STATE OF NEW YORK

6944

2017-2018 Regular Sessions

IN SENATE

November 17, 2017

Introduced by Sen. TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general municipal law, in relation to waiving the licensing fee for the conducting of bingo for certain purposes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (a) of subdivision 1 of section 481 of the general municipal law, as amended by section 5 of part MM of chapter 59 of the laws of 2017, is amended to read as follows:

(a) Issuance of licenses to conduct bingo. If the governing body of the municipality determines that the applicant is duly qualified to be licensed to conduct bingo under this article; that the member or members of the applicant designated in the application to conduct bingo are bona fide active members of the applicant and are persons of good moral character and have never been convicted of a crime or, if convicted, have received a pardon or a certificate of good conduct or a certificate of relief from disabilities pursuant to article twenty-three of the correction law; that such games of bingo are to be conducted in accordance with the provisions of this article and in accordance with the rules and regulations of the commission, and that the proceeds thereof are to be disposed of as provided by this article, and if the governing body is satisfied that no commission, salary, compensation, reward or recompense what so ever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation and conduct of any such games of bingo except as in this article otherwise provided; and that no prize will be offered and given in excess of the sum or value of five thousand dollars in any single game and that the aggregate of all prizes offered and given in all of such games conducted on a single occasion, under said license shall not exceed the sum or value of fifteen thousand dollars, then the municipality shall issue a license to the applicant for the conduct of bingo upon payment of a

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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license fee of eighteen dollars and seventy-five cents for each bingo occasion; provided, however, that **no such license fee shall be charged for games of bingo conducted pursuant to clause (B) or (C) of subparagraph (i) of paragraph (b) of subdivision two of section four hundred ninety-five-a of this article; and provided, further, that** the governing body shall refuse to issue a license to an applicant seeking to conduct bingo in premises of a licensed commercial lessor where such governing body determines that the premises presently owned or occupied by such applicant are in every respect adequate and suitable for conducting bingo games.

§ 2. Clauses (B) and (C) of subparagraph (i) of paragraph (b) of subdivision 2 of section 495-a of the general municipal law, as amended by chapter 441 of the laws of 2007, are amended to read as follows:

(B) within any apartment, condominium or cooperative complex, retirement community, or other group residential complex or facility where (I) sponsored by the operator of or an association related to such complex, community or facility, (II) such games are conducted solely for the purpose of amusement and recreation of its residents, (III) [~~no player or other person furnishes anything of value for the opportunity to participate, (IV)~~] the value of the prizes shall not exceed [~~ten~~] **twenty-five** dollars for any one game or a total of [~~one~~] **three** hundred [~~fifty~~] **seventy-five** dollars in any calendar [~~day~~] **year**, [~~(V)~~] **(IV)** such games are not conducted on more than [~~fifteen~~] **two** days during any calendar [~~year~~] **week**, and [~~(VI)~~] **(V)** no person other than an employee or volunteer of such complex, community or facility conducts or assists in conducting the game or games.

(C) on behalf of any bona fide social, charitable, educational, recreational, fraternal**, religious, not-for-profit,** or age group organization, club or association solely for the purpose of amusement and recreation of its members or beneficiaries where (I) [~~no player or other person furnishes anything of value for the opportunity to participate, (II)~~] the value of the prizes shall not exceed [~~ten~~] **twenty-five** dollars for any one game or a total of [~~one~~] **three** hundred [~~fifty~~] **seventy-five** dollars in any calendar [~~day~~] **year**, [~~(III)~~] **(II)** such games are not conducted on more than [~~fifteen~~] **two** days during any calendar [~~year~~] **week**, [~~(IV)~~] **(III)** no person other than a bona fide active member of the organization, club or association participates in the conduct of the games, and [~~(V)~~] **(IV)** no person is paid for conducting or assisting in the conduct of the game or games.

§ 3. This act shall take effect immediately.