

[First Reprint]

SENATE, No. 2631

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 29, 2020

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Senators Bateman and Thompson

SYNOPSIS

Permits conduct of bingos and raffles remotely.

CURRENT VERSION OF TEXT

As amended by the Senate on August 27, 2020.



(Sponsorship Updated As Of: 12/7/2020)

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

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted August 27, 2020.

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
5 electronic 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,
8 coins or tokens may be inserted or from which currency, coins or
9 tokens, or any receipt for monetary value, can be dispensed or
10 which, once provided to a person participating in bingo, is capable
11 of communicating with other such devices. Nothing contained in
12 this [section] paragraph shall be construed as allowing electronic
13 devices used by a qualified organization in conducting bingo or
14 lotto to be linked to electronic devices used by any other qualified
15 organization in conducting bingo or lotto.

16 (2) The control commission shall adopt regulations permitting
17 the conduct¹, among persons located in this State,¹ of bingo or lotto
18 remotely using communication technology in a manner consistent
19 the provisions of P.L.1954, c.6 (C.5:8-24 et seq.) and to the extent
20 not inconsistent with the provisions of subparagraph A of the New
21 Jersey Constitution, Article IV, Section 7, paragraph 2. Such
22 technology shall comply with specifications prescribed by the
23 commission and shall be approved by the commission prior to use.
24 1[A licensee conducting bingo or lotto pursuant to this paragraph
25 shall verify that the physical location of each participant,
26 irrespective of the location of any server or intermediate routing of
27 electronic data, is within a municipality in which the majority of
28 voters voting therein voted in favor of the adoption of the
29 provisions of P.L.1954, c.6 (C.5:8-24 et seq.) and in which such
30 provisions are still in effect]1. For the purpose of conducting bingo
31 or lotto pursuant to this paragraph, the location of the active
32 member or other person approved by the control commission to
33 hold, operate, or conduct the game shall be deemed the licensed
34 premises¹ and the only location at which the bingo or lotto is taking
35 place¹.

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

37

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

40 2. a. It shall be lawful for the governing body of any
41 municipality, at any time after this act shall become operative
42 within such municipality and except when prohibited by this act, to
43 license bona fide organizations or associations of veterans of any
44 war in which the United States has been engaged, churches or
45 religious congregations and religious organizations, charitable,
46 educational and fraternal organizations, civic and service clubs,
47 senior citizen associations and clubs, officially recognized volunteer

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

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

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

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

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

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

1 d. The control commission shall adopt regulations permitting
2 the conduct¹, among persons located in this State,¹ of raffles
3 remotely using communication technology in a manner consistent
4 the provisions of P.L.1954, c.5 (C.5:8-50 et seq.) and to the extent
5 not inconsistent with the provisions of subparagraph A of paragraph
6 2 of Section 7 of Article IV of the New Jersey Constitution. Such
7 technology shall comply with specifications prescribed by the
8 commission and shall be approved by the commission prior to use.
9 ¹[A licensee conducting a raffle pursuant to this subsection shall
10 verify that the physical location of each participant, irrespective of
11 the location of any server or intermediate routing of electronic data,
12 is within a municipality in which the majority of voters voting
13 therein voted in favor of the adoption of the provisions of P.L.1954,
14 c.5 (C.5:8-50 et seq.) and in which such provisions are still in
15 effect.]¹ For the purpose of conducting raffles pursuant to this
16 subsection, the location of the active member or other person
17 approved by the control commission to hold, operate, or conduct the
18 game shall be deemed the licensed premises¹ and the only location
19 at which the bingo or lotto is taking place¹. This subsection shall
20 not be applicable to raffles conducted pursuant to section 1 of
21 P.L.2018, c.79 (C.5:8-51.6).
22 (cf: P.L.2015, c.80, s.1)

23
24 3. The rules and regulations established pursuant to this act,
25 P.L. , c. (pending before the Legislature as this bill) shall be
26 effective immediately upon filing with the Office of Administrative
27 Law for a period not to exceed 18 months, and may, thereafter, be
28 amended, adopted or readopted in accordance with the provisions of
29 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
30 1 et seq.).

31
32 4. This act shall take effect immediately.