

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-340.19 of the Code of Virginia, relating to charitable gaming;*
 3 *regulations; predetermined percentage of receipts.*

4 [H 399]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 18.2-340.19 of the Code of Virginia is amended and reenacted as follows:**8 **§ 18.2-340.19. Regulations of the Department.**

9 A. The Department shall adopt regulations that:

10 1. Require, as a condition of receiving a charitable gaming permit or authorization to conduct electronic
 11 gaming, that the applicant use a predetermined percentage of its receipts for those lawful religious, charitable,
 12 community, or educational purposes for which the organization is specifically chartered or organized,
 13 including (i) those expenses relating to the acquisition, construction, maintenance, or repair of any interest in
 14 real property or (ii) expenses related to the rental of real property by an organization as described by
 15 subdivision 4, 5, 6, or 7 of the definition of "social organization" in § 18.2-340.16 where such real property is
 16 involved in the operation of the organization and used for lawful religious, charitable, community, or
 17 educational purposes, as follows:

18 a. With respect to charitable gaming, other than electronic gaming, a predetermined percentage of its gross
 19 receipts.

20 b. With respect to electronic gaming, a predetermined percentage of its electronic gaming adjusted gross
 21 receipts.

22 2. Specify the conditions under which a complete list of the organization's members who participate in the
 23 management, operation, or conduct of charitable gaming may be required in order for the Department to
 24 ascertain the percentage of Virginia residents in accordance with subdivision A 3 of § 18.2-340.24.

25 Membership lists furnished to the Department in accordance with this subdivision shall not be a matter of
 26 public record and shall be exempt from disclosure under the provisions of the Freedom of Information Act
 27 (§ 2.2-3700 et seq.).

28 3. Prescribe fees for processing applications for charitable gaming permits and authorizing social
 29 organizations to conduct electronic gaming. Such fees may reflect the nature and extent of the charitable
 30 gaming activity proposed to be conducted.

31 4. Establish requirements for the audit of all reports required in accordance with §§ 18.2-340.30 and
 32 18.2-340.30:2.

33 5. Define electronic and mechanical equipment used in the conduct of charitable gaming. Department
 34 regulations shall include capacity for such equipment to provide full automatic daubing as numbers are
 35 called. For the purposes of this subdivision, electronic or mechanical equipment for instant bingo, pull tabs,
 36 or seal cards shall include such equipment that displays facsimiles of instant bingo, pull tabs, or seal cards
 37 and are used solely for the purpose of dispensing or opening such paper or electronic cards, or both; but shall
 38 not include (i) devices operated by dropping one or more coins or tokens into a slot and pulling a handle or
 39 pushing a button or touchpoint on a touchscreen to activate one to three or more reels marked into horizontal
 40 segments by varying symbols, where the predetermined prize amount depends on how and how many of the
 41 symbols line up when the rotating reels come to rest, or (ii) other similar devices that display flashing lights
 42 or illuminations, or bells, whistles, or other sounds, solely intended to entice players to play. Such regulations
 43 shall not prohibit (a) devices that display spinning, rotating, or rolling reels or animations or flashing lights;
 44 (b) devices that accept vouchers; (c) the purchase and play of an electronic pull tab with a single press or
 45 touch of a button; or (d) the use of multiple video monitors or touchscreens on an electronic gaming device.

46 6. Prescribe the conditions under which a qualified organization may (i) provide food and nonalcoholic
 47 beverages to its members who participate in the management, operation, or conduct of bingo; (ii) permit
 48 members who participate in the management, operation, or conduct of bingo to play bingo; and (iii) subject to
 49 the provisions of subdivision 12 of § 18.2-340.33, permit nonmembers to participate in the conduct of bingo
 50 so long as the nonmembers are under the direct supervision of a bona fide member of the organization during
 51 the bingo game.

52 7. Prescribe the conditions under which a qualified organization may sell raffle tickets for a raffle drawing
 53 that will be held outside the Commonwealth pursuant to subsection B of § 18.2-340.26.

54 8. Prescribe the conditions under which persons who are bona fide members of a qualified organization or
 55 a child, above the age of 13 years, of a bona fide member of such organization may participate in the conduct
 56 or operation of bingo games.

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57 9. Prescribe the conditions under which a person below the age of 18 years may play bingo, provided that
58 such person is accompanied by his parent or legal guardian.

59 10. Require all qualified organizations that are subject to Department regulations to post in a conspicuous
60 place in every place where charitable gaming is conducted a sign that bears a toll-free telephone number for
61 the National Problem Gambling Helpline.

62 11. Require all qualified organizations that are subject to Department regulations to post in a conspicuous
63 place in every place where charitable gaming is conducted a sign that bears the toll-free telephone number
64 and website for the illegal gaming tip line established and administered by the Office of the Gaming
65 Enforcement Coordinator in the Department of State Police pursuant to § 52-54 for members of the public to
66 report concerns about, or suspected instances of, illegal gaming activities.

67 12. Prescribe the conditions under which a qualified organization may sell network bingo cards in
68 accordance with § 18.2-340.28:1 and establish a percentage of proceeds derived from network bingo sales to
69 be allocated to (i) prize pools, (ii) the organization conducting the network bingo, and (iii) the network bingo
70 provider. The regulations shall also establish procedures for the retainage and ultimate distribution of any
71 unclaimed prize.

72 13. Prescribe the conditions under which a qualified organization may manage, operate, or contract with
73 operators of, or conduct Texas Hold'em poker tournaments.

74 14. Prescribe the conditions under which a qualified organization may lease the premises of a permitted
75 social organization for the purpose of conducting bingo, network bingo, instant bingo, pull tabs, seal cards,
76 and electronic gaming permitted under this article and establish requirements for proper financial reporting of
77 all disbursements, gross receipts, and electronic gaming adjusted gross receipts and payment of all fees
78 required under this article.

79 B. The Commissioner may, by regulation, approve variations to the card formats for bingo games,
80 provided that such variations result in bingo games that are conducted in a manner consistent with the
81 provisions of this article. Department-approved variations may include bingo games commonly referred to as
82 player selection games and 90-number bingo.