

## Concealed Face Bingo Games

Amend Rule 1 by the addition of a new definition, as follows:

### **Concealed Face Card:**

A non-reusable bingo card containing five rows of five squares with a free center space, one number preprinted in each of the remaining 24 spaces, and the letters B, I, N, G, O printed in order over the five columns, the card so constructed that no part of its face is detectable or discernible until the card is purchased and opened by a player.

Amend Rule 12 by the addition of a new section 7), as follows:

- 7) At all bingo occasions where concealed face cards are sold or used, the following procedures, in addition to those applicable to the sale and use of bingo cards generally, shall apply:
  - a) No charge in excess of or less than \$.50 shall be made for each concealed face card.
  - b) All concealed face cards sold or used at any occasion shall be conspicuously stamped in indelible ink with the date of the occasion prior to the sale or transfer of any such card to any player.
  - c) All concealed face cards shall be sold for a uniform price, except that a licensee may permit players to trade one previously purchased card for one new one with the purchase of an additional card. For example, if a licensee elects to allow trades, a player wishing to trade in two cards shall be required to return the two cards and purchase two more, and shall then be entitled to receive four new cards.
  - d) A licensee that allows concealed face card trade-ins shall maintain two sets of cards for each concealed face game. One set shall be designated the "original set" and shall be a different color from the second set, which shall be designated the "trade-in set." Players may purchase cards only from the original set, and may trade cards in only for cards from the trade-in set.
  - e) A licensee that allows concealed face card trade-ins shall mark or deface all returned cards, so that they cannot be further played, and retain such traded-in cards as a required bingo occasion record.

[Renumber current section 7)]

Amend Rule 13 by the addition of a new section as follows:

The following requirements and procedures, in addition to those applicable to bingo games generally, shall apply to concealed face ("predraw" or "breakopen") bingo:

- a) No more than one concealed face game shall be offered at any bingo occasion.

- b) The bingo balls, receptacle, and master board used for other games at an occasion shall not be used for the concealed face game, which shall be conducted using separate equipment.
- c) Only concealed face cards shall be offered, sold, or used for any concealed face game.
- d) A concealed face game shall begin when, at or after the time set for the start of a bingo occasion, and in the presence of the players attending the occasion, the caller draws, announces, and displays a predetermined quantity of the separate concealed face game bingo balls and places them in the separate concealed face game master board.
- e) The numbers drawn for a concealed face game must be in plain view of the players at all times during the conduct of the game.
- f) After the predetermined quantity of balls has been called and posted, and before the end of the occasion, the concealed face game shall be resumed and concluded with the following procedures:
  - i) Immediately prior to selection of the next bingo ball from the separate concealed face game receptacle, the caller shall ask, at least twice, if any player has completed the required bingo pattern for the game.
  - ii) All players who have completed the pattern within the predetermined quantity of balls drawn initially are deemed to be equal winners, regardless of the order in which the initial numbers were drawn and posted.
  - iii) If any bingo is declared and verified based on the predetermined quantity of balls drawn and posted, the game shall be concluded in accord with this Rule 13 and the winning player(s) shall be awarded the designated prize.
  - iv) If no bingo has been declared and verified, the caller shall resume drawing and calling from the remaining concealed face bingo balls until a winning bingo is declared and verified, at which time the game shall be concluded and the winner(s) awarded the designated prize.
- g) Concealed face cards may be sold or traded during the game, after the initial drawing and posting of the predetermined quantity of numbers, but no such card shall be sold or traded after the game is resumed. All sales and trades shall cease at the time of the caller's first request for winners, and before the selection of the next ball after the initial drawing and posting.
- h) A concealed face game shall be played in its entirety within a single bingo occasion, and shall be the last game to be concluded at the end of such occasion. A concealed face game shall not be progressive or cumulative.

## **Games Manager Certification**

Add a new section 7) to Rule 19, as follows:

7) The fee payable to the Secretary of State for each new or renewal games manager certificate shall be \$10.

