

## CHAPTER 349

## BINGO, GAMBLING DEVICES

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**349.11 PURPOSE.**

The purpose of sections 349.11 to 349.23 is to closely regulate and control the conduct of the game of bingo and to prohibit commercialization of bingo.

**History:** *1Sp1981 c 4 art 1 s 162*

**349.26 GAMBLING DEVICES.**

*[For text of subd 1, see M.S.1980]*

Subd. 2. "Gambling devices" means those gambling devices known as "paddlewheels" or "tipboards", "pull-tabs" (or "ticket jars"), or apparatus used in conducting raffles.

*[For text of subd 3, see M.S.1980]*

Subd. 4. "Tipboard" means a board, placard or other device measuring at least 12 inches square, marked off in a grid or columns, in which each section contains a hidden number or numbers, or other symbol, which determines the winning chances.

Subd. 5. "Raffle" means a game in which a participant buys a ticket for a chance at a prize with the winner determined by a random drawing to take place at a location and date printed upon the ticket.

Subd. 5a. "Pull-tabs" (or "ticket jars") means a single folded or banded ticket or a card, the face of which is initially covered, or otherwise hidden from view, to conceal a number or set of numbers or a symbol or set of symbols. A few of the numbers or symbols out of every set of pull-tabs (or ticket jars) will have been designated in advance and at random as prizewinners. A participant pays a consideration to an operator for the opportunity to obtain a folded or banded ticket or a card, view the numbers or symbols on it and possibly obtain a prizewinning pull-tab (or ticket jar).

*[For text of subs 6 to 11, see M.S.1980]*

Subd. 12. No compensation in excess of \$25 a week, shall be paid in connection with the operation of a gambling device or the conduct of a raffle by a licensed organization except a licensed organization may elect to pay a percent of raffle ticket sales to nonprofit organizations selling for the licensed organization. No person who is not an active member of an organization, or its auxiliary, or the spouse or surviving spouse of an active member may participate in the organization's operation of a gambling device or conduct of a raffle except the licensed organization may utilize nonmember nonprofit organizations in raffle ticket sales.

Subd. 13. Each organization licensed to operate gambling devices shall keep records of its gross receipts, quantity of free plays, if any, expenses and profits for each single gathering or occasion at which gambling devices are operated or a raffle is conducted. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount,

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a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of profits shall be itemized as to payee, purpose, amount and date of payment.

Gross receipts from the operation of gambling devices and the conduct of raffles shall be segregated from other revenues of the organization, including bingo gross receipts, and placed in a separate account. Each organization shall have separate records of its gambling operations. The person who accounts for gross receipts, expenses and profits from the operation of gambling devices or the conduct of raffles may be the same person who accounts for bingo gross receipts, expenses and profits.

Each organization licensed to operate gambling devices or to conduct raffles shall report monthly to its membership, and to the licensing local unit of government, its gross receipts, expenses and profits from gambling devices or raffles, and the distribution of profits itemized as required in this subdivision.

Records required by this section shall be preserved for three years, and organizations shall make available their records relating to operation of gambling devices and the conduct of raffles for public inspection at reasonable times and places.

Subd. 14. Gambling devices shall be operated and raffles conducted by a licensed organization only upon premises which it owns or leases except that tickets for raffles conducted in accordance with this section may be sold off the premises. Leases, unless authorized in another location by the local unit of government, shall be for a period of not less than one year and shall be in writing. The local unit of government may authorize raffles to be conducted by a licensed organization on premises not owned or leased by the organization. No lease shall provide that rental payments be based on a percentage of receipts or profits from gambling devices or raffles. Copies of all leases shall be provided to the licensing local unit of government.

Subd. 15. Total prizes from the operation of paddlewheels, tipboards and pull-tabs (or ticket jars) awarded in any single day in which they are operated shall not exceed \$1,000. Total prizes resulting from any single spin of a paddlewheel, or from any single seal of a tipboard, each tipboard limited to a single seal, or from a single pull-tab (or ticket jar), shall not exceed \$150. Total prizes awarded in any calendar year by any organization from the operation of paddlewheels, tipboards and pull-tabs (or ticket jars) and the conduct of raffles shall not exceed \$35,000. Merchandise prizes shall be valued at fair market retail value.

*[For text of subd 16, see M.S.1980]*

**History:** 1981 c 204 s 1-8

## 349.30 DEFINITIONS.

*[For text of subd 1, see M.S.1980]*

Subd. 2. "Gambling devices" means slot machines, roulette wheels, punchboards, and pin ball machines which return coins or slugs, chips, or tokens of any kind, which are redeemable in merchandise or cash.

*[For text of subs 3 to 9, see M.S.1980]*

**History:** 1981 c 204 s 9

**349.31 GAMBLING DEVICE; POSSESSION OF.**

Subdivision 1. **Intentional possession; wilful keeping.** The intentional possession or wilful keeping of a gambling device upon any licensed premises is cause for the revocation of any license under which the licensed business is carried on upon the premises where the gambling device is found, provided that possession of gambling devices commonly known as "paddlewheels" or "tipboards" or "pull-tabs" (or "ticket jars") or apparatus used in conducting raffles on the premises of a nonprofit organization and operated by organizations licensed for such operation pursuant to section 349.26 and the manufacture of gambling devices for use in jurisdictions where use of the gambling device is legal as provided for by section 349.40 shall not be cause for revocation of a license.

*[For text of subd 2, see M.S.1980]*

**History:** 1981 c 126 s 1; 1981 c 204 s 10

**349.40 GAMBLING DEVICES; MANUFACTURE FOR USE IN OTHER STATES.**

The manufacture in this state of gambling devices, or any component parts thereof, for shipment, sale, and use in jurisdictions where use of the gambling device is legal is allowed notwithstanding the provisions of this chapter, sections 349.31, 609.75, and 609.76, or other laws to the contrary.

**History:** 1981 c 126 s 2