

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2281**

Introduced by

Senator Luick

1 A BILL for an Act to create and enact section 53-06.1-12.4 of the North Dakota Century Code,
2 relating to the creation of a charitable gaming technology fund; to amend and reenact
3 subsection 2 of section 53-06.1-03 and subsection 1 of section 53-06.1-14 of the North Dakota
4 Century Code, relating to gaming license fees and deposits in a charitable gaming technology
5 fund; to provide a continuing appropriation; and to provide for a transfer.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Subsection 2 of section 53-06.1-03 of the North Dakota
8 Century Code is amended and reenacted as follows:

9 2. An eligible organization shall apply for a license to conduct only bingo, electronic quick
10 shot bingo, raffles, calcuttas, pull tabs, punchboards, twenty-one, paddlewheels,
11 poker, or sports pools by:

12 a. First securing approval for a site authorization from the governing body of the city
13 or county in which the proposed site is located. Approval, which may be granted
14 at the discretion of the governing body, must be recorded on a site authorization
15 form that is to accompany the license application to the attorney general for final
16 approval. A governing body may not require an eligible organization to donate net
17 proceeds to the city, county, or related political subdivision or for community
18 programs or services within the city or county as a condition for receiving a site
19 authorization from the city or county. A governing body may limit the number of
20 tables for the game of twenty-one per site and the number of sites upon which a
21 licensed organization may conduct games within the city or county. A governing
22 body may charge a one hundred dollar fee for a site authorization; and

23 b. Annually applying for a license from the attorney general before July first on a
24 form prescribed by the attorney general and remitting a one hundred ~~fiftyseveny-~~

1 five dollar license fee for each city or county that approves a site authorization.
2 The attorney general shall deposit twenty-five dollars of this fee into the
3 charitable gaming technology fund under section 53-06.1-12.4. However, the
4 attorney general may allow an organization that only conducts a raffle or calcutta
5 in two or more cities or counties to annually apply for a consolidated license and
6 remit a one hundred ~~fifty~~seventy-five dollar license fee for each city or county in
7 which a site is located. The attorney general shall deposit twenty-five dollars of
8 this fee into the charitable gaming technology fund under section 53-06.1-12.4.
9 An organization shall document that it qualifies as an eligible organization. If an
10 organization amends its primary purpose as stated in its articles of incorporation
11 or materially changes its basic character, the organization shall reapply for
12 licensure.

13 **SECTION 2.** Section 53-06.1-12.4 of the North Dakota Century Code is created and
14 enacted as follows:

15 **53-06.1-12.4. Charitable gaming technology fund - Continuing appropriation.**

16 There is created in the state treasury a special fund known as the charitable gaming
17 technology fund. The fund consists of all moneys deposited in the fund pursuant to this chapter.
18 Moneys in the fund are appropriated to the attorney general on a continuing basis and may be
19 used only for contracting for and purchasing equipment and software for a charitable gaming
20 technology system, training employees to operate the system, and maintaining and updating
21 the system.

22 **SECTION 3. AMENDMENT.** Subsection 1 of section 53-06.1-14 of the North Dakota
23 Century Code is amended and reenacted as follows:

- 24 1. A manufacturer of pull tabs, bingo cards, electronic quick shot bingo systems and
25 devices, electronic pull tab devices, or bingo card marking devices shall apply annually
26 for a license and pay a license fee of ~~four~~five thousand five hundred dollars. A
27 manufacturer of electronic pull tab systems and devices shall apply annually for a
28 license and pay a license fee of ten thousand dollars. The attorney general shall
29 deposit one thousand five hundred dollars of these fees into the charitable gaming
30 technology fund under section 53-06.1-12.4. A manufacturer of paper pull tab
31 dispensing devices shall apply annually for a license and pay a license fee of one

1 thousand ~~five hundred~~ dollars. The attorney general shall deposit five hundred dollars
2 of this fee into the charitable gaming technology fund under section 53-06.1-12.4. A
3 manufacturer of ~~fifty-five~~ electronic raffle systems shall apply annually for a license and
4 pay a license fee of ~~five hundred~~ one thousand dollars. The attorney general shall
5 deposit five hundred dollars of this fee into the charitable gaming technology fund
6 under section 53-06.1-12.4. A distributor shall apply annually for a license and pay a
7 license fee of ~~one~~ two thousand ~~five hundred~~ dollars. The attorney general shall
8 deposit five hundred dollars of this fee into the charitable gaming technology fund
9 under section 53-06.1-12.4. Application must be made before the first day of April in
10 each year on a form prescribed by the attorney general.

11 **SECTION 4. TRANSFER - CHARITABLE GAMING OPERATING FUND TO CHARITABLE**
12 **GAMING TECHNOLOGY FUND.** The office of management and budget shall transfer the sum
13 of \$400,000 from the charitable gaming operating fund to the charitable gaming technology fund
14 during the biennium beginning July 1, 2023, and ending June 30, 2025. The transfer must be
15 made before June 30, 2024.