

Notice

Notice Number: 95-06
Tax Type: Bingo
Brief Description: Instant Bingo Tickets
Keywords:
Effective Date: 07/01/1993

Body:

NOTICE 95-06

TO: All Bingo Licensees and Distributors

FROM: Kansas Department of Revenue

DATE: May 30, 1995

RE: Instant Bingo Tickets

As you may be aware, the instant bingo laws passed by the Kansas Legislature in 1993 were recently declared unconstitutional by the Kansas Supreme Court. During the elections in April of this year, the people of Kansas approved an amendment to the Kansas Constitution specifically permitting instant bingo. The Kansas Legislature has passed and the Governor has signed House Bill 2077, which re-enacts the instant bingo laws previously in effect, with a couple of minor changes. The new laws will go into effect upon publication in the *Kansas Register* on May 25 and include the following changes:

1. All instant bingo tickets must be of the pull-tab or break-open type. No scratch-off instant bingo tickets may be sold in Kansas.
2. Instant bingo tickets may not be electronically generated or computer generated.
3. You may not sell instant bingo tickets to persons under the age of 18 years. There is still no minimum age restriction on persons playing call bingo, unless licensees want to establish their own "house rule" on age.

In addition, the bill provides that call bingo games can not include any game utilizing an electronic or computerized card system.

Lastly, we have examined closely the definition of instant bingo in subsection (c) of K.S.A. 79-4701, which includes the requirement that the game of instant bingo must be conducted "in the presence of the participants." We interpret this to mean that all of the activities involving the game of instant bingo, including the sale of the tickets, the "playing of the tickets" (breaking them open or removing the tabs), and the payment of prizes, must all take place in the same area or room. This area or room does not need to be the same area or room where the call bingo games are played, but must be within the premises covered by the address on the bingo license.

Date Composed: 10/02/1997 **Date Modified:** 10/09/2001

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