is
16 retained by the qualifying organization conducting the
17 fundraising event and added to all the other retained sections
18 of tickets in a container from which one or more can be randomly
19 drawn, and the other section is given to the player. Both
20 sections of the ticket display identical numbers, symbols or
21 configurations so that following a random drawing the drawn
22 ticket can be matched with the part of the ticket retained by
23 the player, so that a winner can be identified; or

24 (3) display one or a series of numbers, one or
25 more of the numbers of which may be randomly selected by the

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1 qualifying organization conducting the fundraising event, and
2 the player holding tickets displaying the numbers called wins a
3 prize or other thing of value. "

4 Section 3. Section 60-2B-3 NMSA 1978 (being Laws 1981,
5 Chapter 259, Section 3, as amended) is amended to read:

6 "60-2B-3. DEFINITIONS. --As used in the Bingo and Raffle
7 Act:

8 A. "charitable organization" means any organization,
9 not for pecuniary profit, [~~which~~] that is operated for the
10 relief of poverty, distress or other condition of public concern
11 in New Mexico, [~~and which~~] that has been so engaged for three
12 years immediately prior to making application for a license
13 under the Bingo and Raffle Act and [~~which~~] that has been granted
14 an exemption from federal income tax by the United States
15 commissioner of internal revenue as an organization described in
16 Section 501(c) of the United States Internal Revenue Code of
17 1954, as amended or renumbered;

18 B. "chartered branch, lodge or chapter of a national
19 or state organization" means any branch, lodge or chapter
20 [~~which~~] that is a civic or service organization, not for
21 pecuniary profit, and authorized by its written constitution,
22 charter, articles of incorporation or bylaws to engage in a
23 fraternal, civic or service purpose in New Mexico and [~~which~~]
24 that has been so engaged for three years immediately prior to
25 making application for a license under the Bingo and Raffle Act;

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1 C. "educational organization" means any organization
2 within the state, not organized for pecuniary profit, whose
3 primary purpose is educational in nature and designed to develop
4 the capabilities of individuals by instruction and ~~[which]~~ that
5 has been in existence in New Mexico for three years immediately
6 prior to making application for a license under the Bingo and
7 Raffle Act;

8 D. "fraternal organization" means any organization
9 within the state, except college and high school fraternities,
10 not for pecuniary profit, ~~[which]~~ that is a branch, lodge or
11 chapter of a national or state organization and exists for the
12 common business, brotherhood or other interests of its members
13 and ~~[which]~~ that has existed in New Mexico for three years
14 immediately prior to making application for a license under the
15 Bingo and Raffle Act;

16 E. "labor organization" means any organization, not
17 for pecuniary profit, within the state ~~[which]~~ that exists for
18 the purpose, in whole or in part, of dealing with employers
19 concerning grievances, labor disputes, wages, rates of pay,
20 hours of employment or conditions of work and ~~[which]~~ that has
21 existed in New Mexico for that purpose and has been so engaged
22 for three years immediately prior to making application for a
23 license under the Bingo and Raffle Act;

24 F. "qualified organization" means any bona fide
25 chartered branch, lodge or chapter of a national or state

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1 organization or any bona fide religious, charitable,
2 environmental, fraternal, educational or veterans' organization
3 operating without profit to its members [~~which~~] that has been in
4 existence in New Mexico continuously for a period of three years
5 immediately prior to the making of an application for a license
6 under the Bingo and Raffle Act and [~~which~~] that has had, during
7 the entire three-year period, a dues-paying membership engaged
8 in carrying out the objects of the corporation or organization.
9 A voluntary firemen's organization is a qualified organization,
10 and a labor organization is a qualified organization for the
11 purpose of the Bingo and Raffle Act if it uses the proceeds from
12 a game of chance solely for scholarship or charitable purposes;

13 G. "environmental organization" means any
14 organization primarily concerned with the protection and
15 preservation of the natural environment and [~~which~~] that has
16 existed in New Mexico for three years immediately prior to
17 making application for a license under the Bingo and Raffle Act;

18 H. "religious organization" means any organization,
19 church, body of communicants or group, not for pecuniary profit,
20 gathered in common membership for mutual support and edification
21 in piety, worship and religious observances, or a society, not
22 for pecuniary profit, of individuals united for religious
23 purposes at a definite place, which organization, church, body
24 of communicants, group or society has been so gathered or united
25 in New Mexico for three years immediately prior to making

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1 application for a license under the Bingo and Raffle Act;

