

1 HB53
2 196183-3
3 By Representative Wood (R) (Constitutional Amendment)
4 RFD: Economic Development and Tourism
5 First Read: 05-MAR-19
6 PFD: 03/04/2019

1 the county governing body or the governing bodies of the
2 respective cities and towns, within their respective
3 jurisdictions as provided by law regulating such operation.
4 The said governing bodies shall have the authority to
5 promulgate rules and regulations for the issuance of permits
6 or licenses and for operation of bingo games, within their
7 respective jurisdictions; provided, however, that said
8 governing bodies must ensure compliance pursuant to said law
9 and the following provisions:

10 "(a) No person under the age of 19 shall be
11 permitted to play any game or games of bingo, unless
12 accompanied by a parent or guardian; nor shall any person
13 under the age of 19 be permitted to conduct or assist in the
14 conduct of any game of bingo;

15 "(b) No bingo permit or license shall be issued to
16 any nonprofit organization, unless such organization shall
17 have been in existence for at least 12 months immediately
18 prior to the issuance of the permit or license;

19 "(c) Bingo games shall be operated only on the
20 premises owned or leased by the nonprofit organization
21 operating the bingo game. If the premises is leased, the rate
22 or rental shall not be based on a percentage of receipts or
23 profits resulting from the operation of bingo games;

24 "(d) No nonprofit organization shall enter into any
25 contract with any individual, firm, association or corporation
26 to have said individual or entity operate bingo games or
27 concessions on behalf of the nonprofit organization, nor shall

1 said nonprofit organization pay consulting fees to any
2 individual or entity for any services performed in relation to
3 the operation or conduct of a bingo game;

4 "(e) A nonprofit organization shall not lend its
5 name or allow its identity to be used by any other person or
6 entity in the operating or advertising of a bingo game in
7 which said nonprofit organization is not directly and solely
8 operating said bingo game;

9 "(f) Prizes given by any qualified nonprofit
10 organization for the playing of bingo games shall not exceed
11 the cash amount or gifts of equivalent value, set by the
12 legislature, during any bingo session. The legislature shall
13 set a maximum amount for any calendar week;

14 "(g) No person or organization, by whatever name or
15 composition thereof, shall take any expenses for the operation
16 of a bingo game except as permitted by law.

17 "(h) No bingo permittee or licensee may operate any
18 bingo game in the unincorporated areas of the county within
19 1,000 yards of a residence or in a residential area.

20 "The provisions of this constitutional amendment
21 shall be self-executing, but the legislature shall have the
22 right and power by general, special or local act to adopt laws
23 supplemental to this amendment or in furtherance of the
24 general purposes and objectives herein set forth."

25 Section 2. An election upon the proposed amendment
26 shall be held at the next countywide primary election or at a
27 special election as determined by the county commission in

1 accordance with Section 284.01 of the Constitution of Alabama
2 of 1901, now appearing as Section 284.01 of the Official
3 Recompilation of the Constitution of Alabama of 1901, as
4 amended, and the election laws of this state.

5 Section 3. The appropriate election official shall
6 assign a ballot number for the proposed constitutional
7 amendment on the election ballot and shall set forth the
8 following description of the substance or subject matter of
9 the proposed constitutional amendment:

10 "Relating to Calhoun County; proposing a local
11 constitutional amendment to Amendment 508 of the Constitution
12 of Alabama of 1901, now appearing as Section 1 of the Calhoun
13 County Local Amendments of the Official Recompilation of the
14 Constitution of Alabama of 1901, as amended, authorizing the
15 operation of bingo games for prizes or money in the county, to
16 prohibit any bingo permittee or licensee from operating bingo
17 within 1,000 yards of a residential area within unincorporated
18 areas of the county.

19 "Proposed by Act _____."

20 This description shall be followed by the following
21 language:

22 "Yes () No ()."

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Economic Devel-
opment and Tourism..... 05-MAR-19

Read for the second time and placed
on the calendar..... 21-MAR-19

Read for the third time and passed
as amended..... 04-APR-19

Yeas 69, Nays 0, Abstains 29

Jeff Woodard
Clerk