

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 3.
DISTRICT OF COLUMBIA BOARDS AND
COMMISSIONS.

CHAPTER 13.
LOTTERY AND CHARITABLE GAMES CONTROL
BOARD.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 13. LOTTERY AND CHARITABLE GAMES
CONTROL BOARD.

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CHAPTER 13. LOTTERY AND CHARITABLE GAMES CONTROL BOARD.

§ 3-1301. CREATED; APPOINTMENT; COMPOSITION; QUALIFICATIONS; VACANCIES; TERM OF OFFICE; COMPENSATION.

(a) There is hereby created by the District of Columbia the District of Columbia Lottery and Charitable Games Control Board, hereinafter referred to as the Board. The 1st Board shall be appointed as hereinafter specified within 60 days of March 10, 1981. The Board shall consist of 5 members who shall be appointed by the Mayor of the District of Columbia with the consent of the Council of the District of Columbia. Of the members appointed, one shall be designated as Chairperson of the Board by the Mayor of the District of Columbia.

(b) Each member of the Board, at the time of appointment and qualification, shall be a registered voter in the District for at least 5 years preceding appointment and qualification and shall be not less than 21 years of age. In the event of a vacancy on the Board as a consequence of resignation, disability, death, or for other reasons, the Mayor of the District of Columbia shall appoint, with the consent of the Council of the District of Columbia, another person to fill the vacancy.

(c) Of the members of the Board first appointed, 2 shall hold office for 2 years, from 1981 to 1983; 2 for 3 years from that date; and the Chairperson, 4 years from that date. Thereafter, members shall be appointed for terms of 4 years from the 1st day of July in the year of their appointment and until their successors are appointed and have qualified.

(d) Each member of the Board shall receive a stipend of \$15,000 annually, except the Chairperson of the Board, who shall receive an additional stipend of \$3,000 annually for a total of \$18,000.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2501.

Legislative History of Laws

Law 3-172, the "Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia," was submitted to the electors of the District of Columbia on November 4, 1980, as Initiative No. 6. The results of the voting, certified by the Board of Elections and Ethics on November 21, 1980, were 104,899 for the Initiative and 59,833 against the Initiative. It was transmitted to both Houses of Congress for its review on January 19, 1981.

Miscellaneous Notes

Restriction on advertising, sale, operation, or playing of lotteries, raffles, bingos, etc., on Federal enclave: See Pub. L. 97-91, 103 Stat. 1174, December 4, 1981, as amended by Pub. L. 101-168, 103 Stat. 1282, November 21, 1989.

Sources of funding appropriation: Public Law 103-127, 107 Stat. 1343, the District of Columbia Appropriations Act, 1994, provided that the District of Columbia shall identify the sources of funding for this appropriation title from the District's own locally-generated revenues, and provided further, that no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

Restrictions on use of Federal payment: Section 134 of Pub. L. 101-168, the District of Columbia Appropriations Act, 1990, provided that the paragraph under the heading "Lottery and Charitable Games Enterprise Fund" in the District of Columbia Appropriation Act, 1982, approved December 4, 1981 (95 Stat. 1174; Public Law 97-91), is amended by striking the 10th proviso; and in the 11th proviso, by striking "1144, as well as in the Old Georgetown Historic District:" and inserting "1144:"; and the 11th proviso referred to in subsection (a)(2), as amended by such subsection, shall not apply with respect to any activity relating to a lottery, raffle, bingo, or other game of chance sponsored by, and conducted solely for the benefit of, an

organization which is described in section 501(c)(3), and exempt from tax under section 501(a), of the Internal Revenue Code of 1986.

Appropriations authorized: Public Law 103-334, 108 Stat. 2582, the District of Columbia Appropriations Act, 1995, provided for the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriations Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174; Public Law 97-91), as amended, for the purpose of implementing § 2-2501 et seq. and 22-1516 et seq., \$8,318,000, to be derived from non-Federal District of Columbia revenues. Provided, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally-generated revenues: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

§ 3-1302. OATHS; FINANCIAL DISCLOSURE STATEMENT; VOTING; SUBCOMMITTEES; QUORUM.

Before entering upon the discharge of the duties of office, each member of the Board shall take oath that he or she will faithfully execute the duties of office according to the laws of the District of Columbia. In addition thereto, each member of the Board shall take and subscribe to an oath or affirmation that he or she is not pecuniarily interested, voluntarily or involuntarily, directly or indirectly, in any firm, partnership, association, organization, or corporation engaged in any activity related to legalized or illegal gambling. Each member shall file with the Office of the Mayor a financial disclosure statement. The powers of the Board are vested in the Board members. All actions shall be taken and motions and resolutions adopted by the Board at any meeting thereof by the affirmative vote of at least 3 members; provided the Board may establish subcommittees of the Board, composed of 3 members of the Board, to conduct hearings, inquiries, and investigations under this chapter or the regulations promulgated hereunder, and so report its findings and recommendations to the Board; provided, further, however, that no license authorized pursuant to this chapter may be issued or subsequently revoked or suspended unless approved by the affirmative vote of at least 4 Board members upon recommendation by any such subcommittee. Three members of the Board shall constitute a quorum except for matters involving issuance, revocation, or suspension of license authorized pursuant to this chapter.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2502.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1303. EXECUTIVE DIRECTOR AND DEPUTY DIRECTOR.

(a) The Board shall appoint an Executive Director and a Deputy Director in accordance with § 1-609.08, each of whom shall devote his or her full time and attention to the duties of their respective offices and shall serve at the pleasure of the Board. The Executive Director shall be a resident of the District and shall remain a District resident for the duration of his or her employment by the Board. Failure to maintain District residency shall result in a forfeiture of the position.

(b) The Board shall determine the compensation for the Executive Director and the Deputy Director, which shall not be less than the basic pay for step 1 of Grade 16 of Schedule 1 of the District Service Schedule, nor shall it exceed the rate of compensation for the Mayor of the District of Columbia pursuant to § 1-611.09.

(c) Prior to performing the duties of their respective offices, the Executive Director and the Deputy Director shall take and subscribe to the same oaths or affirmations as that required by the Board, including an oath or affirmation that he or she is not primarily interested, directly or indirectly, in any firm, partnership, association, organization, or corporation engaged in any activity related to legalized or illegal gambling. The Executive Director and the Deputy Director shall each file an annual financial disclosure statement with the Board.

(d) The Executive Director shall, subject to the direction and supervision of the Board:

- (1) Serve as the Chief Executive Officer of the Board;
- (2) Manage, administer, and coordinate the operation of public gambling and charitable games activities;
- (3) Employ other assistants and employees in accordance with the District of Columbia Government Comprehensive Merit Personnel Act of 1978; and

(4) Confer, at least once each month, with the Board on the administration and operation of public gambling and charitable games activities.

