

ASSEMBLY, No. 4297

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 22, 2020

Sponsored by:

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblymen Wirths and Dancer

SYNOPSIS

Permits conduct of bingos and raffles remotely.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/17/2020)

A4297 HOUGHTALING, DOWNEY

2

1 AN ACT concerning the conduct of certain games of chance remotely
2 and amending P.L.1954, c.6 and P.L.1954, c.5.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.1954, c.6 (C.5:8-25) is amended to read as
8 follows:

9 2. a. It shall be lawful for the governing body of any
10 municipality, at any time after this act shall become operative within
11 such municipality and except when prohibited by this act, to license
12 bona fide organizations or associations of veterans of any war in
13 which the United States has been engaged, churches or religious
14 congregations and religious organizations, charitable, educational
15 and fraternal organizations, civic and service clubs, senior citizen
16 associations and clubs, officially recognized volunteer fire
17 companies, and officially recognized volunteer first aid or rescue
18 squads, to hold and operate games of chance of, and restricted to, the
19 specific kind of game of chance commonly known as bingo or lotto
20 played for prizes with cards bearing numbers or other designations,
21 five or more in one line, the holder covering numbers, as objects,
22 similarly numbered, are drawn from a receptacle and the game being
23 won by the person who first covers a previously designated
24 arrangement of numbers on such a card, by selling shares or tickets
25 or rights to participate in such games and by conducting the games
26 accordingly, when the entire net proceeds of such games of chance
27 are to be devoted to educational, charitable, patriotic, religious or
28 public-spirited uses, and, in the case of organizations or associations
29 of veterans, and senior citizen associations or clubs, to the support of
30 such organizations, and for any such organization, association,
31 church, congregation, society, club, fire company, first aid or rescue
32 squad, or senior citizen association or club, when so licensed, to hold,
33 operate and conduct such games of chance by its active members
34 pursuant to this act and such license, and under such conditions and
35 regulations for the supervision and conduct thereof as shall be
36 prescribed by rules and regulations duly adopted from time to time
37 by the Legalized Games of Chance Control Commission, hereinafter
38 designated as the control commission, not inconsistent with the
39 provisions of this act, but only when the entire net proceeds thereof
40 are devoted to the uses aforesaid and for any person or persons to
41 participate in and play such games of chance conducted under any
42 such license.

43 b. (1) The control commission shall, pursuant to regulations
44 promulgated by it, authorize the use in conducting bingo or lotto of
45 electronic devices that are the functional equivalent of the cards,

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 numbered objects, and receptacle described herein to the extent that
2 the use of such devices is not inconsistent with any other provision
3 of this act or the provisions of subparagraph A of the New Jersey
4 Constitution, Article IV, Section 7, paragraph 2. Any such electronic
5 device shall comply with specifications prescribed by the
6 commission and shall be approved by the commission prior to use.
7 Such devices shall not include any device into which currency, coins
8 or tokens may be inserted or from which currency, coins or tokens,
9 or any receipt for monetary value, can be dispensed or which, once
10 provided to a person participating in bingo, is capable of
11 communicating with other such devices. Nothing contained in this
12 [section] paragraph shall be construed as allowing electronic devices
13 used by a qualified organization in conducting bingo or lotto to be
14 linked to electronic devices used by any other qualified organization
15 in conducting bingo or lotto.

16 (2) The control commission shall adopt regulations permitting the
17 conduct of bingo or lotto remotely using communication technology
18 in a manner consistent the provisions of P.L.1954, c.6 (C.5:8-24 et
19 seq.) and to the extent not inconsistent with the provisions of
20 subparagraph A of the New Jersey Constitution, Article IV, Section
21 7, paragraph 2. Such technology shall comply with specifications
22 prescribed by the commission and shall be approved by the
23 commission prior to use. A licensee conducting bingo or lotto
24 pursuant to this paragraph shall verify that the physical location of
25 each participant, irrespective of the location of any server or
26 intermediate routing of electronic data, is within a municipality in
27 which the majority of voters voting therein voted in favor of the
28 adoption of the provisions of P.L.1954, c.6 (C.5:8-24 et seq.) and in
29 which such provisions are still in effect. For the purpose of
30 conducting bingo or lotto pursuant to this paragraph, the location of
31 the active member or other person approved by the control
32 commission to hold, operate, or conduct the game shall be deemed
33 the licensed premises.

