

LEGISLATIVE BILL 429

Approved by the Governor April 2, 2003

Introduced by Hartnett, 45; Janssen, 15

AN ACT relating to the Nebraska Bingo Act; to amend sections 9-203, 9-204, and 9-241.10, Reissue Revised Statutes of Nebraska, and sections 9-201 and 9-204.01, Revised Statutes Supplement, 2002; to authorize the use of bingo card monitoring devices; to define and redefine terms; to change provisions relating to the use of bingo cards; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 9-201, Revised Statutes Supplement, 2002, is amended to read:

9-201. Sections 9-201 to 9-266 and section 5 of this act shall be known and may be cited as the Nebraska Bingo Act.

Sec. 2. Section 9-203, Reissue Revised Statutes of Nebraska, is amended to read:

9-203. For purposes of the Nebraska Bingo Act, unless the context otherwise requires, the definitions found in sections 9-204 to 9-225.01 and section 5 of this act shall be used.

Sec. 3. Section 9-204, Reissue Revised Statutes of Nebraska, is amended to read:

9-204. (1) Bingo shall mean that form of gambling in which:

(a) The winning numbers are determined by random selection from a pool of seventy-five or ninety numbered designators; and

(b) Players mark by physically daubing or covering or, with the aid of a bingo card monitoring device, otherwise concealing those randomly selected numbers which match on bingo cards which they have purchased or leased only at the time and place of the bingo occasion.

(2) Bingo shall not mean or include:

(a) Any scheme which uses any mechanical gaming device, computer gaming device, electronic gaming device, or video gaming device which has the capability of awarding something of value, free games redeemable for something of value, or tickets or stubs redeemable for something of value;

(b) Any activity which is authorized or regulated under the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, the State Lottery Act, section 9-701, or Chapter 2, article 12; or

(c) Any activity which is prohibited under Chapter 28, article 11.

Sec. 4. Section 9-204.01, Revised Statutes Supplement, 2002, is amended to read:

9-204.01. Bingo card shall mean:

(1) In the case of seventy-five-number bingo, a disposable paper bingo card, a facsimile of a bingo card electronically displayed on a bingo card monitoring device, or a reusable hard bingo card or shutter card, which has letters and numbers preprinted or predetermined by the a manufacturer and which:

(a) Contains five columns with five squares in each column;

(b) Identifies the five columns from left to right by the letters B-I-N-G-O; and

(c) Contains in each square, except for the center square identified as "free", one number from a pool of seventy-five numbers; or

(2) In the case of ninety-number bingo, a disposable paper bingo card or facsimile of a bingo card electronically displayed on a bingo card monitoring device which has numbers preprinted or predetermined by the a manufacturer and which:

(a) Contains six faces with each face containing twenty-seven squares arranged in nine columns of three squares each; and

(b) Contains in fifteen squares of each face a number from one to ninety which is not repeated on the same card.

The department may approve variations to the card formats described in subdivisions (1) and (2) of this section if such variations result in a bingo game which is conducted in a manner that is consistent with section 9-204.

Sec. 5. Bingo card monitoring device shall mean a technological aid which allows a bingo player to enter bingo numbers as they are announced at a bingo occasion and which marks or otherwise conceals those numbers on bingo

cards which are electronically stored in and displayed on the device. A bingo card monitoring device shall not mean or include any device into which currency, coins, or tokens may be inserted or from which currency, coins, tokens, or any receipt for monetary value can be dispensed or which, once provided to a bingo player, is capable of communicating with any other bingo card monitoring device or any other form of electronic device or computer.

Sec. 6. Section 9-241.10, Reissue Revised Statutes of Nebraska, is amended to read:

9-241.10. (1) An organization licensed to conduct bingo under a Class II license shall use only disposable paper bingo cards meeting the requirements of section 9-255.01 not use any reusable hard bingo card or shutter card to conduct bingo.

(2) All licensed organizations shall accurately account for and report the sale, use, rental, or lease of all bingo cards used at each bingo occasion. The department shall prescribe by rule and regulation the method by which such sale, use, rental, or lease is to be recorded, including, but not limited to, the manner in which all bingo cards are to be issued and receipted at a bingo occasion.

(3) The department shall establish by rule and regulation the manner in which bingo shall be conducted, including rules for the methods of conducting and playing bingo and for the utilization of bingo supplies and bingo equipment to insure that each player is afforded a fair and equal opportunity to win.

Sec. 7. Original sections 9-203, 9-204, and 9-241.10, Reissue Revised Statutes of Nebraska, and sections 9-201 and 9-204.01, Revised Statutes Supplement, 2002, are repealed.

Sec. 8. Since an emergency exists, this act takes effect when passed and approved according to law.