

SECOND REGULAR SESSION

HOUSE BILL NO. 875

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SALVA.

Pre-filed December 16, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3130L.011

AN ACT

To repeal sections 313.005, 313.007, 313.010, 313.015, 313.025, 313.030, 313.040, 313.045, 313.050, 313.052, 313.055, 313.057, 313.065, 313.070, 313.075, 313.080 and 313.085, RSMo, and to enact in lieu thereof twenty-two new sections relating to bingo and satellite bingo, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 313.005, 313.007, 313.010, 313.015, 313.025, 313.030, 313.040, 2 313.045, 313.050, 313.052, 313.055, 313.057, 313.065, 313.070, 313.075, 313.080 and 313.085, 3 RSMo, are repealed and twenty-two new sections enacted in lieu thereof, to be known as sections 4 313.005, 313.007, 313.010, 313.015, 313.025, 313.030, 313.040, 313.045, 313.050, 313.052, 5 313.055, 313.057, 313.065, 313.070, 313.075, 313.080, 313.085, 313.090, 313.095, 313.100, 6 313.105 and 313.110, to read as follows:

313.005. As used in sections 313.005 to [313.080] **313.110**, the following terms shall 2 mean:

3 (1) "Bingo", a game in which each participant receives one or more cards, including, but 4 not limited to, pull-tab cards, marked off into twenty-five squares arranged on five horizontal 5 rows of five squares each; or, one or more cards marked off into twenty-five squares arranged 6 on five horizontal rows of five squares each which are not pull-tab cards and, in addition thereto, 7 one or more pull-tab cards. Each square is designated by number, letter or by a combination of 8 numbers and letters, except that the center square on the card shall be designated with the word 9 "free". No two cards shall be identical. As the announcer of the game announces a number, 10 letter or a combination of numbers and letters, each player covers the square corresponding to

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

11 the announced number, letter or combination by marking such card in ink. The numbers, letters
12 or combination of numbers and letters which are announced shall appear on an object selected
13 by chance, either manually or mechanically, from a receptacle containing the objects bearing
14 numbers, letters or combinations of numbers and letters. The winner of each game shall be the
15 player or players who are first to properly cover a predetermined and announced pattern of
16 squares upon the card or cards used by such player or players. A prize or prizes may be awarded
17 to the winner or winners of a game. **Bingo shall include pull-tab cards or tickets;**

18 (2) "Bingo card", an individual game face marked off into twenty-five squares arranged
19 on five horizontal rows of five squares each, one or more of which may be contained on a bingo
20 sheet;

21 (3) "Bingo equipment", all paraphernalia used to conduct a bingo game including
22 selection equipment, number display boards, and bingo cards and faces and other such related
23 equipment as may be defined by the rules and regulations of the commission. This definition
24 does not include audio or video equipment which plays no part in the conduct of the game other
25 than communicating the progress of the game or items used to mark numbers on the cards;

26 (4) "Bingo sheet", a disposable piece of paper containing one or more bingo cards;

27 (5) "Charitable organization", any organization which is organized and operated for the
28 relief of poverty, distress, or other condition of public concern within this state or organized for
29 financially supporting the activities of a charitable organization as hereinbefore defined. In order
30 to qualify as a charitable organization, no part of the net earnings of the organization may inure
31 to the benefit of any private shareholder or individual member of the organization. Charitable
32 organizations must have obtained an exemption from the payment of federal income taxes as
33 provided in section 501(c)(3) of the Internal Revenue Code of 1954, as amended;

34 (6) "Commission", the Missouri gaming commission;

35 (7) "Director", the director or other person in charge of the regulation of the game of
36 bingo, as designated by the Missouri gaming commission. **The director of bingo shall:**

37 (a) **Enforce the provisions of chapter 313;**

38 (b) **See that the Missouri gaming commission rules and regulations are upheld;**

39 (c) **Promote a climate where charity bingo can operate and flourish;**

40 (d) **Assist charity bingos with problems that fall within their purview;**

41 (e) **Allow innovative methods and technologies that aide in revenue production of**
42 **charity bingos;**

43 (f) **Formulate procedures for events such as promotions and raffles in which bingos**
44 **can participate;**

45 (g) **See that rules and regulations are in the best interest of the public;**

46 (h) **Enforce all other directives which the commission may provide from time to**

47 time;

48 **(8) "Distribute", the selling, marketing, leasing and renting of bingo equipment,**
49 **pull-tabs and bingo cards to licensed organizations;**

50 ~~[(8)]~~ **(9) "Fraternal organization", any organization within this state operating under the**
51 **lodge system which exists for the common benefit, brotherhood or other interest of its members**
52 **except college fraternities and sororities and of which no part of the net earnings inures to the**
53 **benefit of any private shareholder or any individual member of such organization and which has**
54 **been exempted from the payment of federal income tax as provided in section 501(c)(5),**
55 **501(c)(8), or 501(c)(10) Internal Revenue Code of 1954, as amended;**

56 ~~[(9)]~~ **(10) "Hall provider", a person or business entity which leases premises in which**
57 **bingo games or satellite bingo games are conducted;**

58 **(11) "Manufacturer", a person or business entity that sells, markets, or otherwise**
59 **provides bingo equipment, multihall bingo equipment, pull-tabs, or bingo cards that are**
60 **fabricated, assembled, or significant value added by such person or entity;**

61 ~~[(10)]~~ **(12) "Member", any organization who participates in a multihall bingo**
62 **network;**

63 **(13) "Multihall bingo", a game in which the multihall bingo producer conducts,**
64 **televises, and video records a game of bingo as defined in this section which is**
65 **simultaneously broadcast live by the multihall bingo broadcaster to every member of the**
66 **multihall bingo network. Multihall bingo is any game in which two or more distinct**
67 **facilities are joined via applicable technology to allow for the simultaneous playing of a**
68 **bingo game. A multihall bingo game has the following characteristics:**

69 **(a) The game uses cards drawn from a common pool;**

70 **(b) The proceeds from the game are pooled and prizes awarded from a central**
71 **source;**

72 **(c) The ball calls originate from a central source and are announced in real time**
73 **at the linked halls; and**

74 **(d) Verification of a winning card or cards occurs at the location at which the balls**
75 **are drawn;**

