

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 801
May 3, 2021
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10405-ML-126A

Short Title: Game Nights/Residential Centers.

(Public)

Sponsors: Representative Torbett.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW CERTAIN EXEMPT ORGANIZATIONS TO CONDUCT A GAME
3 NIGHT AT A LOCATION THAT IS NOT A QUALIFIED FACILITY.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Part 4 of Article 37 of Chapter 14 of the General Statutes reads as
6 rewritten:

7 "Part 4. Game Nights.

8 "§ 14-309.26. Game nights.

9 (a) It is lawful for an exempt organization to conduct a game night at a qualified facility
10 in accordance with the provisions of this Part. Each regional or county chapter of an exempt
11 organization shall be eligible to conduct game nights in accordance with this Part independently
12 of its parent organization, provided that the regional or county chapter has been in continuous
13 existence for at least five years. It is lawful for persons to participate in a game night conducted
14 pursuant to this Part. It shall not constitute a violation of any State law to advertise a game night
15 conducted in accordance with this Part.

16 (a1) Notwithstanding subsection (a) of this section, an exempt organization that is exempt
17 from taxation under section 501(c)(3) of the Internal Revenue Code and operates a specialized
18 community residential center for individuals with developmental disabilities licensed pursuant
19 to G.S. 122C-23, may conduct a game night in accordance with this Part in a location that is not
20 a qualified facility if the exempt organization has been issued a special one-time permit under
21 G.S. 18B-1002(a)(5) to be used for the game night.

22 ...

23 "§ 14-309.27. Permit procedure.

24 (a) An exempt organization shall not operate a game night without first obtaining a permit
25 as provided by this Part. The application for a game night permit shall be on a form prescribed
26 by the Alcohol Law Enforcement ~~Branch~~-Division of the Department of Public Safety and shall
27 be submitted to the Alcohol Law Enforcement Headquarters at least 30 days in advance of the
28 date for the game night event.

29 (b) Each application for a permit under this Part shall contain the following information:

30 ...

31 (7a) The location of the facility at which the event will be held.

32 (8) The area of the ~~premises~~-facility in which the event will be held.

33 (c) A separate application shall be required for each game night event. A fee of one
34 hundred dollars (\$100.00) shall be charged for each permit. The permit fees assessed under this
35 Part are payable to the Alcohol Law Enforcement ~~Branch~~-Division of the Department of Public
36 Safety and shall be collected and used by the Alcohol Law Enforcement ~~Branch~~-Division to



1 defray the costs of issuing game night permits. The permit shall be displayed at the event. A
2 qualified facility shall not be subject to civil or criminal liability for violating this Part if the
3 exempt organization provides the facility with a permit for the game night event.

4 **"§ 14-309.28. Limits on game night events.**

5 The following limitations apply to game night events:

6 ...

- 7 (5) A ~~qualified facility, as defined in G.S. 18B-1000(5a),~~ facility authorized to
8 host a game night under this Part shall not host more than two game nights in
9 any calendar month.

10 ...

11 **"§ 14-309.35. Registration, possession, and transportation of gaming equipment.**

12 (a) Notwithstanding the provisions of G.S. 14-295 or G.S. 14-297, it shall be lawful to
13 possess or transport gaming tables and other gaming equipment, if the possession or
14 transportation is solely for use in game night events conducted pursuant to this Part. Gaming
15 tables and other gaming equipment possessed or transported pursuant to this Part shall not be
16 subject to seizure pursuant to G.S. 14-298 if they have been registered pursuant to the provisions
17 of this Article and are used solely in game night events conducted pursuant to this Part.

18 (b) A gaming table or other gaming equipment possessed or transported for use in a game
19 night event must be registered with the Alcohol Law Enforcement ~~Branch~~ Division of the
20 Department of Public Safety and must have a sticker affixed with a unique number. A fee of
21 twenty-five dollars (\$25.00) shall be charged for each sticker and each sticker shall be renewed
22 annually. The sticker fees assessed under this section are payable to the Alcohol Law
23 Enforcement ~~Branch~~ Division of the Department of Public Safety and shall be collected and used
24 by the Alcohol Law Enforcement ~~Branch~~ Division to defray the costs of registering the gaming
25 tables and gaming equipment. The Alcohol Law Enforcement ~~Branch~~ Division may inspect,
26 without prior notice, any gaming table or other gaming equipment used in a game night event at
27 any time immediately prior to or during the game night event. Use of a gaming table or gaming
28 equipment in a game night event that does not comply with the requirements of this subsection
29 shall be a Class 1 misdemeanor.

30 **"§ 14-309.36. Permit procedure for game night vendors.**

31 (a) No person, firm, or corporation may receive compensation for providing gaming
32 tables or gaming equipment for use in a game night without first obtaining a permit as provided
33 by this section. The application for a game night vendor permit shall be on a form prescribed by
34 the Alcohol Law Enforcement ~~Branch~~ Division of the Department of Public Safety and shall be
35 submitted to the Alcohol Law Enforcement Headquarters.

36 (b) A fee of two thousand five hundred dollars (\$2,500) shall be charged annually for
37 each permit. The permit fees assessed under this section are payable to the Alcohol Law
38 Enforcement ~~Branch~~ Division of the Department of Public Safety and shall be collected and used
39 by the Alcohol Law Enforcement ~~Branch~~ Division to defray the costs of issuing game night
40 vendor permits and ensuring compliance with this section. The game night vendor permit shall
41 be displayed at any event the game night vendor conducts.

42 (c) The Alcohol Law Enforcement ~~Branch~~ Division shall deny a permit to a person, firm,
43 or corporation that meets any of the following disqualifying conditions:

- 44 (1) Has a conviction for any violation of State or federal gambling laws within
45 the five years prior to the date of application.
46 (2) Has pending charges for any violation of State or federal gambling laws.
47 (3) Is subject to an active criminal or civil court order prohibiting involvement in
48 gambling activities.
49 (4) Has a conviction for any felony.

50 ...

1 (e) All gaming tables and gaming equipment owned or possessed by a game night vendor
2 must be registered pursuant to G.S. 14-309.35. The Alcohol Law Enforcement ~~Branch~~Division
3 of the Department of Public Safety shall inspect the gaming tables and equipment of each game
4 night vendor at least one time per calendar year and may conduct any additional inspections
5 reasonably necessary to ensure compliance with G.S. 14-309.35 and this section. Inspections of
6 gaming tables and equipment shall occur (i) on the premises of a game night event that the game
7 night vendor has been employed to conduct, (ii) immediately prior to or during the game night
8 event, (iii) at locations, times, and dates chosen by the Alcohol Law Enforcement ~~Branch~~,
9 Division, and (iv) without prior notice to the game night vendor or any party that has obtained a
10 permit pursuant to G.S. 14-309.27.

11"

12 **SECTION 2.** This act becomes effective July 1, 2021, and applies to game nights
13 conducted on or after that date.