

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS55084-SW-1 (10/17)

Short Title: Casino Nights.

(Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE
"CASINO NIGHTS".

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-295 reads as rewritten:

"§ 14-295. **Keeping gaming tables, illegal punchboards or slot machines, or betting thereat, or playing at gaming tables, illegal punchboards, or slot machines unlawful; exception.**

(a) If any person shall establish, use or keep any gaming table (other than a faro bank), by whatever name such table may be called, an illegal punchboard or an illegal slot machine, at which games of chance shall be played, ~~he that person~~ shall be guilty of a Class 2 ~~misdemeanor; and every misdemeanor.~~ Any person who shall play thereat at a gaming table (other than a faro bank), by whatever name such table may be called, an illegal punchboard, or an illegal slot machine, or thereat who shall bet any money, property or other thing of value, whether the same be in stake or not, at a gaming table (other than a faro bank), by whatever name such table may be called, an illegal punchboard, or an illegal slot machine shall be guilty of a Class 2 misdemeanor.

(b) This section shall not apply to the possession or use of a gaming table during a casino night conducted in accordance with G.S. 14-309.16. This section also shall not apply to keeping gaming tables for the sole purpose of renting or leasing them off-premises to nonprofit organizations authorized to conduct casino nights in accordance with G.S. 14-309.16."

SECTION 2. G.S. 18B-308 reads as rewritten:

"§ 18B-308. **Sale and consumption at raffles, bingo games, games, and casino nights.**

It shall be unlawful to sell or consume, or for the owner or other person in charge of the premises to allow the sale or consumption of, any alcoholic beverage in any room

1 while a raffle or bingo game is being conducted in that room under Part 2 of Article 37
2 of Chapter 14 of the General Statutes. This section shall not apply to games conducted
3 pursuant to G.S. 14-309.16."

4 **SECTION 3.** The heading to Part 2 of Article 37 of Chapter 14 of the
5 General Statutes reads as rewritten:

6 "Part 2. ~~Bingo and Raffles~~. Bingo, Raffles, and Casino Nights."

7 **SECTION 4.** Part 2 of Article 37 of Chapter 14 of the General Statutes is
8 amended by adding a new section to read:

9 **"§ 14-309.16. Casino nights.**

10 (a) The following definitions shall apply to this section:

11 (1) "Banking game" means any gambling game in which bets are laid
12 against the gambling house or the dealer and includes games such as
13 roulette, blackjack, poker, pull tabs, craps, chuck-a-luck, keno,
14 merchandise wheel of fortune, and baccarat.

15 (2) "Casino night" means an event conducted in accordance with this
16 section.

17 (3) "Manage or operate" as it relates to a casino night means any of the
18 following:

19 a. Selling admission tickets.

20 b. Selling, redeeming, or assisting in selling or redeeming chips,
21 scrip, or play money.

22 c. Participating in the conducting of the games or conducting any
23 of the games.

24 d. Supervising, directing, or instructing anyone conducting a
25 game.

26 e. Counting, handling, or supervising anyone counting or handling
27 any of the proceeds or chips, scrip, or play money.

28 f. Participating in ensuring that the game equipment is working
29 properly.

30 (4) "Nonprofit organization" means an organization or association exempt
31 from taxation under section 501(c)(3) of the Internal Revenue Code.

32 (b) A casino night conducted by a nonprofit organization in accordance with this
33 section shall not be considered gambling and shall be considered a lawful activity. Prior
34 to conducting a casino night, the nonprofit organization shall register with the sheriff's
35 department of the county where the casino night will be conducted.

36 (c) The conducting of a casino night shall be subject to the following:

37 (1) A nonprofit organization shall not conduct more than two casino
38 nights every calendar year.

39 (2) No person, except a bona fide member of the nonprofit organization
40 conducting the casino night, or an unpaid volunteer recruited by the
41 nonprofit organization conducting the casino night, or a person or
42 organization retained by the nonprofit organization to manage or
43 operate a casino night, shall manage or operate a casino night. Persons
44 other than members of the nonprofit organization may participate in

- 1 setting up, cleaning up, selling food and drink, or providing security
2 for persons or property at the casino night.
- 3 (3) An accounting desk shall be established on the premises where the
4 casino night is conducted to convert the participants' currency into
5 chips, scrip, or other form of play money that a participant may use to
6 play banking games. Chips, scrip, or play money shall be marked with
7 the logo of the organization conducting the casino night or the logo of
8 the supplier of the chips, scrip, or play money. Each participant shall
9 be issued a receipt indicating the amount of chips, scrip, or play money
10 purchased.
- 11 (4) At the conclusion of the casino night or when the participant leaves,
12 the participant shall be permitted by the nonprofit organization
13 conducting the casino night to use the participant's chips, scrip, or play
14 money in exchange for or to bid for noncash prizes. Each participant
15 shall sign for any receipt of prizes. No cash prizes and no gifts
16 redeemable for cash prizes shall be awarded at a casino night.
- 17 (5) A casino night shall not be conducted between the hours of 2:00 A.M.
18 and noon.
- 19 (6) No person under the age of 18 years shall play or participate in a
20 casino night. Any person under the age of 18 years may be within the
21 area where the casino night is being conducted only when
22 accompanied by the person's parent or guardian.
- 23 (7) Banking games may be conducted at a casino night only after the rules
24 for the games are posted or printed and made available by the
25 nonprofit organization conducting the casino night to all participants.
- 26 (8) No slot machines, coin-operated devices, or video game machines
27 shall be used during a casino night.
- 28 (9) No cards, dice, wheels, or other equipment shall be modified or altered
29 so as to give the nonprofit organization conducting the casino night a
30 greater advantage in winning, other than as provided under the normal
31 rules of play of a particular game.
- 32 (10) No credit shall be extended to any of the participants.
- 33 (11) Bingo shall not be conducted at a casino night.
- 34 (12) A casino night shall not be conducted more than four times at any one
35 location during a calendar year.
- 36 (13) The place where the casino night is conducted shall not be owned,
37 controlled, or managed by the person or organization managing or
38 operating the casino night; provided, however, that a nonprofit
39 organization may conduct no more than two casino nights a calendar
40 year in a facility owned, controlled, or managed by the nonprofit
41 organization.
- 42 (d) Except for the expenses of the casino night, all proceeds of a casino night
43 shall be used by the nonprofit organization for charitable, religious, educational, civic,
44 or other nonprofit purposes.

1 (e) Any person who manages or operates a casino night in violation of any
2 provision of this section shall be guilty of a Class 2 misdemeanor. Upon conviction, that
3 person and the nonprofit organization that conducted the casino night in violation of any
4 provision of this section shall not conduct a casino night for a period of one year after
5 the date of conviction."

6 **SECTION 5.** This act becomes effective December 1, 2003, and applies to
7 casino nights conducted and to offenses committed on or after that date.