

**HOUSE BILL NO. 1296**

Introduced by

Representatives Grueneich, Cory, Dockter, Hagert, Headland, Marschall, Nathe, O'Brien,  
Stemen, Thomas, Vetter

Senator Meyer

1 A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-03 of the North Dakota  
2 Century Code, relating to approval for a gaming site authorization.

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

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

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

9 a. First securing a lease for a gaming site location.

10 b. After securing a lease for a gaming site location, next securing approval for a site  
11 authorization from the governing body of the city or county in which the proposed  
12 site is located. Approval, which may be granted at the discretion of the governing  
13 body, The approved authorization must be recorded on a site authorization form  
14 that is to accompany the license application to the attorney general for final  
15 approval. A governing body ~~may~~:

16 (1) May not require an eligible organization to donate net proceeds to the city,  
17 county, or related political subdivision or for community programs or  
18 services within the city or county as a condition for receiving a site  
19 authorization from the city or county. ~~A governing body may~~ ;

20 (2) May limit the number of tables for the game of twenty-one per site and the  
21 number of sites upon which a licensed organization may conduct games  
22 within the city or county. ~~A governing body may~~ ;

23 (3) May charge a one hundred dollar fee for a site authorization; ~~and~~

- 1                   (4) May not require a site to enter into a lease with a specific organization as a  
2                   condition of receiving a site authorization;
- 3                   (5) May not deny approval of a site authorization to a licensed eligible  
4                   organization;
- 5                   (6) May not deny approval of a site authorization because an organization has  
6                   not previously conducted gaming at that site; and
- 7                   (7) May only deny approval of a site authorization if an application is incomplete  
8                   or if granting approval would violate an existing local statute or ordinance.
- 9            **b.c.** Annually applying for a license from the attorney general before July first on a  
10           form prescribed by the attorney general and remitting a one hundred fifty dollar  
11           license fee for each city or county that approves a site authorization. However,  
12           the attorney general may allow an organization that only conducts a raffle or  
13           calcutta in two or more cities or counties to annually apply for a consolidated  
14           license and remit a one hundred fifty dollar license fee for each city or county in  
15           which a site is located. An organization shall document that it qualifies as an  
16           eligible organization. If an organization amends its primary purpose as stated in  
17           its articles of incorporation or materially changes its basic character, the  
18           organization shall reapply for licensure.