

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 182

SPONSOR: Criminal Justice Committee and Senator Silver

SUBJECT: Instant Bingo Games

DATE: January 29, 2002 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Vaccaro	Caldwell	RI	Favorable
2.	Dugger	Cannon	CJ	Favorable/CS
3.			FT	
4.				
5.				
6.				

I. Summary:

The CS authorizes instant bingo games, a game played by purchasing a ticket for \$1 or less and removing a cover from the ticket to reveal a set of numbers, letters, objects, or patterns, some of which have been designated in advance as prize winners. The CS requires that each package of instant bingo tickets have a minimum prize payout of at least 65 percent of the total receipts from the sale of the entire package. The CS exempts instant bingo from current jackpot restrictions, such that instant bingo is not limited to two days a week, is not limited to three jackpots on any one day of play, and is not limited to a maximum value on jackpots of \$250. It also allows instant bingo tickets to be sold by any organization currently authorized under the statute to conduct bingo games.

The CS substantially amends section 849.0931 of the Florida Statutes.

II. Present Situation:

Section 849.0931, F.S., authorizes and regulates the playing of bingo.

Charitable, nonprofit, or veterans' organizations engaged in charitable, civic, community, benevolent, religious, or scholastic works or other similar endeavors, which have been in existence and active for a period of three years or more, may conduct bingo games, provided the entire proceeds derived from the conduct of the games, less actual business expenses, are donated to the listed endeavors.

If an organization is not engaged in endeavors of the type listed, its right to conduct bingo games is conditioned upon the return of all the proceeds from the games to the players in the form of prizes. If at the conclusion of play on any day there remain proceeds which have not been paid

out as prizes, the organization must at the next scheduled day of play conduct bingo games without any charge to the players and must continue to do so until the proceeds carried over from the previous days played have been exhausted.

The section also establishes restrictions on jackpots. No jackpot may exceed the value of \$250 in actual money or its equivalent. An organization cannot conduct bingo more than two days per week. There cannot be more than three jackpots on any one day of play. All other game prizes shall not exceed \$50.

Any organization or person who willfully and knowingly violates any provision of this section is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S., or s. 775.083, F.S. (potential imprisonment not exceeding one year and a fine not exceeding \$1,000). For a second or subsequent offense, the organization or other person is guilty of a felony of the third degree, punishable as provided in s. 775.082, F.S., s. 775.083, F.S., or s. 775.084, F.S. (potential imprisonment not exceeding 5 years and a fine not exceeding \$5,000).

III. Effect of Proposed Changes:

The CS authorizes instant bingo games, defined as a game that is played using tickets by which a player wins a prize by opening and removing a cover from the ticket to reveal a set of numbers, letters, objects, or patterns, some of which have been designated in advance as prize winners. The CS also defines a "package" of instant bingo tickets as a separate set of not more than 4,000 instant bingo tickets in which the predetermined minimum prize payout is at least 65 percent of the total receipts from the sale of the entire package.

Instant bingo tickets could be sold by any organization that can currently conduct regular bingo games. The tickets must be sold at the price printed on the ticket, which may not exceed \$1. Discounts cannot be given for purchases of multiple tickets, and tickets cannot be given away free of charge. The sets of numbers, letters, objects, or patterns that have been pre-designated as winning combinations for a package of bingo tickets must be posted before the sale of any tickets from that package.

The CS exempts instant bingo from the jackpot restrictions, such that instant bingo is not limited to two days a week, is not limited to three jackpots on any one day of play, and is not limited to a maximum value on jackpots of \$250. (Current criminal penalties, first degree misdemeanor for first offense and third degree felony for subsequent offense, would continue to apply to violators.)

The CS takes effect July 1, 2002.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Organizations operating bingo games should have increased revenues.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.