(d-1)(A) Notwithstanding the provisions of Unit A of Chapter 14 of Title 2, each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Board unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after February 6, 2008, shall submit proof of residency upon employment in a manner determined by the Board. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel of the Board for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.

(B) The Board shall submit to the Mayor and the Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.

(e) The Board may delegate to the Executive Director and Deputy Director other duties it deems necessary for the proper and efficient operation of public gambling and charitable activities.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Feb. 28, 1987, D.C. Law 6-205, § 3, 34 DCR 670; Feb. 6, 2008, D.C. Law 17-108, § 206, 54 DCR 10993; Mar. 25, 2009, D.C. Law 17-353, § 223(d), 56 DCR 1117.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2503.

Effect of Amendments

D.C. Law 17-108, in subsec. (a), inserted "The Executive Director shall be a resident of the District and shall remain a District resident for the duration of his or her employment by the Board. Failure to maintain District residency shall result in a forfeiture of the position."; in subsec. (d), deleted "; and" from the end of par. (3), substituted "; and" for a period at the end of par. (4), and added par. (5).

D.C. Law 17-353, in subsec. (d), inserted "and" at the end of par. (3), substituted a period for "; and" at the end of par. (4); redesignated par. (5) of subsec. (d) as subsec. (d-1); and, in subsec. (d-1), substituted "Board" for "Authority".

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

Law 6-205, the "Lottery Initiative No. 6 Reform Amendment Act of 1986," was introduced in Council and assigned Bill No. 6-526, which was referred to the Committee on Libraries, Recreation and Charitable Games. The Bill was adopted on first and second readings on November 18, 1986, and December 16, 1986, respectively. Signed by the Mayor on January 8, 1987, it was assigned Act No. 6-265 and transmitted to both Houses of Congress for its review.

Law 17-108, the "Jobs for D.C. Residents Amendment Act of 2007", was introduced in Council and assigned Bill No. 17-185 which was referred to the Committee on Workforce Development and Government Operations. The Bill was adopted on first and second readings on July 10, 2007, and October 2, 2007, respectively. Signed by the Mayor on October 26, 2007, it was assigned Act No. 17-172 and transmitted to both Houses of Congress for its review. D.C. Law 17-108 became effective on February 6, 2008.

For Law 17-353, see notes following § 3-308.

References in Text

The "District of Columbia Government Comprehensive Merit Personnel Act of 1978," referred to in subsection (d)(3), is D.C. Law 2-139.

§ 3-1304. BONDING OF EMPLOYEES; FINGERPRINTING.

The Board may, if it determines it necessary, require all or any of its employees to give bond in such amount as the Board may determine. Every such bond shall be filed in the Office of the District of Columbia Treasurer. The cost of any such bond so given shall be part of the necessary expenses of the Board. Further, all persons employed by the Board shall be fingerprinted before, and as a condition of, employment.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

1981 Ed., § 2-2504.

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1305. CONFLICT OF INTEREST.

No member of the Board, Chairperson of the Board, Executive Director, or employee of the Board during their tenure of appointment or employment shall: Hold any other elected or appointed position; or have, directly or indirectly, individually or as a member of a partnership, or as an officer, director, or shareholder of a corporation, any interest whatsoever in any lottery or daily numbers game, bingo, raffles enterprise, or Monte Carlo night party or in the ownership or leasing of any equipment, property, or premises used by or for any lottery or daily numbers game, bingo, raffles enterprise, or Monte Carlo night party.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(1), 34 DCR 900.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2505.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

Law 6-220 was introduced in Council and assigned Bill No. 6-527, which was referred to the Committee on Libraries, Recreation, and Charitable Games. The Bill was adopted on first and second readings on November 18, 1986, and December 16, 1986, respectively. Signed by the Mayor on January 8, 1987, it was assigned Act No. 6-276 and transmitted to both Houses of Congress for its review.

§ 3-1306. ENFORCEMENT; RULES AND REGULATIONS.

(a) The Board shall have the power to enforce provisions of this chapter and shall make all necessary rules and regulations for this purpose and for carrying out, enforcing, and preventing any violation of any provision of this chapter; for investigation of potential and existing licensees of the Board; for inspecting licensed premises or enterprises; for insuring proper, safe, and orderly conduct of licensed premises or enterprises; and for protecting the public against fraud, deceit, deception, or overcharge. The Board shall have power generally to do whatever is reasonably necessary for the carrying out of the intent of this chapter and subchapter II of Chapter 17 of Title 22 and is empowered to call upon other administrative departments and agencies of the City government, as well as the Police Department and the Office of the Corporation Counsel, for such information and assistance as it deems necessary to the performance of its duties.

(b) The Board shall, each year on or before December 31st, publish in convenient pamphlet form all rules and regulations then in effect and shall furnish copies of such pamphlets to every establishment and enterprise engaged in activities authorized pursuant to this chapter and subchapter II of Chapter 17 of Title 22. Amendments, changes, modifications, deletions, or additions to the rules and regulations shall be published and distributed at more frequent intervals as the Board deems necessary.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2506.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1307. REPORTS.

The Board shall make an annual report in writing to the Mayor no later than December 31st of each year for the preceding fiscal year. This annual report shall include a statement of the receipts and disbursements of the Board, a summary of its activities, and any additional information and recommendations which the Board may deem of value to the Mayor or which the Mayor may request. The Board shall also make such additional reports as the Mayor may reasonably request.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2507.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1308. POWER TO ADMINISTER OATHS AND TAKE TESTIMONY; SUBPOENA POWER.

The Board, or any subcommittee thereof authorized to conduct any inquiry, investigation, or hearing pursuant to this chapter, shall have the power to administer oaths and take testimony under oath relative to the matter of inquiry or investigation. At any hearing ordered by the Board, the Board or subcommittee thereof, or such agent having authority by law to issue such process, may subpoena witnesses and require production of records, papers, and documents relevant to such inquiry. The refusal or failure to provide relevant testimony or produce relevant records, papers, and documents pursuant to the properly issued subpoena of the Board by any applicant before the Board or licensee or agent authorized by the Board, or any officer, director, or employee of such applicant, licensee, or agent, may subject such applicant to summary denial of its application and summary termination of license or authorization of such licensee or agent. If any person disobeys such process, or, having appeared in obedience thereto, refuses to answer any relevant or pertinent questions propounded by the Board or subcommittee thereof, the Board or subcommittee thereof may apply to the Superior Court of the District of Columbia, or to any judge of said Court if the Court is not in session, setting forth such disobedience to process or refusal to answer, and said Court or judge shall cite such person to appear before said Court or judge to answer such questions or to produce such records and papers and, upon refusal to do so, shall take such punitive action, in accord with the appropriate provisions of the District of Columbia Code, as said Court or judge may deem necessary and appropriate. Notwithstanding the imposition of any such punitive action, the Board or subcommittee thereof may proceed with such inquiry or investigation as if the witness had not previously been called to testify.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2508.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1309. RECORD OF PROCEEDINGS.

