

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 58, Page 16, Section 217.567,  
2 Line 34, by inserting immediately after said line the following:  
3

4 "313.040. The conducting of bingo is subject to the following restrictions:

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

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

17 c. The purchasing or leasing of the equipment used in conducting the game;

18 d. The lease rental on the premises in which the game is conducted to include an allocation of utility  
19 costs, if applicable, costs of providing security, including the employment of a reasonable number of security  
20 personnel at a compensation level which complies with rules and regulations promulgated by the commission  
21 and such personnel is actually present and engaged in security duties, and bookkeeping and accounting  
22 expenses;

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

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

28 (2) No person shall participate in conducting or managing the game of bingo except a person who has  
29 been a bona fide member of the licensed organization for at least [two years] six months immediately  
30 preceding such participation, who is not a paid staff person of the licensed organization employed and  
31 compensated specifically for conducting or managing the game of bingo and who volunteers the time and  
32 service necessary to conduct the game. Subject to constitutional restrictions, if any, no person shall participate  
33 in the actual operation of the game of bingo under the direction of a person conducting or managing the game  
34 of bingo, except a person who has been a bona fide member of the licensed organization for at least [one year]  
35 six months immediately preceding such participation, who is not a paid staff person of the licensed  
36 organization employed and compensated specifically for operating the game of bingo and who volunteers the  
37 time and service necessary to operate the game. If any post or organization, by its national charter, has  
38 established an auxiliary organization for spouses, then members of the auxiliary organization shall be  
39 considered bona fide members of the licensed organization and members of the post or organization shall be  
40 considered bona fide members of the auxiliary organization for the purposes of this subdivision. Any person

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1 who is a duly ordained member of the clergy and any person who is a full-time employee or staff member of  
 2 the licensed organization employed for at least [two years] six months by that organization in a capacity not  
 3 directly related to the conducting or managing of the game of bingo, who has specific assigned duties under a  
 4 definite job description with the licensed organization, and who volunteers time and assistance to the  
 5 organization without compensation for such time and assistance in the conducting and managing of the game  
 6 of bingo by the organization shall not be considered a paid staff person for the purposes of this subdivision.  
 7 No full-time employee or staff member shall volunteer such time and assistance to more than one organization  
 8 nor more than one day in any week. The commission shall establish guidelines for the determination of  
 9 whether a person is a paid staff person within the meaning of this subdivision and shall specifically approve  
 10 any full-time employee or staff member of the organization before such employee or staff member may  
 11 volunteer time and assistance in the conducting and managing of bingo games for any organization. The  
 12 commission may suspend the approval of any employee or staff member;

13 (3) No person, firm, partnership or corporation shall receive any remuneration, profit or gift for  
 14 participating in the management, conduct or operation of the game, including the granting or use of bingo  
 15 cards without charge or at a reduced charge from the licensed organization or from any other source;

16 (4) The aggregate retail value of all prizes or merchandise awarded, except prizes or merchandise  
 17 awarded by pull-tab cards and progressive bingo games, in any single day of bingo may not exceed the  
 18 amount set by the commission per regulation;

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

23 (6) The price paid for a single bingo card under the license may not exceed one dollar. The  
 24 commission may establish by rule or regulation the number of bingo cards which may be placed on a single  
 25 bingo sheet. The price for a single pull-tab card may not exceed one dollar. A licensee may not require a  
 26 player to purchase more than a standard pack in order to participate in the bingo occasion;

27 (7) The number of bingo days conducted by a licensee under the provisions of sections 313.005 to  
 28 313.080 shall be limited to two days per week;

29 (8) Any person, officer or director of any firm or corporation, and any partner of any partnership  
 30 renting or leasing to a licensed organization equipment or premises for use in a game shall meet all the  
 31 qualifications set forth in subdivisions (1) to (5) and (8) of subsection 1 of section 313.035 and shall not be a  
 32 paid staff person of the licensee. Proof of compliance with this subdivision shall be submitted to the  
 33 commission by the licensee in the manner required by the commission;

34 (9) Subject to constitutional restrictions, if any, an organization licensed to conduct bingo in the state  
 35 of Missouri may advertise a bingo occasion or special event bingo if expenditures for advertisement do not  
 36 exceed ten percent of the total amount expended from receipts of bingo conducted by the licensed  
 37 organization for charitable, religious or philanthropic purposes;

38 (10) No person under the age of sixteen years may play or participate in the conducting of bingo.  
 39 Any person under the age of sixteen years may be within the area where bingo is being played only when  
 40 accompanied by his parent or guardian;

41 (11) No licensee shall lease premises in which it conducts bingo games from someone who is not a  
 42 hall provider licensed by the commission;

43 (12) No licensee shall pay any consulting fees to any person for any service performed in relation to  
 44 the bingo game;

45 (13) No licensee shall pay concession fees to any person who provides refreshments to the  
 46 participants in the bingo game;

47 (14) No licensee shall conduct a bingo session at any time during the period between 1:00 a.m. and  
 48 7:00 a.m.;

49 (15) No licensee, while a bingo game is being conducted, shall knowingly permit entry to any part of  
 50 the licensed premises to any person of notorious or unsavory reputation or who has an extensive police record  
 51 or who has been convicted of a felony;

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

54 (17) No rented or reusable bingo cards may be used to conduct any game. All games must be

1 conducted with disposable paper bingo cards that are marked by permanent ink as prescribed by the rules and  
2 regulations of the commission, or by electronic bingo card monitoring device as approved by the commission;  
3 (18) No licensee shall purchase or use any bingo supplies from a person who is not licensed by the  
4 state of Missouri as a bingo supplier."; and  
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6 Further amend said bill, Page 45, Section 215.262, Line 21, by inserting immediately after said line the  
7 following:  
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9 "[313.055. 1. A tax is hereby imposed on each organization conducting the game of  
10 bingo which awards to winners of bingo games prizes or merchandise having an  
11 aggregate retail value of more than five thousand dollars annually and more than one  
12 hundred dollars in any single day. The tax shall be in the amount of two-tenths of  
13 one cent upon each bingo card and progressive bingo game card sold in Missouri to  
14 be paid by the supplier. The taxes, less two percent of the total amount paid which  
15 may be retained by the supplier, shall be paid on a monthly basis to the commission,  
16 by each supplier of bingo supplies and shall be due on the last day of the month  
17 following the month in which the bingo card was sold, with the date of sale being the  
18 date on the invoice evidencing the sale, along with such reports as may be required by  
19 the commission. The taxes shall be deposited in the state treasury, credited to the  
20 bingo proceeds for education fund.

21 2. All taxes not paid to the commission by the person or licensee required to remit  
22 the same on the date when the same becomes due and payable to the commission  
23 under the provisions of sections 313.005 to 313.085 shall bear interest at the rate to  
24 be set by the commission not to exceed two percent per calendar month, or fraction  
25 thereof, from and after such date until paid. In addition, the commission may impose  
26 a penalty not to exceed three times the amount of taxes due for failure to submit the  
27 reports required by this section and pay the taxes due.];" and  
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29 Further amend said bill, Page 46, Section 338.321, Line 43, by inserting immediately after said  
30 line the following:  
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32 "Section B. Section A of this act shall become effective only upon the passage and approval by the  
33 voters of a constitutional amendment submitted to them by the general assembly regarding a reduction in the  
34 duration of organizational membership requirement for the administration of a game of bingo."; and  
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36 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.  
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