COLORADO SECRETARY OF STATE

[8 CCR 1505-2]

BINGO AND RAFFLES GAMES RULES

Revised Draft of Proposed Rules

June 24, 2011

Disclaimer: This draft supersedes the Preliminary Draft that was issued with the Notice of Proposed Rulemaking on May 27, 2011. The rulemaking hearing to be conducted on June 30, 2011, will use this Revised Draft.

This draft copy of the proposed rule amendments is made available to the public and posted on the Department of State's web site, in compliance with the requirement of section 24-4-103(4)(a), C.R.S., that "Any proposed rule or revised proposed rule by an agency which is to be considered at the public hearing...shall be made available to any person at least five days prior to said hearing."

Proposed additions to the current rules are reflected in SMALL CAPS. Proposed deletions from current rules are shown in stricken type. Shading indicates revisions from the previous draft. Annotations may be included.

[The following changes are proposed by the Bingo Raffle Advisory Board, the Longmont Moose Lodge 1548, or the Secretary of State as more thoroughly explained in the Revised Statement of Basis, Purpose, and Specific Statutory Authority.]

1 Rule 2.0 would be amended as follows:

2 2.0 DEFINITION OF BINGO AND RAFFLE TERMS

3 A. Bingo Games. A bingo game starts when the first numbered object, ball, or number is 4 selected at random or randomly generated by machine, and called, WHETHER BY A HUMAN 5 OR BY AN ELECTRONICALLY SYNTHESIZED VOICE, and continues until all the objects or 6 balls have been returned to the receptacle or the machine THAT GENERATES RANDOM 7 NUMBERS has been cleared. A game may have two or more parts with different winning 8 patterns for each part, if the total amount of prizes offered or given for all parts of one 9 game does not exceed, in amount or value, the maximum prize that may be offered or 10 given in a single game of bingo. FOR PURPOSES OF THE GAME OF BINGO KNOWN AS "24 11 NUMBER BINGO", OR ANY SIMILAR GAME REFERRED TO BY A DIFFERENT NAME, A GAME 12 STARTS WHEN THE 24 NUMBERED BALLS OR NUMBERS, AND ANY BONUS BALLS OR 13 NUMBERS ALLOWED BY THE BINGO-RAFFLE LICENSEE, ARE RANDOMLY SELECTED OR 14 RANDOMLY GENERATED BY MACHINE, AND CALLED. THE GAME ENDS WHEN THE BINGO-15 RAFFLE LICENSEE RETURNS THE BALLS TO THE RECEPTACLE OR THE MACHINE HAS BEEN 16 CLEARED. A NEW GAME STARTS WHEN A NEW SET OF 24 BALLS OR NUMBERS ARE 17 RANDOMLY SELECTED AND CALLED.