The Board shall provide books in which shall be kept a true, faithful, and correct record of all of its proceedings, which books shall be open and available to the public.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2509.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1310. DIVISIONS.

There shall be established within the Board a City Lottery and Numbers Game Division and a Charitable Games Division. Each Division shall have a Division Chief (hereinafter referred to as "Chief") who shall administer and coordinate operation of authorized activities in the respective Division. Each Chief shall maintain full and complete records of the operation of the Division which shall include, but not be limited to, a statement of revenues and/or license fees; prize disbursements, where applicable; and administrative expenses of the Division. Such records shall be open and available to the public.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(2), 34 DCR 900.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2510.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

For legislative history of D.C. Law 6-220, see Historical and Statutory Notes following § 3-1305.

§ 3-1311. BUDGET.

The Board shall submit to the Mayor a consolidated budget covering all anticipated income, expenses (including all start-up costs), and capital outlays of the District of Columbia Lottery and Charitable Games Control Board, which budget shall show the net amount for which it requests an appropriation during its 1st year of operation. Said budget shall be submitted on the date that all District government agencies are required to submit their budgets to the Mayor. The Mayor shall transmit to the Council the budget as requested by the Board. The Mayor may also submit such modified budget as he deems appropriate. The net amount for which the Board requests an appropriation shall be the difference between the anticipated expenses for the coming fiscal year, including debt service for capital expenses and a reserve for bad debts, as shown in the consolidated budget, and the anticipated income shown in that budget. Said appropriation shall be in the form of 1 lump-sum amount and shall be transferred to the Board. The Board shall, upon final determination of the amount of such appropriation by the Council, support such amount in all further budgetary deliberations.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2511.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1312. LOTTERY AND CHARITABLE GAMES FUND.

(a) A District of Columbia Lottery and Charitable Games Fund (hereinafter referred to as the "Fund") shall be established and controlled by the Board to receive all funds and fees generated by the specific forms of gambling operated or licensed by the Board. All funds generated by gambling activities operated or licensed by the Board shall be deposited in the Fund or a division thereof as created by the Board.

(b) Any monies of the Board, from whatever source derived (including gifts to the Board), shall be for the sole use of the Fund and shall be deposited as soon as practicable in that Fund and shall be disbursed from the Fund according to the terms of this chapter. Said disbursements from the Fund in amounts up to \$500 shall be paid out in checks signed by the Executive Director or his designee. Disbursements in excess of \$500 shall be paid out in checks signed by the Executive Director and a member of the Board authorized and designated by the Board. All deposits of such monies shall be secured in a manner consistent with deposits made by the government of the District of Columbia with respect to the deposit of revenue.

(c) From the Fund, the Board shall first pay for the operation, administration, and capital expenses of the specific forms of gambling operated and licensed by the Board as authorized by this chapter, including the payment of prizes to winners of the games, as specified in this chapter pursuant to regulations promulgated by the Board. The remainder shall be paid over by the Board, on a monthly basis promptly after the 1st of the month for the preceding month, into the General Fund of the District of Columbia as general purpose revenue funds of the District of Columbia.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2512.

Legislative History of Laws

§ 3-1313. OPERATION OF LOTTERY.

The Board shall operate and conduct a lottery and shall determine the number of times a lottery shall be held each year, the form and price of tickets, and the number and value of prizes to winning participants, determined in a manner and on a basis designated by the Board. The proceeds of the sale of tickets shall be deposited in the Fund from which prizes shall be paid according to regulations established by the Board under § 3-1312. The Board may provide by regulation for the payment of prizes to winners directly by licensed agents.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 8, 2011, D.C. Law 18-370, § 762, 58 DCR 1008; May 31, 2012, D.C. Law 19-128, § 2, 59 DCR 2254.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2513.

Effect of Amendments

D.C. Law 18-370 designated the existing text as subsec. (b); and added subsecs. (a) and (c).

D.C. Law 19-128 rewrote the section, which formerly read:

"(a) A lottery or lottery game means both games of skill and games of chance that are operated by and for the benefit of the District of Columbia by the Board; provided, that:

"(1) If the games of skill and games of chance are offered via the Internet, any technology employed for the play shall confirm the play to be at all times within the District; provided further, that the restriction shall not apply to the conduct of fantasy sports and sweepstakes-style games if such games are lawful; and

"(2) No method, media, or device for play of the games of skill and games of chance shall violate An Act To prohibit transportation of gambling devices in interstate and foreign commerce, approved January 2, 1951 (15 U.S.C. § 1171 *et seq.*), or any other federal law.

"(b) The Board shall operate and conduct a lottery and shall determine the number of times a lottery shall be held each year, the form and price of tickets therefor, the number and value of prizes to winning participants, determined in a manner and on a basis designated by the Board. The proceeds of the sale of tickets shall be deposited in the Fund from which prizes shall be paid according to regulations established by the Board under § 3-1312. The Board may provide by regulation for the payment of prizes to winners directly by licensed agents.

"(c) The Board, through the Chief Financial Officer, pursuant to subchapter I of Chapter 5 of Title 2, may issue rules to implement the provisions of this section, and may establish which games may be offered and additional terms and conditions for the conduct of the games not inconsistent with subsection (a) of this section, including the percentage of wagered amounts to be retained by the Board, minimum and maximum wagers, and time limitations for the games."

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 762 of Fiscal Year 2011 Supplemental Budget Support Emergency Act of 2010 (D.C. Act 18-694, January 19, 2011, 58 DCR 662).

For temporary (90 day) amendment of section, see § 2 of Lottery Amendment Repeal Emergency Amendment Act of 2012 (D.C. Act 19-312, February 22, 2012, 59 DCR 1701).

For temporary (90 day) repeal of section 3 of D.C. Law 19-332, see § 7007 of Fiscal Year 2013 Budget Support Emergency Act of 2012 (D.C. Act 19-383, June 19, 2012, 59 DCR 7764).

For temporary (90 day) repeal of section 3 of D.C. Law 19-128, see § 7007 of Fiscal Year 2013 Budget Support Congressional Review Emergency Act of 2012 (D.C. Act 19-413, July 25, 2012, 59 DCR 9290).

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

Law 18-370, the "Fiscal Year 2011 Supplemental Budget Support Act of 2010", was introduced in Council and assigned Bill No. 18-1100, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 7, 2010, and December 21, 2010, respectively. Signed by the Mayor on January 27, 2011, it was assigned Act No. 18-721 and transmitted to both Houses of Congress for its review. D.C. Law 18-370 became effective on April 8, 2011.

