

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, three (3) sessions per  
6           week, for a period not to exceed five (5) consecutive hours in any day and not  
7           to exceed fifteen (15) total hours per week:

8           1. A licensed charitable organization shall not conduct bingo at more than  
9           one (1) location during the same twenty-four (24) hour period;

10          2. A licensed charitable organization shall not 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. A person under the age of eighteen (18) shall not be permitted to  
14           purchase bingo supplies or play bingo unless he or she is playing for  
15           noncash prizes and is accompanied by a parent or legal guardian and  
16           only if the value of any noncash prize awarded does not exceed ten  
17           dollars (\$10);

18          (b) 1. A licensed charitable organization may provide card-minding devices  
19           for use by players of bingo games.

20           2. If a licensed charitable organization offers card-minding devices for use  
21           by players, the devices shall be capable of being used in conjunction  
22           with bingo cards or paper sheets at all times.

23           3. Subject to the authority of the corporation, the office shall have broad  
24           authority to define and regulate the use of card-minding devices and the  
25           corporation may promulgate an administrative regulation concerning use  
26           and control of them;

27          (c) Charity game tickets shall be sold only at the address of the location

2 (d) Charity game tickets may be sold, with prior approval of the office:

1. At any authorized special charity fundraising event conducted by a licensed charitable organization at any off-site location; or
2. By a licensed charitable organization possessing a special limited charitable gaming license at any off-site location; and

7 (e) An automated charity game ticket dispenser may be utilized by a licensed  
8 charitable organization, with the prior approval of the office, only at the  
9 address of the location designated on the license to conduct charitable gaming.

10 The corporation may promulgate administrative regulations regulating the use  
11 and control of approved automated charity game ticket dispensers.

12 (2) (a) A prize for an individual charity game ticket shall not exceed two thousand  
13 dollars (\$2,000)~~five hundred ninety nine dollars (\$599)~~ in value, not  
14 including the value of cumulative or carryover prizes awarded in seal card  
15 games.

16 (b) Cumulative or carryover prizes in seal card games shall not exceed two  
17 thousand four hundred dollars (\$2,400).

18 (c) Information concerning rules of the particular game and prizes that are to be  
19 awarded in excess of fifty dollars (\$50) in each separate package or series of  
20 packages with the same serial number and all rules governing the handling of  
21 cumulative or carryover prizes in seal card games shall be posted prominently  
22 in an area where charity game tickets are sold. A legible poster that lists prizes  
23 to be awarded, and on which prizes actually awarded are posted at the  
24 completion of the sale of each separate package shall satisfy this requirement.

25 (d) Any unclaimed money or prize shall return to the charitable organization.

26 (e) A paper charity game ticket shall not be sold in the Commonwealth of  
27 Kentucky that does not conform to the standards for opacity, randomization,

1 minimum information, winner protection, color, and cutting established by the  
2 office.

3 (f) An electronic pulltab device representation of a charity game ticket shall not  
4 be sold in the Commonwealth of Kentucky that does not conform to the  
5 construction standards set forth in an administrative regulation promulgated  
6 by the corporation. Electronic pulltab devices shall only be used for charitable  
7 gaming.

8 (g) A person under the age of eighteen (18) shall not be permitted to purchase, or  
9 open in any manner, a charity game ticket.

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

12 (b) All raffle tickets shall be sold for the price stated on the ticket, and a person  
13 shall not be required to purchase more than one (1) ticket or to pay for  
14 anything other than a ticket to enter a raffle.

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

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

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

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

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

26 (a) A licensed charitable organization shall not conduct a charity fundraising  
27 event or a special limited charity fundraising event unless they have a license

for the respective event issued by the office;

(b) A special license shall not be required for any wheel game, such as a cake wheel, that awards only noncash prizes the value of which does not exceed one hundred dollars (\$100);

(c) The office may grant approval for a licensed charitable organization to play bingo games at a charity fundraising event. Cash prizes for bingo games played during a charity fundraising event may not exceed five thousand dollars (\$5,000) for the entire event. A person under the age of eighteen (18) shall not be permitted to play bingo at a charity fundraising event unless accompanied by a parent or legal guardian;

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

(e) Except for state, county, city fairs, and special limited charity fundraising events, a charity fundraising event license issued under this section shall not exceed seventy-two (72) consecutive hours. A licensed charitable organization shall not be eligible for more than eight (8) total charity fundraising event licenses per year, including two (2) special limited charity fundraising event licenses. A person under eighteen (18) years of age shall not be allowed to play or conduct any special limited charitable game. Subject to the authority of the corporation, the office shall have broad authority to regulate the conduct of special limited charity fundraising events in accordance with the provisions of KRS 238.547; and

1 (f) Charity fundraising events may be held:

2       1. On or in the premises of a licensed charitable organization;

3       2. In a licensed charitable gaming facility, subject to restrictions contained

4            in KRS 238.555(7); or

5       3. At an unlicensed facility which shall be subject to the requirements

6            stipulated in KRS 238.555(3), and subject to the restrictions contained in

7            KRS 238.547(2).

8 (5) Presentation of false, fraudulent, or altered identification by a minor shall be an

9            affirmative defense in any disciplinary action or prosecution that may result from a

10          violation of age restrictions contained in this section, if the appearance and

11          character of the minor were such that his or her age could not be reasonably

12          ascertained by other means.