

1 AN ACT relating to charitable gaming.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 238.545 is amended to read as follows:

- 4 (1) A licensed charitable organization shall be limited by the following:
- 5 (a) In the conduct of bingo, to one (1) session per day, two (2) sessions per week,  
6 for a period not to exceed five (5) consecutive hours in any day and not to  
7 exceed ten (10) total hours per week:
- 8 1. No licensed charitable organization shall conduct bingo at more than one  
9 (1) location during the same twenty-four (24) hour period;
- 10 2. No licensed charitable organization shall award prizes for bingo that  
11 exceed five thousand dollars (\$5,000) in fair market value per twenty-  
12 four (24) hour period, including the value of door prizes; and
- 13 3. No person under the age of eighteen (18) shall be permitted to purchase  
14 bingo supplies or play bingo unless he or she is playing for noncash  
15 prizes and is accompanied by a parent or legal guardian and only if the  
16 value of any noncash prize awarded does not exceed ten dollars (\$10);
- 17 (b) 1. A licensed charitable organization may provide card-minding devices  
18 for use by players of bingo games.
- 19 2. If a licensed charitable organization offers card-minding devices for use  
20 by players, the devices shall be capable of being used in conjunction  
21 with bingo cards or paper sheets at all times.
- 22 3. The department shall have broad authority to define and regulate the use  
23 of card-minding devices and shall promulgate an administrative  
24 regulation concerning use and control of them;
- 25 (c) Charity game tickets shall be sold only at the address of the location  
26 designated on the license to conduct charitable gaming;
- 27 (d) Charity game tickets may be sold, with prior approval of the department:

- 1           1. At any authorized special charity fundraising event conducted by a  
2           licensed charitable organization at any off-site location; or  
3           2. By a licensed charitable organization possessing a special limited  
4           charitable gaming license at any off-site location; and  
5           (e) An automated charity game ticket dispenser may be utilized by a licensed  
6           charitable organization, with the prior approval of the department, only at the  
7           address of the location designated on the license to conduct charitable gaming.  
8           The department shall promulgate administrative regulations regulating the use  
9           and control of approved automated charity game ticket dispensers.
- 10       (2) (a) No prize for an individual charity game ticket shall exceed five hundred  
11           ninety-nine dollars (\$599) in value, not including the value of cumulative or  
12           carryover prizes awarded in seal card games.
- 13           (b) Cumulative or carryover prizes in seal card games shall not exceed two  
14           thousand four hundred dollars (\$2,400).
- 15           (c) Information concerning rules of the particular game and prizes that are to be  
16           awarded in excess of fifty dollars (\$50) in each separate package or series of  
17           packages with the same serial number and all rules governing the handling of  
18           cumulative or carryover prizes in seal card games shall be posted prominently  
19           in an area where charity game tickets are sold. A legible poster that lists prizes  
20           to be awarded, and on which prizes actually awarded are posted at the  
21           completion of the sale of each separate package shall satisfy this requirement.
- 22           (d) Any unclaimed money or prize shall return to the charitable organization.
- 23           (e) No paper charity game ticket shall be sold in the Commonwealth of Kentucky  
24           that does not conform to the standards for opacity, randomization, minimum  
25           information, winner protection, color, and cutting established by the  
26           department.
- 27           (f) No electronic pulltab device representation of a charity game ticket shall be

1 sold in the Commonwealth of Kentucky that does not conform to the  
2 construction standards set forth in an administrative regulation promulgated  
3 by the department. Electronic pulltab devices shall only be used for charitable  
4 gaming.

5 (g) No person under the age of eighteen (18) shall be permitted to purchase, or  
6 open in any manner, a charity game ticket.

7 (3) (a) Tickets for a raffle shall be sold separately, and each ticket shall constitute a  
8 separate and equal chance to win.

9 (b) All raffle tickets shall be sold for the price stated on the ticket, and no person  
10 shall be required to purchase more than one (1) ticket or to pay for anything  
11 other than a ticket to enter a raffle.

12 (c) Raffle tickets and tickets for charity fundraising raffle games approved by the  
13 department which are offered exclusively at charity fundraising events and  
14 special limited charity fundraising events are not required to be sold separately  
15 and may be sold at discounted package rates.

16 (d) Raffle tickets shall have a unique identifier on each ticket.

17 (e) Winners shall be drawn at random at a date, time, and place announced in  
18 advance or printed on the ticket.

19 (f) All prizes for a raffle shall be identified in advance of the drawing and all  
20 prizes identified shall be awarded.

21 (4) With respect to charity fundraising events, a licensed charitable organization shall  
22 be limited as follows:

23 (a) No licensed charitable organization shall conduct a charity fundraising event  
24 or a special limited charity fundraising event unless they have a license for the  
25 respective event issued by the department;

26 (b) No special license shall be required for any wheel game, such as a cake wheel,  
27 that awards only noncash prizes the value of which does not exceed one

1 hundred dollars (\$100);

2 (c) The department may grant approval for a licensed charitable organization to  
3 play bingo games at a charity fundraising event. Cash prizes for bingo games  
4 played during a charity fundraising event may not exceed five thousand  
5 dollars (\$5,000) for the entire event. No person under the age of eighteen (18)  
6 shall be permitted to play bingo at a charity fundraising event unless  
7 accompanied by a parent or legal guardian;

8 (d) The department may grant approval for a licensed charitable organization to  
9 play special limited charitable games at a charity fundraising event authorized  
10 under this section. The department shall not grant approval for the playing of  
11 special limited charitable games under the provisions of a charity fundraising  
12 event license unless the proposed event meets the definition of a charity  
13 fundraising event held for community, social, or entertainment purposes apart  
14 from charitable gaming in accordance with KRS 238.505(8);

15 (e) Except for state, county, city fairs, and special limited charity fundraising  
16 events, a charity fundraising event license issued under this section shall not  
17 exceed seventy-two (72) consecutive hours. A licensed charitable organization  
18 shall not be eligible for more than eight (8) total charity fundraising event  
19 licenses per year, including two (2) special limited charity fundraising event  
20 licenses. No person under eighteen (18) years of age shall be allowed to play  
21 or conduct any special limited charitable game. The department shall have  
22 broad authority to regulate the conduct of special limited charity fundraising  
23 events in accordance with the provisions of KRS 238.547; and

24 (f) Charity fundraising events may be held:

- 25 1. On or in the premises of a licensed charitable organization;
- 26 2. In a licensed charitable gaming facility, subject to restrictions contained  
27 in KRS 238.555(7); or

- 1           3. At an unlicensed facility which shall be subject to the requirements  
2 stipulated in KRS 238.555(3), and subject to the restrictions contained in  
3 KRS 238.547(2).~~Charity fundraising events at an unlicensed facility~~  
4 ~~shall be limited to:~~
- 5           a. ~~No more than one (1) such event per week; and~~
  - 6           b. ~~No more than seven (7) such events per year, with no more than~~  
7                 ~~five (5) licensed charitable organizations conducting such events at~~  
8                 ~~an unlicensed facility per year.]~~
- 9 (5) Presentation of false, fraudulent, or altered identification by a minor shall be an  
10 affirmative defense in any disciplinary action or prosecution that may result from a  
11 violation of age restrictions contained in this section, if the appearance and  
12 character of the minor were such that his or her age could not be reasonably  
13 ascertained by other means.