

ENROLLED ACT NO. 5, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

AN ACT relating to gambling; amending definitions; clarifying that profit from gambling does not include benefits of proprietorship; providing standards for bingo games; limiting games to charitable and nonprofit organizations existing for three years; limiting persons authorized to operate games; specifying uses for proceeds of bingo games; and providing for an effective date.

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

Section 1. W.S. 6-7-101(a)(iii)(D), by creating a new subparagraph (H), (ix) and by creating new paragraphs (xi) and (xii) is amended to read:

6-7-101. Definitions.

(a) As used in this article:

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

(D) ~~Raffles or~~ Bingo games conducted, or pull tabs sold, by charitable or nonprofit organizations where the tickets for the ~~raffle or~~ bingo are sold only in this state and the pull tabs are sold only on the premises owned or occupied by the charitable or nonprofit organization+ provided that:

(I) Bingo games and pull tab games shall only be conducted by charitable or nonprofit organizations, which have been in existence in this state for at least three (3) years;

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(II) In conducting bingo games and pull tab games the organization shall use only volunteers who are bona fide members of the charitable or nonprofit organization or employees or contractors who are paid by the organization to assist in the operation of the game;

(III) Players of bingo games or pull tab games shall be eighteen (18) years or older;

(IV) At least sixty-five percent (65%) of all gross sales shall be redeemed as winnings each month. The net proceeds after payment of winnings shall be restricted as follows:

(1) No more than forty percent (40%) of net proceeds shall be paid to distributors or manufacturers of supplies or equipment necessary to conduct the game; and

(2) Seventy-five percent (75%) of the net proceeds remaining after payment for all costs and supplies shall be donated within one (1) year by the organization to a bona fide charitable or benevolent purpose.

(V) The charitable or nonprofit organization conducting the bingo game or pull tab game may purchase supplies or equipment necessary to conduct the game from a distributor or manufacturer at a price based on a per card or pull tab basis subject to the limitations provided in subdivision (D)(IV)(1) of this paragraph.

(H) Raffles conducted for charitable purposes.

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(ix) "Profit" means benefit other than a gain, which is realized or unrealized and direct, ~~or indirect,~~ including benefits from ~~proprietorship, management or~~ unequal advantage in a series of transactions but does not include benefits of proprietorship or management of a business wherein a game, wager or transaction described in W.S. 6-7-101(a)(iii)(E) occurs;

(xi) "Charitable or nonprofit organization" means an organization recognized as a charitable or nonprofit organization under Wyoming statutes and which possesses a valid exemption from federal income tax issued by the Internal Revenue Service under the provisions of 26 U.S.C. § 501(c);

(xii) "Bingo game" means a game of chance in which a prize or prizes are awarded to a player or players who obtain a designated pattern or sequence of numbers or symbols on a card that is the same pattern or sequence of numbers or symbols selected at random by a mechanical blower or tumbler or a computer generated random generator subject to the following:

(A) The bingo card shall be a paper, hard card or electronically generated card, but an electronically generated card shall be played only in conjunction with a paper or hard card unless the player has a disability that prevents the use of a paper or hard card. The organization conducting the bingo game shall keep a paper copy of all electronically generated cards offered, used or sold on the premises;

(B) All players during the course of a bingo game shall be on the same premises of the charitable or nonprofit organization where the numbers or symbols are generated, shall compete for the same prizes utilizing the

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same set of numbers or symbols and shall share the same deck or series of bingo cards for each game wherein no two (2) cards distributed to the players are identical in the same game and at least one (1) player shall win the prize in each game played;

(C) There shall be a minimum of two (2) players participating in each game before a game can begin.

Section 2. This act is effective July 1, 2007.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk