

## CHAPTER 99-01.3-04.1 ELECTRONIC QUICK SHOT BINGO

### Section

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#### **99-01.3-04.1-01. Electronic quick shot bingo.**

"Electronic quick shot bingo" means a bingo game played on portable hand-held bingo devices utilizing electronic bingo card images. The bingo game is played using twenty-four predrawn letters and numbers and may use up to six bonus numbers to achieve predetermined patterns. If a predetermined pattern is achieved, then the player wins a prize based on a specific prize table. Because the game has all of its letters and numbers predrawn, there may or may not be a winning player for each game played. A player is not required to say the word "bingo" before a bingo is awarded. Before a session begins, an employee shall draw or a random number generator shall draw twenty-four balls or numbers comprised of the first five balls or numbers from each of the "B", "I", "G", and "O" rows, and the first four balls or numbers from the "N" row. Up to six additional balls or numbers may be drawn as bonus numbers. Once twenty-four balls or numbers and any bonus balls or numbers, if applicable, are selected, an employee or the related equipment shall enter the numbers into the electronic quick shot bingo site operating system and post the selected balls or numbers once during a business day prior to starting the session. An electronic quick shot bingo site operating system with card-marking devices and related equipment may only be sold or provided to an organization with a state gaming license.

**History:** Effective July 1, 2012; amended effective April 1, 2016; July 1, 2018.

**General Authority:** NDCC 53-06.1-01.1

**Law Implemented:** NDCC 53-06.1-01.1

#### **99-01.3-04.1-02. Equipment.**

An organization shall use this equipment:

1. A device from which bingo balls are drawn or a random number generator. The device or random number generator must draw from a set of seventy-five balls or numbers used to determine the original twenty-four balls or numbers for play of the game and any bonus numbers, if applicable. If actual bingo balls are used, rather than a random number generator, an organization employee shall ensure that all seventy-five numbers are available prior to the draw.
2. An electronic quick shot bingo site operating system, including a portable point-of-sale device, which allows an employee to deposit credits received from a player by cash, check, or debit card. All deposits must be received prior to play and no credit play is allowed. The electronic quick shot bingo site operating system must store all accounting information for a session.
3. An electronic quick shot bingo card-marking device that allows a player to play between one and sixteen bingo cards for an individual game. Cost per card may not exceed five dollars. When a player initiates play of the selected cards, the device automatically marks all of the player's cards with the predrawn numbers. The device may randomly mark the predrawn numbers in any order for each game played. No auto-daub feature which initiates play of a new game without a player's interaction is allowed. The phrase "malfunction voids all pays and plays" must be displayed on the game selection screen, game screen, or on a decal affixed to the front of the device.

**History:** Effective July 1, 2012; amended effective April 1, 2016.

**General Authority:** NDCC 53-06.1-01.1

**Law Implemented:** NDCC 53-06.1-01.1

**99-01.3-04.1-03. Conduct and play.**

1. Only one set of numbers may be drawn for a business day. The predrawn numbers for the current session must be posted at the site. The use of a flashboard is optional. Unless there is only one employee on duty, two persons shall verify and attest to the numbers drawn or selected, numbers posted, and numbers entered into the electronic quick shot bingo site operating system for the current session. When the bingo numbers have been drawn or selected, the numbers may not be changed. Players are not allowed to pick any numbers to match for an electronic quick shot bingo game or bonus feature. No electronic quick shot bingo session may extend beyond the end of a business day. After a session has been closed, the called bingo numbers must be cleared before the start of the next business day.
2. Players are responsible for safeguarding their receipt with the designated account number to track all deposits on an electronic quick shot bingo card-marking device. A player's receipt must be presented when redeeming prizes or cashing out credits.
3. If a player has a winning prize pattern, all prize winnings must be awarded to players in a separate winnings account on an electronic quick shot bingo card-marking device. Automatic transfer by the player of any winnings balance to the credit (deposit) balance on the device is prohibited. All payouts of winnings must be transacted by an organization employee.
4. A player shall not be required to forfeit any winnings or make an additional wager in order to receive a bonus game or feature.
5. The following rules, information, and policies must be posted or made available to players in the area where electronic quick shot bingo activity is conducted. If made available to players, the rules, information, and policies must be in the form of a handout that is easily visible to the players and may not be a copy of the gaming law and rules:
  - a. A person under eighteen years of age may not play electronic quick shot bingo;
  - b. The actual letters and numbers predrawn by the organization are official;
  - c. If a person knowingly uses a fraudulent scheme or technique to cheat or skim involving electronic quick shot bingo, regardless of the amount gained, the offense is a class C felony punishable by a five thousand dollar fine or five years in jail or both;
  - d. An electronic quick shot bingo card-marking device may not be taken outside of the gaming area;
  - e. An employee may only assist a player in how to use an electronic quick shot bingo card-marking device;
  - f. No player can use more than one electronic quick shot bingo card-marking device at a time during a session;
  - g. If a player attempts to falsify or falsifies a record of win, the prize is forfeited;
  - h. A player may not sell the remaining credits on a device to another player;
  - i. A player shall present the player's receipt when redeeming prizes or cashing out credits;
  - j. A policy that if a player has more than one winning bingo pattern on a card, whether the highest prize pattern will be awarded or all winning prize patterns will be awarded;

