

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1649

By: Pettigrew

AS INTRODUCED

An Act relating to amusements and sports; granting to organization licensees authorization to conduct Class II games; stating exceptions; authorizing the Oklahoma Horse Racing Commission to regulate such gaming; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 205.3a of Title 3A, unless there is created a duplication in numbering, reads as follows:

A. Each organization licensee granted a license to conduct a race meeting pursuant to Title 3A of the Oklahoma Statutes may, notwithstanding any other provision of law, conduct Class II gaming as defined by the Indian Gaming Regulatory Act, 25 U.S.C. Section 2703. The Class II gaming permitted to be conducted by this section shall only include:

1. The game of chance commonly known as bingo, whether or not electronic, computer, or other technological aids are used in connection therewith:

- a. which is played for prizes, including monetary prizes, with cards bearing numbers or other designations,
  - b. in which the holder of the card covers the numbers or other designations when objects, similarly numbered or designated, are drawn or electronically determined,
- and

c. in which the game is won by the first person covering a previously designated arrangement of numbers or designations on the cards, including, if played at the same location, pull-tabs, lotto punch boards, tip jars, instant bingo, and other games similar to bingo;

2. Any gaming as conducted or machine used by a federally recognized Indian tribe within this state which has been approved by the National Indian Gaming Commission as Class II gaming or a Class II gaming machine or by a federal or state appellate court of competent jurisdiction in a case dealing with gaming conducted or machines used in Oklahoma; and

3. Any other gaming or machine found by the Oklahoma Horse Racing Commission to be Class II gaming or a Class II gaming machine. Nothing in this section is intended to authorize or permit to use any Class III machine or conduct any Class III gaming, as that term is defined at 25 U.S.C. Section 2703.

B. Any Class II gaming authorized by this section shall be regulated by the Oklahoma Horse Racing Commission.

SECTION 2. This act shall become effective July 1, 2003.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

49-1-6089            SCE            01/22/03