

## HOUSE BILL NO. 264

INTRODUCED BY P. INGRAHAM

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A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING SENIOR CITIZEN CENTERS FROM OPERATOR'S LICENSE REQUIREMENTS FOR BINGO AND LIVE CARD GAMES; AMENDING SECTIONS 23-5-177, 23-5-310, AND 23-5-410, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 23-5-177, MCA, is amended to read:

**"23-5-177. Operator of gambling establishment -- license -- fee.** (1) ~~Except as provided in 23-5-310 and 23-5-410,~~ it is a misdemeanor for a person who is not licensed by the department as an operator to make available to the public for play a gambling device or gambling enterprise for which a permit must be obtained from the department.

(2) To obtain an operator's license, a person shall submit to the department:

(a) a completed operator's license application on a form prescribed and furnished by the department;

(b) the person's fingerprints and, if the applicant is a corporation, the fingerprints of each person holding 10% or more of the outstanding stock of the corporation and of each officer and director of the corporation, to be used for a fingerprint and background check that must be used by the department in determining eligibility for a license;

(c) any other relevant information requested by the department; and

(d) a license application processing fee, as required in subsection (8).

(3) Before issuing an operator's license, the department shall approve, in accordance with 23-5-117, the premises in which the gambling activity is to be conducted.

(4) Except as provided in 23-5-117, regardless of the number of on-premises alcoholic beverage licenses issued for a premises, the department may issue only one operator's license for the premises.

(5) An operator's license must include the following information:

(a) a description of the premises upon which the gambling will take place;

(b) the operator's name;

(c) a description of each gambling device or card game table for which a permit has been issued to the

1 operator by the department for play upon the premises, including the type of game and permit number for each  
2 game; and

3 (d) any other relevant information determined necessary by the department.

4 (6) The operator's license must be issued annually along with all other permits for gambling devices or  
5 games issued to the operator.

6 (7) The operator's license must be updated each time a video gambling machine, bingo, keno, or card  
7 game table permit is newly issued or the machine or game is removed from the premises.

8 (8) The department shall charge an applicant who has submitted an operator's license application on  
9 or after July 1, 1991, a one-time license application processing fee to cover the actual cost incurred by the  
10 department in determining whether the applicant qualifies for licensure under 23-5-176. After making its  
11 determination, the department shall refund any overpayment or charge and collect amounts sufficient to  
12 reimburse the department for any underpayment of actual costs.

13 (9) The operator's license must be prominently displayed upon the premises for which it is issued."  
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15 **Section 2.** Section 23-5-310, MCA, is amended to read:

16 **"23-5-310. Exemption from certain sections.** A senior citizen center is exempt from 23-5-117,  
17 23-5-177, 23-5-306, 23-5-308, and 23-5-309 if the center:

- 18 (1) limits participation in live card games to its members and members' guests;  
19 (2) limits live card game activities to its main premises or place of operation; and  
20 (3) does not operate live card games in a predominantly commercial manner."  
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22 **Section 3.** Section 23-5-410, MCA, is amended to read:

23 **"23-5-410. Exemption from certain sections.** A senior citizen center is exempt from 23-5-117,  
24 23-5-177, 23-5-407, and 23-5-409 with respect to live bingo games if the center:

- 25 (1) limits participation in live bingo games to its members and members' guests;  
26 (2) limits live bingo games to its main premises or place of operation; and  
27 (3) does not operate live bingo games in a predominantly commercial manner."  
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29 **NEW SECTION. Section 4. Effective date.** [This act] is effective on passage and approval.

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