Add a new Rule 25, as follows:

- 1) Games manager certificates shall be issued by the Secretary of State, in accord with the provisions of C.R.S. 12-9-105(2) and 12-9-105.1, and each such certificate shall be valid for a term of four years from the date of its issuance.
- 2) No licensee shall conduct any bingo, raffle, or other game of chance activity until and unless at least one of its designated games managers holds a current, valid games manager certificate, has agreed to be responsible for the lawful conduct of such licensee's games of chance activities, and has filed a games manager's oath in the Office of the Secretary of State on a form prescribed by the Secretary of State.
- 3) Games manager certificates shall be either unlimited, and valid for the management of all licensed bingo-raffle activities, or limited, and valid for the management of licensed raffles only.
- 4) No new or renewal games manager certificate shall be issued unless the applicant for the certificate has first successfully completed all such training and testing as the licensing authority requires for new and renewing games managers.
- 5) All existing games manager certificates issued on or before December 31, 1998, shall expire on June 30, 2003, and shall not be valid for the management of any bingo, raffle, or other games of chance activity conducted on or after July 1, 2003.
- 6) All existing games manager certificates issued on or after January 1, 1999, shall expire four years from the date of issuance of each such certificate, and shall not be valid for the management of any bingo, raffle, or other games of chance activity conducted after the lapse of such four-year period.

## Progressive Jackpot Bingo Games

Amend Rule 1 by the addition of a new definition and of new language to the definition of “Bingo Game”, as follows:

### **Bingo Game:**

A bingo game starts when the first numbered object or ball is selected at random and called, and continues until all the objects or balls have been returned to the receptacle. Except for concealed face and progressive jackpot games, a game may have two or more parts with different winning patterns for each part, if the total amount of prizes offered or given for all parts of one game does not exceed, in amount or value, the statutorily set maximum prize that may be offered or given in a single game of bingo.

### **Progressive Jackpot (“Progressive”) Bingo Game:**

A progressive jackpot bingo game is one in which a prize amount is carried over to a subsequent game if no bingo is achieved within a specified number of balls drawn and called.

Amend Rule 3 by the addition of a new section 3), as follows:

- 3) With or as part of the sign described at section 2) of this Rule 3, a bingo-affle licensee conducting a progressive jackpot bingo game shall also post, prior to each occasion at which a progressive game is offered, a sign with at least one inch letters stating:
  - a) The bingo pattern or arrangement of numbers a player must complete in order to win the progressive jackpot prize, together with a clear diagram of such arrangement of numbers, if any other pattern than a full card (“blackout” or “coverall”) is required to win;
  - b) The maximum number of calls in which a player must complete the required pattern in order to win the progressive jackpot prize;
  - c) The amount of the prize carried over from previous games in the progression;
  - d) The price and description, including color or design, of the card to be used for the progressive game; and
  - e) The time and date of the next occasion at which the next game in the progression will be conducted if the jackpot prize is not awarded.

In addition, if the licensee has elected to continue a game as a regular bingo in the event that the jackpot is not won, the sign shall state the amount of the regular game prize. The sign shall also designate the subsequent game at the same occasion to which the regular game prize amount will be added in the event that the jackpot is won.

Amend Rule 5, section 2) by addition of a new sentence, as follows:

- 2) This disclosure need not be made separately and personally to each participant but may be made by conspicuously posting or displaying upon the premises where the games are operated, either the available prizes or a list and complete description thereof, together with the cost to participate in the game of chance. If a progressive jackpot bingo game is offered, this disclosure shall include all the information required by section 3) of Rule 3 of these rules regulating bingo and raffles.

Amend Rule 9, section 1) by the addition of a new subsection d., as follows:

- d. If a progressive jackpot bingo game is conducted, a separate accounting showing the serial numbers of the cards sold for the game, the gross receipts for such cards, the amount of the jackpot prize at the beginning of the occasion, and the amount of the prize paid out or carried over to the next game in the progression.

Amend Rule 12 by the addition of a new section, as follows:

The following procedures and requirements, in addition to those in effect for bingo operations generally, shall apply to the sale and use of progressive jackpot bingo cards and sheets:

- a. Only disposable paper cards, distinguishable by a color or design that the licensee does not use for any other game, shall be sold or used for any progressive jackpot bingo game.
- b. Each card sold for a progressive game shall contain five rows of five squares with 24 preprinted numbers, a free center space, and the letters B,I,N,G,O printed in order over the five columns.
- c. Each and every card for a progressive game shall be sold for a set price. The price shall be not less than one dollar per card, shall be determined by the licensee before the first game in a progression, and shall remain the same for all games in such progression. No discounts, free cards, price changes, or variant pricing shall be permitted.
- d. All cards for a progressive bingo game shall be sold prior to the drawing of the first number for such game.
- e. Progressive cards shall be sold and accounted for separately from any other cards, sheets, or packs sold or used at a bingo occasion, but a licensee may, by house rule, make purchase of a pack or door card a prerequisite for purchase of a progressive card.

