

### §1703. Definitions

A. As used throughout this Chapter, the following definitions apply:

1. *Act* - Licensing Law enacted as R.S. 33:4861.1 et seq., together with R.S. 40:1485.1 et seq., on regulation of charitable gaming including all amendments thereto that may hereafter be enacted.

2. *Applicant* - the organization, its members, officers, agents, or employees who have applied for any license from the division.

3. *Bona Fide, Active, or Volunteer Member* - a person accepted for membership in an organization eligible to be licensed under this Part upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization. The member functions shall not be limited to gaming-related activities.

4. *Certain Related Offenses* - include the following offenses committed contrary to the laws of this state, local jurisdictions, other states, the federal government, or other countries:

- a. any felony offense;
- b. any offense directly or indirectly related to gambling or gaming laws;
- c. the misdemeanor offense of any theft or related offense, any attempted theft or related offense, issuing worthless checks, illegal possession of stolen things, or false swearing or related offense.

5. *Charitable Gaming* - the conducting or assisting in the conducting of any game of chance authorized by R.S. 33:4861.1 et seq., and R.S. 40:1485.1 et seq.

6. *Charitable Gaming Supplies* - any supplies (except raffle tickets), equipment, device, goods or wares intended for use in the conducting of any charitable gaming provided by law. It includes, but is not limited to, the receptacle and numbered objects to be drawn from it, the master board upon which the objects drawn are placed, the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them, the boards or signs, however operated, used to announce or display the number or designation as they are drawn, and all other articles essential to the operation, conducting and playing of bingo, keno, pull tabs or raffles. It also includes any computer system, software or cash register designed for the primary purpose of accounting for and reporting the transactions involved in the selling of share or shares to participate in charitable gaming. Bingo game sets commonly manufactured and sold as children's games for a retail price of \$20 or less shall be presumed not to be bingo equipment for these purposes

unless used by a licensee in the licensee's gaming activity.

7. *Department* - the Louisiana Department of Public Safety and Corrections and shall include the Division of Charitable Gaming Control of the Office of State Police, Louisiana Department of Public Safety and Corrections.

8. *Division* - the Division of Charitable Gaming Control, Office of State Police, Louisiana Department of Public Safety and Corrections.

9. *Director* - the commissioned state trooper of sufficient rank, consistent with civil service regulations, designated by the deputy secretary to head the division.

10. *Expenses* - ordinary, necessary and reasonable costs incurred in preparation for or in the conduct of the gaming activity.

11. *Ideal Net Proceeds* - the projected gross amount to be collected upon sale of all pull tabs in a set or deal minus (1) the actual cost of the pull tabs to the organization, and (2) the projected total amount of prizes or winnings in the set or deal.

12. *Licensee* - any organization licensed to conduct charitable gaming activity pursuant to R.S. 33:4861.1 et seq., and R.S. 40:1485.1 et seq., or licensed as a manufacturer or distributor of charitable gaming supplies, manufacturer or distributor of electronic video bingo machines, commercial lessors, or licensed as a private contractor for cable television bingo.

13. *Immediate family* - the subject individual's spouse, children, parents, brothers and sisters, spouses of children, and spouses of brother and sisters.

14. *Non-Commercial Lessor* - a bona fide non-profit organization licensed by the division to conduct games of chance which leases any building or structure used for charitable gaming to other organizations licensed by the division.

15. *Private Contractor* - a firm or person possessing demonstrated skills in the conduct and administration of charitable games of chance, and licensed by the division to provide for the operation and management of cable television bingo and any employee or agent of such firm or person.

16. *Promotional Game* - any game, contest, or arrangement used by any entity in order to stimulate sales or attendance, where absolutely no purchase or fee is necessary in order to participate in or win the game, contest or event.

17. *Pull tab or Charity Game Ticket* - a single or a banded ticket or card with its face covered to conceal one or more numbers or symbols where one or more cards or tickets in each set has been designated in advance as a winner.

18. *Pull Tab Set or Deal* - any form, series or group of pull tabs having the same serial number.

19. *Raffle* - a type of lottery in which several persons pay, in shares, the value of something put up as a stake, and then determine by chance which one of them shall become the sole possessor of it and any portion or share is retained by the person(s) conducting the raffle.

20. *Reasonable Market Rental Rate* - that rate at which similar facilities or equipment available for similar purposes, in the community may be leased or rented.

21. *Session* - represents authorized games of chance played within a time limit of two consecutive hours, within the same calendar day, with a minimum of 12 hours between sessions. The four-hour session limit shall not apply to sessions held in conjunction with a bona fide fair or festival on property where no rent is paid for the session and payout of prizes is determined by the number of persons playing. Sessions are limited to not more than one session per day per licensee. In no instance, shall the total prize amounts exceed \$4,500 per session without a special license. A session of keno or bingo, when the licensee possesses a special license is limited to six consecutive hours.

22. *Special License* - a license to conduct one bingo session where the total prize amount shall not exceed \$25,000 in cash or things of equal value. No organization shall be issued more than two special licenses a year.

23. *Patriotic* - in addition to any other commonly accepted meaning, an organization whose membership is composed of veterans of the United States of America Military to include without limitation, United States Army, United States Air Force, United States Marines, United States Navy, and United States Coast Guard, and said organization has acquired an appropriate nonprofit designation issued by the Federal Internal Revenue Service with its registered office and/or place of domicile in the state of Louisiana, or an auxiliary organization to such a veterans' organization.

B. The division shall establish the following fee schedule:

1. Customized organization list per request, \$1 per name (maximum fee \$500).
2. Manufacturer's license, \$200.
3. Distributor's license, \$100.
4. Organization license, \$50.
5. License modification per organization request, \$25, after first free modification.
6. Copy of public record, \$.25 per page.
7. Super bingo license (limit two), \$100.
8. Private Contractors Cable TV Bingo, \$1,000.
9. Organization application for Cable TV Bingo, \$50.

10. Retail Sale Outlet, \$200.

11. Paid Volunteer Personnel History Disclosure/ Identification Card, \$15.

12. Personnel History Disclosure Form/Identification Card/Cable Tv Bingo, \$15.

13. Commercial lessor's license, \$200.

*AUTHORITY NOTE:* Adopted in accordance with R.S. 40:1485.4, R.S. 33:4861.13C., R.S. 33:4861.17.

*HISTORICAL NOTE:* Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 12:157 (March 1986), amended LR 13:99 (February 1987), LR 17:383 (April 1991), Louisiana Legislature, House Concurrent Resolution Number 94 of the 1997 Regular Session, LR 25:205 (January 1999).