

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE BILL NO. 2281
(Senator Luick)

AN ACT to create and enact section 53-06.1-12.4 of the North Dakota Century Code, relating to the creation of a charitable gaming technology fund; to amend and reenact subsection 2 of section 53-06.1-03 and subsection 1 of section 53-06.1-14 of the North Dakota Century Code, relating to gaming license fees and deposits in a charitable gaming technology fund; to provide a continuing appropriation; and to provide for a transfer.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

2. An eligible organization shall apply for a license to conduct only bingo, electronic quick shot bingo, raffles, calcuttas, pull tabs, punchboards, twenty-one, paddlewheels, poker, or sports pools by:
 - a. First securing approval for a site authorization from the governing body of the city or county in which the proposed site is located. Approval, which may be granted at the discretion of the governing body, must be recorded on a site authorization form that is to accompany the license application to the attorney general for final approval. A governing body may not require an eligible organization to donate net proceeds to the city, county, or related political subdivision or for community programs or services within the city or county as a condition for receiving a site authorization from the city or county. A governing body may limit the number of tables for the game of twenty-one per site and the number of sites upon which a licensed organization may conduct games within the city or county. A governing body may charge a one hundred dollar fee for a site authorization; and
 - b. Annually applying for a license from the attorney general before July first on a form prescribed by the attorney general and remitting a one hundred ~~fiftyseventy-five~~ dollar license fee for each city or county that approves a site authorization. The attorney general shall deposit twenty-five dollars of this fee into the charitable gaming technology fund under section 53-06.1-12.4. However, the attorney general may allow an organization that only conducts a raffle or calcutta in two or more cities or counties to annually apply for a consolidated license and remit a one hundred ~~fiftyseventy-five~~ dollar license fee for each city or county in which a site is located. The attorney general shall deposit twenty-five dollars of this fee into the charitable gaming technology fund under section 53-06.1-12.4. An organization shall document that it qualifies as an eligible organization. If an organization amends its primary purpose as stated in its articles of incorporation or materially changes its basic character, the organization shall reapply for licensure.

SECTION 2. Section 53-06.1-12.4 of the North Dakota Century Code is created and enacted as follows:

53-06.1-12.4. Charitable gaming technology fund - Continuing appropriation.


There is created in the state treasury a special fund known as the charitable gaming technology fund. The fund consists of all moneys deposited in the fund pursuant to this chapter. Moneys in the fund are appropriated to the attorney general on a continuing basis and may be used only for contracting for

and purchasing equipment and software for a charitable gaming technology system, training employees to operate the system, and maintaining and updating the system.


SECTION 3. AMENDMENT. Subsection 1 of section 53-06.1-14 of the North Dakota Century Code is amended and reenacted as follows:

1. A manufacturer of pull tabs, bingo cards, electronic quick shot bingo systems and devices, electronic pull tab devices, or bingo card marking devices shall apply annually for a license and pay a license fee of ~~four~~five thousand five hundred dollars. A manufacturer of electronic pull tab systems and devices shall apply annually for a license and pay a license fee of ten thousand dollars. The attorney general shall deposit one thousand five hundred dollars of these fees into the charitable gaming technology fund under section 53-06.1-12.4. A manufacturer of paper pull tab dispensing devices shall apply annually for a license and pay a license fee of one thousand five hundred dollars. The attorney general shall deposit five hundred dollars of this fee into the charitable gaming technology fund under section 53-06.1-12.4. A manufacturer of ~~fifty-fifty~~electronic raffle systems shall apply annually for a license and pay a license fee of five hundredone thousand dollars. The attorney general shall deposit five hundred dollars of this fee into the charitable gaming technology fund under section 53-06.1-12.4. A distributor shall apply annually for a license and pay a license fee of ~~one~~two thousand ~~five hundred~~ dollars. The attorney general shall deposit five hundred dollars of this fee into the charitable gaming technology fund under section 53-06.1-12.4. Application must be made before the first day of April in each year on a form prescribed by the attorney general.


SECTION 4. TRANSFER - CHARITABLE GAMING OPERATING FUND TO CHARITABLE GAMING TECHNOLOGY FUND. The office of management and budget shall transfer the sum of \$400,000 from the charitable gaming operating fund to the charitable gaming technology fund during the biennium beginning July 1, 2023, and ending June 30, 2025. The transfer must be made before June 30, 2024.



President of the Senate



Speaker of the House



Secretary of the Senate




Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2281.

Senate Vote: Yeas 42 Nays 3 Absent 2


House Vote: Yeas 77 Nays 12 Absent 5



Secretary of the Senate

Received by the Governor at 4:01 PM. on April 17, 2023.

Approved at 12:47 PM. on April 20, 2023.



Governor

Filed in this office this 21 day of April, 2023,

at 4:56 o'clock P M.



Secretary of State