

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 690

SPONSOR: Senators Sebesta and Wise

SUBJECT: Bingo/Elderly or Disabled Adults

DATE: January 6, 2004      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sumner</u>	<u>Imhof</u>	<u>RI</u>	<u>Favorable</u>
2.	_____	_____	<u>HC</u>	_____
3.	_____	_____	<u>FT</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill creates a statutory section for bingo games that may be conducted for residents or clients, and their guests, of nursing homes, assisted living facilities, adult day care centers, continuing care retirement communities, multi-service senior centers, and government-financed or government-insured or government-subsidized housing for the elderly notwithstanding the provisions of s. 849.0931, F.S. It prohibits patients with Alzheimer’s disease or dementia from playing with personal funds. Proceeds must be returned to the players as prizes after deduction of certain expenses.

This bill creates an unnumbered section of the Florida Statutes.

**II. Present Situation:**

Bingo games are currently authorized for two groups under s. 849.0931, F.S.: (1) charitable, non-profit, or veterans organizations which qualify for certain tax exemptions and have been in existence for three years; and (2) condominium associations, cooperative associations, homeowners’ associations; a group of residents of a mobile home park as provided in ch. 723, F.S., governing mobile home park tenancies; or a group of residents of mobile home parks or a group of residents of a recreation vehicle parks as provided in ch. 513, F.S., governing mobile home and recreational vehicle parks. The first group is required to donate all proceeds, less actual business expenses to the organizational endeavors. The second group may only give net proceeds to the players in the form of prizes and must donate any net proceeds after business expenses to any organization that meets the criteria of group one.

**III. Effect of Proposed Changes:**

The bill permits bingo games to be conducted for residents or clients, and their guests, of nursing homes, assisted living facilities, adult day care centers, continuing care retirement communities, multi-service senior centers, and government-financed or government-insured or government-subsidized housing for the elderly notwithstanding the provisions of s. 849.0931, F.S. The games must be held in the facilities and played exclusively by residents, clients, and their guests and conducted by residents, staff, or volunteers of the facility. Neither the facility nor any third party may derive financial benefit from the games.

It also provides that games conducted in nursing homes, assisted living facilities, and home health agencies for persons with Alzheimer's disease or a related dementia may not be played with the personal funds of the residents or clients and must be supervised by paid or volunteer staff.

Prizes can only be claimed by residents, or clients, or their guests who are themselves residents or clients of similarly licensed or authorized facilities. Net proceeds must be returned to players in the form of prizes after expenses for refreshments and bingo supplies are deducted. Counties and municipalities that regulate bingo must exempt games that are played pursuant to this section from regulation and fees.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

---

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

---