34 (cf: P.L.2013, c.85, s.1)

35

36 2. Section 2 of P.L.1954, c.5 (C.5:8-51) is amended to read as
37 follows:

38 2. a. It shall be lawful for the governing body of any
39 municipality, at any time after this act shall become operative within
40 such municipality and except when prohibited by this act, to license
41 bona fide organizations or associations of veterans of any war in
42 which the United States has been engaged, churches or religious
43 congregations and religious organizations, charitable, educational
44 and fraternal organizations, civic and service clubs, senior citizen
45 associations and clubs, officially recognized volunteer fire
46 companies, and officially recognized volunteer first aid or rescue
47 squads, to hold and operate the specific kind of game or games of
48 chance commonly known as a raffle or raffles played by drawing for
49 prizes or the allotment of prizes by chance, by the selling of shares

1 or tickets or rights to participate in such game or games and by
2 conducting the game or games accordingly, when the entire net
3 proceeds of such games of chance are to be devoted to educational,
4 charitable, patriotic, religious or public-spirited uses, and in the case
5 of organizations or associations of veterans, and senior citizen
6 associations and clubs to the support of these organizations, and for
7 any such organization or association, church, congregation, society,
8 club, company or squad, when so licensed or without any license
9 when and as hereinafter prescribed, to hold, operate and conduct such
10 game of chance pursuant to this act and such license, in such
11 municipality and to sell shares or tickets or rights to participate in
12 such game or games of chance therein and in any other municipality
13 which shall have adopted this act and under such conditions and
14 regulations for the supervision and conduct thereof as shall be
15 prescribed by rules and regulations duly adopted from time to time
16 by the Legalized Games of Chance Control Commission, hereinafter
17 designated as the control commission, not inconsistent with the
18 provisions of this act, but only when the entire net proceeds thereof
19 are devoted to the uses aforesaid and for any person or persons to
20 participate in and play such games of chance conducted under any
21 such license.

22 b. The control commission may adopt regulations authorizing
23 licensees to hold events known as:

24 "armchair races" at which wagers are placed on the outcome of
25 previously-filmed horse races and wagerers do not know the results
26 in advance, when the prize awarded consists of merchandise or raffle
27 tickets only, and not cash; and

28 "casino nights" at which players use chips or script purchased
29 from the licensee to wager in games of chance known as blackjack,
30 under/over, beat-the-dealer, chuck-a-luck, craps, roulette, bingo or
31 similar games approved by the commission, when the chips or script
32 are redeemable for merchandise or raffle tickets only, and not for
33 cash.

34 The regulations shall establish the frequency with which these
35 events may be held, the rules of the games, the specific type and value
36 of prizes which may be offered, the qualifications of the individuals
37 conducting the games and other requirements which the commission
38 may deem pertinent.

39 c. No license shall be required for the holding, operating or
40 conducting of a raffle for a door prize of merchandise of the total
41 retail value of \$200.00 or less, or a higher amount as established by
42 regulation of the control commission, for which no extra charge is
43 made at an assemblage, if the proceeds of such assemblage are
44 devoted to the uses described in this section.

45 d. The control commission shall adopt regulations permitting the
46 conduct of raffles remotely using communication technology in a
47 manner consistent the provisions of P.L.1954, c.5 (C.5:8-50 et seq.)
48 and to the extent not inconsistent with the provisions of subparagraph
49 A of paragraph 2 of Section 7 of Article IV of the New Jersey

1 Constitution. Such technology shall comply with specifications
2 prescribed by the commission and shall be approved by the
3 commission prior to use. A licensee conducting a raffle pursuant to
4 this subsection shall verify that the physical location of each
5 participant, irrespective of the location of any server or intermediate
6 routing of electronic data, is within a municipality in which the
7 majority of voters voting therein voted in favor of the adoption of the
8 provisions of P.L.1954, c.5 (C.5:8-50 et seq.) and in which such
9 provisions are still in effect. For the purpose of conducting raffles
10 pursuant to this subsection, the location of the active member or other
11 person approved by the control commission to hold, operate, or
12 conduct the game shall be deemed the licensed premises. This
13 subsection shall not be applicable to raffles conducted pursuant to
14 section 1 of P.L.2018, c.79 (C.5:8-51.6).
15 (cf: P.L.2015, c.80, s.1)

16
17 3. The rules and regulations established pursuant to this act,
18 P.L. , c. (pending before the Legislature as this bill) shall be
19 effective immediately upon filing with the Office of Administrative
20 Law for a period not to exceed 18 months, and may, thereafter, be
21 amended, adopted or readopted in accordance with the provisions of
22 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
23 seq.).

24
25 4. This act shall take effect immediately.
26

27 28 STATEMENT

29
30 This bill permits the conduct of bingos and raffles remotely. The
31 bill directs the Legalized Games of Chance Control Commission to
32 adopt regulations permitting the conduct of raffles remotely using
33 communication technology, to the extent its use is not inconsistent
34 with the New Jersey Constitution. The control commission must
35 approve the technology prior to use by an eligible organization. A
36 licensee conducting a raffle remotely is required to verify that the
37 physical location of each participant, irrespective of the location of
38 any server or intermediate routing of electronic data, is within a
39 municipality that has authorized the conduct of bingos and raffles.
40 The bill deems the location of the person conducting the game to be
41 the licensed premises. The bill is not applicable to raffles conducted
42 at large sporting venues.

43 Under current law, eligible organizations include veterans
44 organizations or associations, churches or religious congregations
45 and organizations, charitable, educational and fraternal
46 organizations, civic and service clubs, senior citizen associations and
47 clubs, and volunteer fire companies, first aid, and rescue squads.