

25.1099.01001  
Title.

Prepared by the Legislative Council  
staff for Senator Myrdal  
March 24, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2224

Introduced by

Senators Myrdal, Luick

1 A BILL ~~for an Act to amend and reenact section 53-06.1-01.1 of the North Dakota Century~~  
2 ~~Code, relating to the abolition of the gaming commission and the authorization of the attorney~~  
3 ~~general to administer and regulate gaming.~~ for an Act to amend and reenact section  
4 53-06.1-01.1 of the North Dakota Century Code, relating to the gaming commission; and to  
5 provide an appropriation.

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

7 ~~SECTION 1. AMENDMENT.~~ Section 53-06.1-01.1 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 ~~53-06.1-01.1. Gaming commission~~ Attorney general - Gaming - Rules.

10 ~~1. The state gaming commission consists of the chairman and four other members~~  
11 ~~appointed by the governor, with the consent of the senate. The members serve~~  
12 ~~three-year terms and until a successor is appointed and qualified. If the senate is not~~  
13 ~~in session when the term of a member expires, the governor may make an interim~~  
14 ~~appointment, and the interim appointee holds office until the senate confirms or rejects~~  
15 ~~the appointment. A member appointed to fill a vacancy arising from other than the~~  
16 ~~natural expiration of a term serves only for the unexpired portion of the term. The~~  
17 ~~terms of the commissioners must be staggered so no more than two terms expire~~  
18 ~~each July first.~~

19 ~~2. A person is ineligible for appointment to the commission if that person has not been a~~  
20 ~~resident of this state for at least two years before the date of appointment. A person is~~

1 also ineligible if that person is not of such character and reputation as to promote  
2 public confidence in the administration of gaming in this state. A person is also  
3 ineligible if that person has been convicted of a felony criminal offense or has pled  
4 guilty or been found guilty of any violation of chapter 12.1-06, 12.1-08, 12.1-09,  
5 12.1-10, 12.1-11, 12.1-12, 12.1-22, 12.1-23, 12.1-24, 12.1-28, 53-06.1, or 53-06.2, or  
6 has pled guilty or been found guilty of any violation of section 6-08-16 or 6-08-16.2, or  
7 has pled guilty or been found guilty of any offense or violation that has a direct bearing  
8 on the person's fitness to be involved in gaming, or who has committed an equivalent  
9 offense or violation of the laws of another state or of the United States. A person who  
10 has a financial interest in gaming or is an employee or a member of the gaming  
11 committee of a licensed organization or distributor cannot be a member of the  
12 commission. For the purpose of this subsection, a financial interest includes the  
13 receiving of any direct payment from an eligible organization for property, services, or  
14 facilities provided to that organization.

15 ~~3. Commission members are entitled to seventy-five dollars per day for compensation for~~  
16 ~~each day spent on commission duties and mileage and expense reimbursement as~~  
17 ~~allowed to other state employees.~~

18 ~~4. The commission attorney general shall adopt rules in accordance with chapter 28-32, to~~  
19 ~~administer and regulate the gaming industry, including methods:~~

20 ~~1. Methods of conduct, play, and promotion of games; minimum~~

21 ~~2. Minimum procedures and standards for recordkeeping and internal control; requiring~~

22 ~~3. Requiring tax returns and reports from organizations or distributors; methods~~

23 ~~4. Methods of competition and doing business by distributors and manufacturers;~~  
24 ~~acquisition~~

25 ~~5. Acquisition and use of gaming equipment; quality~~

26 ~~6. Quality standards or specifications for the manufacture of pull tabs, paper bingo cards,~~  
27 ~~electronic pull tab devices, pull tab dispensing devices, bingo card marking devices,~~  
28 ~~and fifty-fifty raffle systems; to~~

29 ~~7. To ensure that net proceeds are used for educational, charitable, patriotic, fraternal,~~  
30 ~~religious, or public spirited uses; to~~

