

PART MM

§ 1. Paragraph (b) of subdivision 2 of section 435 of the executive law, as amended by chapter 164 of the laws of 2003, is amended to read as follows:

(b) No person, firm or corporation, other than an organization [~~which~~ that is or has been during the preceding twelve months duly licensed to conduct bingo games, shall sell or distribute bingo supplies or equipment without having first obtained a license therefor upon a written or electronic application made, verified and filed with the commission in the form prescribed by the rules and regulations of the commission. As a part of its determination concerning the applicant's suitability for licensing as a bingo supplier, the [~~New York state racing and wagering board~~] commission shall require the applicant to furnish to such board two sets of fingerprints. Such fingerprints shall be submitted to the division of criminal justice services for a state criminal history record check, as defined in subdivision one of section three thousand thirty-five of the education law, and may be submitted to the federal bureau of investigation for a national criminal history record check. In each such application for a license under this section shall be stated the name and address of the applicant; the names and addresses of its officers, directors, shareholders or partners; the amount of gross receipts realized on the sale or distribution of bingo supplies and equipment to duly licensed organizations during the last preceding calendar or fiscal year, and such other information as shall be prescribed by such rules and regulations. The fee for such license shall be a sum equal to twenty-five dollars plus an amount based upon the gross sales, if any, of bingo equipment and supplies to authorized organizations by the applicant during the preceding calendar year, or fiscal year if the applicant maintains his or her accounts on a fiscal year basis, and determined in accordance with the following schedule:

gross sales of \$1,000 to \$4,999.....	\$10.00
gross sales of \$5,000 to \$19,999.....	\$50.00
gross sales of \$20,000 to \$49,999.....	\$200.00
gross sales of \$50,000 to \$100,000.....	\$500.00
gross sales in excess of \$100,000.....	\$1,000.00

§ 2. Section 476 of the general municipal law is amended by adding a new subdivision 13 to read as follows:

13. "Ancillary non-gaming activity" shall mean any activity not directly related to the conduct or outcome of any game of bingo, and shall include assisting at any food concession, cleaning, maintenance and site preparation at the location where games of bingo are conducted.

§ 3. Subdivisions 5 and 6 of section 479 of the general municipal law, as amended by chapter 328 of the laws of 1994, are amended to read as follows:

5. No prize shall exceed the sum or value of [~~one~~] five thousand dollars in any single game of bingo.

6. No series of prizes on any one bingo occasion shall aggregate more than [~~three~~] fifteen thousand dollars.

§ 4. Section 480 of the general municipal law, as amended by chapter 438 of the laws of 1962, paragraph (a) of subdivision 1 as amended by chapter 611 of

the laws of 1963, paragraph (b) of subdivision 2 as amended by chapter 413 of the laws of 1963, is amended to read as follows:

§ 480. Application for license.

1. To conduct bingo.

(a) Each applicant for a license to conduct bingo shall, after obtaining an identification number from the control commission, file with the clerk of the municipality a written or electronic application therefor in the form prescribed in the rules and regulations of the control commission, duly executed and verified, in which such applicant shall [~~be stated~~] state:

(1) the name and address of the applicant together with sufficient facts relating to [~~its~~] such applicant's incorporation and organization to enable the governing body of the municipality to determine whether or not [~~it~~] the applicant is a bona fide authorized organization;

(2) the names and addresses of [~~its~~] the applicant's officers; the place or places where, and the date or dates and the time or times when, the applicant intends to conduct bingo under the license applied for;

(3) in case the applicant intends to lease premises for this purpose from other than an authorized organization, the name and address of the licensed commercial lessor of such premises, and the capacity or potential capacity for public assembly purposes of space in any premises presently owned or occupied by the applicant;

(4) the amount of rent to be paid or other consideration to be given directly or indirectly for each occasion for use of the premises of another authorized organization licensed under this article to conduct bingo or for use of the premises of a licensed commercial lessor;

(5) all other items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such games of bingo and the names and addresses of the persons to whom, and the purposes for which, they are to be paid;

(6) the specific purposes to which the entire net proceeds of such games of bingo are to be devoted and in what manner; that no commission, salary, compensation, reward or recompense will be paid to any person for conducting such bingo game or games or for assisting therein except as in this article otherwise provided; and such other information as shall be prescribed by [~~such~~] the rules and regulations of the commission.

