

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1695

5 By: Representative L. Johnson  
6

## For An Act To Be Entitled

8 AN ACT TO ALLOW CERTAIN ELECTRONIC BINGO DEVICES TO  
9 PLAY AN ELECTRONIC BLOTTER; AND FOR OTHER PURPOSES.  
10

### Subtitle

11 TO ALLOW CERTAIN ELECTRONIC BINGO DEVICES  
12 TO PLAY AN ELECTRONIC BLOTTER.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 23-114-102 is amended to read as follows:  
20 23-114-102. Definitions.

21 As used in this chapter:

22 (1)(A) "Authorized organization" means an organization eligible  
23 for a license to conduct games of bingo and raffles that is a nonprofit tax-  
24 exempt religious, educational, veterans, fraternal, service, civic, medical,  
25 volunteer rescue service, volunteer firefighters organization, or volunteer  
26 police organization that has been in continuing existence as a nonprofit tax-  
27 exempt organization in this state for a period of not less than five (5)  
28 years immediately prior to conducting the game of bingo or raffles.

29 (B) A nonprofit tax-exempt instrumentality of the United  
30 States Government is a service agency for the purpose of this subdivision  
31 (1);

32 (2)(A) "Bingo equipment" means equipment and supplies used,  
33 made, or sold for the purpose of use in bingo.

34 (B) "Bingo equipment" includes:

35 (i) A machine or other device from which balls or  
36 other items are withdrawn to determine the letters and numbers or other



1 symbols to be called;

2 (ii) A bingo face;

3 (iii) A bingo ball; ~~and~~

4 (iv) An electronic bingo device; and

5 ~~(iv)~~ (v) Any other device commonly used in the  
 6 direct operation of a ~~bingo game~~ game of bingo.

7 (C) "Bingo equipment" is not intended and shall not be  
 8 construed to permit the participants to play the game of bingo through:

9 (i) Any electronic device or machine except an  
 10 electronic bingo device as defined in subdivision (8) of this section; or

11 (ii) A pull-tab bingo ticket.

12 (D) "Bingo equipment" does not include:

13 (i) A ~~bingo game~~ game of bingo set commonly  
 14 manufactured and sold as a child's game for a retail price of twenty dollars  
 15 (\$20.00) or less, unless the set or a part of the set is used in a game of  
 16 bingo subject to regulation under this chapter; or

17 (ii) A commonly available component part of bingo  
 18 equipment such as a light bulb or fuse;

19 (3)~~(A)~~ "Bingo face" means a disposable flat piece of paper or  
 20 electronic facsimile of a paper bingo sheet that ~~may~~:

21 (i) May be used one (1) time and that cannot be  
 22 reused after the game in which the bingo face was used has ended. ~~The bingo~~  
 23 ~~face is; and~~

24 (ii) Is marked off into any number of squares in any  
 25 arrangement of rows, with each square being designated by number, letter, or  
 26 combination of numbers and letters, and with one (1) or more squares  
 27 designated as a "free" space.

28 (B) "Bingo face" includes a disposable flat piece of paper  
 29 with braille markings for visually impaired participants;

30 (4) "Bingo session" means all activities incidental to the  
 31 conduct of a series of games of bingo by a licensed authorized organization,  
 32 beginning when the first game of bingo of a bingo session is commenced by  
 33 calling the first bingo ball drawn, such session not to exceed five (5)  
 34 consecutive hours during any one (1) twenty-four-hour calendar day;

35 (5) "Charitable purpose" means a purpose described by § 23-114-  
 36 504;

1 (6) "Department" means the Department of Finance and  
 2 Administration;

3 ~~(7) [Repealed.]~~

4 ~~(8)(7)~~ "Distributor" means a person or business entity that  
 5 sells, markets, or otherwise provides bingo equipment to a licensed  
 6 authorized organization;

7 (8)(A) "Electronic bingo device" means a handheld or portable  
 8 electronic device that requires a coded entry to activate play against other  
 9 players in a game of bingo and that is used by a player of a game of bingo  
 10 to:

11 (i) Monitor an electronic facsimile of a paper bingo  
 12 sheet purchased and played at the same time and place as an authorized  
 13 organization's game of bingo;

14 (ii) Activate numbers announced or displayed and to  
 15 compare the numbers to the bingo faces previously stored in the memory of the  
 16 device; and

17 (iii) Identify a winning game of bingo pattern.