- 1 [Rules 2.0(B) through (F) would be retained unaltered]
- 2 G. **Face:** A SINGLE bingo card WHETHER A DISPOSABLE CARD OR A COMPUTER GENERATED DISPLAY OF A SINGLE BINGO CARD ON A BINGO AID DEVICE.
- 4 [Rules 2.0(H) and (I) would be retained unaltered]
- Master Board: The master board is the rack that balls are placed in after a ball has been taken from the receptacle. The master board may be electronically connected to a lighted display board that indicates the called ball. In the case of an electronic random number generator that ealls-SELECTS numbers, the lighted display board is the master board.
- 9 K. MASTER ELECTRONIC DEVICE. THE MASTER ELECTRONIC DEVICE MEANS, WITH RESPECT 10 TO 24 NUMBER BINGO, AN ELECTRONIC SYSTEM THAT SELECTS 24 NUMBERS, AND UP TO SIX 11 BONUS NUMBERS, USING AN APPROVED RANDOM NUMBER GENERATOR, AND DISPLAYS 12 THEM ON A LIGHTED DISPLAY THAT IS SEPARATE FROM ANY OTHER LIGHTED DISPLAY USED 13 DURING AN OCCASION. THE MASTER ELECTRONIC DEVICE MAINTAINS AND CONTROLS THE 14 TRANSACTION NUMBER, TIME, AND DATE OF SALE OF ACCESS PERMISSIONS TO PLAYERS. 15 THE MASTER ELECTRONIC DEVICE MAY INCORPORATE AN ELECTRONICALLY GENERATED 16 SYNTHETIC VOICE THAT HAS BEEN APPROVED BY THE LICENSING AUTHORITY.
- 17 K.L. Pack: A collation of disposable paper bingo cards or sheets sold during a bingo occasion.
- M. PERCENTAGE PRIZE PAYOUT BINGO GAME. A PERCENTAGE PRIZE PAYOUT BINGO GAME IS
 A NON-PROGRESSIVE BINGO GAME IN WHICH THE PRIZE IS DETERMINED BASED UPON A PREDETERMINED AND ANNOUNCED PERCENTAGE OF SALES OF CARDS FOR THAT GAME. THE
 PRIZE SHALL BE ANNOUNCED AS SOON AS PRACTICAL AFTER SALES FOR THE GAME ARE
 CLOSED, BUT IN ANY EVENT PRIOR TO FIFTH BALL IN PLAY FOR THAT GAME IS ANNOUNCED.
- 24 L.N. **Pre-Draw Concealed Face Game:.** A bingo game in which a designated number of balls or objects are drawn or numbers are randomly generated during the occasion with a separate set of balls and in the presence of at least ten (10) players ONE PLAYER. Players may purchase concealed face cards after the designated number of balls or objects is drawn or numbers are randomly generated. The bingo-raffle licensee announces the resumption of the game and continues to draw balls or generate numbers until a player signals a bingo.
- 31 M.O. **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 to a specifically predesignated amount.
- N.P. 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.

- 1 O.O. **Remuneration:** Any monetary or non-monetary payment, no matter how small, given to 2 a member of an organization in return for that member's participation in the operation of 3 charitable gaming. Items that are included in the definition include, but are not limited to: 4 direct payments of cash; reduced pack prices or free packs to a member who plays bingo 5 when that member is not participating in the operation of the charitable gaming DURING 6 AN OCCASION; reduced dues based on the number of volunteer hours that the member 7 works in the operation of charitable gaming; meal vouchers; reimbursement of travel 8 expenses when other members who do not participate in the operation of charitable 9 gaming are not reimbursed for travel; non-competitive scholarships where the selection 10 of the scholarship recipient is based on the amount of time volunteered in the operation of charitable gaming, whether by the recipient or a member of the organization related to the 11 12 recipient; tips received from players by a member as a result of the member's 13 participation in the operation of charitable gaming.
- Renewal Application. An application received from a qualified organization which organization holds a bingo-raffle license for the calendar year immediately preceding the year for which the renewal application is submitted.
- 17 Q.S. **Seal PulltabTAB.** 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.
- 21 <u>1.</u> Each seal pull tab deal shall include:

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- 22 a.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
- 25 b.2. A flare preprinted PRE-PRINTED FLARE, or AS otherwise prepared by the game's manufacturer, to show:
- 27 (1)A. the THE serial number of the pull tab deal;
 - (2)B. aA 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
- 31 (3)C. allALL other information required by this rule to be shown on pull tab
 32 flares. The jackpot card, if separate from the flare, shall be preprinted PRE33 PRINTED with the name and form number of the game and the
 34 manufacturer's name.
- 35 R.T. Sheet: A leaf of paper upon which are printed two or more disposable paper bingo cards
 36 OR WITH RESPECT TO ELECTRONIC BINGO AIDS, A GRAPHICAL REPRESENTATION OF
 37 MULTIPLE BINGO CARDS ON A SINGLE SCREEN THAT ARE GENERATED ELECTRONICALLY BY
 38 THE BINGO AID.