(b) In each application there shall be designated an active member or members of the applicant organization under whom the game or games of bingo will be conducted and to the application shall be appended statement executed by the member or members so

designated, that he, she or they will be responsible for the conduct of such bingo games in accordance with the terms of the license, [~~and~~] the rules and regulations of the commission and [~~of~~] this article.

2. Commercial lessor.

(a) Each applicant for a license to lease premises to a licensed organization for the purposes of conducting bingo therein shall file with the clerk of the municipality [~~a-written~~] an application therefor in a form prescribed in the rules and regulations of the control commission duly executed and verified, which shall set forth the name and address of the applicant; designation and address of the premises intended to be covered by the license sought; lawful capacity for public assembly purposes; cost of premises and assessed valuation for real estate tax purposes, or annual net lease rent, whichever is applicable; gross rentals received and itemized expenses for the immediately preceding calendar or fiscal year, if any; gross rentals, if any, derived from bingo during the last preceding calendar or fiscal year; computation by which proposed rental schedule was determined; number of occasions on which applicant anticipates receiving rent for bingo during the ensuing year or shorter period if applicable; proposed rent for each such occasion; estimated gross rental income from all other sources during the ensuing year; estimated expenses itemized for ensuing year and amount of each item allocated to bingo rentals; a statement that the applicant in all respects conforms with the specifications contained in the definition of "authorized commercial lessor" set forth in section four hundred seventy-six of this article, and such other information as shall be prescribed by [~~such~~] the rules and regulations of the commission.

(b) At the end of the license period, a recapitulation, in a manner prescribed in the rules and regulations of the commission, shall be made as between the licensee and the municipal governing body in respect of the gross rental actually received during the license period and the fee paid therefor[~~, and any~~]. The licensee shall pay any deficiency of fee thereby shown to be due [~~shall be paid by the licensee~~] and any excess of fee thereby shown to have been paid shall be credited to [~~said~~] such licensee, in such manner as the commission by rules and regulations shall prescribe.

§ 5. Paragraph (a) of subdivision 1 of section 481 of the general municipal law, as amended by section 17 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

(a) Issuance of licenses to conduct bingo. If the governing body of the municipality [~~shall determine~~] determines that the applicant is duly qualified to be licensed to conduct bingo under this article; that the member or members of the applicant designated in the application to conduct bingo are bona fide active members of the applicant and are persons of good moral character and have never been convicted of a crime or, if convicted, have received a pardon or a certificate of good conduct or a certificate of relief from disabilities pursuant to article twenty-three of the correction law; that such games of bingo

are to be conducted in accordance with the provisions of this article and in accordance with the rules and regulations of the commission, and that the proceeds thereof are to be disposed of as provided by this article, and if the governing body is satisfied that no commission, salary, compensation, reward or recompense [~~whatever~~] what so ever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation and conduct of any such games of bingo except as in this article otherwise provided; and that no prize will be offered and given in excess of the sum or value of [~~one~~] five thousand dollars in any single game and that the aggregate of all prizes offered and given in all of such games conducted on a single occasion, under said license shall not exceed the sum or value of [~~three~~] fifteen thousand dollars, [~~it~~] then the municipality shall issue a license to the applicant for the conduct of bingo upon payment of a license fee of eighteen dollars and seventy-five cents for each bingo occasion; provided, however, that the governing body shall refuse to issue a license to an applicant seeking to conduct bingo in premises of a licensed commercial lessor where [~~it~~] such governing body determines that the premises presently owned or occupied by [~~said~~] such applicant are in every respect adequate and suitable for conducting bingo games.

§ 6. Section 486 of the general municipal law, as amended by chapter 438 of the laws of 1962, is amended to read as follow:

§ 486. Participation by persons under the age of eighteen. No person under the age of eighteen years shall be permitted to play any game or games of bingo conducted pursuant to any license issued under this article [~~unless accompanied by an adult~~]. No person under the age of eighteen years shall be permitted to conduct, operate or assist in the conduct of any game of bingo conducted pursuant to any license issued [~~under~~] pursuant to this article. Nothing in this section shall prevent a person sixteen years of age or older from performing ancillary non-gaming activities conducted in conjunction with any game of bingo conducted pursuant to any license pursuant to this article.

§ 7. Intentionally omitted.

