

SB 156 INTRODUCED BY MANNING, STIMATZ, PAVLOVICH, ET AL.
ALLOW LOCAL GOVERNMENT TO LICENSE SPORTS POOL; UP
LIMITS TO \$5 PER CHANCE, \$500 PER POOL

1/20 INTRODUCED
1/20 REFERRED TO BUSINESS & INDUSTRY
1/21 FISCAL NOTE REQUESTED
1/24 FISCAL NOTE RECEIVED
1/27 HEARING
1/28 COMMITTEE REPORT--BILL PASSED AS AMENDED
1/31 2ND READING PASS MOTION FAILED 15 33
1/31 2ND READING INDEFINITELY POSTPONED 35 13

1 *Always* BILL NO. *156*
 2 INTRODUCED BY *Richard W. Hanning*
 3 *Waller*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW FOR LICENSING
 5 BY LOCAL GOVERNING BODIES OF SPORTS POOLS CONDUCTED ON
 6 PREMISES LICENSED FOR THE SALE OF LIQUOR, BEER, FOOD, OR
 7 CIGARETTES; TO INCREASE THE AMOUNT THAT MAY BE CHARGED FOR
 8 AN INDIVIDUAL CHANCE IN A SPORTS POOL TO \$5; TO INCREASE THE
 9 AMOUNT THAT MAY BE PAID OUT ON A SPORTS POOL TO \$500; TO
 10 DELETE REQUIREMENT THAT THE WINNER RECEIVE A 100 PERCENT
 11 PAYOUT; AND AMENDING SECTION 23-5-503, MCA."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 NEW SECTION. Section 1. Licensing by local governing
 15 bodies. (1) A city, town, or county may issue a license for
 16 the sports pools provided for in this part that are
 17 conducted on premises which have been licensed for the sale
 18 of liquor, beer, food, or cigarettes. A license may be
 19 issued by a city or town if the sports pool is conducted on
 20 premises located in the city or town or by the county or
 21 consolidated government if the sports pool is conducted on
 22 premises not located in a city or town.

23 (2) If a city, town, county, or consolidated
 24 government requires a license under this section, a sports
 25 pool may not be conducted on any premises required to be

1 licensed unless a license has been obtained.

2 (3) A local governing body may charge an annual
 3 license fee of not more than \$150 for a license issued under
 4 this section.

5 (4) A license issued under this section expires on
 6 June 30 of each year, and the fee must be prorated for
 7 licenses issued at any other time during the year.

8 (5) A license issued under this section is a revocable
 9 privilege, and the holder of it does not acquire a vested
 10 right in it.

11 Section 2. Section 23-5-503, MCA, is amended to read:

12 "23-5-503. Rules. (1) The card used for recording the
 13 pool and upon which the squares or spaces appear shall
 14 clearly state in advance of the sale of any chances the
 15 number of chances to be sold in that specific pool, the name
 16 of the event, the consideration to be paid for each chance,
 17 and the total amount to be paid to the winners.

18 (2) No chance to participate in a sports pool may be
 19 sold other than upon the premises in which the sports pool
 20 is conducted. No individual chance to participate in a
 21 sports pool shall be sold for a consideration in excess of
 22 \$5, and the total amount to be paid to the winners of any
 23 individual sports pool shall not exceed the value of \$100
 24 \$500. ~~The winner of any sports pool shall receive a 100%~~
 25 ~~payout of the value of the sports pool."~~

LC 0566/01

1 NEW SECTION. Section 3. Codification instruction.
2 Section 1 is intended to be codified as an integral part of
3 Title 23, chapter 5, part 5, and the provisions of Title 23,
4 chapter 5, part 5, apply to section 1.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB156, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to allow for licensing by local governing bodies of sports pools conducted on premises licensed for the sale of liquor, beer, food, or cigarettes; to increase the amount that may be charged for an individual chance in a sports pool to \$5; to increase the amount that may be paid out on a sports pool to \$500; to delete the requirement that the winner receive a 100 percent payout.

ASSUMPTIONS:

This bill has no effect on state government finances.

EFFECT ON COUNTY OR OTHER LOCAL GOVERNMENT REVENUE:

Local governments would be allowed to charge up to \$150 for a sports pool license. It is not known how many premises would chose to purchase a sports pool license, the particular counties, cities or towns that would require a license, or if those counties requiring a license would charge the full \$150. Consequently, a precise revenue impact estimate is not possible. However, if the full allowable price for a license is charged, local governments would increase revenues by \$150,000 for every 1,000 licenses sold.

David L. Hunter

DATE

1/23/87

DAVID L. HUNTER, BUDGET DIRECTOR

Office of Budget and Program Planning

Richard E. Manning

DATE

1/24/87

RICHARD MANNING, PRIMARY SPONSOR

Fiscal Note for SB156, as introduced

SB 156

APPROVED BY COMM. ON
BUSINESS & INDUSTRY

SENATE BILL NO. 156

INTRODUCED BY MANNING, STIMATZ, PAVLOVICH, WALKER

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW FOR LICENSING BY LOCAL GOVERNING BODIES OF SPORTS POOLS CONDUCTED ON PREMISES LICENSED FOR THE SALE OF LIQUOR, BEER, FOOD, OR CIGARETTES; TO INCREASE THE AMOUNT THAT MAY BE CHARGED FOR AN INDIVIDUAL CHANCE IN A SPORTS POOL TO \$5; TO INCREASE THE AMOUNT THAT MAY BE PAID OUT ON A SPORTS POOL TO \$500; TO ~~DELETE-REQUIREMENT~~ PROVIDE THAT THE WINNER WINNERS RECEIVE A ~~100~~ 95 PERCENT PAYOUT; AND AMENDING SECTION 23-5-503, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Licensing by local governing bodies. (1) A city, town, or county may issue a license for the sports pools provided for in this part that are conducted on premises which have been licensed for the sale of liquor, beer, food, or cigarettes. A license may be issued by a city or town if the sports pool is conducted on premises located in the city or town or by the county or consolidated government if the sports pool is conducted on premises not located in a city or town.

(2) If a city, town, county, or consolidated government requires a license under this section, a sports pool may not be conducted on any premises required to be

licensed unless a license has been obtained.

(3) A local governing body may charge an annual license fee of not more than \$150 for a license issued under this section.

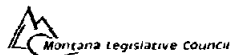
(4) A license issued under this section expires on June 30 of each year, and the fee must be prorated for licenses issued at any other time during the year.

(5) A license issued under this section is a revocable privilege, and the holder of it does not acquire a vested right in it.

Section 2. Section 23-5-503, MCA, is amended to read:

"23-5-503. Rules. (1) The card used for recording the pool and upon which the squares or spaces appear shall clearly state in advance of the sale of any chances the number of chances to be sold in that specific pool, the name of the event, the consideration to be paid for each chance, and the total amount to be paid to the winners.

(2) No chance to participate in a sports pool may be sold other than upon the premises in which the sports pool is conducted. No individual chance to participate in a sports pool shall be sold for a consideration in excess of ~~\$1~~ \$5, and the total amount to be paid to the winners of any individual sports pool shall not exceed the value of ~~100~~ \$500. ~~The winner of any sports pool shall receive a 100% payout of the value of the sports pool.~~ THE WINNERS OF ANY



1 SPORTS POOL SHALL RECEIVE A 95% PAYOUT OF THE VALUE OF THE
2 SPORTS POOL."

3 NEW SECTION. Section 3. Codification instruction.
4 Section 1 is intended to be codified as an integral part of
5 Title 23, chapter 5, part 5, and the provisions of Title 23,
6 chapter 5, part 5, apply to section 1.

-End-