76 **(14) "Multihall bingo broadcaster", a multihall network which broadcasts bingo**
77 **games to members of the multihall bingo network;**

78 **(15) "Multihall bingo equipment", all paraphernalia used to produce or conduct**
79 **a multihall bingo game, including selection equipment, number display boards, bingo cards**
80 **and faces, multihall dishes and receivers, conference call systems, telephone lines, fax**
81 **machines, audio and video recording equipment, video cameras, television monitors,**
82 **computers, computer networks and other such equipment as may be defined by the rules**

83 **and regulations of the commission;**

84 **(16) "Multihall bingo network", a group of organizations licensed by the state**
85 **pursuant to this chapter to operate or participate in the game of multihall bingo;**

86 **(17) "Multihall bingo producer", a multihall bingo member who produces**
87 **multihall bingo games that are simultaneously transmitted live by the multihall bingo**
88 **broadcaster to the other members of the multihall bingo network;**

89 **(18) "Multilevel prizing", a prizing structure whereby the prize awarded is**
90 **dependant on the level and pattern, number of balls drawn, or event associated with the**
91 **card. The cost of each level of card and the resultant prize or the cost of each level of card**
92 **or the resultant prize is clearly defined prior to the player purchasing the card or cards;**

93 **(19) "Permutation (PERM)", a collection of unique card faces whereby each card**
94 **face has a unique identifying number or a unique predetermined arrangement of numbers**
95 **or symbols;**

96 **(20) "Precalled games", a game format in which a specified number of balls are**
97 **drawn and posted for player viewing prior to the player purchasing a sealed card. The**
98 **player purchases the sealed card, opens it, and daubs the called numbers on the revealed**
99 **face. If the player satisfies a predetermined pattern, he or she wins the associated prize;**

100 **(21) "Pull-tab card", any disposable card or ticket which accords a person an opportunity**
101 **to win something of value by opening, pulling, detaching, or otherwise removing tabs from the**
102 **card or ticket to reveal a set of numbers, letters, symbols, or configurations, or any combination**
103 **thereof. The term "pull-tab card" shall include any card known as a pickle ticket, pickle,**
104 **break-open, or pull-tab card;**

105 **[(11)] (22) "Religious organization", any organization, church, body of communicants,**
106 **or group, gathered in common membership for mutual support and edification in piety, worship**
107 **and religious observances. Such an organization may be a society of individuals united for**
108 **religious purposes at a definite place. In order to qualify as a religious organization, no part of**
109 **the net earnings of the organization may inure to the benefit of any private shareholder or any**
110 **individual member of such organization. Religious organizations shall maintain an established**
111 **place of worship within this state and shall have a regular schedule of services or meetings at**
112 **least on a weekly basis. Religious organizations must have obtained an exemption from the**
113 **payment of federal income taxes as provided by section 501(c)(3) or section 501(d) of the**
114 **Internal Revenue Code of 1954, as amended;**

115 **[(12)] (23) "Service organization", any organization commonly known as a civic club**
116 **or county fair or other organization if such organization is a religious, charitable, fraternal,**
117 **veteran or service organization as described in article III, section 39(a) of the Missouri**
118 **Constitution and of which no part of the net earnings inures to the benefit of any private**

119 shareholder or individual member of such organization. Service organizations must have
120 obtained an exemption from the payment of federal income taxes as provided in section
121 501(c)(4), 501(c)(5) or 501(c)(7) of the Internal Revenue Code of 1954, as amended;

122 **(24) "Share the wealth game", any game whereby the prize awarded to the player**
123 **is derived as a percentage of the total value of the cards sold for the game. The minimum**
124 **prize awarded can be no less than fifty percent of the value of the cards sold for the game;**

125 **(25) "Style of pull-tab play", pull-tabs that can be used with or combined with any**
126 **of the following forms:**

127 **(a) Sign-up boards;**

128 **(b) Tip boards;**

129 **(c) Coin boards;**

130 **(d) Hold tickets;**

131 **(e) Instant tickets;**

132 **(f) Event hold cards or tickets;**

133 **(g) Event game tickets;**

134

135 **An event ticket winner or winners are determined by some subsequent action such as a**
136 **drawing of a ball or balls, spinning a wheel or wheels, opening of a seal on a flare or flares,**
137 **or a caller card or cards, or any other method that has designated numbers, letters, and**
138 **symbols, or numbers, letters, or symbols that conform to the randomly selected numbers,**
139 **letters and symbols, or numbers, letters, or symbols;**

140 **[(13)] (26) "Supplier", a person or business entity that sells, markets or otherwise**
141 **provides bingo equipment or supplies to any bona fide religious, charitable, fraternal, veteran or**
142 **service organization;**

143 **[(14)] (27) "Veterans' organization", a post or organization of veterans, or an auxiliary**
144 **unit or society of, or a trust or foundation for, any such post or organization:**

145 **(a) Organized in the United States or any of its possessions;**

146 **(b) In which at least seventy-five percent of the members of which are war veterans and**
147 **substantially all of the other members of which are individuals who are veterans (but not war**
148 **veterans) or are cadets, or are spouses, widows or widowers of war veterans of such individuals;**
149 **and**

150 **(c) In which no part of the net earnings of which inures to the benefit of any private**
151 **shareholder or individual and which has been exempted from payment of federal income taxes**
152 **as provided by section 501(c)(19) of the Internal Revenue Code of 1954, as amended.**

313.007. 1. Notwithstanding any other provisions of law to the contrary, all net proceeds
2 derived from the state taxes contained in this chapter relating to bingo **or multihall bingo** shall

3 be deposited in the "Bingo Proceeds for Education Fund", which is hereby created in the state
4 treasury. Moneys in this fund shall be considered state funds pursuant to article IV, section 15
5 of the Missouri Constitution. All interest received on bingo proceeds for education fund shall
6 be credited to the bingo proceeds for education fund. Appropriations of the moneys deposited
7 in the bingo proceeds for education fund shall be pursuant to state law. The provisions of section
8 33.080, RSMo, requiring all unexpended balances remaining in various state funds to be
9 transferred and placed to the credit of the ordinary revenue fund of this state at the end of each
10 biennium shall not apply to the bingo proceeds for education fund. All net tax receipts collected
11 pursuant to subsection 10 of section 313.057 shall be paid over immediately to the state treasurer
12 to be deposited to the credit of the bingo proceeds for education fund. 2. This section shall
13 become effective July 1, 1993.