Law 19-128, the "Lottery Amendment Repeal Amendment Act of 2012", was introduced in Council and assigned Bill No. 19-474, which was referred to the Committee on Finance and Revenue. The Bill was adopted on first and second readings on February 7, 2012, and March 6, 2012, respectively. Signed by the

Mayor on March 18, 2012, it was assigned Act No. 19-322 and transmitted to both Houses of Congress for its review. D.C. Law 19-128 became effective on May 31, 2012.

Miscellaneous Notes

Short title: Section 761 of D.C. Law 18-370 provided that subtitle G of title VII of the act may be cited as "Lottery Modernization Amendment Act of 2010".

Section 3 of D.C. Law 19-128 provides:

"Sec. 3. Applicability.

"This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan."

Section 7007 of D.C. Law 19-168 repealed section 3 of D.C. Law 19-128.

Section 7016 of D.C. Law 19-168 provides:

"Sec. 7016. Sections 7001, 7004, 7007, 7009, 7011, and 7015 shall apply as of the effective date of the Fiscal Year 2013 Budget Support Emergency Act of 2012, passed on emergency basis on June 5, 2012 (Enrolled version of Bill 19- 796)."

§ 3-1314. OPERATION OF DAILY NUMBERS GAMES.

The Board shall operate and conduct a daily numbers game. The proceeds of the sale of tickets shall be deposited in the Fund from which prizes shall be paid in the manner specified in § 3-1312. The Board shall authorize daily numbers games sales agents to distribute monies from the Fund to holders of winning tickets pursuant to regulations established by the Board. The Board may provide by regulation for the payment of prizes to winners directly by licensed agents.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2514.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1315. SALE OF LOTTERY AND DAILY NUMBERS GAMES TICKETS BY LICENSED AGENTS; UNAUTHORIZED SALE.

The Board may license, as agents to sell lottery and daily numbers games tickets, such persons and establishments as, in its judgment, possess the requisite qualifications, including, but not limited to: The financial responsibility of the person and his business or activity; the accessibility of the place of business or activity to the public; the sufficiency of existing licenses to serve the public convenience; and the volume of expected sales. No license as an agent shall be issued to any person to engage in business primarily as a lottery agent. The Board may authorize compensation to such agents in such manner and amounts and subject to such limitations as it may determine are necessary to assure adequate availability of lottery and daily numbers games tickets. The Board shall also require that an agent be bonded in such amounts and in such manner as determined by the Board. The Board shall condition the issuance of a license upon the written agreement of the licensee to indemnify and to save harmless the District of Columbia against any and all actions, claims, and demands of whatever kind or nature which the District of Columbia may incur by reason of or in consequence of issuing such license. No lottery or daily numbers games tickets shall be sold at other than the price fixed by the Board, and no sale shall be made by other than a licensee or his employee. Any person convicted of violating this section shall be subject to a fine not to exceed \$1,000 or imprisonment not to exceed 6 months, or both.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2515.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1316. SALES AGENTS' SPECIAL ACCOUNTS; REPORTS OF RECEIPTS

AND TRANSACTIONS.

(a) The Board, in its discretion, may require lottery and daily numbers games sales agents to deposit in the Fund or a special escrow account, in the name of the Board, to the credit of the Board, which the Board is authorized to establish, in institutions designated by it which are legal for the deposit of municipal funds, all monies received by such agents from the sale of lottery and daily numbers games tickets less the amount of authorized compensation to licensed agents and prizes, if any, authorized under § 3-1314, and to file with the Board reports of their receipts and transactions in the sale of lottery and daily numbers games tickets in such form and containing such information as the Board may require.

(b) Lottery and daily numbers games sales agents shall hold in trust, for the benefit of the Board, all monies received by the agent from the sale of lottery and daily numbers games tickets until such monies are transferred to the Board. The Board shall determine the amount of compensation to be paid to the sales agents and the amount of prizes to be paid by sales agents. The Board shall have authority to adopt regulations to implement this section.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; June 3, 1997, D.C. Law 11-272, § 2(b), 43 DCR 4672.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2516.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

Law 11-272, the "Lottery Games Amendment Act of 1996," was introduced in Council and assigned Bill No. 11-698. The Bill was adopted on first and second readings on July 3, 1996, and July 17, 1996, respectively. Signed by the Mayor on August 5, 1996, it was assigned Act No. 11-371 and transmitted to both Houses of Congress for its review. D.C. Law 11-272 became effective on June 3, 1997.

§ 3-1317. DEPOSITORIES.

The Board may authorize compensation to such depositories in such manner and amounts and subject to such limitations as the Board may determine. The depositories referred to in § 3-1316 shall transfer the deposits made pursuant to § 3-1316 to the designated accounts of the Board, less any compensation for services rendered by the depositories to the Fund, and less any amounts due the agents or depositories by adjustments authorized by the Board because of depository or agent errors. The depositories shall file reports of their receipts and transactions in such form and containing such information as the Board may require.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2517.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1318. UNCLAIMED PRIZES.

(a) An unclaimed prize for a winning ticket or share shall be retained by the Board for the person entitled to the prize for 180 days after the drawing in which the prize was won. If no claim is made for the prize within the 180-day period, the unclaimed prize funds shall be used as follows:

(1) The first \$150,000 in fiscal year 2012 shall be used by the Deputy Mayor for Planning and Economic Development ("Deputy Mayor") to fund Earned Income Tax Credit outreach and marketing efforts for District residents. The Deputy Mayor is authorized to make direct grants to qualified community partners to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Deputy Mayor.

(2) The next \$350,000 in fiscal year 2012 shall be deposited in the unrestricted balance of the General Fund of the District of Columbia and recognized as fiscal year 2012 revenues.

(3) The next \$250,000 in fiscal year 2012 shall be used by the Deputy Mayor to fund cultural activities in the Chinatown community. The Deputy Mayor is authorized to make direct grants to qualified community partners to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Deputy Mayor.

(4) The next \$15,000 in fiscal year 2012 shall be used to fund the Mayor's Council on Physical Fitness, Health, and Nutrition.

(5) Any subsequent unclaimed prize funds shall be used by the Board as additional prizes in lottery games or promotions.

(b) Nothing in this section shall be construed to prohibit the holding of bonus games or drawings with a preannounced period for claiming prizes of other than 180 days. The Board shall have the authority to establish by rule or regulation the claim periods for tickets issued by electronic instant-ticket-vending machines, games offered via the internet, and promotional games.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Sept. 14, 2011, D.C. Law 19-21, § 7032, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2518.

Effect of Amendments

D.C. Law 19-21 rewrote the section, which formerly read:

"Unclaimed prizes for a winning ticket or share shall be retained by the Board for the person entitled thereto for 1 year after the drawing in which the prize was won. If no claim is made for the prize within the 1-year period, the prize shall be paid over to the General Fund of the District of Columbia. Nothing in this section shall be construed to prohibit the holding of bonus games or drawings with a preannounced period for claiming of prizes of other than 1 year."