- S. Stretch raffle. A method of determining the amount of raffle tickets that may be purchased for a set price. For example, a stretch raffle may use the length of the arm span of one of the participants of the raffle to determine the number of tickets that a specific dollar amount will purchase. The stretch raffle must use the same method to determine the amount of tickets for all purchasers of raffle tickets in the specific raffle declared to be a stretch raffle.
- 7 [Note: current Rule 2.0(S) would be re-codified in New Rule 9.0(E)(6)]
- Stub:. That portion of a raffle ticket kept by the bingo-raffle licensee. In the case of a raffle prize that has a RETAIL value greater than \$1,000.00, the stub is that portion of the ticket containing the name, address, and telephone number of the purchaser of the ticket.
- 11 U.V. **Ticket:** As used in these rules, "ticket" means a slip of paper or any other object that is discrete from every other object sold or that contains a discrete number or symbol, which evidences that the person to whom it is issued, or the holder thereof, is entitled to some right or privilege therein mentioned or described.
- 15 XW. 24 NUMBER BINGO. A BINGO GAME PLAYED ON AN ELECTRONIC BINGO AID IN WHICH 24 16 NUMBERS ARE RANDOMLY DRAWN, WHETHER BY A CALLER OR RANDOMLY GENERATED BY 17 AN APPROVED RANDOM NUMBER GENERATOR, CALLED, AND DISPLAYED ON A LIGHTED 18 DISPLAY. FOR PURPOSES OF 24 NUMBER BINGO, THE LIGHTED DISPLAY SHALL CONSTITUTE 19 THE MASTER BOARD. UP TO SIX BONUS NUMBERS MAY BE RANDOMLY DRAWN, ANNOUNCED 20 AND POSTED ON THE LIGHTED DISPLAY. ANY BONUS NUMBERS THAT ARE DRAWN MUST BE 21 SEPARATELY IDENTIFIED ON THE LIGHTED DISPLAY FROM THE 24 NUMBERS THAT WERE 22 DRAWN. THE 24 NUMBERS AND ANY BONUS NUMBERS MUST BE DRAWN AND DISPLAYED IN 23 THE PRESENCE OF AT LEAST ONE PLAYER. ALL RULES PERTAINING TO THE DRAWING OF 24 BINGO NUMBERS SHALL APPLY. EACH SEPARATE DRAWING OF NUMBERS SHALL 25 CONSTITUTE A GAME. THE WINNING PATTERNS TO WIN A BINGO AND THE PRIZES TO BE 26 AWARDED SHALL BE CLEARLY IDENTIFIED IN ADVANCE TO EACH PLAYER ON THE BINGO AID 27 DEVICE. PASSIVE PLAY IS NOT ALLOWED. ANY PLAYER USING AN ELECTRONIC BINGO AID 28 DEVICE IN CONNECTION WITH 24 NUMBER BINGO GAMES SHALL BE REQUIRED TO ACTIVELY 29 INDICATE THE NUMBER OF CARDS TO BE PLAYED AND THE AMOUNT OF MONEY WAGERED 30 AND THE COMMENCEMENT OF PLAY FOR EACH SET OF CARDS PURCHASED BY EITHER 31 MANUALLY ENTERING THE NUMBERS OR BY TOUCHING A BUTTON OR BUTTONS OR SCREEN 32 ICONS.
- Wheel Raffle:. A raffle where the winning ticket is determined by spinning a wheel until a pointer lands in one of THE discrete segments marked on the wheel. The wheel consists of a board mounted on a spindle with a specific number of discrete numbers or symbols marking each segment on the outer circumference.
- 37 [Note: current Rule 2.0(V) would be re-codified in New Rule 9.0(E)(5)]
- Rule 4.0(A)(2) would be amended as follows:
- Call and display of balls. Immediately following the drawing of a ball from the receptacle, the caller shall display, or cause to be displayed to the players, the

