



General Assembly

February Session, 2002

**Amendment**

LCO No. 3712

\*HB0558703712HD0\*

Offered by:  
REP. DAVIS, 50<sup>th</sup> Dist.

To: Subst. House Bill No. 5587      File No. 550      Cal. No. 128

**"AN ACT CONCERNING TAX REBATES FOR LICENSEES  
CONDUCTING JAI ALAI OR DOG RACING EVENTS."**

1      After the last section, insert the following:

2      "Sec. 2. Subsections (c) to (e), inclusive, of section 7-169h of the  
3      general statutes are repealed and the following is substituted in lieu  
4      thereof (*Effective from passage*):

5      (c) (1) On and after October 1, 1987, the division may issue a permit  
6      to sell sealed tickets to any organization or group specified in  
7      subsection (d) of section 7-169 which holds a bingo permit issued in  
8      accordance with the provisions of section 7-169. Such permit shall be  
9      renewed annually.

10      (2) The division may issue a permit to sell sealed tickets to any  
11      organization or group specified in subsection (d) of section 7-169  
12      which holds a club permit or nonprofit club permit under the  
13      provisions of chapter 545. Such permit shall be renewed annually.

14 (3) The division may issue a permit to sell sealed tickets to any  
15 organization or group specified in section 7-172 which holds a permit  
16 to operate a bazaar, issued in accordance with the provisions of  
17 sections 7-170 to 7-186, inclusive.

18 [(4) The division may issue a permit to sell sealed tickets to any  
19 charitable, civic, educational, fraternal, veterans' or religious  
20 organization, volunteer fire department, grange or political party or  
21 town committee thereof which holds a permit to operate games of  
22 chance, issued in accordance with the provisions of sections 7-186a to  
23 7-186p, inclusive.]

24 (d) Permittees shall purchase sealed tickets from the division at a  
25 cost which is equal to ten per cent of their resale value.

26 (e) Notwithstanding the provisions of subsection (b) of section 53-  
27 278b and subsection (d) of section 53-278c, sealed tickets may be sold,  
28 offered for sale, displayed or open to public view only (1) during the  
29 course of a bingo game conducted in accordance with the provisions of  
30 section 7-169 and only at the location at which such bingo game is  
31 conducted, (2) on the premises of any such organization or group  
32 specified in subdivision (2) of subsection (c) of this section, or (3)  
33 during the conduct of a bazaar under the provisions of sections 7-170  
34 to 7-186, inclusive, [, or (4) during the operation of games of chance  
35 under the provisions of sections 7-186a to 7-186p, inclusive.] Permittees  
36 may utilize a mechanical or electronic ticket dispensing machine  
37 approved by the division to sell sealed tickets. Sealed tickets shall not  
38 be sold to any person less than eighteen years of age. All proceeds  
39 from the sale of tickets shall be used for a charitable purpose, as  
40 defined in section 21a-190a.

41 Sec. 3. Section 53-278a of the general statutes is repealed and the  
42 following is substituted in lieu thereof (*Effective from passage*):

43 As used in sections 53-278a to 53-278g, inclusive:

44 (1) "Gain" means the direct realization of winnings; "profit" means

45 any other realized or unrealized benefit, direct or indirect, including  
46 without limitation benefits from proprietorship, management or  
47 unequal advantage in a series of transactions;

48 (2) "Gambling" means risking any money, credit, deposit or other  
49 thing of value for gain contingent in whole or in part upon lot, chance  
50 or the operation of a gambling device, but does not include: Legal  
51 contests of skill, speed, strength or endurance in which awards are  
52 made only to entrants or the owners of entries; legal business  
53 transactions which are valid under the law of contracts; activity legal  
54 under the provisions of sections 7-169 to [7-186] 7-186, inclusive; any  
55 lottery or contest conducted by or under the authority of any state of  
56 the United States, Commonwealth of Puerto Rico or any possession or  
57 territory of the United States; and other acts or transactions expressly  
58 authorized by law on or after October 1, 1973;

59 (3) "Professional gambling" means accepting or offering to accept,  
60 for profit, money, credits, deposits or other things of value risked in  
61 gambling, or any claim thereon or interest therein. Without limiting  
62 the generality of this definition, the following shall be included: Pool-  
63 selling and bookmaking; maintaining slot machines, one-ball machines  
64 or variants thereof, pinball machines, which award anything other  
65 than an immediate and unrecorded right of replay, roulette wheels,  
66 dice tables, or money or merchandise pushcards, punchboards, jars or  
67 spindles, in any place accessible to the public; and except as provided  
68 in sections 7-169 to [7-186] 7-186, inclusive, conducting lotteries, gift  
69 enterprises, disposal or sale of property by lottery or hazard or policy  
70 or numbers games, or selling chances therein; and the following shall  
71 be presumed to be included: Conducting any banking game played  
72 with cards, dice or counters, or accepting any fixed share of the stakes  
73 therein;

74 (4) "Gambling device" means any device or mechanism by the  
75 operation of which a right to money, credits, deposits or other things  
76 of value may be created, as the result of the operation of an element of  
77 chance; any device or mechanism which, when operated for a