31 ~~8. To protect and promote the public interest; to~~

- 1 ~~9. To ensure fair and honest games; to~~  
2 ~~10. To ensure that fees and taxes are paid; and to~~  
3 ~~11. To prevent and detect unlawful gambling activity.~~

4 **SECTION 1. AMENDMENT.** Section 53-06.1-01.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **53-06.1-01.1. Gaming commission.**

- 7 1. The state gaming commission consists of the chairman and four other members  
8 appointed by the governor, with the consent of the senate. The members serve  
9 three-year terms and until a successor is appointed and qualified. If the senate is not  
10 in session when the term of a member expires, the governor may make an interim  
11 appointment, and the interim appointee holds office until the senate confirms or rejects  
12 the appointment. A member appointed to fill a vacancy arising from other than the  
13 natural expiration of a term serves only for the unexpired portion of the term. The  
14 terms of the commissioners must be staggered so no more than two terms expire  
15 each July first.
- 16 2. A person is ineligible for appointment to the commission if that person has not been a  
17 resident of this state for at least two years before the date of appointment. A person is  
18 also ineligible if that person is not of such character and reputation as to promote  
19 public confidence in the administration of gaming in this state. A person is also  
20 ineligible if that person has been convicted of a felony criminal offense or has pled  
21 guilty or been found guilty of any violation of chapter 12.1-06, 12.1-08, 12.1-09,  
22 12.1-10, 12.1-11, 12.1-12, 12.1-22, 12.1-23, 12.1-24, 12.1-28, 53-06.1, or 53-06.2, or  
23 has pled guilty or been found guilty of any violation of section 6-08-16 or 6-08-16.2, or  
24 has pled guilty or been found guilty of any offense or violation that has a direct bearing  
25 on the person's fitness to be involved in gaming, or who has committed an equivalent  
26 offense or violation of the laws of another state or of the United States. A person who  
27 has a financial interest in gaming or is an employee or a member of the gaming  
28 committee of a licensed organization or distributor cannot be a member of the  
29 commission. For the purpose of this subsection, a financial interest includes the  
30 receiving of any direct payment from an eligible organization for property, services, or  
31 facilities provided to that organization.

- 1 3. Commission members are entitled to ~~seventy five dollars~~ the amount under  
2 subsection 1 of section 54-03-20 per day for compensation for each day spent on  
3 commission duties and mileage and expense reimbursement as allowed to other state  
4 employees.
- 5 4. The commission shall meet quarterly. The commission may hold an executive session  
6 under section 44-04-19.2.
- 7 5. The commission shall adopt rules in accordance with chapter 28-32, to administer and  
8 regulate the gaming industry, including methods of conduct, play, and promotion of  
9 games; minimum procedures and standards for recordkeeping and internal control;  
10 requiring tax returns and reports from organizations or distributors; methods of  
11 competition and doing business by distributors and manufacturers; acquisition and use  
12 of gaming equipment; quality standards or specifications for the manufacture of pull  
13 tabs, paper bingo cards, electronic pull tab devices, pull tab dispensing devices, bingo  
14 card marking devices, and fifty-fifty raffle systems; to ensure that net proceeds are  
15 used for educational, charitable, patriotic, fraternal, religious, or public-spirited uses; to  
16 protect and promote the public interest; to ensure fair and honest games; to ensure  
17 that fees and taxes are paid; and to prevent and detect unlawful gambling activity.

18 **SECTION 2. APPROPRIATION - ATTORNEY GENERAL - GAMING COMMISSION -**  
19 **ONE-TIME FUNDING.** There is appropriated out of any moneys in the general fund in the state  
20 treasury, not otherwise appropriated, the sum of \$25,000, or so much of the sum as may be  
21 necessary, to the attorney general for the purpose of defraying the costs of operations of the  
22 gaming commission, for the biennium beginning July 1, 2025, and ending June 30, 2027. The  
23 funding provided in this section is considered a one-time funding item.