313.010. 1. Any bona fide religious, charitable, fraternal, veteran or service
2 organization, which has been in existence for at least five years immediately prior to making an
3 application for a license and which, during that period, has had twenty bona fide members, may
4 conduct the game of bingo **or multihall bingo** upon receiving a license from the commission.
5 Any combination of unlicensed but eligible organizations[, not to exceed five,] may join in
6 making an application and may receive a single license to conduct the game of bingo **or**
7 **multihall bingo games**. Any information or report required by sections 313.005 to 313.080
8 from an organization shall contain the required information regarding all of the organizations
9 joined in the license and all requirements under sections 313.005 to 313.080 shall apply with
10 respect to all joined organizations and the membership thereof.

11 2. Notwithstanding any other provisions to the contrary, the commission shall require
12 only an abbreviated license, pursuant to the provisions of section 313.020, and an abbreviated
13 licensing fee of ten dollars per event, for any bona fide religious, charitable, fraternal, veteran
14 or service organization which conducts a bingo game on not more than [four] **sixty** occasions
15 annually at which only pull-tab cards may be used. The organization shall have been in existence
16 for at least five years immediately prior to the first occasion on which such organization conducts
17 a bingo pull-tab game and during this period shall have had twenty bona fide members. For the
18 purposes of this subsection, "occasion" means an event having a duration of less than twenty-four
19 hours. An organization that has been granted an abbreviated license shall be exempt from the
20 provisions of subdivisions (11) and (14) of section 313.040.

313.015. 1. The commission shall issue a license for the conducting of bingo to any
2 bona fide religious, charitable, fraternal, veteran or service organization or to any combination
3 of eligible organizations[, not to exceed five,] which submits an application on a form prescribed
4 by the director and which satisfies the director that such organization meets all of the
5 requirements of sections 313.005 to 313.080. The burden of proof is at all times on the applicant

6 to demonstrate by clear and convincing evidence its suitability to be licensed. Each license so
7 issued shall expire at midnight one year from its date of issuance. The commission, in its sole
8 discretion, may reopen licensure hearings for any licensee at any time.

9 2. An applicant may hold only one license and that license may not be transferred or
10 assigned to any other organization other than the organization named in the license. Each
11 licensed organization shall pay to the director an annual, nonrefundable license fee of fifty
12 dollars; provided, however, each licensed organization which awards to winners of bingo games
13 prizes or merchandise having an aggregate retail value of five thousand dollars or less annually
14 and less than one hundred dollars in any single day shall pay to the director an annual fee of ten
15 dollars to be paid into the state treasury to the credit of the gaming commission bingo fund. The
16 director may, upon application made by a county fair organization or by any organization
17 qualified to receive a regular license, issue a special license authorizing such organization to
18 conduct bingo for the period of any fair, picnic, festival or celebration conducted by such
19 qualified organization not exceeding one week and which is held not more than once annually,
20 and a special licensee shall be exempt from the provisions of subdivisions (7) and (11) of section
21 313.040. Each organization receiving a special license shall pay to the director a fee of
22 twenty-five dollars, to be paid into the state treasury to the credit of the gaming commission
23 bingo fund.

24 3. Any organization that obtains more than three special bingo licenses during any
25 calendar year shall be required to file an annual report as required in section 313.045.

313.025. 1. If any applicant for licensure or organization licensed under sections
2 313.005 to 313.080 proposes to conduct bingo **or multihall bingo** on leased premises or use
3 leased equipment, the terms of the lease shall be reduced to writing and a copy of the lease shall
4 be submitted to the commission. The commission may approve or disapprove any such lease.
5 No lease which has been approved by the commission shall be amended, modified or renewed
6 in any manner until such amendments, modifications or renewals have been approved by the
7 commission. No lease providing for a rental arrangement for premises or equipment for use in
8 the game shall provide for payment in excess of the reasonable market rental rate for such
9 premises or equipment and in no case shall any payment be based on a percentage of gross
10 receipts or proceeds. The reasonable market rental rate shall be determined by the commission
11 **or qualified appraiser or commission and qualified appraisal.**

12 2. If any applicant for licensure or any organization licensed under the provisions of
13 sections 313.005 to 313.080 proposes to purchase or lease bingo supplies, **multihall supplies,**
14 bingo equipment, **multihall bingo equipment,** or bingo services or premises in which bingo **or**
15 **multihall bingo** will be conducted, the applicant or licensee may be required at the discretion
16 of the commission to submit in writing a detailed listing of the supplies to be purchased or leased

17 together with the quoted price therefor and a copy of the lease, if such supplies are to be leased.
18 No purchase or lease of bingo supplies **or multihall bingo supplies** shall provide for payment
19 in excess of the reasonable market purchase price or reasonable market rental rate for such
20 equipment and in no case shall any payment be based on a percentage of gross receipts or
21 proceeds. The reasonable market purchase price or reasonable market rental rate shall be
22 determined by the commission.

23 3. Persons who lease premises, sell or lease supplies or equipment, or furnish
24 commodities or services to sponsoring organizations to conduct bingo games **or multihall bingo**
25 **games** shall take no part in operating such bingo games **or multihall bingo games**.

313.030. Any organization licensed to play bingo which changes any of its officers,
2 directors or officials during the term of the bingo license shall immediately report the names and
3 addresses of such individuals to the director, along with a sworn statement of each such
4 individual as required on forms furnished by the director. Each licensee shall display the license
5 in a prominent place in the area where it is to conduct bingo. The license issued by the
6 commission shall authorize the licensee to conduct only the [game] **games** commonly known as
7 bingo **or multihall bingo**.