78 consideration, does not return the same value or thing of value for the  
79 same consideration upon each operation thereof; any device,  
80 mechanism, furniture or fixture designed primarily for use in  
81 connection with professional gambling; and any subassembly or  
82 essential part designed or intended for use in connection with any  
83 such device, mechanism, furniture, fixture, construction or installation,  
84 provided an immediate and unrecorded right of replay mechanically  
85 conferred on players of pinball machines and similar amusement  
86 devices shall be presumed to be without value. "Gambling device"  
87 does not include a crane game machine or device or a redemption  
88 machine;

89 (5) "Gambling record" means any record, receipt, ticket, certificate,  
90 token, slip or notation given, made, used or intended to be used in  
91 connection with professional gambling;

92 (6) "Gambling information" means a communication with respect to  
93 any wager made in the course of, and any information intended to be  
94 used for, professional gambling. Information as to wagers, betting  
95 odds or changes in betting odds shall be presumed to be intended for  
96 use in professional gambling;

97 (7) "Gambling premise" means any building, room, enclosure,  
98 vehicle, vessel or other place, whether open or enclosed, used or  
99 intended to be used for professional gambling. Any place where a  
100 gambling device is found shall be presumed to be intended to be used  
101 for professional gambling, except a place wherein a bazaar or raffle for  
102 which a permit has been issued under sections 7-170 to 7-186,  
103 inclusive, or bingo for which a permit has been issued under section 7-  
104 169 [or games of chance for which a permit has been issued under  
105 sections 7-186a to 7-186l, inclusive,] is to be conducted;

106 (8) "Person" includes natural persons, partnerships, limited liability  
107 companies and associations of persons, and corporations; and any  
108 corporate officer, director or stockholder who authorizes, participates  
109 in or knowingly accepts benefits from any violation of sections 53-278a

110 to 53-278g, inclusive, committed by his corporation;

111 (9) "Peace officer" means a municipal or state police officer or chief  
112 inspector or inspector in the Division of Criminal Justice or state  
113 marshal while exercising authority granted under any provision of the  
114 general statutes or judicial marshal in the performance of the duties of  
115 a judicial marshal;

116 (10) "Court" means the Superior Court;

117 (11) "Crane game machine or device" means a machine or device (A)  
118 that is designed and manufactured only for bona fide amusement  
119 purposes and involves at least some skill in its operation, (B) that  
120 rewards a winning player exclusively with merchandise contained  
121 within the machine or device and such merchandise is limited to  
122 noncash prizes, toys or novelties each of which has a wholesale value  
123 not exceeding ten dollars or ten times the cost of playing the machine  
124 or device, whichever is less, (C) the player of which is able to control  
125 the timing of the use of the claw or grasping device to attempt to pick  
126 up or grasp a prize, toy or novelty, (D) the player of which is made  
127 aware of any time restrictions that the machine or device imposes on  
128 the player to maneuver the claw or grasping device into a position to  
129 attempt to pick up or grasp a prize, toy or novelty, and (E) the claw or  
130 grasping device of which is not of a size, design or shape that prohibits  
131 the picking up or grasping of a prize, toy or novelty contained within  
132 the machine or device;

133 (12) "Redemption machine" means an amusement device operated  
134 by one or more players that involves a game the object of which is  
135 throwing, rolling, bowling, shooting, placing or propelling a ball or  
136 other object into, upon or against a hole or other target and that  
137 rewards the player or players with tickets, tokens or other noncash  
138 representations of value redeemable for merchandise prizes, provided  
139 (A) the outcome of the game is predominantly determined by the skill  
140 of the player, (B) the award of tickets, tokens or other noncash  
141 representations of value is based solely on the player's achieving the

142 object of the game or on the player's score, (C) only merchandise prizes  
143 are awarded, (D) the average wholesale value of the prizes awarded in  
144 lieu of tickets or tokens for a single play of the machine does not  
145 exceed ten dollars or ten times the cost of a single play of the machine,  
146 whichever is less, and (E) the redemption value of each ticket, token or  
147 other noncash representation of value that may be accumulated by a  
148 player or players to redeem prizes of greater value does not exceed the  
149 cost of a single play of the machine.

150 Sec. 4. Subsection (d) of section 53-278c of the general statutes is  
151 repealed and the following is substituted in lieu thereof (*Effective from*  
152 *passage*):

153 (d) Except as provided in subsection (e) of this section, any person  
154 who knowingly owns, manufactures, possesses, buys, sells, rents,  
155 leases, stores, repairs or transports any gambling device, or offers or  
156 solicits any interest therein, except in connection with a permit under  
157 sections 7-169 to [7-186] 7-186, inclusive, whether through an agent or  
158 employee or otherwise shall be guilty of a class A misdemeanor.  
159 Subsection (b) of this section shall have no application in the  
160 enforcement of this subsection.

161 Sec. 5. (*Effective from passage*) Sections 7-186a to 7-186q, inclusive, of  
162 the general statutes are repealed."