

1987 Senate Bill 9

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1987 Wisconsin Act 21

AN ACT to renumber and amend 163.51 (8); to amend 163.02 (2), 163.13 (2), 163.14 (4) and (6), 163.51 (8) (title), 163.51 (30) (intro.), 163.63 (1), (3) (c), (4) and (5) and 163.68 (intro.) and (1); and to create 163.51 (8) (b), 163.61 (1) (em) and 163.63 (3) (d) of the statutes, relating to use of profits from bingo games by a licensed organization.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 163.02 (2) of the statutes is amended to read:

163.02 (2) The conduct of bingo, raffles and all attendant activities, except bingo games using free cards and donated prizes for which no payment of consideration is made by participants, should be so regulated as to discourage commercialization of bingo and raffles in all forms, including the rental of commercial premises for bingo or raffles, and to ensure the maximum use of the profits of bingo exclusively for the lawful purposes specified in this chapter or for the advancement, improvement or benefit of the licensed organization that conducts the bingo game, under the requirements of this chapter.

SECTION 2. 163.13 (2) of the statutes is amended to read:

163.13 (2) A sworn statement by the member designated as responsible for the proper utilization of gross receipts that no commission, fee, rent, salary, profits, compensation, reward or recompense will be paid to

any person or organization and that all profits will be spent for a lawful purpose or as provided under s. 163.51 (8) (b).

SECTION 3. 163.14 (4) and (6) of the statutes are amended to read:

163.14 (4) No commission, fee, rent, salary, profit, compensation, reward or recompense is or will be paid or given to any person in connection with the holding, operating or conducting of any bingo occasion, except rent authorized under s. 163.51 (30) and except expenditures authorized under s. 163.51 (8) (b) may be paid.

(6) The profits from all bingo games conducted by the applicant organization are proposed to be used as provided under s. 163.51 (8) (b) or for a lawful purpose which is a proper objective of the applicant organization.

SECTION 4. 163.51 (8) (title) of the statutes is amended to read:

163.51 (8) (title) PROFITS FOR LAWFUL PURPOSES OR ORGANIZATION BENEFIT.

SECTION 5. 163.51 (8) of the statutes is renumbered 163.51 (8) (a) and amended to read:

163.51 (8) (a) The Except as provided under par. (b), the profits from any bingo game shall be exclusively devoted to a lawful purpose of the licensed organization.

SECTION 6. 163.51 (8) (b) of the statutes is created to read:

163.51 (8) (b) No more than 15% of the profits from any bingo game may be used for the advancement, improvement or benefit of the licensed organization that conducts the bingo game.

SECTION 7. 163.51 (30) (intro.) of the statutes is amended to read:

163.51 (30) RENT. (intro.) A Except as provided under s. 163.51 (8) (b), a licensed organization may incur and pay rent in connection with the conduct of bingo only:

SECTION 8. 163.61 (1) (em) of the statutes is created to read:

163.61 (1) (em) An itemized statement of expenditures, if any, made by the licensed organization under s. 163.51 (8) (b).

SECTION 9. 163.63 (1), (3) (c), (4) and (5) of the statutes are amended to read:

163.63 (1) Each licensed organization shall maintain one account which shall be designated as the "bingo account" and which shall be a regular or interest-bearing checking, share draft or negotiable order of withdrawal account from which canceled checks, share drafts or negotiable orders of withdrawal, or microfilm copies of any of them, may be obtained. Each licensed organization may also maintain up to 3 interest-bearing accounts which shall be designated the "bingo savings accounts" and one interest-bearing account which shall be designated the "organization benefit account". All gross receipts derived from the conduct of bingo shall be deposited into the bingo account. No other receipts may be deposited in a

bingo account. Deposits shall be made within 5 days following the date of a bingo occasion. All accounts shall be maintained in a financial institution located in this state.

(3) (c) The transfer of profits, except profits under par. (d), derived from the conduct of bingo into the bingo savings accounts pending a disbursement for a lawful purpose.

(4) The disbursement of profits on deposit in the bingo savings accounts for a lawful purpose or in the organization benefit account for the purpose specified under s. 163.51 (8) (b) shall be made by transferring the intended disbursement back into the bingo account and then withdrawing the amount as prescribed in this section.

(5) Gross receipts derived from the conduct of bingo shall not be commingled with any other funds of the licensed organization. Except as permitted by sub. (3) (b) and (e) to (d), no part of such receipts shall be transferred to any other account maintained by the licensed organization.

SECTION 10. 163.63 (3) (d) of the statutes is created to read:

163.63 (3) (d) The transfer of not more than 15% of the profits derived from the conduct of bingo into the organization benefit account pending a disbursement for the purpose specified under s. 163.51 (8) (b).

SECTION 11. 163.68 (intro.) and (1) of the statutes are amended to read:

163.68 Expenditure of bingo funds after cessation of bingo. (intro.) A licensed organization which has ceased to conduct bingo for any reason and has unexpended bingo funds shall disburse such funds in any of the following ways:

(1) For a lawful purpose or as provided under s. 163.51 (8) (b) within one year after the cessation of the conduct of bingo; ~~or.~~