§ 8. Section 490 of the general municipal law, as amended by chapter 99 of the laws of 1988, is amended to read as follows:

§ 490. Advertising of bingo games. A licensee may advertise the conduct of an occasion of bingo to the general public by means of newspaper, radio, circular, handbill and poster, [~~and~~] by one sign not exceeding sixty square feet in area, which may be displayed on or adjacent to the premises owned or occupied by a licensed authorized organization, [~~and when~~] and through the internet or television as may be regulated by the rules and regulations of the commission. When an organization is licensed to conduct bingo occasions on the premises of another licensed authorized organization or of a licensed commercial lessor, one additional such sign may be displayed on or adjacent to the premises in which the occasions are to be conducted. Additional signs may be displayed upon any firefighting or ambulance equipment belonging to any licensed authorized organization which is a volunteer fire company, volunteer ambulance corps or upon any equipment of a first aid or rescue squad in and throughout the community served by such volunteer fire company, volunteer ambulance corps or such first aid or rescue

squad, as the case may be. All advertisements shall be limited to the description of such event as "bingo", the name of the licensed authorized organization conducting such bingo occasions, the license number of the authorized organization as assigned by the clerk; the prizes offered and the date, location and time of the bingo occasion.

§ 9. Subdivision 1 of section 491 of the general municipal law, as amended by chapter 667 of the laws of 1980, is amended to read as follows:

1. Within seven days after the conclusion of any occasion of bingo, the authorized organization [~~which~~] that conducted the same, and [~~its~~] such authorized organization's members who were in charge thereof, and when applicable the authorized organization [~~which~~] that rented its premises therefor, shall each furnish to the clerk of the municipality a statement subscribed by the member in charge and affirmed by [~~him~~] such person as true, under the penalties of perjury, showing the amount of the gross receipts derived therefrom and each item of expense incurred, or paid, and each item of expenditure made or to be made, the name and address of each person to whom each such item has been paid, or is to be paid, with a detailed description of the merchandise purchased or the services rendered therefor, the net proceeds derived from such game or rental, as the case may be, and the use to which such proceeds have been or are to be applied and a list of prizes offered and given, with the respective values thereof[~~, and it~~]. A clerk may make provisions for the option for the electronic filing of such statement. It shall be the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such statement and within fifteen days after the end of each calendar quarter during which there has been any occasion of bingo, a summary statement of such information, in form prescribed by the [~~state] commission, shall be furnished in the same manner to the [~~state racing and wagering board] commission.~~~~

§ 10. Subdivision 3-b and paragraph (c) of subdivision 5 of section 186 of the general municipal law, as amended by subdivision 3-b as added by chapter 550 of the laws of 1994, paragraph (c) of subdivision 5 as amended by chapter 881 of the laws of 1981, are amended to read as follows:

3-b. "Raffle" shall mean and include those games of chance in which a participant pays money in return for a ticket or other receipt and in which a prize is awarded on the basis of a winning number or numbers, color or colors, or symbol or symbols designated on the ticket or receipt, determined by chance as a result of:

(a) a drawing from among those tickets or receipts previously sold; or

(b) a random event, the results of which correspond with tickets or receipts previously sold.

(c) Those [~~which shall~~] that otherwise lessen the burdens borne by government or [~~which~~] that are voluntarily undertaken by an authorized organization to augment or supplement services which government would normally render to the people, including, in the case of volunteer [~~firemen's~~] firefighters or voluntary emergency medical service activities, the purchase, erection or maintenance of a building for a firehouse or a volunteer ambulance corps

building, activities open to the public for the enhancement of membership[~~7~~] and the purchase of equipment [~~which~~] that can reasonably be expected to increase the efficiency of response to fires, accidents, medical emergencies, public calamities and other emergencies.

§ 11. Subdivisions 5, 6 and 13 of section 189 of the general municipal law, subdivision 5 as amended by chapter 434 of the laws of 2016, subdivision 6 as amended by chapter 302 of the laws of 2010, and subdivision 13 as amended by chapter 252 of the laws of 1998, are amended to read as follows:

5. (a) No single prize awarded by games of chance other than raffle shall exceed the sum or value of three hundred dollars, except that for merchandise wheels, no single prize shall exceed the sum or value of two hundred fifty dollars, and for bell jar, no single prize shall exceed the sum or value of one thousand dollars.

(b) No single prize awarded by raffle shall exceed the sum or value of three hundred thousand dollars.

