HOUSE OF REPRESENTATIVES STAFF ANALYSIS

 BILL #:
 HB 1143
 Recreational Activities at Facilities for Elders and Disabled Adults

 SPONSOR(S):
 Berfield

 TIED BILLS:
 IDEN./SIM. BILLS:
 SB 664

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) ELDER & LONG TERM CARE (SUB)	<u>8 Y, 0 N</u>	Meyer	Liem
2) FUTURE OF FLORIDA'S FAMILIES			
3) GAMING & PARI-MUTUELS (SUB)			
4) BUSINESS REGULATION			
5)			

SUMMARY ANALYSIS

HB 1143 provides that bingo games may be conducted for residents or clients, and their guests, of nursing homes, assisted living facilities, adult day care centers, continuing care retirement communities, multi-service senior centers, and government-financed or government-insured housing for the elderly notwithstanding the provisions of s. 849.0931, F.S.

Games conducted for persons with Alzheimer's disease must be supervised by paid staff or volunteers. Prizes can only be claimed by residents, or clients, or their guests who are themselves residents or clients of similarly licensed or authorized facilities. Neither the facility nor any third party can derive a financial benefit from the bingo games. The net proceeds after prizes are awarded may be donated to the resident's council. Counties and municipalities that regulate bingo must exempt games that are played pursuant to this section from regulation and fees.

No fiscal impact is projected.

The bill is effective upon becoming a law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

1.	Reduce government?	Yes[x]	No[]	N/A[]
2.	Lower taxes?	Yes[]	No[]	N/A[x]
3.	Expand individual freedom?	Yes[x]	No[]	N/A[]
4.	Increase personal responsibility?	Yes[]	No[]	N/A[x]
5.	Empower families?	Yes[]	No[]	N/A[x]

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

The bill exempts bingo games played in nursing homes, assisted living facilities, and adult day care programs from regulation or fees imposed by counties or municipalities that otherwise regulate bingo games and from the provisions of section 849.0931, F.S. It clarifies that only residents or clients of the facilities or programs and their guests who are residents or clients of similar programs or facilities can participate in these games. The bill provides for supervision of Alzheimer's patients and for the distribution of net proceeds.

Chapter 849 regulates gambling, section 849.0931, F.S., authorizes bingo games to be conducted by charitable organizations that meet certain standards, and condominium, homeowners, and mobile home homeowners' associations under prescribed parameters. It defines "authorized organizations"; provides for the disposition of proceeds; limits the prizes; and delineates who is eligible to participate in the games.

C. SECTION DIRECTORY:

Section 1 provides that certain health related facilities may conduct bingo games for their residents or clients notwithstanding the provisions of section 849.0931, F.S.

Section 2 provides that the act take effect July 1, 2003.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

No substantial impact is projected.

2. Expenditures:

None is projected.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None is projected.

D. FISCAL COMMENTS:

III. COMMENTS

- A. CONSTITUTIONAL ISSUES:
 - 1. Applicability of Municipality/County Mandates Provision:

The mandates provision is not applicable to HB 1143.

- 2. Other:
- B. RULE-MAKING AUTHORITY:
 No rule making authority is granted.
- C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On March 18, 2003 the Subcommittee on Elder Affairs and Long Term Care adopted one amendment. That amendment added "government-subsidized" housing to the list of facilities that are exempted under the bill.