1 letter and number on the ball. The caller may use a camera and monitor or may 2 physically show the letter and number to the players so that the players may know 3 that the proper number has been called. If monitors are used, a sign shall be 4 placed by each monitor that shall read: "Ball on TV is not official until called." 5 The letter and number on the ball shall be called out loudly and clearly and a. announced twice prior to the drawing of the next ball. The ball is not 6 7 official until it has been properly called. A BINGO-RAFFLE LICENSEE THAT 8 EMPLOYS A SYSTEM WHICH INCORPORATES A RANDOM NUMBER GENERATOR 9 MAY USE AN ELECTRONICALLY GENERATED SYNTHETIC VOICE TO 10 ANNOUNCE THE RANDOMLY SELECTED BALL OR NUMBER IF SUCH SYSTEM 11 HAS BEEN APPROVED BY THE LICENSING AUTHORITY. 12 b. Where more than one room is used for any one game, the receptacle and the caller must be present in the room where the greatest number of 13 14 players is present, and all balls called shall be plainly audible to the 15 players in all of the rooms where players are present. 16 C. IF THE BINGO-RAFFLE LICENSEE USES A RANDOM NUMBER GENERATOR 17 AND/OR AN ELECTRONICALLY GENERATED SYNTHETIC VOICE, THE 18 ANNOUNCEMENT MUST BE ABLE TO BE HEARD BY ALL INDIVIDUALS IN THE 19 HALL. 20 New Rules 4.0(A)(4)(h) and (i) would be adopted as follows: 21 THE ABOVE CLOSING PROCEDURE SHALL NOT APPLY TO A 24 NUMBER BINGO H. 22 GAME WHICH MAY BE CLOSED AT THE DISCRETION OF THE BINGO-RAFFLE 23 LICENSEE, PROVIDED HOWEVER THAT SUCH GAME SHALL BE CLOSED BEFORE 24 THE MAXIMUM PRIZE PAYOUT PER GAME IS EXCEEDED. 25 THE ENSURE THAT I. BINGO-RAFFLE LICENSEE WILL Α TIMELY 26 ANNOUNCEMENT OF THE CLOSING OF AN OCCASION WILL BE MADE TO ALL 27 PLAYERS OF 24 NUMBER BINGO IN SUCH A MANNER AS TO PRECLUDE A 28 GAME FROM BEING STARTED THAT WOULD CAUSE THE MAXIMUM PAYOUT 29 PER OCCASION TO BE EXCEEDED. 30 Rule 4.0(A)(9) would be amended as follows: 31 9. Number of games allowed. No BINGO-RAFFLE licensee may hold, operate, or 32 conduct a game of bingo or lotto more often than ON two hundred twenty 440 occasions in any calendar year. 33 Rule 5.0(A)(1) would be amended as follows: 34 35 Method of Payment by Player—No Credit. The consideration charged for the 36 privilege of playing any game of chance shall be collected in full, in advance, by check, cash, or debit or credit card. ALL PAYMENTS RECEIVED SHALL BE DIRECTLY 37 38 DEPOSITED INTO THE LICENSEE'S SEGREGATED CHECKING OR SAVINGS ACCOUNT AS

- REQUIRED BY SECTION 12-9-108(3), C.R.S., AND SUCH PAYMENTS SHALL NOT BE ROUTED THROUGH A GENERAL ACCOUNT OR OTHER ACCOUNT OF THE LICENSEE. A bingo-raffle licensee may accept debit or credit cards, but the bingo-raffle licensee accepts all risks of cancellation of the charges by the player and for checks returned for insufficient funds. None of the losses may be charged to bingo, raffle, or pull-tab activities. Fees paid to a check guarantee service or debt collection firm for recovery of bad checks or cancelled credit charges may be paid from the bingo account.
- 9 Rule 7.0(B)(2) would be amended as follows:

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- Maximum number of faces. A bingo-raffle licensee shall not knowingly allow a player to use an electronic bingo aid device that has more than thirty-six (36) 54 faces IN PLAY AT ANY ONE TIME.
- Rule 9.0(E)(5) would be amended as follows:
- 5. 14 Wheel raffles. A bingo-raffle licensee may conduct a wheel raffle "WHEEL" 15 RAFFLE, WHERE THE WINNING TICKET IS DETERMINED BY SPINNING A WHEEL UNTIL 16 A POINTER LANDS IN ONE OF DISCRETE SEGMENTS MARKED ON THE WHEEL, if the 17 number of tickets sold for a particular raffle is no greater than the number of discrete numbers or symbols on the wheel, and each ticket sold matches one and 18 19 only one of the numbers or symbols on the wheel. If fewer tickets than the 20 number of segments are sold, the licensee must continue to spin the wheel until there is a winner. A licensee shall not use any wheel containing SYMBOL(S), 0, or 21 22 00 unless it offers to sell tickets for those segments, and a purchaser must win if 23 he or she possesses a ticket bearing the numbers 0 or 00.
- New Rules 9.0(E)(6), (7), and (8) would be adopted as follows:
- 25 6. STRETCH RAFFLES. A BINGO-RAFFLE LICENSEE MAY CONDUCT A STRETCH RAFFLE 26 TO DETERMINE THE AMOUNT OF RAFFLE TICKETS THAT MAY BE PURCHASED FOR A 27 SET PRICE. FOR EXAMPLE, A STRETCH RAFFLE MAY USE THE LENGTH OF THE ARM 28 SPAN OF ONE OF THE PARTICIPANTS OF THE RAFFLE TO DETERMINE THE NUMBER OF 29 TICKETS THAT A SPECIFIC DOLLAR AMOUNT WILL PURCHASE. A LICENSEE MAY 30 CONDUCT A STRETCH RAFFLE ONLY IF THE SAME METHOD IS USED TO DETERMINE 31 THE AMOUNT OF TICKETS FOR ALL PURCHASERS OF RAFFLE TICKETS IN THE SPECIFIC 32 RAFFLE DECLARED TO BE A STRETCH RAFFLE.
- 7. **QUEEN OF HEARTS RAFFLE.** A BINGO-RAFFLE LICENSEE MAY CONDUCT A QUEEN OF HEARTS RAFFLE WHERE THE WINNER OF A WEEKLY RAFFLE RECEIVES A CASH PRIZE AND AN OPPORTUNITY TO WIN A PROGRESSIVE JACKPOT BY SELECTING THE OUEEN OF HEARTS FROM A BOARD OF 52 OVERTURNED PLAYING CARDS.
- A. A BINGO-RAFFLE LICENSE THAT CONDUCTS A QUEEN OF HEARTS RAFFLE SHALL:

