

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 803

Short Title: Casino Nights.

(Public)

Sponsors: Senators Rand; and Metcalf.

Referred to: Commerce.

April 3, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE  
3 "CASINO NIGHTS".

4 The General Assembly of North Carolina enacts:

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

6 "**§ 14-295. Keeping gaming tables, illegal punchboards or slot machines, or betting**  
7 **thereat, or playing at gaming tables, illegal punchboards, or slot**  
8 **machines unlawful; exception.**

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

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

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

24 "**§ 18B-308. Sale and consumption at raffles, bingo games, games, and casino**  
25 **nights.**

26 It shall be unlawful to sell or consume, or for the owner or other person in charge of  
27 the premises to allow the sale or consumption of, any alcoholic beverage in any room  
28 while a raffle or bingo game is being conducted in that room under Part 2 of Article 37

1 of Chapter 14 of the General Statutes. This section shall not apply to games conducted  
2 pursuant to G.S. 14-309.16."

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

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

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

8 "**§ 14-309.16. Casino nights.**

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

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

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

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

18 a. Selling admission tickets.

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

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

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

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

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

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

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

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

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

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