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

For history of Law 19-21, see notes under § 3-101.01.

Miscellaneous Notes

Short title: Section 7031 of D.C. Law 19-21 provided that subtitle D of title VII of the act may be cited as "Lottery Winnings Redemption Amendment Act of 2011".

§ 3-1319. AUDIT.

The Auditor of the District of Columbia shall cause to be conducted a regular post audit of all accounts and transactions of the Board with respect to the operation of lottery and daily numbers games.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2519.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1320. PERSONS INELIGIBLE TO PURCHASE TICKETS OR SHARES OR RECEIVE PRIZES.

(a) No ticket or share shall be purchased by, and no prize shall be paid to, any of the following persons: Any member or employee of the Board or any spouse, domestic partner, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the Board.

(b) For the purposes of this section, the term "domestic partner" shall have the same meaning as provided in § 32-701(3).

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Sept. 12, 2008, D.C. Law 17-231, § 11(a), 55 DCR 6758.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2520.

Effect of Amendments

D.C. Law 17-231, designated subsec. (a); in subsec. (a), substituted "spouse or domestic partner" for "spouse"; and added subsec. (b).

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

For Law 17-231, see notes following § 3-202.

§ 3-1321. RULES AND REGULATIONS GOVERNING CONDUCT OF LOTTERY AND DAILY NUMBERS GAMES.

The Board shall adopt rules and regulations governing the conduct of lotteries and daily numbers games to insure the integrity of the conduct of lotteries and daily numbers games to protect the economic welfare and interests in fair and honest play of lotteries and daily numbers games participants. Such rules and regulations shall include, but not be limited to: Specific application requirements and the form thereof; the terms, conditions, and rules for lotteries or daily numbers games; amount of or value of prizes; and the occasions on and frequency with which lotteries and daily numbers games may be conducted. The Board shall have the authority to impose a fine of not more than \$1,000 for any violation of such rules and regulations. The Board also shall have the authority to suspend licenses of any person, firm, partnership, association, organization, or corporation for a period not to exceed 60 days for violation of such rules and regulations. All fines imposed pursuant to this section shall be paid over to the Board which shall place such fines in the Fund. Any person, firm, partnership, association, organization, or corporation fined or suspended pursuant to this section shall have a right to a hearing before the Board and, in the event of its affirmation of such fine or suspension, the right to appeal such fine or suspension to the Superior Court of the District of Columbia.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2521.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1322. OPERATION OF BINGO AND RAFFLES.

The Board may authorize the operation of bingo and raffles in the District of Columbia. Bingo means that form of gambling in which the winning chances are determined by a random drawing of a subset of numbered objects among a total set of 75 objects, consecutively numbered from 1 to 75; and the card, or cards, held by the player, which card or cards is or are sold, rented, or used only at the time of the gambling activity, and contains 5 rows of 5 spaces each, each space imprinted with a number between 1 and 75 inclusive, except the central space which is marked "FREE." For the purpose of this section, raffle is a lottery, other than that operated by the District of Columbia pursuant to this chapter, in which a prize is won by at least 1 of numerous persons buying chances.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2522.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1322.01. MONTE CARLO NIGHT PARTY.

(a) The Board may authorize the operation of Monte Carlo night parties in the District of Columbia.

(b) A Monte Carlo night party means an event for raising funds for charitable purposes at which wagers are made, through the use of imitation money presented to a participant in exchange for a donation to the event, in games of chance customarily associated with a gambling casino and at which a participant may use any accumulated imitation money to purchase prizes at the end of the event. The term "Las Vegas

night party" may also be used to describe this type of event.

(c) The Board shall issue proposed rules, pursuant to subchapter I of Chapter 5 of Title 2, to implement the provisions of this section. In developing the proposed rules, the Board shall not permit any person, firm, partnership, association, organization, or corporation to sponsor, conduct, or hold more than 2 Monte Carlo night parties in a calendar year, shall place a maximum monetary value amount on the prizes that may be offered, and shall mandate that there be no direct correlation between the amount of imitation money presented to a participant and the participant's donation to the event. The proposed rules shall be submitted to the Council of the District of Columbia ("Council") for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed effective.

(Mar. 10, 1981, D.C. Law 3-172, § 4, as added Apr. 11, 1987, D.C. Law 6-220, § 2(b)(3), 34 DCR 900; May 16, 1995, D.C. Law 10-255, § 7, 41 DCR 5193.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2522.1.

Legislative History of Laws

Law 6-220, the "Monte Carlo Night Party Licensure Amendment Act of 1986," was introduced in Council and assigned Bill No. 6-527, which was referred to the Committee on Libraries, Recreation, and Charitable Games. The Bill was adopted on first and second readings on November 18, 1986, and December 16, 1986, respectively. Signed by the Mayor on January 8, 1987, it was assigned Act No. 6-276 and transmitted to both Houses of Congress for its review.

Law 10-255, the "Technical Amendments Act of 1994," was introduced in Council and assigned Bill No. 10-673, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 21, 1994, and July 5, 1994, respectively. Signed by the Mayor on July 25, 1994, it was assigned Act No. 10-302 and transmitted to both Houses of Congress for its review. D.C. Law 10-255 became effective on May 16, 1995.

Resolutions

Resolution 16-578, the "Monte Carlo Night Party Licensure Amendment Rulemaking Emergency Approval Resolution of 2006", was approved effective March 7, 2006.

§ 3-1323. LICENSES TO CONDUCT BINGO GAMES, RAFFLES, AND MONTE CARLO NIGHT PARTIES.

(a) No person, firm, partnership, association, organization, or corporation shall sponsor, conduct, or hold a bingo game, raffle, or Monte Carlo night party in the District of Columbia without a license issued by the Board.

(b) The Board may issue a license under this section to a person, firm, partnership, association, organization, or corporation engaged in or existing for charitable, benevolent, eleemosynary, humane, religious, philanthropic, recreational, social, educational, civic, fraternal, or other nonprofit purposes that conducts an activity to which contributions are deductible for federal or municipal income tax purposes if the applicant:

- (1) Is incorporated in the District of Columbia as a not-for-profit corporation as defined by Chapter 4 of Title 29;
- (2) Has at least 20 members in good standing, if an association or organization;
- (3) Is authorized by its constitution, articles, charter, or bylaws to further a lawful purpose in the District of Columbia;
- (4) Operates without profit to its partners or members;
- (5) Permits no part of its net earnings to inure to the benefit of a private shareholder, partner, employee, or individual; and
- (6) Has been in existence for not less than 1 year immediately preceding application for a license, during which time the applicant's membership actively engaged in furthering the lawful purpose authorized by its constitution, articles, charter, or bylaws.

