

20106901D

SENATE BILL NO. 387

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws and Technology
on January 29, 2020)

(Patron Prior to Substitute—Senator McPike)

A BILL to amend and reenact §§ 18.2-340.27, 18.2-340.27:1 and 18.2-340.28 of the Code of Virginia, relating to charitable gaming; special permit for the play of electronic versions of instant bingo, pull tabs, or seal cards on certain premises.

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-340.27, 18.2-340.27:1 and 18.2-340.28 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-340.27. Conduct of bingo games.

A. A qualified organization shall accept only cash or, at its option, checks or debit cards in payment of any charges or assessments for players to participate in bingo games. However, no such organization shall accept postdated checks in payment of any charges or assessments for players to participate in bingo games.

B. No qualified organization or any person on the premises shall extend lines of credit or accept any credit or other electronic fund transfer other than debit cards in payment of any charges or assessments for players to participate in bingo games.

C. Bingo games may be held by qualified organizations no more frequently than two calendar days in any calendar week, except in accordance with § 18.2-340.27:1.

D. No more than two sessions of bingo games may be held by qualified organizations in any calendar day, nor shall there be more than 55 bingo games per session.

E. Any organization may conduct bingo games only in the county, city or town or in any adjoining county, city or town in which they regularly have been in existence or met. The Department may approve exceptions to this requirement where there is a special circumstance or documented need.

§ 18.2-340.27:1. Special permits; electronic versions of instant bingo, pull tabs, or seal cards.

A. A special permit may be granted to a qualified organization that entitles it to conduct more frequent operations of bingo games during carnivals, fairs, and state, federal, or religious holidays, which shall be designated in the permit.

B. A special permit may be granted to a qualified organization to conduct gaming to replace an approved game that falls on a legal holiday pursuant to § 2.2-3300. The special permit shall designate a date for the replacement game to occur within either (i) 90 days before or (ii) 90 days after such legal holiday for which the special permit is requested.

C. A special permit may be granted to a qualified organization to conduct gaming to replace an approved game that has been canceled by the qualified organization on account of severe weather conditions in the locality in which the approved game was scheduled to occur, provided that (i) the qualified organization notifies the Department within 24 hours of the canceled approved game and (ii) the Department is satisfied that the severe weather conditions warranted cancellation. The special permit shall designate a date for the replacement game to occur within 90 days after the date of the canceled game for which the special permit is requested.

A special permit shall be granted to a qualified organization that has been issued a permit by the Department pursuant to § 18.2-340.25 to allow such organization to place up to four Department-approved electronic versions of instant bingo, pull tabs, or seal cards on the licensed premises of an entity licensed to sell alcoholic beverages for on-premises consumption pursuant to Chapter 2 (§ 4.1-200 et seq.) of Title 4.1, with the consent of such licensee. No qualified organization granted a special permit pursuant to this section shall be required to comply with the provisions of subdivision 10 of § 18.2-340.18, subdivisions 2 and 6 of § 18.2-340.33, or regulations promulgated by the Board pursuant to subdivision A 1 of § 18.2-340.19 as they relate to the management, operation, or conduct of charitable games pursuant to such special permit.

§ 18.2-340.28. Conduct of instant bingo, network bingo, pull tabs, and seal cards.

A. Any organization qualified to conduct bingo games pursuant to the provisions of this article may play instant bingo, network bingo, pull tabs, or seal cards as a part of such bingo game ~~and, if~~ *if* a permit is required pursuant to § 18.2-340.25, such games shall be played only at such location and at such times as designated in the permit for regular bingo games. *This prohibition shall not apply to the play of Department-approved electronic versions of instant bingo, pull tabs, or seal cards pursuant to a special permit granted in accordance with the provisions of 18.2-340.27:1.*

B. Any organization conducting instant bingo, network bingo, pull tabs, or seal cards shall maintain a record of the date, quantity and card value of instant bingo supplies purchased as well as the name and

60 address of the supplier of such supplies. The organization shall also maintain a written invoice or receipt
61 from a nonmember of the organization verifying any information required by this subsection. Such
62 supplies shall be paid for only by check drawn on the gaming account of the organization. A complete
63 inventory of all such gaming supplies shall be maintained by the organization on the premises where the
64 gaming is being conducted.

65 C. No qualified organization shall sell any instant bingo, network bingo, pull tabs, or seal cards to
66 any individual younger than 18 years of age. No individual younger than 18 years of age shall play or
67 redeem any instant bingo, network bingo, pull tabs, or seal cards.

68 **2. That the provisions of this act shall not become effective unless legislation regulating electronic**
69 **gaming devices is passed during the 2020 Regular Session of the General Assembly that becomes**
70 **law. As used in this clause, "electronic gaming device" means an electronic, computerized, or**
71 **mechanical contrivance, terminal, machine, or other device that requires the insertion of a coin,**
72 **currency, ticket, token, or similar object to operate, activate, or play a game, the outcome of**
73 **which is determined by chance, skill, or some combination thereof, and that may deliver or entitle**
74 **the person playing or operating the device to receive cash in excess of the cost of operating,**
75 **activating, or playing the game.**