313.040. The conducting of bingo **or multihall bingo** is subject to the following
2 restrictions:

3 (1) (a) The entire net receipts over and above the actual cost of conducting the game
4 shall be exclusively devoted to the lawful, charitable, religious or philanthropic purposes of the
5 organization permitted to conduct that game and no receipts shall be used to **monetarily**
6 compensate [in any manner] any person who works for or is in any way affiliated with the
7 licensed organization. Any person who violates the provisions of this paragraph shall be guilty
8 of a class D felony;

9 (b) Proceeds from the [game] **games** of bingo **or multihall bingo** may not be loaned to
10 any person, except that this provision shall not prohibit the investment of the proceeds in any
11 licensed banking or savings institution, instrument of the United States, Missouri, or any political
12 subdivision thereof. Any person who violates the provisions of this paragraph shall be guilty of
13 a class C misdemeanor; and

14 (c) The actual cost of conducting the game shall only include the following:

15 a. The cost of the prizes;

16 b. The purchasing of the bingo cards **and pull-tab tickets** from a licensed supplier **or**
17 **multihall broadcaster**;

18 c. The purchasing or leasing of the equipment used in conducting the [game] **games**;

19 d. The lease rental on the premises in which the [game is] **games are** conducted to
20 include an allocation of utility costs, if applicable, costs of providing security, including the

21 employment of a reasonable number of security personnel at a compensation level which
22 complies with rules and regulations promulgated by the commission and such personnel is
23 actually present and engaged in security duties, and bookkeeping and accounting expenses;

24 e. The actual cost of providing reasonable janitorial services. The cost of such services
25 shall not be above the fair market rate charged for similar services in the community where the
26 bingo [game is] **games are** being conducted;

27 f. Subject to constitutional restrictions, if any, the fair market cost of advertising each
28 bingo occasion. Such advertising shall be procured in accordance with the rules and regulations
29 of the commission;

30 (2) No person shall participate in conducting or managing the [game] **games** of bingo
31 **or multihall bingo** except a person who has been a bona fide member of the licensed
32 organization for at least two years immediately preceding such participation, who is not a paid
33 staff person of the licensed organization employed and compensated specifically for conducting
34 or managing the [game] **games** of bingo **or multihall bingo** and who volunteers the time and
35 service necessary to conduct the game. Subject to constitutional restrictions, if any, no person
36 shall participate in the actual operation of the [game] **games** of bingo **or multihall bingo** under
37 the direction of a person conducting or managing the [game] **games** of bingo **or multihall bingo**,
38 except a person who has been a bona fide member of the licensed organization for at least one
39 year immediately preceding such participation, who is not a paid staff person of the licensed
40 organization employed and compensated specifically for operating the [game] **games** of bingo
41 **or multihall bingo** and who volunteers the time and service necessary to operate the game. If
42 any post or organization, by its national charter, has established an auxiliary organization for
43 spouses, then members of the auxiliary organization shall be considered bona fide members of
44 the licensed organization and members of the post or organization shall be considered bona fide
45 members of the auxiliary organization for the purposes of this subdivision. Any person who is
46 a duly ordained member of the clergy and any person who is a full-time employee or staff
47 member of the licensed organization employed for at least two years by that organization in a
48 capacity not directly related to the conducting or managing of the [game] **games** of bingo **or**
49 **multihall bingo**, who has specific assigned duties under a definite job description with the
50 licensed organization, and who volunteers time and assistance to the organization without
51 compensation for such time and assistance in the conducting and managing of the [game] **games**
52 of bingo **or multihall bingo** by the organization shall not be considered a paid staff person for
53 the purposes of this subdivision. [No full-time employee or staff member shall volunteer such
54 time and assistance to more than one organization nor more than one day in any week.] The
55 commission shall establish guidelines for the determination of whether a person is a paid staff
56 person within the meaning of this subdivision and shall specifically approve any full-time

57 employee or staff member of the organization before such employee or staff member may
58 volunteer time and assistance in the conducting and managing of bingo games **or multihall**
59 **bingo games** for any organization. The commission may suspend the approval of any employee
60 or staff member;

61 (3) No person, firm, partnership or corporation shall receive any **monetary**
62 remuneration, profit or gift for participating in the management, conduct or operation of the
63 [game] **games**, including the granting or use of bingo cards without charge or at a reduced charge
64 from the licensed organization or from any other source;

65 (4) The aggregate retail value of all prizes or merchandise awarded, except prizes or
66 merchandise awarded by pull-tab cards, **multihall bingo games**, and progressive bingo games,
67 in any single [day] **occasion** of bingo may not exceed three thousand six hundred dollars [and
68 the prize awarded for any one game], other than progressive bingo games authorized pursuant
69 to section 313.013, [may not exceed five hundred dollars cash or its equivalent. No more than
70 one five-hundred-dollar prize, other than prizes in progressive bingo games] **and all multihall**
71 **bingo games**, shall be awarded on any single [day] **occasion** of bingo;

72 (5) The number of games may not exceed sixty-two in any one day, including regular and
73 special games. For purposes of this subdivision, the use of a pull-tab card, **multihall bingo**
74 **games**, and progressive bingo games shall not count as one of the sixty-two games per day, as
75 limited by this subdivision, but no pull-tab card may be used except in conjunction with one of
76 such sixty-two games;

77 (6) [The price paid for a single bingo card under the license may not exceed one dollar.
78 The commission may establish by rule or regulation the number of bingo cards which may be
79 placed on a single bingo sheet. The price for a single pull-tab card may not exceed one dollar.
80 The price for a single special game bingo card may not exceed fifty cents. A licensee may not
81 require a minimum number of cards to be purchased by any individual;

82 (7) The number of bingo [days] **occasions** conducted by a licensee under the provisions
83 of sections 313.005 to 313.080 shall **not** be limited [to one day per week];

84 [(8)] (7) Any person, officer or director of any firm or corporation, and any partner of
85 any partnership renting or leasing to a licensed organization equipment or premises for use in a
86 game shall meet all the qualifications set forth in subdivisions (1) to (5) and (8) of section
87 313.035 and shall not be a paid staff person of the licensee. Proof of compliance with this
88 subdivision shall be submitted to the commission by the licensee in the manner required by the
89 commission;

90 [(9)] (9) Subject to constitutional restrictions, if any, an organization licensed to conduct
91 bingo in the state of Missouri may advertise a bingo occasion or special event bingo if
92 expenditures for advertisement do not exceed two percent of the total amount expended from

93 receipts of bingo conducted by the licensed organization for charitable, religious or philanthropic
94 purposes. No advertising for any bingo occasion or occasions conducted by any organization
95 shall include any reference to an aggregate value of bingo prizes which exceed the amount
96 authorized by law to be paid out in a single bingo occasion;