- k. A policy in the event that a player has lost the player's receipt;
  - l. A policy when an organization may cancel a session due to power outage, electronic quick shot bingo site operating system being down, or any transmission problems; and
  - m. If applicable, a policy regarding use of an electronic quick shot bingo card-marking device and additional paper bingo cards at the same time.
6. An employee or floorworker shall use a point-of-sale device when adding additional credits (deposits) and redeeming winnings for additional credits (deposits) involving an electronic quick shot bingo card-marking device provided that all transactions are accounted for according to the manufacturing specifications in section 99-01.3-16-09.4.
  7. An electronic quick shot bingo card-marking device cannot be reserved for a player. An organization shall provide each player an equal opportunity to use the available devices on a first-come, first-served basis.
  8. An organization may pay a fixed rate per electronic quick shot bingo card-marking device or a fixed fee per bingo card sold. No payment for use of a device may be based on a percentage of the gross proceeds, adjusted gross proceeds, or net income earned.
  9. A receipt must comply with subdivision i of subsection 12 of section 99-01.3-16-09.4.
  10. A receipt for a void, refund, or similar item must be initialed by a supervisor or another employee who did not conduct the transaction if a supervisor is not available and retained with the daily records.
  11. All prizes awarded must be cash.
  12. No electronic quick shot bingo games may be played with a progressive prize unless authorized by the attorney general.
  13. A separate cash bank must be used with electronic quick shot bingo at a site. All deposits must be separately identified from other game types, including other bingo games conducted at a site.
  14. Unredeemed credits on an electronic quick shot bingo card-marking device are considered to be gross proceeds. Unclaimed prizes on the device are subtracted from total prizes won in calculating the adjusted gross proceeds.
  15. An organization shall deactivate an employee password within forty-eight hours of that employee leaving employment. Passwords for employees of a site must be changed every six months.
  16. No discount, gift certificates, or promotions are allowed unless authorized by the attorney general.
  17. An organization shall back up all of an electronic quick shot bingo site operating system's accounting information for a session on a separate electronic media file prior to the start of the next business day and retain the backup file for three years from the end of the quarter in which the activity was reported on a tax return. The accounting information must comply with subsection 12 of section 99-01.3-16-09.4.

**History:** Effective July 1, 2012; amended effective April 1, 2016; July 1, 2018; January 1, 2023.

**General Authority:** NDCC 53-06.1-01.1

**Law Implemented:** NDCC 53-06.1-01.1, 53-06.1-06

**99-01.3-04.1-04. Recordkeeping.**

Records must include and be retained for three years from the end of the quarter in which the activity was reported, unless otherwise provided by rule:

1. For each session:
  - a. The electronic quick shot bingo site operating system involving a bingo card-marking device must include the summary report for the session according to subdivision j of subsection 12 of section 99-01.3-16-09.4;
  - b. The starting and ending cash on hand and IOU records according to section 99-01.3-03-06;
  - c. Cash profit as defined in subdivision a of subsection 9 of section 99-01.3-02-01;
  - d. A summary of the total dollar value of credits sold, total dollar value of unplayed credits cashed out, gross proceeds, prizes won, unclaimed prizes, prizes paid, adjusted gross proceeds, cash profit, cash long and short, and bank deposit. The summaries of all sessions for a quarter must reconcile to the tax return;
  - e. Prize report according to subdivision l of subsection 12 of section 99-01.3-16-09.4;
  - f. Record of win according to section 99-01.3-03-08; and
  - g. Record of the balls or numbers predrawn, including bonus numbers and a record of numbers actually entered into the electronic quick shot bingo site operating system according to subdivision m of subsection 12 of section 99-01.3-16-09.4.
2. Ideal cash bank master records according to subsection 4 of section 99-01.3-03-09.
3. Verification of the amount deposited according to a bank statement, and an audit of the game's activity according to subsections 6 and 7 of section 99-01.3-03-10.
4. The count and reconciliation of cash banks according to subsections 4 and 6 of section 99-01.3-03-09.

**History:** Effective July 1, 2012; amended effective April 1, 2016; July 1, 2018; January 1, 2023.

**General Authority:** NDCC 53-06.1-01.1

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