

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 25

99TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR ROMINE.

Pre-filed December 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 39(a) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bingo.

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*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2018, or at a special election  
3 to be called by the governor for that purpose, there is hereby submitted to the  
4 qualified voters of this state, for adoption or rejection, the following amendment to  
5 article III of the Constitution of the state of Missouri:

Section A. Section 39(a), article III, Constitution of Missouri, is repealed and  
2 one new section adopted in lieu thereof, to be known as section 39(a), to read as  
3 follows:

Section 39(a). The game commonly known as bingo when conducted by  
2 religious, charitable, fraternal, veteran or service organizations is not a lottery or gift  
3 enterprise within the meaning of subdivision (9) of section 39 of this article if the  
4 general assembly authorizes by law that religious, charitable, fraternal, service, or  
5 veteran organizations may conduct the game commonly known as bingo, upon the  
6 payment of the license fee and the issuance of the license as provided for by law. Any  
7 such law shall include the following requirements:

8 (1) All net receipts over and above the actual cost of conducting the game as  
9 set by law shall be used only for charitable, religious or philanthropic purposes, and  
10 no receipts shall be used to compensate in any manner any person who works for or  
11 is in any way affiliated with the licensed organization;

12 (2) No license shall be granted to any organization unless it has been in  
13 continuous existence for at least five years immediately prior to the application for

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

14 the license. An organization must have twenty bona fide members to be considered  
15 to be in existence;

16 (3) No person shall participate in the management, conduct or operation of  
17 any game unless that person:

18 (a) Has been a bona fide member of the licensed organization for the [two  
19 years] **six months** immediately preceding such participation, and volunteers the time  
20 and service necessary to conduct the game;

21 (b) Is not a paid staff person for the licensed organization;

22 (c) Is not and has never been a professional gambler or gambling promoter;

23 (d) Has never purchased a tax stamp for wagering or gambling activity;

24 (e) Has never been convicted of any felony;

25 (f) Has never been convicted of or pleaded nolo contendere to any illegal  
26 gambling activity;

27 (g) Is of good moral character;

28 (4) Any person, any officer or director of any firm or corporation, and any  
29 partner of any partnership renting or leasing to a licensed organization any  
30 equipment or premises for use in a game shall meet all of the qualifications of  
31 paragraph (3) except subparagraph (a);

32 (5) No lease, rental arrangement or purchase arrangement for any equipment  
33 or premise for use in a game shall provide for payment in excess of the reasonable  
34 market rental rate for such premises and in no case shall any payment based on a  
35 percentage of the gross receipts or proceeds be permitted;

36 (6) No person, firm, partnership or corporation shall receive any remuneration  
37 or profit for participating in the management, conduct or operation of the game;

38 (7) [No advertising of any game shall be permitted except on the premises of  
39 the licensed organization or through ordinary communications between the  
40 organization and its members;

41 (8)] Any other requirement the general assembly finds necessary to insure  
42 that any games are conducted solely for the benefit of the eligible organizations and  
43 the general community.

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