2 I. "veterans' organization" means any organization
3 within the state or any branch, lodge or chapter of a national
4 or state organization within this state, not for pecuniary
5 profit, the membership of which consists of individuals who were
6 members of the armed services or forces of the United States,
7 [~~which~~] that has been in existence in New Mexico for three years
8 immediately prior to making application for a license under the
9 Bingo and Raffle Act;

10 J. "voluntary firemen's organization" means any
11 organization for firefighting within the state, not for
12 pecuniary profit, established by the state or any of its
13 political subdivisions, [~~which~~] that has been in existence in
14 New Mexico for three years immediately prior to making
15 application for a license under the Bingo and Raffle Act;

16 K. "dues-paying membership" means those members of
17 an organization who pay regular monthly, annual or other
18 periodic dues or who are excused from paying such dues by the
19 charter, articles of incorporation or bylaws of the organization
20 and those who contribute voluntarily to the corporation or
21 organization to which they belong for the support of the
22 corporation or organization;

23 L. "equipment" means, with respect to bingo or
24 lotto, the receptacle and numbered objects drawn from it; the
25 master board upon which the numbered objects are placed as

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1 drawn; the cards or sheets bearing numbers or other designations
2 to be covered and the objects used to cover them; the board or
3 signs, however operated, used to announce or display the numbers
4 or designations as they are drawn; the public address system;
5 and all other articles essential to the operation, conduct and
6 playing of bingo or lotto; or, with respect to raffles,
7 implements, devices and machines designed, intended or used for
8 the conduct of raffles and the identification of the winning
9 number or unit and the ticket or other evidence or right to
10 participate in raffles;

11 M "game of chance" means that specific kind of game
12 of chance commonly known as bingo or lotto in which prizes are
13 awarded on the basis of designated numbers or symbols on a card
14 conforming to numbers or symbols selected at random, [~~and~~] that
15 specific kind of game of chance commonly known as raffles
16 [~~which~~] that is conducted by drawing for prizes or the allotment
17 of prizes by chance or by the selling of shares, tickets or
18 rights to participate in the game and that specific game of
19 chance commonly known as "pull tabs";

20 N. "gross receipts" means receipts from the sale of
21 shares, tickets or rights in any manner connected with
22 participation in a game of chance or the right to participate in
23 a game of chance, including any admission fee or charge, the
24 sale of equipment or supplies and all other miscellaneous
25 receipts;

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1 0. "lawful purposes" means educational, charitable,
2 patriotic, religious or public-spirited purposes, which terms
3 are defined to be the benefiting of an indefinite number of
4 persons either by bringing their minds or hearts under the
5 influence of education or religion, by relieving their bodies
6 from disease, suffering or constraint; by assisting them in
7 establishing themselves in life; by erecting or maintaining
8 public buildings or works; by providing legal assistance to
9 peace officers or firemen in defending civil or criminal actions
10 arising out of the performance of their duties; or by otherwise
11 lessening the burden of government. These terms include the
12 erection, acquisition, improvement, maintenance, insurance or
13 repair of property, real, personal or mixed, if the property is
14 used for one or more of the purposes stated in this subsection;

15 P. "lawful use" means the devotion of the entire net
16 proceeds of a game of chance exclusively to lawful purposes;

17 Q. "licensee" means any qualified organization to
18 which a license has been issued by the licensing authority;

19 R. "licensing authority" means the regulation and
20 licensing department;

21 S. "member" means an individual who has qualified
22 for membership in a qualified organization pursuant to its
23 charter, articles of incorporation, bylaws, rules or other
24 written statement;

25 T. "net proceeds" means the receipts less the

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1 expenses, charges, fees and deductions as are specifically
2 authorized under the Bingo and Raffle Act;

3 U. "occasion" means a single gathering or session at
4 which a series of successive bingo or lotto games is played;

5 V. "person" means a natural person, firm,
6 association, corporation or other legal entity; [and]

7 W. "premises" means any room, hall, enclosure or
8 outdoor area used for the purpose of playing a game of chance;

9 X. "pull tab" means an instant win game of chance in
10 which a paper or other disposable ticket or chance contains
11 certain preprinted winners that are revealed by rubbing,
12 scraping or pulling a tab; "pull tab" does not include video
13 gaming machines that simulate the game of pull tabs; and

14 Y. "video gaming machine" means any electronic or
15 electromechanical machine that, upon the insertion of tokens,
16 coins or currency, is available to play or simulate the play of
17 a game of chance using a video display and microprocessors and
18 that records game credits that may be redeemed for cash or other
19 prizes, or pays out in currency, coins, chips, tokens or other
20 consideration, including additional games on the same machine."

