

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 950

By: Montgomery

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5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Charity Games Act;
8 creating the Electronic Pull-Tab Device Act;
9 providing short title; amending 3A O.S. 2021, Section
10 402, which relates to definitions; defining term;
11 authorizing ABLE Commission to approve each device;
12 requiring certain specifications for each device;
13 prohibiting certain specifications; requiring devices
14 to withstand illegal force; specifying number of
15 devices per licensed establishment; providing for
16 promulgation of rules; providing for codification;
17 and providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 428 of Title 3A, unless there is
21 created a duplication in numbering, reads as follows:

22 This act shall be known and may be cited as the "Electronic
23 Pull-Tab Device Act".

24 SECTION 2. AMENDATORY 3A O.S. 2021, Section 402, is
25 amended to read as follows:

26 Section 402. As used in the Oklahoma Charity Games Act, Section
27 401 et seq. of this title:

1 1. "Bingo" means a game in which each player receives a bingo
2 face and covers the squares according to the numbers, letters, or
3 combination of numbers and letters that have been announced by the
4 caller. The numbers and letters called are on an object selected at
5 random either manually or mechanically from a receptacle in which
6 have been placed the objects bearing the numbers, letters, or
7 combinations of numbers and letters corresponding to the system used
8 for designating the bingo face squares. The winner of each bingo
9 game is the player who first properly covers a predetermined and
10 announced pattern of squares upon the bingo face being used by the
11 player;

12 2. "Bingo face" means a flat piece of paper which is marked off
13 into any number of squares in any arrangement of rows, with each
14 square being designated by number, letter or combination of numbers
15 and letters and with one or more squares designated as a "free"
16 space with the word "Oklahoma" and a facsimile outline of a map of
17 Oklahoma in it, which cannot be reused after the game in which a
18 player has used it is over;

19 3. "Breakopen ticket card" means a single folded or banded
20 ticket or a card, the face of which is initially covered or
21 otherwise hidden from view to conceal a number, letter, symbol, or
22 set of letters or symbols, a few of which numbers, letters or
23 symbols out of every set of charity game tickets have been
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1 designated in advance at random as prize winners and which is used
2 in a breakopen ticket game;

3 4. "Breakopen ticket game" means a game wherein a player
4 receives a breakopen ticket card. A breakopen ticket game shall
5 meet the following criteria:

- 6 a. the game shall be assembled so that no placement of
7 winners or losers exists that allows the possibility
8 of prize manipulation,
- 9 b. the concealed numbers, letters, or symbols shall not
10 be visible from the outside of the game using high
11 intensity lamps. Protection shall be provided by the
12 opaque paper stock employed, with the possible
13 addition of colors and printed blockout patterns or by
14 use of an aluminum foil laminate,
- 15 c. a unique symbol or printed security device, such as a
16 specific number keyed to particular winners or the
17 name of the symbol or some of the symbol colors
18 changed for a window, or other similar protection
19 shall be placed in the winning windows of prize
20 windows to ensure that the winner image is unique,
- 21 d. it shall not be possible to detect or pick out winning
22 from losing tickets through variations in printing
23 graphics, color, or use of different printing plates,

1 e. it shall not be possible to isolate winning or
2 potential winning tickets from minor variations in
3 size or cutting of the tickets comprising a particular
4 packet, and

5 f. each ticket in a game shall have a serial number. All
6 tickets in a game shall have the same serial number
7 appearing in a conspicuous place on the ticket;

8 5. "Business entity" means a person, company, corporation, or
9 partnership organized for profit;

10 6. "Charity game" means a bingo game, U-PIK-EM bingo game, or
11 breakopen ticket game conducted by an organization pursuant to the
12 provisions of the Oklahoma Charity Games Act;

13 7. "Charity game equipment" means any object uniquely designed
14 for use in the conducting of a charity game including, but not
15 limited to, bingo faces, U-PIK-EM bingo game sets, and breakopen
16 ticket cards. Items used in conducting charity games which are not
17 charity game equipment are ink markers, furniture and general
18 furnishings of rooms where charity games are conducted;

19 8. "Commission" or "ABLE Commission" means the Alcoholic
20 Beverage Laws Enforcement Commission;

21 9. "Day session" means the set time frame within which
22 conducting of charity games is authorized beginning no earlier than
23 10:00 a.m. and ending no later than 5:00 p.m.;

1 10. "Deal" means one series of breakopen ticket game cards
2 which has a stated number of winner payouts and a stated amount of
3 the payouts;

4 11. "Distributor" means a person or business entity that sells,
5 markets, or otherwise provides charity game equipment to an
6 organization;

7 12. "Doing business" means either conducting a charity game by
8 an organization or providing goods or services to an organization by
9 a business entity;

10 13. "Employee" means a person who works for compensation in a
11 licensed charity game establishment;

12 14. "Electronic pull-tab device" means an electronic device
13 that displays an instant result from a pull-tab game by utilizing a
14 touchscreen monitor. The device accumulates winnings for the player
15 and prints out a voucher at the conclusion of play that can be
16 redeemed for cash or credited to use on another electronic pull-tab
17 device for continued play;

18 15. "Immediate family member" means a spouse, parent, child or
19 sibling or spouse of a parent, child or sibling of a resident of a
20 facility exempt from specific provisions of the Oklahoma Charity
21 Games Act as provided in subsection C of Section 405 of this title;

22 ~~15.~~ 16. "Licensee" means any person, organization, or business
23 entity which has received a license from the Commission;