(b-1)(1) The Board may issue a license to sell raffle tickets in the District of Columbia to any person, firm, partnership, association, organization, or corporation that is incorporated in Maryland or in Virginia as a not-for-profit corporation or is organized in Maryland or Virginia as a religious or not-for-profit organization if the applicant:

- (A) Is engaged in or exists for charitable, benevolent, eleemosynary, humane, religious, philanthropic, recreational, social, educational, civic, fraternal, or other nonprofit purposes, for which contributions are deductible for federal, state, or municipal income tax purposes;
- (B) Operates without profit to its members;
- (C) Permits no part of any net earnings to inure to the benefit of any private shareholder, partner, employee, or individual;
- (D) Is authorized by its constitution, articles of incorporation, charter, or bylaws to further a lawful purpose in its state of incorporation or organization that is also a lawful purpose in the District of Columbia;
- (E) Has been in existence for not less than 1 year immediately preceding application for a license, during which 1-year period a bona fide membership actively engaged in furthering the lawful purpose authorized by its constitution, articles of incorporation, charter, or bylaws has existed;
- (F) Has at least 20 members in good standing, all of whom are residents of the applicant's state of incorporation or organization or the District of Columbia;
- (G) Holds the raffle draw in the applicant's state of incorporation or organization or in the District;
- (H) Has obtained any license required outside the District of Columbia for the conduct of the raffle from the relevant licensing authority; and
- (I) Guarantees that 30% or more of the net proceeds from the raffle shall be paid to persons, firms, partnerships, associations, organizations, or corporations that meet the licensing requirements of subsection (b) of this section or shall inure to the benefit of programs or activities of the applicant that are conducted in the District of Columbia.

(2) The Board shall, within 60 days of May 21, 1988, issue rules to implement the provisions of this subsection. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved. Nothing in this section shall affect any requirement imposed upon the Board by subchapter I of Chapter 5 of Title 2.

(3) To the extent that existing rules issued by the Board are not inconsistent with the provisions of this subsection, those rules shall continue to apply to the issuance of licenses under this section until the rules required by paragraph (2) of this subsection become effective.

(c) The Board may issue a license under this section to a senior citizen group in accordance with rules that may be adopted by the Board pursuant to this chapter.

(d) The Board may issue a license under this section, upon application, to a citizen-service program established pursuant to § 1-1163.38, in accordance with rules that may be adopted by the Board pursuant to this chapter.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(4), 34 DCR 900; Mar. 9, 1988, D.C. Law 7-83, § 2, 34 DCR 8119; May 21, 1988, D.C. Law 7-119, § 2, 35 DCR 2690; July 2, 2011, D.C. Law 18-378, § 3(a), 58 DCR 1720; Apr. 27, 2012, D.C. Law 19-124, § 501(l), 59 DCR 1862.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2523.

Effect of Amendments

D.C. Law 18-378, in subsec. (b)(1), substituted "Chapter 4 of Title 29" for "Chapter 3 of Title 29 or organized in the District of Columbia as a religious or not-for-profit organization".

D.C. Law 19-124, in subsec. (d), substituted "§ 1-1163.38" for "§ 1-1104.03".

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 401(l) of Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Emergency Amendment Act of 2012 (D.C. Act 19-298, January 29, 2012, 59 DCR 683).

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

For legislative history of D.C. Law 6-220, see Historical and Statutory Notes following § 3-1305.

Law 7-83, the "Nonprofit Raffle Licensing Amendment Temporary Act of 1987," was introduced in Council and assigned Bill No. 7-356. The Bill was adopted on first and second readings on November 10, 1987 and November 24, 1987, respectively. Signed by the Mayor on December 10, 1987, it was assigned Act No. 7-

118 and transmitted to both Houses of Congress for its review.

Law 7-119, the "Nonprofit Raffle Licensing Amendment Act of 1988," was introduced in Council and assigned Bill No. 7-359, which was referred to the Committee on Finance and Revenue. The Bill was adopted on first and second readings on March 1, 1988 and March 15, 1988, respectively. Signed by the Mayor on March 31, 1988, it was assigned Act No. 7-165 and transmitted to both Houses of Congress for its review.

Law 18-378, the "District of Columbia Official Code Title 29 (Business Organizations) Enactment Act of 2009", was introduced in Council and assigned Bill No. 18-500, which was referred to the Committee on Public Services and Consumer Affairs. The Bill was adopted on first and second readings on December 7, 2010, and December 21, 2010, respectively. Signed by the Mayor on February 27, 2011, it was assigned Act No. 18-724 and transmitted to both Houses of Congress for its review. D.C. Law 18-378 became effective on July 2, 2011.

Law 19-124, the "Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011", was introduced in Council and assigned Bill No. 19-511, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on December 6, 2011, and December 20, 2011, respectively. Signed by the Mayor on February 27, 2012, it was assigned Act No. 19-318 and transmitted to both Houses of Congress for its review. D.C. Law 19-124 became effective on April 27, 2012.

§ 3-1324. RULES AND REGULATIONS GOVERNING CONDUCT OF BINGO AND RAFFLES.

The Board shall adopt rules and regulations governing the conduct of bingo and raffles to insure the integrity of the conduct of bingo and raffles, to protect the economic welfare and interests in fair and honest play of bingo and raffles participants. Such rules and regulations shall include, but not be limited to: Specific application requirements and the form thereof; the terms, conditions, and rules for bingo and raffles; amount of or value of prizes; the premises to be utilized and the terms of such use; the occasions on and frequency with which bingo and raffles may be conducted; and the definition and use of gross receipts from the conduct of bingo and raffles. The Board shall have the authority to impose a fine of not more than \$1,000 for any violation of such rules and regulations. The Board also shall have the authority to suspend the license of any person, firm, partnership, association, organization, or corporation for a period not to exceed 60 days for violation of such rules and regulations. All fines imposed pursuant to this section shall be paid over to the Board which shall place any such fines in the Fund. Any person, firm, partnership, association, organization, or corporation fined or suspended pursuant to this section shall have a right to a hearing before the Board and, in the event of its affirmation of such fine or suspension, the right to appeal such fine or suspension to the Superior Court of the District of Columbia.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2524.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1325. DESIGNATION OF INDIVIDUAL RESPONSIBLE FOR PROPER UTILIZATION OF RECEIPTS; FINANCIAL RESPONSIBILITY BOND; LICENSE FEES.

Each person, firm, partnership, association, organization, or corporation conducting bingo and raffles shall designate an individual as responsible for the proper utilization of gross receipts in a manner not in violation of or contrary to the rules and regulations of the Board and to insure that utilization of such gross receipts is in accordance with and sanctioned by such rules and regulations. A financial responsibility bond with sufficient sureties shall be given to the Board to insure the faithful discharge of the duties of the responsible member for the proper utilization of gross receipts and payment of all required fees and taxes. Said financial responsibility bond and said fees shall be determined by the Board. Each person, firm, partnership, association, organization, or corporation shall pay to the Board a license fee for each occasion proposed for the conduct of bingo and raffles; an annual license fee for each person designated to conduct bingo and raffles on each proposed occasion; and an annual license fee for each member responsible for the proper utilization of gross receipts.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

1981 Ed., § 2-2525.

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1326. LICENSE TO SUPPLY BINGO EQUIPMENT AND SUPPLIES.

