

P.L. 2005, CHAPTER 140, *approved July 7, 2005*
Assembly, No. 3556 (*First Reprint*)

1 **AN ACT** directing the use of certain electronic devices in conducting
2 bingo and increasing certain prize amounts and amending P.L.1954,
3 c.6.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. Section 2 of P.L.1954, c.6 (C.5:8-25) is amended to read as
9 follows:

10 2. It shall be lawful for the governing body of any municipality, at
11 any time after this act shall become operative within such municipality
12 and except when prohibited by this act, to license bona fide
13 organizations or associations of veterans of any war in which the
14 United States has been engaged, churches or religious congregations
15 and religious organizations, charitable, educational and fraternal
16 organizations, civic and service clubs, senior citizen associations and
17 clubs, officially recognized volunteer fire companies, and officially
18 recognized volunteer first aid or rescue squads, to hold and operate
19 games of chance of, and restricted to, the specific kind of game of
20 chance commonly known as bingo or lotto played for prizes with
21 cards bearing numbers or other designations, five or more in one line,
22 the holder covering numbers, as objects, similarly numbered, are
23 drawn from a receptacle and the game being won by the person who
24 first covers a previously designated arrangement of numbers on such
25 a card, by selling shares or tickets or rights to participate in such
26 games and by conducting the games accordingly, when the entire net
27 proceeds of such games of chance are to be devoted to educational,
28 charitable, patriotic, religious or public-spirited uses, and, in the case
29 of senior citizen associations or clubs, to the support of such
30 organizations, and for any such organization, association, church,
31 congregation, society, club, fire company, first aid or rescue squad, or
32 senior citizen association or club, when so licensed, to hold, operate
33 and conduct such games of chance by its active members pursuant to
34 this act and such license, and under such conditions and regulations for
35 the supervision and conduct thereof as shall be prescribed by rules and
36 regulations duly adopted from time to time by the Legalized Games of
37 Chance Control Commission, hereinafter designated as the control
38 commission, not inconsistent with the provisions of this act, but only
39 when the entire net proceeds thereof are devoted to the uses aforesaid
40 and for any person or persons to participate in and play such games of

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ATG committee amendments adopted May 2, 2005.

1 chance conducted under any such license.

2 The control commission shall, pursuant to regulations promulgated
3 by it, authorize the use in conducting bingo or lotto of electronic
4 devices that are the functional equivalent of the cards, numbered
5 objects, and receptacle described herein to the extent that the use of
6 such devices is not inconsistent with any other provision of this act or
7 the provisions of subparagraph A of ¹the¹ New Jersey Constitution,
8 Article IV, Section 7, paragraph 2. Any such electronic device shall
9 comply with specifications prescribed by the commission and shall be
10 approved by the commission prior to use. ¹Such devices shall not
11 include any device into which currency, coins or tokens may be
12 inserted or from which currency, coins or tokens, or any receipt for
13 monetary value, can be dispensed or which, once provided to a person
14 participating in bingo, is capable of communicating with other such
15 devices.¹ Nothing contained in this section shall be construed as
16 allowing electronic devices used by a qualified organization in
17 conducting bingo or lotto to be linked to electronic devices used by
18 any other qualified organization in conducting bingo or lotto.
19 (cf: P.L.1973, c.127, s.1)

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21 2. Section 4 of P.L.1954, c.6 (C.5:8-27) is amended to read as
22 follows:

23 4. The governing body of the municipality shall make an
24 investigation of the qualifications of each applicant and the merits of
25 each application, with due expedition after the filing of the application,
26 and if it shall determine that the applicant is duly qualified to be
27 licensed under this act to hold, operate and conduct games of chance
28 under the provisions of this act and the rules and regulations governing
29 the holding, operation and conduct thereof in the municipality; that the
30 member or members of the applicant designated in the application to
31 hold, operate or conduct the games of chance which the license is
32 applied for are bona fide active members of the applicant and are
33 persons of good moral character and have never been convicted of
34 crime; that such games of chance are to be held, operated and
35 conducted in accordance with the provisions of this act and in
36 accordance with the rules and regulations governing the holding,
37 operation and conduct thereof and that the proceeds thereof are to be
38 disposed of as provided by this act, and if the governing body is
39 satisfied that no commission, salary, compensation, reward or
40 recompense whatever will be paid or given to any person holding,
41 operating or conducting or assisting in the holding, operation or
42 conduct of any such game of chance except as in this act otherwise
43 provided; and that no prize will be offered and given in excess of the
44 sum or value of [\$250.00] \$1,000, or an amount established by
45 regulation of the control commission not earlier than one year after the
46 effective date of P.L. , c. (now pending before the Legislature as

1 this bill), in any single game of chance, and that the aggregate of all
2 prizes offered and given in all such games of chance, held, operated
3 and conducted on a single occasion, under said license shall not exceed
4 the sum or value of ~~[\$1,000.00]~~ \$3,000, or an amount established by
5 regulation of the control commission not earlier than one year after the
6 effective date of P.L. , c. (now pending before the Legislature as
7 this bill), it shall issue a license to the applicant for the holding,
8 operation and conduct of the specific kind of games of chance applied
9 for, accordingly, upon payment of a license fee or fees prescribed by
10 regulation promulgated by the control commission for each occasion
11 upon which any game or games are to be conducted under such
12 license.

13 The ~~[\$250.00]~~ \$1,000 limitation on single game prizes and the
14 ~~[\$1,000.00]~~ \$3,000 aggregate prize limitation established in this
15 section shall not apply to games in which the prize is determined based
16 upon a percentage of the gross receipts from the sale of cards to
17 participate in the game. The control commission shall, by regulation,
18 prescribe the method of play and set the minimum and maximum
19 percentage to be awarded in any such game.

20 No license for the holding, operation and conduct of any game or
21 games of chance shall be issued under this act which shall be effective
22 for a period of more than one year.

23 (cf: P.L.1994, c.63, s.4)

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25 3. Section 12 of P.L.1954, c.6 (C.5:8-35) is amended to read as
26 follows:

27 12. No amount in excess of the amount prescribed by regulation
28 promulgated by the control commission shall be charged by any
29 licensee for admission to any room or place in which any game or
30 games of chance are to be held, operated and conducted under any
31 license issued under this act, which admission fee, upon payment
32 thereof, shall entitle the person paying the same to a card entitling him
33 to participate without additional charge in all regular games of chance
34 to be played under such license on such occasion, and no charge in
35 excess of the amount prescribed by regulation promulgated by the
36 control commission shall be made for a single opportunity to
37 participate in all special games to be played under such license on such
38 occasion. No prize greater in amount or value than ~~[\$250.00]~~
39 \$1,000, or an amount established by regulation of the control
40 commission not earlier than one year after the effective date of P.L. ,
41 c. (now pending before the Legislature as this bill), shall be offered
42 or given in any single game conducted under any such license and the
43 aggregate amount or value of all prizes offered and given in all games
44 played on a single occasion shall not exceed ~~[\$1,000.00, except as~~
45 ~~otherwise provided for by P.L.1954, c.6 (C.5:8-24 et seq.)]~~ \$3,000
46 or an amount established by regulation of the control commission not

1 earlier than one year after the effective date of P.L. , c. (now
2 pending before the Legislature as this bill), and all winners shall be
3 determined and all prizes shall be awarded in any game played on any
4 occasion within the same calendar day as that upon which the winner
5 is determined.

6 (cf: P.L.1994, c.63, s.9)

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8 4. This act shall take effect immediately.

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13 Directs Legalized Games of Chance Control Commission to authorize
14 use of certain electronic devices in conducting bingo; increases bingo
15 prize amounts and authorizes commission to change prize amounts.