97 (10)] **(8)** No person under the age of sixteen years may play or participate in the
98 conducting of bingo **or multihall bingo**. Any person under the age of sixteen years may be
99 within the area where bingo **or multihall bingo** is being played only when accompanied by his
100 parent or guardian;

101 [(11)] **(9)** **Other than a special bingo occasion** no licensee shall lease premises in
102 which it conducts bingo games **or multihall bingo games** from someone who is not a hall
103 provider licensed by the commission;

104 [(12)] **(10)** No licensee shall pay any consulting fees to any person for any service
105 performed in relation to the bingo game **or multihall bingo game**;

106 [(13)] No licensee shall pay concession fees to any person who provides refreshments to
107 the participants in the bingo game;

108 (14) No licensee shall conduct a bingo session at any time during the ten-hour period
109 between midnight and 10:00 a.m.;

110 (15)] **(11)** No licensee, while a bingo game **or multihall bingo game** is being conducted,
111 shall knowingly permit entry to any part of the licensed premises to any person of notorious or
112 unsavory reputation or who has an extensive police record or who has been convicted of a
113 felony;

114 [(16)] No vending machine or any mechanized coin-operated machine may be used to sell
115 pull-tab cards or to pay prize money, merchandise gifts or any other form of a prize;

116 (17) No rented or reusable bingo cards may be used to conduct any game. All games
117 must be conducted with disposable paper bingo cards that are marked by permanent ink as
118 prescribed by the rules and regulations of the commission;]

119 **(12) No rented or reusable bingo cards may be used to conduct any game. All**
120 **games must be conducted with either disposable paper bingo cards that are marked by**
121 **permanent ink as prescribed by the rules and regulations of the commission or electronic**
122 **card faces as prescribed by the rules and regulations of the commission;**

123 [(18)] **(13)** No licensee shall purchase or use any bingo supplies **or multihall bingo**
124 **supplies** from a person who is not licensed by the state of Missouri as a bingo supplier.

 313.045. Each licensee which awards to winners of bingo games **or multihall bingo**
2 **games** prizes or merchandise having an aggregate retail value of more than seven thousand five
3 hundred dollars annually shall report annually to the commission on forms prescribed by the
4 commission the following information:

- 5 (1) The number of games it has conducted during the reporting year;
- 6 (2) The location at which and the days it conducted games;
- 7 (3) The gross receipts it received from each game;
- 8 (4) An itemization of the cost of conducting each game, other than for prizes, and the
- 9 names and addresses of the person to whom said expenses were paid;
- 10 (5) The purposes for which the net proceeds of the game were used and the amounts so
- 11 used;
- 12 (6) Any other information that the director may require by rule or regulation.

313.050. Each licensee shall keep a complete record of bingo games **and multihall**
2 **bingo games** conducted within the previous three years. Such records shall be open to
3 inspection by the commission.

313.052. A holder of any license shall be subject to imposition of penalties, suspension
2 or revocation of such license, or other action for any act or failure to act by [himself] **the license**
3 **holder** or his **or her** agents or employees, that is injurious to the public health, safety, good order
4 and general welfare of the people of the state of Missouri, or that would discredit or tend to
5 discredit charitable bingo operations in Missouri or the state of Missouri unless the licensee
6 proves by clear and convincing evidence that he **or she** is not guilty of such action. The
7 commission shall take appropriate action against any licensee who violates the law or the rules
8 and regulations of the commission. Without limiting other provisions of sections 313.005 to
9 [313.085] **313.110**, the following acts or omissions may be grounds for such discipline:

- 10 (1) Failing to comply with or make provision for compliance with the provisions of
11 sections 313.005 to [313.085] **313.110**, the rules and regulations of the commission or any
12 federal, state or local law or regulation;
- 13 (2) Failing to comply with any rule, order or ruling of the commission or its agents
14 pertaining to bingo **or multihall bingo**;
- 15 (3) Receiving or purchasing goods or services from a person or business entity who does
16 not hold a supplier's or manufacturer's license issued pursuant to sections 313.005 to 313.085,
17 but who is required to hold such license by the provisions of sections 313.005 to 313.085 or the
18 rules and regulations of the commission;
- 19 (4) Associating with, either socially or in business affairs, or employing persons of
20 notorious or unsavory reputation or who have extensive police records, or who have failed to
21 cooperate with any officially constituted investigatory or administrative body and would
22 adversely affect public confidence and trust in gaming;
- 23 (5) Employing in any bingo **or multihall bingo** operation any person known to have
24 been found guilty of cheating or using any improper device in connection with any bingo game
25 **or multihall bingo game**;

26 (6) Use of fraud, deception, misrepresentation or bribery in securing any permit or
27 license issued pursuant to the provisions of sections 313.005 to 313.085;

28 (7) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud,
29 deception, or misrepresentation;

30 (8) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty
31 in the performance of the functions or duties regulated by the provisions of sections 313.005 to
32 [313.085] **313.110**;

33 **(9) Penalties and violations shall be scheduled by the commission for the purpose**
34 **of fair and equal application to all licensees, except for that provided in 313.080.**

313.055. 1. Until January 1, 1995, a tax is hereby imposed on each organization
2 conducting the game of bingo which awards to winners of bingo games prizes or merchandise
3 having an aggregate retail value of more than five thousand dollars annually and more than one
4 hundred dollars in any single day. The tax shall be in an amount equal to two and one-half
5 percent of the total gross receipts realized from each game of bingo conducted, shall be paid on
6 a monthly basis to the commission, by each person or licensee conducting a game or games of
7 bingo and shall be due on the fifteenth day of the month following the month in which each
8 bingo game was conducted. Beginning January 1, 1995, the tax shall be in the amount of
9 two-tenths of one cent upon each bingo card [and], progressive bingo game card, **and multihall**
10 **bingo game card** sold in Missouri to be paid by the supplier. The taxes, less two percent of the
11 total amount paid which may be retained by the supplier, shall be paid on a monthly basis to the
12 commission, by each supplier of bingo supplies **or multihall bingo supplies** and shall be due
13 on the last day of the month following the month in which the bingo card was sold, with the date
14 of sale being the date on the invoice evidencing the sale, along with such reports as may be
15 required by the commission. The taxes shall be deposited in the state treasury, credited to the
16 bingo proceeds for education fund.

