

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1664

By: Lindley

AS INTRODUCED

An Act relating to amusements and sports; amending Sections 9 and 16, Chapter 328, O.S.L. 1992, as amended by Section 9, Chapter 305, O.S.L. 1993 (3A O.S. Supp. 1996, Sections 408 and 415), which relate to the Oklahoma Charity Games Act; limiting certain compensation; prohibiting convicted felons from conducting or otherwise working in conjunction with a charity game operation; prohibiting delivery of charity games equipment at a point outside of this state; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 9, Chapter 328, O.S.L. 1992 (3A O.S. Supp. 1996, Section 408), is amended to read as follows:

Section 408. A. Any organization desiring to conduct a charity game in this state shall apply to the Commission for an organization license. An organization license shall only be issued to an organization. A business entity shall not be qualified under any conditions to hold an organization license.

B. An organization shall be limited to only one license and to doing business at only one location.

C. An organization shall use only disposable bingo faces purchased from a licensed distributor. Only one game shall be played on each bingo face.

D. Only an organization or a person paid by an organization shall conduct a charity game for which a charge is made. Compensation paid to an organization or other person for conducting a charity game shall not exceed two times the amount of the minimum wage specified pursuant to federal law. Compensation paid to an organization for rent for the leasing of real or personal property or for operation of concession facilities shall not exceed twice the amount of actual cost of operations of the charity game or concession.

E. No person who has been convicted of a felony shall conduct a charity game or otherwise work for an organization in any charity game operation.

F. An initial application for an organization license shall be sworn and attested to by a principal officer of the applicant organization and shall include:

1. A certified copy of the document from the U.S. Internal Revenue Service which grants the applicant tax-exempt status and the federal identification number;

2. A certified copy of the articles of incorporation and certificate of incorporation of the organization;

3. A copy of the bylaws of the organization;

4. A copy of the minutes of the meeting of the organization at which the governing body was elected and the terms of office of each member of the governing body;

5. A copy of the minutes of the meeting of the governing body of the organization at which the application for the license was authorized;

6. The name and address of a person authorized to receive service of process on behalf of the organization;

7. The address of the location where the charity games will be conducted; and

8. Such other information deemed necessary by the Commission to assure eligibility for a license.

~~F.~~ G. A renewal application shall only include any changes in the information required to be submitted with the initial application.

~~G.~~ H. An organization license shall be placed within public view at all times in a conspicuous place at the location where the charity game is being conducted.

SECTION 2. AMENDATORY Section 16, Chapter 328, O.S.L. 1992, as amended by Section 9, Chapter 305, O.S.L. 1993 (3A O.S. Supp. 1996, Section 415), is amended to read as follows:

Section 415. A. Licensed organizations shall purchase their supplies only from distributors licensed by this state and payment for said supplies shall be made upon receipt of the supplies at the place of delivery. Delivery shall be made in this state. Licensed organizations shall not take delivery of supplies at a point outside of this state.

B. Distributors shall market, sell, or supply charity game equipment in this state only to an organization, exempt organization, exempt hospital, nursing home, residential care facility, senior citizens' center, retirement center or convalescent facility, entity of the United States government, federally recognized Indian tribe or nation or other licensed distributor. Distributors shall not deliver charity game equipment to a licensed organization at a point outside this state.

C. Distributors shall purchase or otherwise obtain charity game equipment only from manufacturers or other distributors licensed pursuant to the provisions of the Oklahoma Charity Games Act, Section 401 et seq. of this title.

D. Manufacturers shall sell charity game equipment in this state only to distributors licensed pursuant to the provisions of the Oklahoma Charity Games Act or federally recognized Indian tribes or nations.

E. Charity game equipment owned by an organization may be disposed of by selling it or giving it away to another organization, an exempt organization, or exempt hospital, nursing home, residential care facility, senior citizens' center, retirement center or convalescent facility, with the written permission of the Director of the ABLE Commission and with proper notification to the Oklahoma Tax Commission.

SECTION 3. This act shall become effective November 1, 1997.

46-1-6019

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