(a) No person, firm, partnership, association, organization, or corporation licensed by the Board to conduct bingo shall purchase or receive bingo equipment and supplies, as defined by the rules and regulations of the Board, except from a person, firm, partnership, association, organization, or corporation licensed by the Board to supply such equipment. Any person, firm, partnership, association, organization, or corporation intending to sell, supply, or distribute bingo equipment and supplies shall apply for a suppliers license on an application form prescribed by the Board. Such application shall include, but not be limited to: The name and address of the applicant; a designation of the type of business organization of the applicant and the date and place of its original establishment; the name and address of each officer, director, shareholder, partner, or other person with an ownership interest in the applicant business; a statement showing the gross receipts realized in the preceding year on the sale or distribution of bingo supplies and equipment to licensed organizations; the name and address of any supplier of bingo supplies and equipment to the applicant; the number of years the applicant has been in the business of supplying bingo supplies and equipment; and, if the applicant business is organized outside of the District, the name and address of a resident agent who is authorized to be served legal documents and receive notices, orders, and directives of the Board.

(b) Any license issued pursuant to this section shall be issued as a General Sales endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 20, 1999, D.C. Law 12-261, § 2003(e), 46 DCR 3142; Oct. 28, 2003, D.C. Law 15-38, § 3(d), 50 DCR 6913.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2526.

Effect of Amendments

D.C. Law 15-38, in subsec. (b), substituted "General Sales endorsement to a basic business license under the basic" for "Class B General Sales endorsement to a master business license under the master".

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 3(d) of Streamlining Regulation Emergency Act of 2003 (D.C. Act 15-145, August 11, 2003, 50 DCR 6896).

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

Law 12-261, the "Second Omnibus Regulatory Reform Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-845, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 1, 1998, and December 15, 1998, respectively. Signed by the Mayor on December 31, 1998, it was assigned Act No. 12-615 and transmitted to both Houses of Congress for its review. D.C. Law 12-261 became effective on April 20, 1999.

For Law 15-38, see notes following § 3-405.

§ 3-1327. SUPPLIERS' PRICE LIST; FEES; FINANCIAL RESPONSIBILITY BONDS; MAINTENANCE OF BOOKS AND RECORDS.

Each application for a suppliers' license, or renewal thereof, shall be accompanied by a certified copy of the price list of the applicant's bingo supplies and equipment, a fee, and a financial responsibility bond. Said fees and financial responsibility bonds shall be set by the Board. Each licensed supplier shall maintain books and records in such manner as to enable the Board to determine the gross sales of bingo supplies and equipment.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

1981 Ed., § 2-2527.

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1328. PERSONS INELIGIBLE FOR SUPPLIERS' LICENSE.

(a) The Board, in its discretion, may determine the following persons not to be eligible to receive a suppliers' license: A person convicted of a felony who either has not received a pardon or has not been released from parole or probation for at least 5 years; a person who is or has been a professional gambler or gambling promoter; a public officer or employee; or a business in which a person disqualified under provisions of this section is employed or active or in which a person is married to, in a domestic partnership with, or related in the 1st degree of kinship to, such person who has an interest of more than 10 percent in the business.

(b) For the purposes of this section, the term "domestic partnership" shall have the same meaning as provided in § 32-701(4).

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Sept. 12, 2008, D.C. Law 17-231, § 11(b), 55 DCR 6758; Sept. 26, 2012, D.C. Law 19-171, § 31, 59 DCR 6190.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2528.

Effect of Amendments

D.C. Law 17-231, designated subsec. (a); in subsec. (a), substituted "married to, in a domestic partnership with," for "married"; and added subsec. (b).

D.C. Law 19-171, in subsec. (a), inserted a comma following "kinship to".

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

For Law 17-231, see notes following § 3-202.

For history of Law 19-171, see notes under § 3-405.

§ 3-1329. PROHIBITED SUPPLIERS' ACTIVITIES.

No person shall sell or distribute bingo samples or equipment to any licensed organization without first having obtained a suppliers' license, but an organization which is or has been, during the preceding 12 months, licensed to conduct bingo in the District of Columbia may sell bingo supplies and equipment actually used by it in the conduct of bingo to another licensed organization. No licensed supplier shall sell bingo cards unless there is printed thereon the name, mark, or symbol of the printer or manufacturer which the supplier has registered with the Board. No person directly or indirectly connected with the manufacture, sale, or distribution of bingo supplies or equipment, and no agent, servant, or employee of such person, shall conduct, advise, or assist in the conduct of bingo; render any service to anyone conducting or assisting in the conduct of bingo; or prepare any form required of a licensed organization pertaining to bingo. No licensed supplier, or his agent, salesman, or representative, shall, during the term of the license, sell or distribute bingo supplies or equipment to any person or organization other than a licensed supplier or licensed organization. No licensed supplier, or his authorized agent, salesman, or representative, shall be present to transact business during the conduct of bingo.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2529.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1330. STANDARDS FOR BINGO CARDS.

A standard set of bingo cards shall consist of at least 3,000 cards numbered in sequence. Each card in a set differs from all others with respect to the distribution of playing numbers. Any number of cards may be supplied to a licensed organization and sold or rented to players at any bingo occasion, provided that all cards so supplied or sold or rented are drawn from a standard set of bingo cards. On a bingo card there shall be 25 playing spaces which shall be contained within an area not less than 4 square inches. Before any bingo card becomes the property of any person, firm, partnership, association, organization, or corporation licensed to conduct bingo by the Board, there shall be imprinted or otherwise permanently marked on it a symbol assigned to the supplier by the Board and the name of the licensed person, firm, partnership, association, organization, or corporation which owns such cards. Such symbol and name need not be marked more than once on such cards. The Board shall adopt such other definitions and standards for special bingo cards, groupings of cards, and methods of securing numbers as it deems necessary. No advertising matter shall be printed or otherwise marked on any bingo card or grouping of bingo cards, except the name, mark or symbol of its manufacturer or printer, the code symbol of its licensed supplier, and the name of the licensed organization which owns it.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2530.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1331. LICENSE SUSPENSION OR REVOCATION.

Any license granted under the provisions of this chapter shall be subject to the regulations set forth by the Board and shall be subject to suspension or revocation for good cause, after giving the licensee a reasonable opportunity for a hearing, at which he shall have the right to be represented by counsel. If any license is suspended or revoked, the Board shall state the reasons for such suspension or revocation and cause an entry of such reasons to be made on the record books of the Board. Any licensee aggrieved by the action of the Board may appeal therefrom to the Superior Court of the District of Columbia within 30 days of the final decision of the Board.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2531.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

§ 3-1332. AIDING OR ABETTING UNAUTHORIZED BINGO GAMES, RAFFLES, OR MONTE CARLO NIGHT PARTIES; PENALTIES.