21 Section 4. A new section of the Bingo and Raffle Act,
22 Section 60-2B-3.1 NMSA 1978, is enacted to read:

23 "60-2B-3.1. [NEW MATERIAL] USE OF VIDEO GAMING MACHINES
24 UNLAWFUL. --

25 A. No video gaming machine, including video gaming

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1 machines that simulate the game of pull tabs, shall be available
2 for use by any member or other person on the premises of a
3 licensee.

4 B. Any licensee that violates this section shall
5 have its license revoked by the licensing authority."

6 Section 5. Section 60-2B-8 NMSA 1978 (being Laws 1981,
7 Chapter 259, Section 8) is amended to read:

8 "60-2B-8. PERSONS PERMITTED TO CONDUCT GAMES--PREMISES--
9 EQUIPMENT--EXPENSES [COMPENSATION].--

10 A. No person shall hold, operate or conduct any
11 games of chance under any license issued under the Bingo and
12 Raffle Act, except an active member of the organization to which
13 the license is issued; and no person shall assist in the
14 holding, operating or conducting of any games of chance under
15 that license, except an active member or a member of an
16 organization or association [~~which~~] that is an auxiliary to the
17 licensee, a member of an organization or association of which
18 the licensee is an auxiliary or a member of an organization or
19 association [~~which~~] that is affiliated with the licensee by
20 being, with it, auxiliary to another organization or association
21 and except bookkeepers or accountants, as provided in this
22 section. No item of expense shall be incurred or paid in
23 connection with the holding, operating or conducting of any game
24 of chance held, operated or conducted pursuant to any license
25 issued under that act except bona fide expenses in reasonable

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1 amount for goods, wares and merchandise furnished or services
2 rendered, reasonably necessary for the holding, operating or
3 conducting [~~thereof~~] of the game. No games of chance shall be
4 conducted with any equipment, except that which is owned or
5 leased by the licensee.

6 B. The officers of a licensee shall designate a bona
7 fide active member of the licensee to be in charge of and
8 primarily responsible for the conduct of the games of bingo or
9 lotto on each occasion. The member in charge shall supervise
10 all activities on the occasion for which he is in charge and be
11 responsible for the making of the required report. The member
12 in charge shall be familiar with the provisions of the state
13 laws, the rules and regulations of the licensing authority and
14 the provisions of the license. He shall be present on the
15 premises continuously during the games and for a period of at
16 least thirty minutes after the last game.

17 C. The officers of a licensee shall designate an
18 officer to be in full charge and primarily responsible for the
19 proper utilization of the entire net proceeds of any game in
20 accordance with state law.

21 D. The entire net proceeds of any game shall be
22 devoted to a lawful use [~~or uses~~].

23 E. Each license issued for the conduct of games of
24 chance shall be conspicuously displayed at the place where any
25 game is being conducted at all times during the conduct of the

1 game and for at least thirty minutes after the last game has
2 been concluded.

3 F. The premises where any game of chance is being
4 held, operated or conducted, or where it is intended that any
5 equipment be used, shall at all times be open to inspection by
6 the licensing authority, its agents and employees, and by peace
7 officers of any political subdivision of the state.

8 G. No licensee may hold, operate or conduct a game
9 of bingo or lotto more often than on two hundred sixty occasions
10 in any calendar year.

11 H. When any merchandise prize is awarded in a game
12 of bingo, its value shall be its current retail price. No
13 merchandise prize shall be redeemable or convertible into cash
14 directly or indirectly.

15 I. Equipment, prizes and supplies for games of bingo
16 shall not be purchased or sold at prices in excess of the usual
17 price ~~[thereof]~~ of the equipment, prizes and supplies.

18 J. The aggregate amount of all prizes offered or
19 given in all games played on a single occasion shall not exceed
20 one thousand five hundred dollars (\$1,500), which shall be
21 exclusive of pull tabs.

22 K. No games shall be conducted more than five times
23 in any one calendar week, with no game lasting more than four
24 hours on each occasion and not more than two occasions in one
25 calendar day by any one licensee.

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1 L. The net profits derived from the holding of games
2 of chance [~~must~~] shall be devoted to the lawful purposes of the
3 organization permitted to conduct the games. Any organization
4 desiring to hold the net profits of games of chance for a period
5 longer than one year [~~must~~] shall apply to the licensing
6 authority for special permission, and, upon good cause shown,
7 the authority shall grant the request.