17 2. All taxes not paid to the commission by the person or licensee required to remit the
18 same on the date when the same becomes due and payable to the commission under the
19 provisions of sections 313.005 to 313.085 shall bear interest at the rate to be set by the
20 commission not to exceed two percent per calendar month, or fraction thereof, from and after
21 such date until paid. In addition, the commission may impose a penalty not to exceed three times
22 the amount of taxes due for failure to submit the reports required by this section and pay the
23 taxes due.

313.057. 1. It is unlawful for any person, either as an owner, lessee or employee, to
2 operate, carry on, conduct or maintain any form of manufacturing, selling, leasing or distribution
3 of any bingo equipment or supplies **or multihall bingo equipment or supplies** without having
4 first procured and maintained a Missouri bingo equipment and supplies manufacturer or supplier

5 license.

6 2. The commission shall submit two sets of fingerprints for each key person, as defined
7 in commission rules and regulations, of an entity or organization seeking issuance or renewal of
8 a Missouri bingo equipment and supplies **or multihall bingo equipment and supplies**
9 manufacturer or supplier license, for the purpose of checking the person's prior criminal history
10 when the commission determines a nationwide check is warranted. The fingerprint cards and
11 any required fees shall be sent to the Missouri state highway patrol's criminal records division.
12 The first set of fingerprints shall be used for searching the state repository of criminal history
13 information. The second set of fingerprints shall be forwarded to the Federal Bureau of
14 Investigation, Identification Division, for the searching of the federal criminal history files. The
15 patrol shall notify the commission of any criminal history information or lack of criminal history
16 information discovered on the individual. Notwithstanding the provisions of section 610.120,
17 RSMo, all records related to any criminal history information discovered shall be accessible and
18 available to the commission.

19 3. The holder of a state bingo license may, within two years of cessation of conducting
20 bingo **or multihall bingo** or upon specific approval by the commission, dispose of by sale in a
21 manner approved by the commission, any or all of his **or her** bingo equipment and supplies **or**
22 **multihall bingo equipment and supplies**, without a supplier's license. In case of foreclosure
23 of a lien by a bank or other person holding a security interest for which bingo equipment **or**
24 **multihall bingo equipment** is security in whole or in part for the lien, the commission may
25 authorize the disposition of the bingo equipment **or multihall bingo equipment** without
26 requiring a supplier's license.

27 4. Any person whom the commission determines to be a suitable person to receive a
28 license pursuant to the provisions of this section may be issued a manufacturer's or supplier's
29 license. The commission may require suppliers to post a bond with the commission in an
30 amount and in the manner prescribed by the commission. The burden of proving his
31 qualification to receive or hold a license pursuant to this section is at all times on the applicant
32 or licensee.

33 5. The commission shall charge and collect from each applicant for a supplier's license
34 a one-time application fee set by the commission, not to exceed five thousand dollars. The
35 commission shall charge and collect an annual renewal fee for each supplier licensee not to
36 exceed one [thousand] **hundred** dollars.

37 6. The commission shall charge and collect from each applicant for a manufacturer's
38 license a one-time application fee set by the commission, not to exceed one thousand dollars.
39 The commission shall charge and collect an annual renewal fee for each manufacturer licensee
40 not to exceed [five hundred] **one thousand** dollars.

41 7. The commission shall charge and collect from each applicant for a hall provider's
42 license a one-time application fee set by the commission, not to exceed seven hundred fifty
43 dollars. The commission shall charge and collect an annual renewal fee for each hall provider
44 licensee not to exceed five hundred dollars.

45 8. All licenses issued pursuant to this section shall be issued for [the] **two** calendar [year]
46 **years** and shall expire on December thirty-first [of each year]. Regardless of the date of
47 application or issuance of the license, the fee to be charged and collected pursuant to this section
48 shall be **twice** the full annual fee.

49 9. All license fees collected pursuant to this section shall be paid over immediately to
50 the state treasurer to be deposited to the credit of the gaming commission bingo fund.

51 10. All licensees pursuant to this section shall maintain for a period of not less than three
52 years full and complete records of all business carried on in this state and shall make same
53 available for inspection to any duly authorized representative of the commission. If a supplier
54 does not receive payment in full from an organization within thirty days of the delivery of bingo
55 supplies **or multihall bingo supplies**, the supplier shall notify the commission in writing, or in
56 a manner specified by the commission in its rules and regulations, of the delinquency. Upon
57 receipt of the notice of delinquency, the commission shall notify all suppliers that until further
58 notice from the commission, all sales of bingo supplies **or multihall bingo supplies** to the
59 delinquent organizations shall be on a cash-only basis. Upon receipt of the notice from the
60 commission, no supplier may extend credit to the delinquent organization until such time as the
61 commission approves credit sales. If a manufacturer does not receive payment in full from a
62 supplier within ninety days of the delivery of bingo supplies **or multihall bingo supplies**, the
63 manufacturer shall notify the commission in writing, or in a manner specified by the commission
64 in its rules and regulations, of the delinquency. Upon receipt of the notice of delinquency, the
65 commission shall notify all manufacturers that until further notice from the commission, all sales
66 of bingo supplies **or multihall bingo supplies** to the delinquent supplier shall be on a cash-only
67 basis. Upon receipt of the notice from the commission, no manufacturer may extend credit to
68 the delinquent supplier until such time as the commission approves credit sales.

69 11. Until January 1, 1995, all suppliers shall pay a tax on all pull-tab cards distributed
70 by them in the amount of ten dollars per box when sold by any organization licensed to conduct
71 bingo pursuant to the provisions of sections 313.005 to 313.080. No box sold shall contain more
72 than twenty-four hundred pull-tab cards. Beginning January 1, 1995, a tax is hereby imposed
73 in the amount of two percent of the gross receipts of the retail sales value charged for each
74 pull-tab card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total
75 amount paid which may be retained by the supplier, if timely filed and paid, shall be paid on a
76 monthly basis to the commission by each supplier of pull-tabs and shall be due on the last day

77 of each month following the month in which the pull-tabs were sold. The taxes shall be
78 deposited in the state treasury, credited to the bingo proceeds for education fund. All pull-tab
79 cards sold by suppliers in this state shall bear on the face thereof the amount for which such
80 pull-tab cards will be sold, and the license number of the supplier shall be printed on the
81 inventory statement commonly called the flare, enclosed in each unit container. Each unit
82 container shall contain cards printed in such a manner as to ensure that at least sixty percent of
83 the gross revenues generated by the ultimate sale of such cards shall be returned to the final
84 purchasers of such cards. Any supplier who fails to pay the tax imposed pursuant to this
85 subsection shall have his license issued pursuant to this section revoked and shall be guilty of
86 a class A misdemeanor.