No person shall aid or abet in the conduct of any bingo game, raffle, or Monte Carlo night party, except in accordance with a license duly issued and unsuspended or revoked by the Board. Any person convicted of violating this section shall be subject to a fine not to exceed \$1,000 or imprisonment not to exceed 6 months, or both. Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this section, or any rules or regulations issued under the authority of this section, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this section shall be pursuant to Chapter 18 of Title 2.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 5, 1985, D.C. Law 6-42, § 406(a), 32 DCR 4450; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(5), 34 DCR 900.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2532.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

Law 6-42, the "Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985," was introduced

in Council and assigned Bill No. 6-187, which was referred to the Committee on Consumer and Regulatory Affairs. The Bill was adopted on first and second readings on June 25, 1985, and July 9, 1985, respectively. Signed by the Mayor on July 16, 1985, it was assigned Act No. 6- 60 and transmitted to both Houses of Congress for its review.

For legislative history of D.C. Law 6-220, see note to § 3-1305.

§ 3-1333. FORGED, COUNTERFEIT OR ALTERED TICKETS.

No person shall: Forge or counterfeit any ticket made for the purposes of any lottery or daily numbers games; alter any number imprinted on such a ticket; offer for sale or sell any such forged, counterfeited, or altered ticket, knowing it to be such; or present any such forged, counterfeited, or altered ticket to any person engaged in carrying out this chapter; with the intent to defraud the District of Columbia or any person participating in any such lottery or daily numbers games. Any person convicted of violating this section shall be subject to a fine not to exceed \$5,000 or imprisonment not to exceed 1 year or both. Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this section, or any rules or regulations issued under the authority of this section, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this section shall be pursuant to Chapter 18 of Title 2.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Oct. 5, 1985, D.C. Law 6-42, § 406(b), 32 DCR 4450.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2533.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

For legislative history of D.C. Law 6-42, see Historical and Statutory Notes following § 3-1332.

§ 3-1334. GAMBLING BY MINOR PROHIBITED.

No person shall knowingly permit any person under the age of 18 to participate in a game of bingo or to wager in any gambling activity authorized under this chapter. No person shall knowingly permit a person under the age of 18 years, unless accompanied by an adult, to be present in any room, office, building, or establishment where bingo, raffles, or Monte Carlo night parties is being played. Any person convicted of violating this section shall be subject to a fine not to exceed \$300 or imprisonment not to exceed 30 days or both.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 11, 1987, D.C. Law 6-220, § 2(b)(6), 34 DCR 900.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2534.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

For legislative history of D.C. Law 6-220, see Historical and Statutory Notes following § 3-1322.01.

§ 3-1335. PAYMENT OF PRIZE BY OR ON BEHALF OF MINOR.

If a person entitled to a lottery prize is under 18 years of age and the prize is less than \$5,000, the Board may require that payment of the prize be directed to an adult member of the minor's family or to a guardian of the minor in a check or draft payable to the order of the minor. If the person entitled to the prize is under 18 years of age and the prize is \$5,000 or more, the Board may direct payment to the minor by depositing the amount of the prize in any bank, to the credit of an adult member of the minor's family or to a guardian of the minor, as custodian of the minor. The person so named as custodian shall have the same duties and powers as a custodian designated under Uniform Transfers to Minors Act, Chapter 3 of Title 21. The Board is discharged of all further liability upon payment of the prize to a minor under this section.

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Mar. 12, 1986, D.C. Law 6-87, § 3(a), 33 DCR 278.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2535.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

Law 6-87, the "District of Columbia Uniform Transfers to Minors Act," was introduced in Council and assigned Bill No. 6-58, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on November 19, 1985, and December 3, 1985, respectively. Signed by the Mayor on December 30, 1985, it was assigned Act No. 6-115 and transmitted to both Houses of Congress for its review.

§ 3-1336. COMPETITIVE BID CONTRACTS.

(a) No Board member, officer, or employee of the Board designated to enter into contracts for the operation of any of the forms of gambling authorized by this chapter shall have any material interest, either directly or indirectly, in any contract with a vendor for the purchase of supplies, materials, equipment, machinery, work, or other items relating to or necessary for the operation of such gambling form.

(b) The Office of Contracting and Procurement shall procure supplies, materials, equipment, machinery, work, or other items relating to or necessary for the operation of any gambling form on behalf of the Board.

(c) Repealed.

(d) No contract awarded or entered into by the Board may be assigned by the holder thereof except by specific approval of the Board.

(e), (f) Repealed.

(g) Contracts awarded by the Board for more than 1 year shall not be governed by the provisions of the Antideficiency Act (31 U.S.C. §§ 1341, 1342, and 1349 to 1351, and 1511 through 1519).

(Mar. 10, 1981, D.C. Law 3-172, § 4, 27 DCR 4736; Apr. 12, 1997, D.C. Law 11-259, § 310, 44 DCR 1423.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2536.

Legislative History of Laws

For legislative history of D.C. Law 3-172, see Historical and Statutory Notes following § 3-1301.

Law 11-259, the "Procurement Reform Amendment Act of 1996," was introduced in Council and assigned Bill No. 11-705, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on November 7, 1996, and December 3, 1996, respectively. Signed by the Mayor on January 3, 1997, it was assigned Act No. 11-526 and transmitted to both Houses of Congress for its review. D.C. Law 11-259 became effective on April 12, 1997.

References in Text

The Antideficiency Act (31 U.S.C. § 1341, 1342, and 1349 to 1351, and 1511 through 1519, referred to in subsection (g) of this section, was originally codified as 31 U.S.C. § 665 and was recodified by the Act of September 13, 1982, Pub. L. 97-258.

§ 3-1337. EXEMPTION FROM DISTRICT INCOME TAX.[REPEALED]

(July 25, 1989, D.C. Law 8-17, § 3, 36 DCR 4160.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 2-2537.

Legislative History of Laws

Law 8-17, the "Revenue Amendment Act of 1989," was introduced in Council and assigned Bill No. 8-224, which was referred to the Committee on Finance and Revenue. The Bill was adopted on first and second readings on May 2, 1989 and May 16, 1989, respectively. Signed by the Mayor on May 26, 1989, it was assigned Act No. 8-34 and transmitted to both Houses of Congress for its review.

Miscellaneous Notes

Application of Law 8-17: Section 12 of D.C. Law 8-17 provided that § 2(a), (b) and (c) and 3 shall apply to all taxable years beginning after December 31, 1988. Section 2(d) and (e) shall apply to all taxable periods beginning after September 30, 1989. All other sections of the act shall apply as of July 1, 1989.