Amend Rule 13 by the addition of a new section, as follows:

The following requirements and procedures, in addition to those applicable to bingo games generally, shall apply specifically to the conduct of progressive jackpot bingo:

- a. Only one progressive jackpot game shall be conducted at any bingo occasion.
- b. Once a progressive jackpot bingo has begun, it shall be continued at each successive bingo occasion of the sponsoring licensee until the jackpot prize is won.

- c. The bingo pattern or arrangement of numbers required to win a progressive jackpot prize shall be the same throughout all games in a progression.
- d. For each successive game in a progression, the number of calls in which a player must complete a full card to win the prize may remain the same or be increased.
- e. No progressive jackpot game shall be the last game offered or played at any bingo occasion.
- f. Immediately prior to the drawing of the first number for any progressive game, the caller shall clearly announce the maximum number of calls in which a player must complete a full card in order to win the progressive jackpot prize, the amount of the jackpot prize, the description of the card for the progressive game, and the time and date of the occasion at which the next game in the progression will be conducted if the jackpot prize is not awarded.
- g. When no progressive jackpot winner is determined in the designated number of calls for a progressive game, the entire jackpot prize amount, without deductions for consolation prizes, shall be carried over to the next game in the progression. After the designated number of calls, the licensee shall either proceed to its next regular bingo game, or continue the game that was begun with the designated calls as its next regular game. If the licensee elects to continue the game as a regular bingo, the prize amount for the game shall be subject to the limitations set forth at CRS 12-9-107(13), and shall not, when aggregated with all other bingo prizes offered or given at the occasion, cause the total prize amount for the occasion to exceed fifteen hundred dollars.
- h. No progression shall continue for more than 30 successive occasions. If the jackpot prize has not been won before the thirtieth game in a progression, a winner must be determined and the jackpot prize must be awarded at the thirtieth occasion, regardless of the number of calls necessary.
- i. If, before a progressive jackpot bingo prize has been awarded, the sponsoring licensee's license will expire and is not renewed, or is suspended, revoked, or surrendered, or the licensee terminates its bingo activities for any other reason, the jackpot prize winner shall be determined and the prize shall be awarded on the licensee's last authorized bingo occasion, regardless of the number of calls needed to produce a winner.
- j. If a licensee regularly conducts bingo occasions at least weekly at each of two licensed commercial bingo facilities, the licensee may offer and continue one jackpot bingo progression at each facility, provided that each progression is conducted in accord with this Rule 13 and all other applicable provisions of the law and rules governing bingo activities.
- k. Winning progressive bingo cards shall be verified by the caller, a floor worker, and at least one other player, all of whom shall verify the card by manufacturer's identification number, series number, and numbers called, in accord with section 7) of Rule 13 and section 5) of Rule 12 of these rules.
- l. All progressive bingo prize amounts in excess of \$250 shall be paid by check.
- m. A progressive jackpot bingo prize need not be paid immediately upon the determination of a winner of the game, but each such prize shall be paid in full within 48 hours after the game is won.

- n. All receipts from the sale of progressive bingo cards shall be kept segregated from other games of chance receipts of a licensee. All such receipts shall be deposited in the games of chance bank account required by CRS 12-9-108 by means of a separate deposit slip, which shall show the serial numbers of the cards sold. Receipts from the sale of progressive bingo cards shall be deposited no later than the close of the business day next following the day of the occasion at which the cards were sold.
- o. An amount equal to at least seventy percent of the proceeds from the sale of progressive bingo cards shall be held in the licensee's bank account continuously for the entire duration of the progression. No part of this amount shall be expended, transferred, or otherwise removed from the account before the progressive jackpot prize is won.

Amend section 3) of Rule 11 as follows:

3) A bingo-raffle licensee may not rent premises for an occasion except from a landlord licensee. ~~No rental fee may be paid without prior approval of the Secretary of State and~~ A RENTAL FEE shall cover the expenses reasonably necessary for the use of the premises for the occasion, plus ANY PROMOTION ~~the~~ expenses authorized by C.R.S. 12-9-102.5(4)(b),

Repeal section 8) of Rule 11 in its entirety.