(c) No single wager shall exceed six dollars and for bell jars, coin boards[~~7~~] or merchandise boards, no single prize shall exceed [~~five hundred~~] one thousand dollars, provided, however, that such limitation shall not apply to the amount of money or value paid by the participant in a raffle in return for a ticket or other receipt.

(d) For coin boards and merchandise boards, the value of a prize shall be determined by [~~its costs~~] the cost of such prize to the authorized organization or, if donated, [~~its~~] the fair market value of such prize.

6. (a) No authorized organization shall award a series of prizes consisting of cash or of merchandise with an aggregate value in excess of:

(1) ten thousand dollars during the successive operations of any one merchandise wheel[~~7~~] ; and

(2) [~~three~~] six thousand dollars during the successive operations of any bell jar, coin board[~~7~~] or merchandise board.

(b) No series of prizes awarded by raffle shall have an aggregate value in excess of five hundred thousand dollars.

(c) For coin boards and merchandise boards, the value of a prize shall be determined by [~~its cost~~] the cost of such prize to the authorized organization or, if donated, [~~its~~] the fair market value of such prize.

13. (a) No game of chance, other than a raffle that complies with paragraph (b) of this subdivision, shall be conducted on other than the premises of an authorized organization or an authorized games of chance lessor. [~~Nothing herein shall prohibit the sale of raffle~~]

(b) Raffle tickets may be sold to the public, and a raffle drawing may occur, outside the premises of an authorized organization or an authorized games of chance lessor[~~, or in municipalities which have~~] if such sales occur, or such drawing occurs, in a municipality that:

(1) has passed a local law, ordinance or resolution in accordance with sections one hundred eighty-seven and one hundred eighty-eight of this article approving the conduct of games of chance;

(2) [that are] is located in the county in which the municipality issuing the raffle license is located [~~and~~] or in [~~the counties which are~~] a county that is contiguous to the county in which the municipality issuing the raffle license is located[, ~~provided those municipalities have authorized the licensee, in writing, to sell such raffle tickets therein and provided, however, that no~~];

(3) has not objected to such sales after the gaming commission gives notice to such municipality of an authorized organization's request to sell such raffle tickets in such municipality; and

(4) has not objected to the location in such municipality that such drawing is proposed to occur, after the commission gives notice to such municipality of an authorized organization's request to conduct such drawing in such municipality. A location of a drawing may be on state-owned property so long as the authorized organization conducting the raffle obtains all required authorizations to do so and complies with this paragraph.

(c) The gaming commission may by regulation prescribe the advance notice an authorized organization must provide to the gaming commission in order to take advantage of the provisions of paragraph (b) of this subdivision, forms in which such a request shall be made and the time period in which a municipality must communicate an objection to the gaming commission.

(d) No sale of raffle tickets shall be made more than one hundred eighty days prior to the date scheduled for the occasion at which the raffle will be conducted.

(e) The winner of any single prize in a raffle shall not be required to be present at the time such raffle is conducted.

§ 12. Subdivisions 1 and 2 of section 190-a of the general municipal law, as amended by chapter 400 of the laws of 2005, are amended to read as follows:

1. Notwithstanding the licensing requirements set forth in this article and their filing requirements set forth in subdivision four of section one hundred ninety of this article, an authorized organization may conduct a raffle without complying with such licensing requirements or such filing requirements, provided, that such organization shall derive net proceeds from raffles in an amount less than five thousand dollars during the conduct of one raffle and shall derive net proceeds from raffles in an amount less than [~~twenty~~] thirty thousand dollars during one calendar year.

2. (a) For the purposes of this section, "authorized organization" shall mean and include any bona fide religious or charitable organization or bona fide educational, fraternal or service organization or bona fide organization of veterans [~~or~~], volunteer [~~firefighter, which~~] firefighters or volunteer ambulance workers that by its charter, certificate of incorporation, constitution, or act of

the legislature, [~~shall have~~] has among its dominant purposes one or more of the lawful purposes as defined in this article, provided that each shall operate without profit to its members[~~7~~] and provided that each such organization has engaged in serving one or more of the lawful purposes as defined in this article for a period of [~~three years~~] one year immediately prior to being granted the filing requirement exemption contained in subdivision one of this section.

(b) No organization shall be deemed an authorized organization [~~which~~] that is formed primarily for the purpose of conducting games of chance and [~~which~~] that does not devote at least seventy-five percent of its activities to other than conducting games of chance. No political party shall be deemed an authorized organization.