8 M Any licensee [~~which~~] that does not report, during
9 any one-year period, net profits [~~will~~] shall be required to
10 show cause before the licensing authority why its right to
11 conduct games of bingo should not be revoked.

12 N. No person shall assist in the holding, operating
13 or conducting of a bingo game under any license except bona fide
14 active members of the licensee, active members of any
15 organization [~~which~~] that is an auxiliary to the licensee or
16 active members of an organization [~~which~~] that is affiliated
17 with the licensee by being, with it, auxiliary to another
18 organization.

19 O. The equipment used in the playing of bingo and
20 the method of play shall be such that each card has an equal
21 opportunity to be a winner. The objects or balls to be drawn
22 shall be essentially the same as to size, shape, weight, balance
23 and all other characteristics that may influence their
24 selection. All objects or balls shall be present in the
25 receptacle before each game is begun. All numbers announced

1 shall be plainly and clearly audible to all the players present.
2 Where more than one room is used for any one game, the
3 receptacle and the caller [~~must~~] shall be present in the room
4 where the greatest number of players are present, [~~and~~] all
5 numbers announced shall be plainly audible to the players in the
6 [~~aforsaid room and also~~] room where the receptacle and caller
7 are present, and the numbers called shall be audible to the
8 players in the other rooms. A fair and equal chance shall be
9 given to all participants, and any licensee, its representative,
10 agent or employees whose acts or action may tend to negate the
11 "right of equal chance" as provided in this subsection shall
12 constitute grounds for revoking [~~such~~] the license.

13 P. The receptacle and the caller who [~~removes~~] the
14 remove objects or balls from the receptacle [~~must~~] shall be
15 visible to all the players at all times, except where more than
16 one room is used for any one game, in which case the provisions
17 of Subsection 0 of this section shall prevail.

18 Q. The particular arrangement of numbers required to
19 be covered in order to win the game and the amount of the prize
20 shall be clearly and audibly described and announced to the
21 players immediately before each game is begun.

22 R. Any player is entitled to call for a verification
23 of all numbers drawn at the time a winner is determined and for
24 a verification of the objects or balls remaining in the
25 receptacle and not yet drawn. The verification shall be made in

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1 the immediate presence of the member designated to be in charge
2 of the occasion [~~but~~] or, if [~~such~~] that member is also the
3 caller, [~~then~~] in the immediate presence of any officer of the
4 licensee.

5 S. In the playing of bingo, no person who is not
6 physically present on the premises where the game is actually
7 conducted shall be allowed to participate as a player in the
8 game.

9 T. No person shall act as a caller in the conduct of
10 any game of bingo unless he has been a member in good standing
11 of the licensee conducting the game or one of its licensed
12 auxiliaries for at least six months immediately prior to the
13 date of [~~such~~] the game, is of good moral character and has
14 never been convicted of a felony.

15 U. No owner, co-owner or lessee of the premises [~~or~~]
16 and, if a corporation is the owner of the premises, [~~any~~] no
17 officer, director or stockholder owning more than ten percent of
18 the outstanding stock shall be a person responsible for or
19 assisting in the holding, operating or conducting of any game of
20 bingo. "

21 Section 6. EMERGENCY.--It is necessary for the public
22 peace, health and safety that this act take effect immediately.

1 FORTY-SECOND LEGISLATURE

2 SECOND SESSION, 1996

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6 FEBRUARY 1, 1996

7
8 Mr. President:

9
10 Your COMMITTEES' COMMITTEE, to whom has been referred

11
12 SENATE BILL 710

13
14
15 has had it under consideration and finds same to be GERMANE, PURSUANT
16 TO CONSTITUTIONAL PROVISIONS, and thence referred to the COMMITTEE
17 OF THE WHOLE COMMITTEE.

18
19 Respectfully submitted,

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25 _____
SENATOR MANNY M. ARAGON, Chairman

Underscored material = new
~~[bracketed material] = delete~~

Adopted _____ Not Adopted _____

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(Chief Clerk)

(Chief Clerk)

Date _____

S0710CC1

1 FORTY-SECOND LEGISLATURE

2 SECOND SESSION, 1996

3
4
5
6 February 2, 1996

7
8 Mr. President:

9
10 Your COMMITTEE OF THE WHOLE, to whom has been referred

11
12 SENATE BILL 710

13
14 has had it under consideration and reports same WITHOUT

15
16 RECOMMENDATION.

17
18 Respectfully submitted,

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23 _____
24 Manny M. Aragon, Chairman
25

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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Date _____

The roll call vote was by voice vote

S0710WS1

Underscored material = new
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