

SENATE BILL NO. 2245
with House Amendments
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Introduced by

Senator Luick

1 A BILL for an Act to amend and reenact subsection 13 of section 53-06.1-01, subsection 3 of
2 section 53-06.1-10.1, and subsections 2 and 5 of section 53-06.1-11 of the North Dakota
3 Century Code, relating to a manufacturer of an electronic device, electronic fifty-fifty raffle
4 tickets, allowable expenses, and monthly rent for electronic pull tab devices.

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

6 **SECTION 1. AMENDMENT.** Subsection 13 of section 53-06.1-01 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 13. "Manufacturer" means, for a pull tab or bingo card, a person who designs, prints,
9 assembles, or produces the product. For a pull tab dispensing device, electronic pull
10 tab device operating system, bingo card marking device, or a ~~fifty-fifty~~ electronic raffle
11 system, a manufacturer means the person who directly controls and manages
12 development of and owns the rights to the proprietary software encoded on a
13 processing chip that enables the device or system to operate.

14 **SECTION 2. AMENDMENT.** Subsection 3 of section 53-06.1-10.1 of the North Dakota
15 Century Code is amended and reenacted as follows:

16 3. An organization permitted to conduct raffles in this state may conduct ~~an~~ electronic
17 fifty-fifty raffle either by manual drawing or by using a random number generator.
18 ~~Fifty-fifty~~ Electronic fifty-fifty raffle tickets must be sold and drawings held onsite at the
19 location of and on the date of the event. ~~Fifty-fifty~~ Electronic fifty-fifty raffles may not be
20 conducted online over the internet.

21 **SECTION 3. AMENDMENT.** Subsection 2 of section 53-06.1-11 of the North Dakota
22 Century Code is amended and reenacted as follows:

23 2. Allowable expenses may be deducted from adjusted gross proceeds. The allowable
24 expense limit is ~~sixty~~:

- 1 a. Sixty percent of the adjusted gross proceeds per quarter if the total adjusted
2 gross proceeds for the quarter are more than one hundred thousand dollars; and
3 b. Sixty-three percent of the adjusted gross proceeds per quarter if the total
4 adjusted gross proceeds for the quarter are equal to or less than one hundred
5 thousand dollars.

6 **SECTION 4. AMENDMENT.** Subsection 5 of section 53-06.1-11 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 5. For a site where bingo is not the primary game:

- 9 a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed
10 two hundred dollars multiplied by the necessary number of tables based on
11 criteria prescribed by gaming rule. For each twenty-one table with a wager
12 greater than five dollars, an additional amount up to one hundred dollars may be
13 added to the monthly rent. If pull tabs is also conducted involving only a jar bar,
14 the monthly rent for pull tabs may not exceed an additional one hundred
15 seventy-five dollars. If pull tabs is conducted involving only a dispensing device
16 or a jar bar and dispensing device, the monthly rent for pull tabs may not exceed
17 an additional three hundred twenty-five dollars.
- 18 b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted
19 involving either a jar bar or dispensing device, the monthly rent may not exceed
20 four hundred dollars.
- 21 c. If pull tabs is conducted using one or more electronic pull tab devices, the
22 monthly rent may not exceed an additional ~~one~~two hundred dollars per machine
23 for the first five machines in the same venue. For each additional machine in the
24 same venue beyond five, the monthly rent may not exceed an additional fifty-
25 dollars per machine up to a maximum of one thousand one hundred twenty-five-
26 dollars per month for all electronic pull tab devices in a single venue. However,
27 monthly rent may include an additional fifty dollars per electronic pull tab device if
28 no gaming employee is onsite to conduct gaming and bar staff is solely
29 responsible for voucher redemption.