

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

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2 ENROLLED, An Act,

3 Relating to Calhoun County; proposing a local
4 constitutional amendment to Amendment 508 to the Constitution
5 of Alabama 1901, now appearing as Section 1 of the Calhoun
6 County Local Amendments of the Official Recompilation of the
7 Constitution of Alabama of 1901, as amended, authorizing the
8 operation of bingo games for prizes or money in the county, to
9 prohibit any bingo permittee or licensee from operating bingo
10 near any residential area within unincorporated areas of the
11 county.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. The following amendment to the
14 Constitution of Alabama of 1901, is proposed and shall become
15 valid as a part of the Constitution when all requirements of
16 this act are fulfilled:

17 PROPOSED AMENDMENT

18 "Amendment 508.

19 "The operation of bingo games for prizes or money by
20 certain nonprofit organizations for charitable, educational,
21 or other lawful purposes shall be legal in Calhoun county,
22 subject to the provisions of any resolution or ordinance by
23 the county governing body or the governing bodies of the
24 respective cities and towns, within their respective
25 jurisdictions as provided by law regulating such operation.

1 The said governing bodies shall have the authority to
2 promulgate rules and regulations for the issuance of permits
3 or licenses and for operation of bingo games, within their
4 respective jurisdictions; provided, however, that said
5 governing bodies must ensure compliance pursuant to said law
6 and the following provisions:

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

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

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

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

1 individual or entity for any services performed in relation to
2 the operation or conduct of a bingo game;

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

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

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

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

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

24 Section 2. An election upon the proposed amendment
25 shall be held at the next countywide primary election or at a

1 special election as determined by the county commission in
 2 accordance with Section 284.01 of the Constitution of Alabama
 3 of 1901, now appearing as Section 284.01 of the Official
 4 Recompilation of the Constitution of Alabama of 1901, as
 5 amended, and the election laws of this state.

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

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

20 "Proposed by Act _____."

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

23 "Yes () No ()."

