

WORKING DRAFT

HOUSE BILL NO. _____

Regulation of bingo.

Sponsored by: Joint Travel, Recreation, Wildlife and Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to crimes and offenses; clarifying and
2 amending the definition of bingo as an activity excluded
3 from the definition of gambling; specifying entities
4 authorized to conduct bingo games; specifying conditions;
5 authorizing cities, towns and counties to prohibit or
6 restrict bingo activities; and providing for an effective
7 date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 6-1-705 is created to read:

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13 **6-1-705. Bingo permitted for restricted purposes;**
14 **conditions.**

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1 (a) The game of bingo as defined in W.S. 6-7-
2 101(a)(xi) shall not be construed as gambling under this
3 article if all of the following are met:

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5 (i) The bingo game is conducted by:

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7 (A) A bona fide congressionally chartered
8 veterans' organization or its duly organized auxiliary;

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10 (B) A religious, charitable, educational or
11 fraternal organization;

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13 (C) A local civic or service club; or

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15 (D) A volunteer fire department.

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17 (ii) The entity conducting the bingo game shall
18 have been in operation for at least three (3) years before
19 conducting any bingo game;

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21 (iii) The entity conducts social activities
22 other than bingo operations in this state;

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1 (iv) Other than the money or other prizes
2 awarded to players winning bingo, the moneys paid to play
3 bingo do not inure to the benefit of any individual.
4 Nothing in this paragraph shall be construed to prohibit
5 compensation authorized under paragraph (vi) of this
6 subsection nor to prohibit the entity conducting the bingo
7 operation from donating funds to a single individual for
8 benevolent purposes;

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10 (v) No corporation or other business entity
11 other than the entities specified in paragraph (i) of this
12 subsection conducts the bingo game or assists therein;

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14 (vi) No compensation of any kind in excess of
15 the state minimum wage per hour or sixty dollars (\$60.00)
16 per day, whichever is greater, in value is paid to any
17 person for services rendered in connection with the conduct
18 of the bingo game. The provisions of this paragraph do not
19 apply to bingo games conducted in connection with any of
20 the following events:

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22 (A) A county fair;

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24 (B) The state fair; or

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(C) A civic celebration recognized by resolution or other similar official action of the governing body of a county, city or town.

(vii) The maximum price charged for each bingo card shall be two dollars (\$2.00) and no prize in excess of five hundred dollars (\$500.00) shall be awarded at any one (1) game of bingo;

(viii) The entities authorized under paragraph (i) of this subsection, before conducting a bingo game, provide thirty (30) days written notice of the time and place thereof to the governing body of the city or town in which it intends to conduct the bingo game, and the governing body does not pass a resolution prohibiting the conduct of the game. If the game is conducted in an unincorporated area of a county, notice under this paragraph shall be provided to board of county commissioners and the that board shall have authority to pass a resolution prohibiting the conduct of the game. If no such resolution is passed by the city, town or county having jurisdiction, the game may be conducted as specified in the notice;

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2 (ix) No entity authorized under paragraph (i) of
3 this subsection to conduct a bingo game shall enter into
4 any lease or agreement with any other person to provide
5 equipment or services associated with the conduct of a
6 bingo game. The provisions of this paragraph shall not be
7 construed to prohibit the authorized entity from purchasing
8 equipment to conduct the bingo game;

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10 (x) Any entity conducting bingo in this state
11 shall report to the department of revenue and the division
12 of criminal investigation annually all income and
13 expenditures related to the operation of bingo. The report
14 shall be filed not later than March 1, for the preceding
15 year. Records related to any bingo operation in this state
16 shall be made available upon request of the division of
17 criminal investigation; and

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19 (xi) Not less than seventy-five percent (75%) of
20 all monies paid to the entity conducting the bingo game and
21 not returned to players as winnings shall be used to
22 support a benevolent purpose. For purposes of this
23 paragraph "benevolent purpose" means for the relief of
24 poverty, medical condition or condition of public concern

1 or for the benefit of an educational or youth sports
2 activity.

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4 **Section 2.** W.S. 6-7-101(a)(iii)(D), (E), (G) and by
5 creating a new subdivision (H) and 15-1-103(a)(xvi)(A) and
6 18-2-101(a) by creating a new paragraph (viii) are amended
7 to read:

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9 **6-7-101. Definitions.**

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11 (a) As used in this article:

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13 (iii) "Gambling" means risking any property for
14 gain contingent in whole or in part upon lot, chance, the
15 operation of a gambling device or the happening or outcome
16 of an event, including a sporting event, over which the
17 person taking a risk has no control, but does not include:

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19 (D) Raffles ~~or bingo~~ conducted, or pull
20 tabs sold, by charitable or nonprofit organizations where
21 the tickets for the raffle ~~or bingo~~ are sold only in this
22 state and the pull tabs are sold only on the premises owned
23 or occupied by the charitable or nonprofit organization;

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1 (E) Any game, wager or transaction which is
2 incidental to a bona fide social relationship, is
3 participated in by natural persons only, and in which no
4 person is participating, directly or indirectly, in
5 professional gambling; ~~or~~

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7 (G) Display or private use of antique
8 gambling devices in the owner's residence; or

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10 (H) Bingo conducted in accordance with W.S.
11 6-7-105.

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13 (xi) "Bingo" means a game meeting the
14 specifications of this paragraph. Each player is supplied
15 a card or board containing five (5) adjoining horizontal
16 and vertical rows with five (5) spaces in each row, each
17 containing a number or symbol therein, except for the
18 central row with four (4) spaces, each containing a number
19 or symbol therein and the word "free" marked in the center
20 space thereof. Upon announcement by the person conducting
21 the game of any number or symbol appearing on the player's
22 card or board, the space containing the symbol or number is
23 covered by the player. When the player shall have covered
24 all five (5) spaces in any horizontal or vertical row, or

1 shall have covered four (4) spaces and the "free" space in
2 a five (5) space diagonal, horizontal or vertical row, or
3 shall have covered the required combination of spaces in
4 some other preannounced pattern or arrangement, such
5 combination of spaces covered shall constitute "bingo".
6 The player or players first verified as covering the spaces
7 constituting "bingo" shall be awarded money, merchandise or
8 some other consideration by the person conducting the game.
9 Each bingo game shall continue until at least one (1)
10 player's card or board has reached the pattern or
11 arrangement which is verified as "bingo". All players
12 during the course of a game shall compete for the same
13 prizes utilizing different arrangements of the same set of
14 numbers or symbols.

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16 **15-1-103. General powers of governing bodies.**

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18 (a) The governing bodies of all cities and towns may:

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20 (xvi) Suppress or prohibit:

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22 (A) All gambling games or devices except
23 antique gambling devices as defined in W.S. 6-7-101(a)(x)
24 and authorize the destruction thereof. "Bingo" as defined

1 by W.S. 6-7-101(a)(xi) may be prohibited or restricted by
2 the governing body;

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4 **18-2-101. General powers.**

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6 (a) Each organized county in the state is a body
7 corporate and politic. The powers of the county shall be
8 exercised by a board of county commissioners which may:

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10 (viii) Prohibit or restrict "bingo" as defined
11 by W.S. 6-7-101(a)(xi).

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13 **Section 3.** This act is effective July 1, 2005.

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(END)