

House Bill 455 (AS PASSED HOUSE AND SENATE)

By: Representatives Powell of the 33rd, McDonald III of the 26th, Dubnik of the 29th, Carpenter of the 4th, Newton of the 127th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia
2 Annotated, relating to bingo, so as to provide for the information to be provided on
3 applications for bingo games; to revise the provisions regarding the properties used for bingo
4 games; to revise the limits on the number of bingo game sessions which are allowed per
5 month; to revise the amount of prize money which may be paid; to revise the compensation
6 for persons assisting in the conduct of bingo games; to provide for related matters; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 2 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
11 relating to bingo, is amended by revising paragraph (6) of subsection (b) of Code
12 Section 16-12-53, relating to licensing procedure, fee, and renewal, as follows:

13 "(6) The ~~location~~ locations at which the applicant will conduct the bingo games and, if
14 the premises on which the games are to be conducted is to be leased, a copy of the lease
15 or rental agreement;"

SECTION 2.

16
17 Said part is further amended by revising Code Section 16-12-57, relating to restrictions as
18 to ownership of premises utilized, as follows:

19 "16-12-57.

20 Bingo games shall be operated only on premises owned by the nonprofit, tax-exempt
21 organization operating the bingo game, on property leased by the nonprofit, tax-exempt
22 organization ~~and used regularly~~ which may be used by that organization for purposes other
23 than the operation of a bingo game, or on property leased by the nonprofit, tax-exempt
24 organization operating the bingo game from another nonprofit, tax-exempt organization."

SECTION 3.

25
26 Said part is further amended by revising Code Section 16-12-60, relating to rules and
27 regulations, as follows:

28 "16-12-60.

29 (a) A licensee that conducts or operates a bingo session shall maintain the following
30 records for at least three years from the date on which the bingo session is conducted:

31 (1) An itemized list of the gross receipts for each session;

32 (2) An itemized list of all expenses other than prizes that are incurred in the conducting
33 of the bingo session as well as the name of each person to whom the expenses are paid
34 and a receipt for all of the expenses;

35 (3) A list of all prizes awarded during the bingo session and the name and address of all
36 persons who are winners of prizes of \$50.00 or more in value;

37 (4) An itemized list of the recipients other than the licensee of the proceeds of the bingo
38 game, including the name and address of each recipient to whom such funds are
39 distributed; and

40 (5) A record of the number of persons who participate in any bingo session conducted
41 by the licensee.

42 (b) A licensee shall:

43 (1) Own all the equipment used to conduct a bingo game or lease such equipment;

44 (2) Display its bingo license conspicuously at the location where the bingo game is
45 conducted;

46 (3) Conduct bingo games only at the ~~single location~~ locations specified in the licensee's
47 application; and

48 (4) Not conduct more than ~~one bingo session~~ three bingo sessions during any one
49 calendar day, ~~which provided that each~~ session shall not exceed five hours.

50 (c) No nonprofit, tax-exempt organization shall enter into any contract with any individual,
51 firm, association, or corporation to have such individual, firm, association, or corporation
52 operate bingo games or concessions on behalf of the nonprofit, tax-exempt organization.

53 (d) A nonprofit, tax-exempt organization shall not lend its name nor allow its identity to
54 be used by any individual, firm, association, or corporation in the operating or advertising
55 of a bingo game in which said nonprofit, tax-exempt organization is not directly and solely
56 operating the bingo game.

57 (e) It shall be unlawful for two or more nonprofit, tax-exempt organizations which are
58 properly licensed pursuant to this part to operate bingo games jointly or to operate bingo
59 games upon the same premises ~~during any 18 hour period~~ if doing so would result in the
60 premises being the location for more than 31 bingo sessions per month.

61 (f) It shall be unlawful to award prizes in excess of ~~\$3,000.00~~ \$6,000.00 in cash or gifts
62 of equivalent value during any calendar week. It shall be unlawful to exceed such
63 limitation at any combination of locations operated by a single licensee or such licensee's
64 agents or employees. It shall be unlawful for two or more licensees to pyramid the
65 valuation of prizes in such manner as to exceed the limitation contained in this Code
66 section. The term 'equivalent value' shall mean the fair market value of the gift on the date
67 the gift is given as the prize in a bingo game.

68 (g) No person or organization by whatever name or composition thereof shall take any
69 salary, expense money, or fees for the operation of any bingo game, except that not more
70 than ~~\$30.00 per day~~ \$150.00 per session may be paid to one or more individuals for
71 assisting in the conduct of such games ~~on such day~~ during such session.

72 (h) No person shall pay consulting fees to any person for any services performed in
73 relation to the operation or conduct of a bingo game.

74 (i) A person who is a member of more than one nonprofit, tax-exempt organization shall
75 be permitted to participate in the bingo operations of only two organizations of which such
76 person is a member; provided, however, that such person shall not receive more than
77 ~~\$30.00 per day~~ \$150.00 per session for assisting in the conduct of bingo games regardless
78 of whether such person assists both organizations in the same day."

79 **SECTION 4.**

80 All laws and parts of laws in conflict with this Act are repealed.