18 (B) "Electronic bingo device" does not include an  
 19 electronic device that:

20 (i) Allows play of more than fifty (50) bingo faces  
 21 per game of bingo;

22 (ii) Allows the use of a coin, currency, token, or  
 23 electronic funds transfer to be inserted to activate play;

24 (iii) Has any additional function as an amusement or  
 25 gambling device; or

26 (iv) Allows the game of bingo to be played from a  
 27 location other than the physical location where the game of bingo is being  
 28 conducted.

29 (C) An electronic bingo device shall:

30 (i) Have the capability to ensure adequate levels of  
 31 internal security controls as determined by the Secretary of the Department  
 32 of Finance and Administration; and

33 (ii) Be purchased or leased by a licensed authorized  
 34 organization from a distributor licensed under this chapter;

35 (9)(A) "Game of bingo" means a single game of the activity  
 36 commonly known as "bingo" in which the participants pay a sum of money for

1 the use of one (1) or more bingo faces.

2 (B) "Game of bingo" includes only a game in which the:

3 (i) Game is conducted from and all participants are  
4 located in a single physical location; and

5 (ii) ~~winner~~ Winner receives a preannounced, fixed-  
6 dollar prize and in which the winner is determined by the matching of letters  
7 and numbers on a bingo face imprinted or displayed electronically with at  
8 least twenty-four (24) numbers, with letters and numbers appearing on objects  
9 randomly drawn and announced by a caller, in contemporaneous competition  
10 among all players in the game;

11 (10) "Gross receipts" means the total amount received from the  
12 sale of raffle tickets and the sale, rental, transfer, or use of bingo faces  
13 and entrance fees charged at premises at which games of bingo or raffles are  
14 conducted without any deduction on account of prizes paid, losses, or any  
15 other expenses whatsoever;

16 (11) "Licensed authorized organization" means an authorized  
17 organization that holds a license to conduct games of bingo or raffles;

18 (12) "Manufacturer" means a person or business entity that  
19 produces finished bingo equipment from raw materials, supplies, or subparts  
20 and that sells, markets, or otherwise provides such equipment to a licensed  
21 distributor;

22 (13) "Person" means any individual, company, partnership,  
23 limited liability company, joint venture, joint agreement, association,  
24 mutual or otherwise, corporation, estate, trust, business trust, receiver,  
25 trustee, syndicate, or any other private entity;

26 (14)(A) "Premises" means the area subject to the direct control  
27 of and actual use by a licensed authorized organization to conduct games of  
28 bingo.

29 (B) "Premises" includes a location or place;

30 (15) "Primary business office" means the Arkansas location at  
31 which all records relating to the primary purpose of a licensed authorized  
32 organization are maintained in the ordinary course of business;

33 (16)(A) "Raffle" means the selling of tickets to win a prize  
34 awarded through a random drawing.

35 (B) "Raffle" does not include any game played through the  
36 use of a machine or electronic device; and

1           (17) "Responsible person" means the person or persons within a  
 2 licensed authorized organization that are responsible for organizing,  
 3 conducting, and otherwise administering the licensed authorized  
 4 organization's raffles or bingo sessions.

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 6           SECTION 2. Arkansas Code § 23-114-103(c), concerning the play of games  
 7 of bingo or raffles, is amended to read as follows:

8           (c) The provisions of this chapter are not intended and shall not be  
 9 construed to allow the play of ~~games of bingo or~~ raffles through any  
 10 electronic device or machine.

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 12           SECTION 3. Arkansas Code § 23-114-202 is amended to read as follows:  
 13           23-114-202. Approval of bingo faces and raffle tickets.

14           (a) The Secretary of the Department of Finance and Administration by  
 15 rule shall provide for the form of bingo faces and raffle tickets used in the  
 16 State of Arkansas.

17           (b)(1) All bingo faces ~~must~~ shall be purchased by the licensed  
 18 authorized organization from a distributor licensed under this chapter.

19           (2) Only one (1) game of bingo shall be played on each bingo  
 20 face.

21           (c)(1) All bingo faces ~~and raffle tickets~~ shall be preprinted on paper  
 22 or plastic or loaded electronically to an electronic bingo device.

23           (2) Electronic devices, machines, or facsimiles shall not be  
 24 used as ~~bingo faces, raffle tickets, or otherwise,~~ by participants of ~~games~~  
 25 ~~of bingo or~~ raffles conducted under this chapter.

26           (d) All bingo faces and raffle tickets shall be sequentially numbered  
 27 at the time of generation or printing.

28           (e) All electronic bingo devices shall be inspected and approved by  
 29 the secretary before use in a game of bingo.

30           (f) All forms of electronic facsimiles of paper bingo sheets shall be  
 31 approved by the secretary.