313.065. The administration of sections 313.005 to [313.080] **313.110** shall be vested
2 in the commission which shall have power to adopt and enforce rules and regulations to regulate
3 and license the management, operation and conduct of games of bingo **and multihall bingo** and
4 participants therein and to properly administer and enforce the provisions of sections 313.005
5 to [313.080] **313.110**. No rule or portion of a rule promulgated under the authority of sections
6 313.005 to [313.080] **313.110** shall become effective unless it has been promulgated pursuant
7 to the provisions of section 536.024, RSMo.

313.070. Any license issued under sections 313.005 to 313.080 shall be suspended or
2 revoked by the commission if it is found that the licensee or any person connected therewith has
3 violated any provision of sections 313.005 to [313.080] **313.110** or any rule or regulation of the
4 commission adopted pursuant to sections 313.005 to [313.080] **313.110**.

313.075. The conduct or playing games of bingo **or multihall bingo** under the
2 provisions of sections 313.005 to [313.080] **313.110** does not constitute gambling or gambling
3 activities and the power of the division of liquor control to prohibit the licensing of any premises
4 on which gambling or gambling activities are conducted or played, or to prohibit the sale or
5 consumption of beer or alcoholic beverage on any premises on which gambling or gambling
6 activities are conducted or played, shall not apply where the only activity is the conduct or
7 playing of games of bingo **or multihall bingo** under the provisions of sections 313.005 to
8 [313.080] **313.110**. Any licensee under sections 313.005 to 313.080 may, if such licensee meets
9 all other requirements of the liquor licensing laws of this state, be licensed by the division of
10 liquor control as provided in chapters 311 and 312, RSMo, and the conduct or playing of games
11 of bingo **or multihall bingo** under the provisions of sections 313.005 to [313.080] **313.110** shall
12 not, by itself, be a reason for refusal to license or for suspension or revocation of a license under
13 the provisions of chapter 311 or 312, RSMo.

313.080. Any person who violates any provision of sections 313.005 to [313.080]
2 **313.110** shall be guilty of a class A misdemeanor.

313.085. In addition to the exemptions granted under the provisions of section 144.030, RSMo, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.745, RSMo, section 238.235, RSMo, and any local sales tax law, as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525 and 144.600 to 144.745, RSMo, section 238.235, RSMo, and any local sales tax law, as defined in section 32.085, RSMo, all sales of bingo supplies, **multihall bingo supplies, bingo equipment, multihall bingo equipment**, or cards, including pull-tab cards, to any organization duly licensed to conduct bingo **or multihall bingo** pursuant to sections 313.005 to [313.085] **313.110**.

313.090. Any organization licensed to conduct bingo games pursuant to sections 313.005 to 313.085 may also conduct multihall bingo games as defined in section 313.005, if such organization has chosen to become a member of the multihall bingo network.

313.095. 1. A multihall bingo broadcaster may market the multihall bingo concept to any organization that is licensed to operate bingo in this state pursuant to sections 313.005 to 313.085. The multihall bingo broadcaster shall determine the minimum number of licensees necessary to establish a multihall bingo network.

2. Once a multihall bingo network has been established the multihall bingo broadcaster shall install the necessary equipment to allow each member participating in the multihall bingo network to receive the multihall bingo games. The multihall bingo broadcaster shall also provide orientation and training of the volunteer staff of the members within the multihall bingo network with respect to use of the multihall equipment. All multihall equipment shall be inspected and maintained by the multihall bingo broadcaster.

3. The multihall bingo broadcaster shall do the following:

(1) Sell bingo cards at a set price per card to each of the members of the multihall bingo network to enable each member to play multihall bingo games simultaneously;

(2) Inform the members of the multihall network which bingo cards to use for each multihall bingo game;

(3) Install necessary equipment to receive the multihall bingo games in the bingo hall of each member of the multihall bingo network;

(4) Simultaneously transmit multihall bingo games live to each of the members of the multihall bingo network;

(5) Maintain complete control and management of the transmission of the game to the bingo halls of the members of the multihall bingo network; and

(6) Establish a separate bank account to be used by the bingo halls of each of the members of the multihall bingo network for deposit of the appropriate previously

25 determined amount per card for purchase of bingo cards from the multihall bingo
26 broadcaster.

313.100. 1. Any member of the multihall bingo network may volunteer to be a
2 candidate for becoming the multihall bingo producer as long as their hall is part of a seven-
3 day operating location.

4 2. The multihall bingo producer shall be selected from among the volunteer
5 members by the multihall broadcaster and must then be approved by the commission. If
6 the commission fails to approve the member the multihall broadcaster will select a
7 different member who must then be approved by the commission. This process shall be
8 repeated until a member is approved by the commission.

9 3. The multihall bingo producer shall do the following:

10 (1) Develop and maintain a studio in one of its bingo halls and install in that studio
11 the appropriate multihall bingo equipment necessary to produce, televise, and record
12 multihall bingo games which shall be simultaneously transmitted live by the multihall
13 bingo broadcaster to all other members of the multihall bingo network;

14 (2) Maintain complete control and management of the conduct of multihall bingo
15 games;

16 (3) Televise and video record each multihall bingo game for simultaneous live
17 transmission by the multihall bingo broadcaster to each member of the multihall bingo
18 network;

19 (4) Inform each of those members the approximate prize available for that game;

20 (5) Establish a separate bank account to be used by the bingo halls of each of the
21 members of the multihall bingo network for deposit of the appropriate prize percentage
22 of total revenues collected by them from the sale of bingo cards to customers; and

23 (6) Pay all winners of the progressive prizes and all winners of bonus prizes out of
24 the funds in the account established pursuant to subdivision (5) of subsection 3 of this
25 section.

313.105. 1. Each member of the multihall bingo network shall provide a volunteer
2 caller at their bingo halls to record the identity of each ball as it is displayed on the video
3 monitor in their halls and to verify bingos as necessary.

