

**Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

*As Engrossed: H3/23/01*

HJR 1016

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5 By: Representatives Rackley, *Rodgers*

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8 **HOUSE JOINT RESOLUTION**

9 FOR A PROPOSED AMENDMENT TO THE CONSTITUTION TO  
10 ALLOW CHARITABLE BINGO TO BE CONDUCTED BY  
11 AUTHORIZED ORGANIZATIONS; TO AUTHORIZE THE  
12 GENERAL ASSEMBLY TO ADOPT LAW CONCERNING THE  
13 LICENSURE, REGULATION, OR TAXATION OF CHARITABLE  
14 *BINGO; TO AUTHORIZE NON-PROFIT ORGANIZATIONS TO*  
15 *CONDUCT RAFFLES.*

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18 **Subtitle**

19 *PROPOSED CONSTITUTIONAL AMENDMENT TO*  
20 *ALLOW CHARITABLE BINGO; TO AUTHORIZE*  
21 *GENERAL ASSEMBLY TO ADOPT LAW REGULATING*  
22 *AND TAXING CHARITABLE BINGO; TO*  
23 *AUTHORIZE RAFFLES BY NON-PROFIT*  
24 *ORGANIZATIONS.*

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27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-THIRD GENERAL  
28 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS  
29 ELECTED TO EACH HOUSE AGREEING THERETO:

30 That the following is hereby proposed as an amendment to the  
31 Constitution of the State of Arkansas, and upon being submitted to the  
32 electors of the state for approval or rejection at the next general election  
33 for Representatives and Senators, if a majority of the electors voting thereon  
34 at such election, adopt such amendment, the same shall become a part of the  
35 Constitution of the State of Arkansas, to wit:

1       SECTION 1. (a) The game of bingo, conducted by an authorized  
2 organization, shall not be deemed a lottery prohibited by this Constitution if  
3 all net receipts over and above the actual cost of conducting the game are  
4 used only for charitable, religious or philanthropic purposes, and no receipts  
5 shall be used to compensate in any manner any person who works for or is in  
6 any way affiliated with the authorized organization.

7       (b) The General Assembly may provide by law for the licensure and  
8 regulation of authorized organizations to conduct bingo games and may levy  
9 taxes on the activity as it deems appropriate.

10       (c) For the purpose of this section:

11               (1)(A) "Game of bingo" means a single game of the activity  
12 commonly known as "bingo" in which the participants pay a sum of money for the  
13 use of one or more bingo cards;

14               (B) "Game of bingo" shall only include games in which the  
15 winner receives a preannounced, fixed dollar prize and in which the winner is  
16 determined by the matching of letters and numbers on a bingo card, or  
17 facsimile thereof, imprinted with at least twenty-four (24) numbers, with  
18 letters and numbers appearing on objects randomly drawn and announced by a  
19 caller, in contemporaneous competition among all players in the game;

20               (2) "Authorized organization" means a nonprofit tax exempt  
21 religious, educational, veteran's, fraternal, service, civic, medical,  
22 volunteer rescue service, volunteer fire fighter's organization, or volunteer  
23 police organization which has been in continuing existence as a nonprofit tax  
24 exempt organization in this state for a period of not less than five (5) years  
25 immediately prior to conducting the game of bingo; and

26               (3) "Tax exempt" means that the organization has received from  
27 the Internal Revenue Service a determination letter that is currently in  
28 effect stating that the organization is exempt from federal income taxation  
29 under Section 501(a), and if it is described in Section 501(c)(3), (10), or  
30 (19) or Section 528 of the Internal Revenue Code as amended.

31       (d) This amendment shall become effective on January 1, 2003.  
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33       SECTION 2. *Raffles permitted by non-profit organizations.*

34       (a) For purposes of this amendment:

35               (1) "Non-profit organization" means an entity which qualifies as  
36 a non-profit organization under § 501(c)(3) of the federal Internal Revenue

1 Code or its successor; and

2 (2) "Raffle" means a game in which a participant buys a ticket  
3 for a chance at a prize with the winner determined by a random drawing.

4 (b) Notwithstanding § 14 of Article 19 of the Constitution of the State  
5 of Arkansas or any law of this state to the contrary, raffles may hereafter be  
6 conducted in this state by non-profit organizations.

7 /s/ Rackley

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