Repeal Rule 11.5, "Promotions," as follows:

(Rule 11.5 is superseded by the amendments and additions to C.R.S. 12-9-102.5 made by HB 02-1321)

## **RULE 11.5 PROMOTIONS**

- 1) ~~As used in this rule 11.5, a "promotion" means the conduct of a game during any occasion for promotional purposes that would constitute a "game of chance" as defined in section 12-9-102(7), C.R.S., except for the fact that the shares or tickets or rights to participate in the game are given away at no charge.~~
- 2) ~~In any promotion, the shares, tickets, or rights to participate in the promotion must be offered free of charge and on an equal basis to all persons present. In accordance with section 12-9-102.5, C.R.S., only merchandise or other tangible products may be given away as prizes, and no cash prize may be offered or awarded in any promotion.~~
- 3) ~~A landlord licensee may conduct a promotion on the landlord's premises prior or subsequent to a bingo-affle licensee's rental term. A landlord licensee may conduct a promotion during an occasion held on the landlord's premises if the promotion and its cost to the bingo-affle licensee is clearly disclosed in the rental agreement in accordance with rule 11.~~
- 4) ~~A landlord licensee may not require any bingo-affle licensee to participate in or conduct any promotion.~~
- 5) ~~A bingo-affle licensee may conduct its own promotion during an occasion if no funds of the licensee are expended to acquire a prize offered in the promotion.~~
- 6) ~~The games manager for any occasion may not assist in any promotion conducted during the occasion.~~
- 7) ~~A landlord licensee may pay no member of the bingo-affle licensee's organization to participate or assist in a promotion offered during the bingo-affle licensee's occasion.~~
- 8) ~~Prizes offered as part of a promotion shall not be considered as part of the prize limits specified in the bingo-affle law.~~
- 9) ~~Prior to conducting a promotion, the landlord licensee or bingo-affle licensee shall provide either evidence of ownership, free and clear, of the prize to be offered, or a bond or insurance policy in a sufficient amount to guarantee that any prize offered in the promotion is available and will be awarded. This requirement does not apply if all prizes to be awarded are present and available for viewing on the premises or in adjacent parking areas on the day they are to be awarded.~~
- 10) ~~The landlord licensee or bingo-affle licensee offering promotion shall disclose full information at the beginning of the promotion, identifying the prizes to be awarded and the method by which such prizes may be won. This disclosure need not be made separately or personally to each participant, but may be made by conspicuously posting or displaying upon the premises where the games are operated, either the available prizes or a list and complete description thereof, together with a description of the method by which such prizes may be won.~~

## Progressive Pull Tab Games

Amend Rule 1 and add a new definition, as follows:

### **Seal Pull Tab:**

A pull tab game that offers one or more prizes by means of a flare or a jackpot card that is part of a pull tab deal. The flare or jackpot card includes a section bearing a tab or tabs that must be torn or broken apart to reveal a winning combination or combinations. Each seal pull tab deal shall include:

- (1) A ticket or tickets that entitle the purchaser to a chance to win the prize(s) identified by the winning combination(s) imprinted on the flare or jackpot card; and
- (2) A flare preprinted with:
  - (A) the serial number of the pull tab deal;
  - (B) a section that shall record the names of all holders of tickets that entitle the bearer to a chance on the seal prizes, together with the potential winning combination of each such ticket; and
  - (C) all other information required by this rule 1 to be shown on pull tab flares.

The jackpot card, if separate from the flare, shall be preprinted with the name and form number of the game and the manufacturer's name.

(Strike remainder of paragraph)

### **Progressive Pull Tab:**

A game consisting of one or more seal pull tab deals with identical form numbers that offers a cumulative or carryover jackpot prize. The prize structure for a progressive pull tab game is predetermined by the game's manufacturer and built into the game. The structure includes a cumulative jackpot prize, to which each deal of the game in which the jackpot prize is not won contributes a specifically predesignated amount.

Amend subsection b of section 13) of Rule 16 as follows:

b. Verifies the identification of the winner of the "Last Sale" pull tab prize, regardless of amount, including such person's name, address, and driver's license number or Colorado identification number. No "Last Sale" prize may be paid without such verified information.

Amend section 14) of Rule 16 as follows:

Delete the word "flare" in lines one and two, so that rule agrees with definition terminology.