1 ~~16.~~ 17. "Location" means the building, including the individual
2 rooms and equipment in the rooms, grounds, and appurtenances,
3 including adjacent premises if subject to the direct or indirect
4 control of the organization while conducting a charity game, which
5 are used in connection with or in furtherance of the conducting of a
6 charity game;

7 ~~17.~~ 18. "Manager" means a person who:

- 8 a. is an employee of an organization,
9 b. has supervisory authority over other employees or over
10 the conduct of charity games, and
11 c. has been designated as such by the organization
12 pursuant to the provisions of subsection D of Section
13 408 of this title;

14 ~~18.~~ 19. "Manufacturer" means a person or business entity that
15 assembles from raw materials, supplies, or subparts to form a
16 completed series of charity game equipment for use in charity games
17 and that sells, markets, or otherwise provides such equipment to a
18 distributor;

19 ~~19.~~ 20. "Night session" means the set time frame within which
20 conducting of charity games is authorized beginning no earlier than
21 5:00 p.m. and ending no later than 12:00 p.m. midnight;

22 ~~20.~~ 21. "Organization" means a religious, charitable, labor,
23 fraternal, educational, or other type of association or any branch,
24 lodge, chapter, or auxiliary of such association which:

- 1 a. operates without profit to its members,
2 b. has been in existence and been operating as a
3 nonprofit organization for not less than two (2) years
4 prior to applying for an organization license,
5 c. is exempt from taxation pursuant to the provisions of
6 paragraphs (3), (4), (5), (6), (7), (8), (9), (10), or
7 (19) of subsection (c) of Section 501 or paragraph (1)
8 of subsection (a) of Section 509 of the United States
9 Internal Revenue Code of 1986, as amended, 26 U.S.C.,
10 Section 501(c) et seq. or Section 509(a)(1), and
11 d. formulates bylaws which clearly identify and
12 establish:

- 13 (1) method of electing officers and their duties,
14 (2) method by which members are elected, initiated or
15 admitted,
16 (3) the rights and privileges of each member,
17 (4) that each member has one vote, and
18 (5) that membership rights are personal to the member
19 and not assignable;

20 ~~21.~~ 22. "Progressive game" means a game in which prizes are
21 allowed to be carried over and increased from session to session;

22 ~~22.~~ 23. "U-PIK-EM bingo game" means a game played wherein a
23 player writes the numbers on a U-PIK-EM bingo game set. The player
24 retains one sheet of the set and deposits the second sheet in a
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1 receptacle in the control of the organization. The player then
2 covers the numbers as the caller announces a number. The numbers
3 called are on an object selected at random either manually or
4 mechanically from a receptacle in which have been placed the objects
5 bearing the numbers. The winner of each U-PIK-EM bingo game is the
6 player who first covers all the numbers appearing on the retained
7 sheet in accordance with the pattern as designated on the sheet; and

8 ~~23.~~ 24. "U-PIK-EM bingo game set" means two paper sheets of
9 carbonless paper both bearing identical serial numbers on which a
10 player writes numbers or letters, wherein one sheet is retained by
11 the player and used for playing and one sheet is held by the
12 organization and used for verifying winners.

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 428.1 of Title 3A, unless there
15 is created a duplication in numbering, reads as follows:

16 A. Each electronic pull-tab device shall bear a seal approved
17 by the ABLE Commission.

18 B. An electronic pull-tab device shall not be capable of being
19 used for the purposes of engaging in any game prohibited by the
20 Commission.

21 C. In addition to a video monitor or touch screen, each
22 electronic pull-tab device may include, but not be limited to, a
23 bill acceptor, printer, and electromechanical buttons for activating
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1 the game and providing player input, including a means for the
2 player to make selections and choices in games.

3 D. For each electronic pull-tab device, there shall be located
4 anywhere within the distributed pull-tab system, nonvolatile memory
5 or its equivalent. The memory shall be maintained in a secure
6 location for the purpose of storing and preserving a set of critical
7 data that has been error-checked in accordance with the critical
8 memory requirements of this regulation.

9 E. An electronic pull-tab device shall not have any switches,
10 jumpers, wire posts, or other means of manipulation that could
11 affect the operation or outcome of a game. The electronic pull-tab
12 device may not have any functions or parameters adjustable through
13 any separate video display or input codes except for the adjustment
14 of features that are wholly cosmetic.

15 F. An electronic pull-tab device shall not have any of the
16 following attributes:

- 17 1. Spinning or mechanical reels;
- 18 2. Pull handle;
- 19 3. Sounds or music solely intended to entice a player to play;
- 20 4. Flashing lights or tower light;
- 21 5. Top box, coin tray, ticket acceptance, hopper, coin
22 acceptor;
- 23 6. Enhanced animation, cabinet, or payglass artwork; or
- 24 7. Any other attribute identified by the Commission.

1 G. An electronic pull-tab device shall be robust enough to
2 withstand forced illegal entry that would leave behind physical
3 evidence of the attempted entry or such entry that causes an error
4 code that is displayed and transmitted to the distributed pull-tab
5 system. Any such entry attempt shall inhibit game play until
6 cleared and shall not affect the subsequent play or any other play,
7 prize, or aspect of the game.

8 H. The number of electronic pull-tab devices, other than those
9 electronic pull-tab devices that are handheld, present at any
10 premises at which charitable gaming is conducted shall be limited to
11 ten devices. The Commission shall determine whether an electronic
12 pull-tab device is handheld.

13 I. The ABLE Commission shall promulgate rules necessary to
14 implement and enforce the provisions of the Electronic Pull-Tab
15 Device Act.

16 SECTION 4. This act shall become effective November 1, 2023.

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