

Sixty-eighth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2281

Introduced by

Senator Luick

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

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

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

9 2. An eligible organization shall apply for a license to conduct only bingo, electronic quick  
10 shot bingo, raffles, calcuttas, pull tabs, punchboards, twenty-one, paddlewheels,  
11 poker, or sports pools by:

12 a. First securing approval for a site authorization from the governing body of the city  
13 or county in which the proposed site is located. Approval, which may be granted  
14 at the discretion of the governing body, must be recorded on a site authorization  
15 form that is to accompany the license application to the attorney general for final  
16 approval. A governing body may not require an eligible organization to donate net  
17 proceeds to the city, county, or related political subdivision or for community  
18 programs or services within the city or county as a condition for receiving a site  
19 authorization from the city or county. A governing body may limit the number of  
20 tables for the game of twenty-one per site and the number of sites upon which a  
21 licensed organization may conduct games within the city or county. A governing  
22 body may charge a one hundred dollar fee for a site authorization; and

23 b. Annually applying for a license from the attorney general before July first on a  
24 form prescribed by the attorney general and remitting a one hundred ~~fiftyseventy-~~

1           five dollar license fee for each city or county that approves a site authorization.  
2           The attorney general shall deposit twenty-five dollars of this fee into the  
3           charitable gaming technology fund under section 53-06.1-12.4. However, the  
4           attorney general may allow an organization that only conducts a raffle or calcutta  
5           in two or more cities or counties to annually apply for a consolidated license and  
6           remit a one hundred ~~fifty~~seventy-five dollar license fee for each city or county in  
7           which a site is located. The attorney general shall deposit twenty-five dollars of  
8           this fee into the charitable gaming technology fund under section 53-06.1-12.4.  
9           An organization shall document that it qualifies as an eligible organization. If an  
10          organization amends its primary purpose as stated in its articles of incorporation  
11          or materially changes its basic character, the organization shall reapply for  
12          licensure.

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

15          **53-06.1-12.4. Charitable gaming technology fund - Continuing appropriation.**

16          There is created in the state treasury a special fund known as the charitable gaming  
17          technology fund. The fund consists of all moneys deposited in the fund pursuant to this chapter.  
18          Moneys in the fund are appropriated to the attorney general on a continuing basis and may be  
19          used only for contracting for and purchasing equipment and software for a charitable gaming  
20          technology system, training employees to operate the system, and maintaining and updating  
21          the system.

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

- 24          1. A manufacturer of pull tabs, bingo cards, electronic quick shot bingo systems and  
25          devices, ~~electronic pull tab systems and devices,~~ or bingo card marking devices shall  
26          apply annually for a license and pay a license fee of ~~four~~five thousand five hundred  
27          dollars. A manufacturer of electronic pull tab systems and devices shall apply annually  
28          for a license and pay a license fee of ten thousand dollars. The attorney general shall  
29          deposit one thousand five hundred dollars of ~~this fee~~these fees into the charitable  
30          gaming technology fund under section 53-06.1-12.4. A manufacturer of paper pull tab  
31          dispensing devices shall apply annually for a license and pay a license fee of one

1            thousand ~~five hundred~~ dollars. The attorney general shall deposit five hundred dollars  
2            of this fee into the charitable gaming technology fund under section 53-06.1-12.4. A  
3            manufacturer of ~~fifty-five~~ electronic raffle systems shall apply annually for a license and  
4            pay a license fee of ~~five hundred~~ one thousand dollars. The attorney general shall  
5            deposit five hundred dollars of this fee into the charitable gaming technology fund  
6            under section 53-06.1-12.4. A distributor shall apply annually for a license and pay a  
7            license fee of ~~one~~ two thousand ~~five hundred~~ dollars. The attorney general shall  
8            deposit five hundred dollars of this fee into the charitable gaming technology fund  
9            under section 53-06.1-12.4. Application must be made before the first day of April in  
10           each year on a form prescribed by the attorney general.

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