2 3	(1)	TICKETS FOR \$5.00. NON-WINNING TICKET STUBS WILL BE DISPOSED OF AT THE CONCLUSION OF EACH WEEKLY DRAWING.
4 5 6 7 8 9	(2)	CONDUCT A WEEKLY RAFFLE FROM A TICKET HOPPER WHERE THE WINNER RECEIVES 20% OF THE MONEY COLLECTED FOR THAT WEEK AND RECEIVES ONE OPPORTUNITY TO TURN A PLAYING CARD OVER ON THE PLAYING BOARD AND WIN THE PROGRESSIVE JACKPOT. THE GAME WILL END WHEN A WINNER TICKET HOLDER SELECTS THE QUEEN OF HEARTS AND WINS THE PROGRESSIVE JACKPOT.
10 11 12	(3)	ENSURE THAT ANY CARD SELECTED BY A RAFFLE WINNER WILL BE PLACED FACE UP ON THE BOARD FOR SUBSEQUENT WEEKLY RAFFLES UNTIL THE GAME ENDS.
13 14 15	BY T	PROGRESSIVE JACKPOT SHALL EQUAL 40% OF ALL MONEY COLLECTED HE BINGO-RAFFLE LICENSEE UNTIL THE QUEEN OF HEARTS IS SELECTED WINNING TICKET HOLDER.
16 17 18	GLAS	YING CARDS WILL BE PLACED FACE DOWN IN A CLEAR, PLASTIC OR SS COVERED BOARD. THE BOARD SHALL BE SECURED TO A WALL AND KED AT ALL TIMES EXCEPT DURING THE SELECTION OF A PLAYING CARD.
19 20 21 22 23 24	NOT TIME CONS WRIT	NGO-RAFFLE LICENSEE CONDUCTING A QUEEN OF HEARTS RAFFLE IS REQUIRED TO PRINT A TICKET CONFORMING TO RULE 9.0(A)(4) IF THE , DATE, AND LOCATION OF THE WEEKLY RAFFLE ARE POSTED IN A SPICUOUS PLACE AND TICKET HOLDERS ARE INFORMED THROUGH TEN NOTICE AT THE TIME OF PURCHASE THAT THEIR PRESENCE IS JIRED IN ORDER TO WIN.
25 26 27 28 29 30	\$5,00 TICK A WI CASH	TOTAL PRIZE AMOUNT, INCLUDING WEEKLY PRIZES, SHALL NOT EXCEED 20.00. IF THE TOTAL PRIZE AMOUNT REACHES \$5,000.00, RAFFLE ETS WILL BE DRAWN DURING THE SUBSEQUENT WEEKLY RAFFLE UNTIL NNING TICKET HOLDER SELECTS THE QUEEN OF HEARTS. THE WEEKLY PRIZE WILL ONLY BE AWARDED ONCE DURING SUCH A RAFFLE ASION.
31 32		HING IN THIS RULE SHALL BE CONSTRUED TO ALLOW PROGRESSIVE LES UNLESS SPECIFICALLY APPROVED BY THE SECRETARY OF STATE.
33 8. 34 35 36 37	GAMES NOT CLASSIFIED AS RAFFLES. THE GAMES OF CHANCE COMMONLY KNOWN AS "ANIMAL PLOP BINGO," "GOLF BALL DROPS," PLASTIC OR RUBBER "DUCK RACES," AND VARIATIONS OF SUCH GAMES ARE NOT RAFFLES AS AUTHORIZED BY Article XVIII, SECTION 2 OF THE COLORADO CONSTITUTION AND ARE NOT RAFFLES AS DEFINED BY SECTION 12-9-102(19.3), C.R.S.	

Rule 10.0(A) would be amended as follows:

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- 1. **Maximum occasion prizes.** Bingo-raffle licensees may award an aggregate amount not to exceed \$2,000.00 for prizes for bingo games played during an occasion-, EXCEPT THAT A SINGLE 24 NUMBER BINGO OCCASION SHALL BE LIMITED TO AN AGGREGATE AMOUNT OF \$5,000.00 FOR PRIZES FOR BINGO GAMES PLAYED DURING A 24 NUMBER BINGO OCCASION.
- 6 2. **Maximum game prize.** Bingo-raffle licensees may award any amount as a prize 7 for any single game of bingo so long as the aggregate amount of all prizes 8 awarded for all games played during the occasion does not exceed \$2,000.00, 9 EXCEPT THAT FOR A 24 NUMBER BINGO OCCASION OR AN OCCASION THAT IS MADE 10 UP SOLELY OF PERCENTAGE PRIZE PAYOUT BINGO GAMES, BINGO-RAFFLE LICENSEES 11 MAY AWARD ANY AMOUNT AS A PRIZE FOR ANY SINGLE GAME OF BINGO SO LONG AS 12 THE AGGREGATE AMOUNT OF ALL PRIZES AWARDED FOR ALL GAMES PLAYED 13 DURING THE OCCASION DOES NOT EXCEED \$5,000.00.
- Rule 15.0(D) would be amended as follows:
- 15 **D. Random number generators.** Any manufacturer or supplier that intends to sell or lease bingo equipment that generates numbers electronically rather than the use of balls, blowers, and master boards AND/OR THAT USES AN ELECTRONICALLY GENERATED SYNTHETIC VOICE FOR ANNOUNCING BALLS OR NUMBERS, must submit the following to the Licensing Authority prior to the sale or lease of such equipment to bingo-raffle licensees:
- 20 [Note: subsequent sections of current Rule 15.0(D) would be retained unaltered]