§ 13. Section 195-d of the general municipal law, as amended by chapter 637 of the laws of 1999, is amended to read as follows:

§ 195-d. Charge for admission and participation; amount of prizes; award of prizes.

1. A fee may be charged by any licensee for admission to any game or games of chance conducted under any license issued under this article. The clerk or department may in its discretion fix a minimum fee.

2. With the exception of bell jars, coin boards, seal cards, merchandise boards[~~7~~] and raffles, every winner shall be determined and every prize shall be awarded and delivered within the same calendar day as that upon which the game was played. No alcoholic beverage shall be offered or given as a prize in any game of chance.

3. A player may purchase a chance with cash or, if the authorized organization wishes, with a personal check.

§ 14. Section 195-e of the general municipal law, as amended by section 94 of the laws of 1981, is amended to read as follows:

§ 195-e. Advertising games. A licensee may advertise the conduct of games of chance to the general public by means of newspaper, circular, handbill and poster, and by one sign not exceeding sixty square feet in area, which may be displayed on or adjacent to the premises owned or occupied by a licensed authorized organization, [~~and when~~] through the internet or television as may be regulated by the rules and regulations of the commission. When an organization is licensed or authorized to conduct games of chance on the premises of an authorized games of chance lessor, one additional such sign may be displayed on or adjacent to the premises in which the games are to be conducted. Additional signs may be displayed upon any [~~fire-fighting~~] firefighting or ambulance equipment belonging to any licensed authorized organization [~~which~~] that is a volunteer fire company, volunteer ambulance corps or upon any equipment of a first aid or rescue squad in and throughout the community served by such volunteer fire company, volunteer ambulance corps or such first aid or rescue squad, as the case may be. All advertisements shall be limited to the description of such event as "Games of chance" or "Las Vegas Night", the name of the authorized organization conducting such games, the license number of the

authorized organization as assigned by the clerk or department, the prizes offered and the date, location and time of the event.

§ 15. Subdivision 2 of section 195-f of the general municipal law, as amended by chapter 678 of the laws of 2004, is amended to read as follows:

2. Within thirty days after the conclusion of an occasion during which a raffle was conducted, the authorized organization conducting such raffle and the members in charge of such raffle, and, when applicable, the authorized games of chance lessor [~~which~~] that rented its premises therefor, shall each furnish to the clerk or department a statement on a form prescribed by the [~~board~~] gaming commission, subscribed by the member in charge and affirmed by him or her as true, under the penalties of perjury, showing the number of tickets printed, the number of tickets sold, the price, and the number of tickets returned to or retained by the authorized organization as unsold, a description and statement of the fair market value for each prize actually awarded, the amount of the gross receipts derived therefrom, each item of expenditure made or to be made other than prizes, the name and address of each person to whom each such item of expense has been paid, or is to be paid, a detailed description of the merchandise purchased or the services rendered therefor, the net proceeds derived from the raffle at such occasion, the use to which the proceeds have been or are to be applied [~~and~~]. It shall be the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such statement, provided, however, where the cumulative net proceeds or net profits derived from the conduct of a raffle or raffles are less than thirty thousand dollars during any one occasion, in such case, the reporting requirement shall be satisfied by the filing within thirty days of the conclusion of such occasion a verified statement prescribed by the [~~board~~] gaming commission attesting to the amount of such net proceeds or net profits and the distribution thereof for lawful purposes with the clerk or department and a copy with the [~~board~~] gaming commission, and provided further, however, where the cumulative net proceeds derived from the conduct of a raffle or raffles are less than five thousand dollars during any one occasion and less than [~~twenty~~] thirty thousand dollars during one calendar year, no reporting shall be required.

§ 16. Subdivision 5 of section 195-o of the general municipal law, as amended by section 637 of the laws of 1999, is amended to read as follows:

5. Reports. A distributor shall report quarterly to the [~~board~~] gaming commission, on a form prescribed by the [~~board~~] gaming commission, its sales of each type of bell jar deal or tickets. This report shall be filed quarterly on or before the twentieth day of the month succeeding the end of the quarter in which the sale was made. The [~~board~~] gaming commission may require that a distributor submit the quarterly report and invoices required by this section via [~~magnetic~~] electronic media or electronic data transfer.

§ 17. This act shall take effect on the ninetieth day after it shall have become a law.