

PUBLIC PROTECTION CABINET
Department of Charitable Gaming
(Amended at ARRS Committee)

820 KAR 1:001. Definitions.

RELATES TO: KRS 238.500 et. seq.

STATUTORY AUTHORITY: KRS 238.515(9)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 238.515 authorizes the Department of Charitable Gaming to promulgate administrative regulations to carry out the purposes and intent of the chapter. This administrative regulation establishes definitions of terms used throughout 820 KAR Chapter 1.

Section 1. Definitions.

- (1) "Account number" means the unique identification number, if any, assigned by a card-minding device system or electronic pulltab system to a customer that uses a card-minding device to play bingo or an electronic pulltab device to purchase and play a pulltab.
- (2) "Bet block" means an area that indicates the dollar amount of the wager.
- (3) "Cash over" means the total amount of money actually received from the sale of gaming supplies at a charitable gaming session is more than the amount of money due from the sale of that quantity of gaming supplies.
- (4) "Cash short" means the total amount of money actually received from the sale of gaming supplies at a charitable gaming session is less than the amount of money due from the sale of that quantity of gaming supplies.
- (5) "Charitable gaming session" means a single gathering, event, or occurrence, at a specific location, during a specific time period, at which games of chance as defined by KRS Chapter 238 are conducted by a charitable organization.
- (6) "Charitable gaming session program" means a written list of all games to be played and prize amounts to be paid for each game during a charitable gaming session, including, if the prizes are based on attendance, the amount of the prize and the attendance required.
- (7) "Chief executive officer" means the director of the organization or the person who has legal authority to direct the management of the organization, distributor, manufacturer, or charitable gaming facility with respect to the conduct of charitable gaming.
- (8) "Chief financial officer" means the person who is:
 - (a) Responsible for overseeing the financial activities of the organization, distributor, manufacturer, or charitable gaming facility;
 - (b) The custodian of the charitable gaming session records; and
 - (c) Responsible for ensuring that all records are accurate, complete, and maintained;
- (9) "Digital signature" means a method by which data, as in a software application, is expressed in a calculated number that is used to verify the accuracy of the data or a copy of the data.
- (10) "Draw ticket" means a blank ticket upon which the numbers are marked as they are randomly selected.
- (11) "EPROM" means Erasable Programmable read-only memory.
- (12) "Gambling" is defined by KRS 528.010(4).
- (13) "Merchandise prize" means a noncash prize given away at a charitable gaming session either as a game prize or a door prize.
- (14) "Player tracking software" means computer software installed on a card-minding device system, electronic pulltab system, or other point of sale system that is used to

identify or track certain characteristics of bingo or pulltab players, including personal data and purchasing habits.

(15) "Primary office location" means:

- (a) The land and building in and upon which a charitable organization conducts the majority of its charitable business; and
- (b) Does not include any physical space a charitable organization shares with a bar, restaurant, convenience store, or other commercial retail business.

(16) "PROM" means programmable read-only memory.

(17) "Promotional" means any item available at no charge to all participants at a charitable gaming session.

(18) "Proprietary software" means custom computer software developed by the manufacturer that is a primary component of a card-minding device system or electronic pulltab system and is required for a card-minding device to be used in a game of bingo or for an electronic pulltab device to be used to play an electronic pulltab.

(19) "Purchased prize" means any merchandise prize that was purchased and not donated.

(20) "RAM" or "random access memory" means the electronic memory that a computer uses to store information.

(21) "Random number generator" means a device:

- (a) For generating number values that exhibit characteristics of randomness; and
- (b) Composed of:
 - 1. Computer hardware;
 - 2. Computer software; or
 - 3. A combination of computer hardware and software.

(22) "Secondary component" means an additional software or hardware component that:

- (a) Is part of or is connected to a card-minding device system or electronic pulltab system;
- (b) Does not affect the conduct of the game of bingo or an electronic pulltab;
- (c) Is provided by the manufacturer; and
- (d) May include computer screen backgrounds, battery charge-up software routines, monitors, keyboards, pointer devices, mice, printers, printer software drivers, or charging racks.

(23) "Serial number" means a number assigned by the manufacturer to track the individual product.

(24) "Site system" means computer hardware, software, and peripheral equipment leased or purchased from a licensed distributor and used by a licensed organization to conduct, manage, and record bingo games played on card-minding devices and electronic pulltab games played on electronic pulltab devices.

(25) "Terminal number" means the unique identification number, if any, assigned by a manufacturer to a specific standard card-minding device or a specific electronic pulltab device.

(26) "Transaction log" means a record of the same information printed on each outside ticket that is:

- (a) Retained in the computer's memory; or
- (b) Printed out by the computer.

(27) "Version number" means a unique number designated by the manufacturer to identify a specific version of software used on or by the card-minding device system or the electronic pulltab system.

(22 Ky.R. 146; eff. 9-7-1995; 23 Ky.R. 1000; eff. 11-8-1996; 24 Ky.R. 151; 871; eff. 9-12-1997; Recodified from 500 KAR 11:010, 2-23-1999; 26 Ky.R. 222; 757; eff. 10-15-1999; 28 Ky.R. 1499; 2030; eff. 3-13-2002; 30 Ky.R. 1606; 2154; eff. 4-12-2004; 32 Ky.R. 760; 1266; 1628; eff. 3-31-2006; 33 Ky.R. 3508; 34 Ky.R. 253; eff. 8-31-2007; 42 Ky.R. 138;

1508; eff. 12-4-2015; 44 Ky.R. .2646; 45 Ky.R. 1573; eff. 1-4-2019; 49 Ky.R. 108, 1083; eff. 1-31-2023.)

FILED WITH LRC: October 11, 2022

CONTACT PERSON: Doug Hardin, Staff Attorney, Department of Charitable, 500 Mero Street 2NW24, Frankfort, Kentucky 40601, phone (502) 782-8204, fax (502) 573-6625, email doug.hardin@ky.gov.