Amend section 14 b), beginning at the third sentence, as follows:

Tickets redeemed for a chance at a seal pull tab prize (“hold tickets”) shall be defaced and returned to the purchaser. The licensee shall keep, post, and maintain for the duration of the game each seal pull tab deal flare with a correct and accurate record thereon of the names of all holders of redeemed tickets which offer a chance on the seal tab prizes and the potential winning combination of each such ticket redeemed. In addition, the bingo-affle licensee shall maintain a separate list of the addresses of all holders of redeemed tickets in order to contact them in the event that they are not present when the winning combinations are revealed. The licensee need not maintain a sign-up sheet and address record for a small seal pull tab deal unless the deal is one of two or more in a single progressive pull tab game. A small deal shall be one consisting of 600 or fewer tickets that is reasonably anticipated to sell out in the course of a single bingo occasion or in one day at a licensee’s bar or club room.

[Make the necessary technical amendments to conform the remaining subsections of section 14 to the amended seal pull tab definition.]

Amend Rule 16 by the addition of a new section, as follows:

- 15) The conduct and operation of any progressive pull tab game shall comply with the following specific requirements, in addition to those set forth elsewhere in these rules and the provisions of the bingo-affle law and rules applicable to pull tabs generally:
  - a. No licensee shall offer or put into play more than one progressive pull tab deal at any one time.
  - b. After a progressive pull tab game has been started, it shall remain in play continuously until such time as a jackpot winner is determined. The game shall be offered either at each succeeding bingo occasion of the sponsoring licensee, if such game is begun at a bingo occasion, or on each succeeding day, if such game is begun on the licensee’s premises.
  - c. Prizes in a progressive pull tab game shall be offered and awarded only and wholly in accord with the manufacturer’s predesignated prize structure for the game.
  - d. The flare or jackpot card for each deal in a progressive pull tab game shall show, in addition to all other information required for pull tab flares, the amount dedicated to the progressive jackpot prize and the current total of such prize. The total shall be modified each time a contribution is made.
  - e. Every flare for each deal that has been played or is being played in the course of a progressive pull tab game, together with any jackpot card for the game, shall be displayed in plain view of the players at all times when the game is in play, until such time as the progressive jackpot prize is won.
  - f. No prize in a progressive pull tab game shall exceed \$5,000 in amount or value. If a jackpot prize reaches \$5,000 without a winner, the prize must be awarded in accord with the manufacturer’s specifications for the determination of a winner upon accumulation of the maximum amount. If no

such specifications are built into the progressive game being conducted, the game must continue without further contributions to the jackpot amount until the jackpot prize is won.

- g. If a licensee's license is suspended, revoked, or surrendered during the course of its conduct of a progressive pull tab game, the game shall be played out without further contributions to the jackpot prize and in accord with the instructions of the Secretary of State, on or before the licensee's last authorized occasion or day of games of chance operations.
- h. No prize in any progressive pull tab game shall be paid out unless the serial and form numbers of the winning ticket match the serial and form numbers of a deal contributing to the jackpot amount.
- i. A progressive pull tab game shall end with the award of the cumulative jackpot prize or, if the jackpot prize is unclaimed, upon expiration of a fifteen day period after determination of the winner. If, however, a jackpot prize is not claimed by the next day or occasion on which the licensee conducts pull tab activities, the licensee may begin a new progressive pull tab game and shall not be deemed to be conducting more than one such game at one time.
- j. If a jackpot prize is not claimed upon determination of a winner, a licensee shall continue, for fifteen days after such determination, to display all flares and jackpot cards for the game that offered the prize in plain view of all players at its bingo occasions or pull tab operations. Within the fifteen-day period, the licensee shall also provide the winner with the notice described in section 14) d of this Rule 16.
- k. Unclaimed progressive pull tab prizes shall become the property of the licensee after fifteen days from the determination of a winner, provided that the licensee has fulfilled the requirements of subsection h of this section 15).
- l. All receipts from sales of tickets for any progressive pull tab game shall be segregated from other games of chance receipts of the licensee. All such receipts shall be deposited in the licensee's bingo-raffle bank account by means of separate deposit slips, and on each such deposit slip shall be shown the serial number(s) of the deal(s) from which the receipts were received.
- m. At all times during the conduct of any progressive pull tab game, the licensee conducting the game shall maintain a bingo-raffle bank account balance sufficient to pay out any prize(s) offered in the game. Failure to have sufficient funds available in the account to pay prizes, or any attempt by a licensee or any member of a licensee to utilize carry-over jackpots for personal or organizational purposes, shall be prima facie evidence of defrauding of players.