4 2. The multihall bingo producer and each member of the multihall bingo network
5 shall supply the bingo halls, bingo supplies, and the volunteer staff necessary for the
6 operation of multihall bingo games.

7 3. Each member of the multihall bingo network shall provide one or more video
8 monitors which shall be used for providing the visual display of the multihall bingo games.
9 They shall also provide a facsimile machine capable of receiving and transmitting telefax

10 messages to and from the location where the multihall bingo game is being broadcast and
11 a telephone capable of receiving and transmitting voice messages to and from the studio
12 of the multihall bingo producer.

13 **4. Each member of the multihall bingo network shall, pursuant to section 313.110,**
14 **pool a percentage of the proceeds along with other members, from the sale of bingo cards**
15 **to the customers, so that their customers can play for the progressive prize.**

16 **5. Only volunteer staff at each of the members of the multihall bingo network shall**
17 **manage, control, and operate the multihall bingo games. Such volunteer staff shall provide**
18 **all management, service, and host personnel necessary to manage the multihall bingo**
19 **games in each of their bingo halls. The conduct of customers and other occupants of the**
20 **bingo halls of each member of the multihall bingo network is the responsibility of and**
21 **under the supervision of the volunteer staff of each of the members.**

22 **6. Only volunteer staff shall be allowed to do the following:**

23 **(1) Solicit customers to play the multihall bingo games;**

24 **(2) Sell multihall bingo cards to the customers;**

25 **(3) Collect all revenues from the sale of the bingo cards;**

26 **(4) Add up all revenues collected from the sale of the bingo cards and contact the**
27 **satellite bingo producer and inform the producer of the amount collected;**

28 **(5) Call or announce the balls as they are displayed on the video monitors;**

29 **(6) Verify all winners;**

30 **(7) Notify the multihall bingo producer of the names of any winners;**

31 **(8) Pay winners of the consolation prizes in cash; and**

32 **(9) Prepare reports and deposit an appropriate percentage of the total revenues**
33 **from the sale of bingo cards in an account set up by the producer that will be used to pay**
34 **winners of the progressive prizes and bonus prizes, and deposit in an account set up by the**
35 **multihall bingo broadcaster the previously agreed upon amount per bingo card to pay the**
36 **satellite bingo broadcaster for purchase of the bingo cards.**

37 **7. Members of the multihall bingo network shall pay the multihall bingo**
38 **broadcaster a set price per bingo card for each bingo card used. Payment for each bingo**
39 **card used shall be the only remuneration that the multihall bingo broadcaster receives**
40 **from the members of the multihall bingo network.**

313.110. 1. No more than three satellite bingo games shall be played per day, with
2 **approval from the commission, and only three types of prizes may be awarded for any one**
3 **game, the progressive prize, the bonus prize or prizes and the consolation prizes.**

4 **2. Fifty percent of the total revenues collected from the sale of bingo cards at all of**
5 **the bingo halls of all of the members of the multihall bingo network shall be used to pay**

6 out the three types of prizes as follows:

7 (1) Fifty percent of revenues collected less the bonus prize and the consolation prize
8 shall be pooled and committed to the progressive prize, unless the fifty percent of revenues
9 collected are under two hundred fifty dollars, in which case a flat fifty dollar consolation
10 prize shall be awarded and the remaining revenues less the multihall bingo broadcaster's
11 fee shall be put toward payment for the progressive prize and for the bonus prize. A
12 limited and predetermined number of balls is allowed to be called for the progressive prize.
13 If no customer at any of the bingo halls of any of the members of the multihall bingo
14 network wins the progressive prize for a particular game then that money accumulates or
15 rolls over and is added to the next game's progressive prize until the progressive prize is
16 won. Each day after the tenth day the progressive prize is not won until the progressive
17 prize is won an additional bingo number is called. Once the progressive prize is won the
18 process starts over again;

19 (2) The bonus prize shall be a continuation of the progressive prize game and be
20 a fixed value per multihall game. After the limited predetermined number of balls is called
21 for the progressive prize, more numbers are called until at least one customer playing the
22 game wins at one of the bingo halls of the members of the multihall network. If there is
23 more than one winner the winners shall split the bonus prize money equally;

24 (3) The consolation prize shall be a continuation of the progressive and bonus prize
25 game. Of the fifty percent of total revenues collected from all the bingo halls of all the
26 members of the multihall bingo network for a particular game, twenty percent of that
27 money shall be committed to the consolation prizes, unless the fifty percent of revenues
28 collected are under two hundred fifty dollars, in which case a flat fifty dollar consolation
29 prize shall be awarded. After the limited and predetermined number of balls is called for
30 the progressive prize and the bonus prize more numbers are called until at least one
31 customer of each bingo hall of each member of the multihall bingo network wins. If there
32 is more than one winner at any particular bingo hall the winners at that particular bingo
33 hall shall split the consolation prize equally.

34 3. Consolation prize winners shall be paid in cash by each bingo hall of each
35 member of the multihall bingo network out of the twenty percent of this fifty percent of
36 total revenues collected at the bingo hall where the prize is won.

37 4. This fifty percent of total revenues collected by each bingo hall of each member
38 of the multihall bingo network shall be used to pay out the progressive prize, if any,
39 pursuant to subdivision (1) of subsection 2 of this section, and the bonus prize or prizes
40 pursuant to subdivision (2) of subsection 2 of this section, less any cash paid out to
41 consolation prize winners pursuant to subdivision (3) of subsection 2 of this section, and

42 shall be deposited in an account set up by the multihall bingo producer who shall pay the
43 bonus prize winner or winners and the progressive prize winner if any.

44 5. The next banking day following the completion of each multihall bingo game
45 each bingo hall of each member of the multihall bingo network shall pay to the multihall
46 bingo broadcaster, out of the remaining fifty percent of total revenues collected from the
47 sale of bingo cards which is not used to pay out prizes, a previously agreed upon amount
48 for each bingo card sold. Each member of the multihall bingo network may then keep the
49 remainder of this half of the total revenues collected and shall only use these revenues for
50 charitable purposes.

51 6. Any revenues required by the state of Missouri shall be paid by the multihall
52 bingo broadcaster based on the collective number of bingo cards sold.