

SB 308 INTRODUCED BY TVEIT, DRISCOLL, WHALEN, ET AL.
 ALLOW BLACKJACK IF AUTHORIZED BY VOTERS OF LICENSING
 JURISDICTION

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|------|---|----|----|
| 2/06 | INTRODUCED | | |
| 2/06 | REFERRED TO BUSINESS & INDUSTRY | | |
| 2/18 | HEARING | | |
| 2/21 | COMMITTEE REPORT--BILL PASSED AS AMENDED | | |
| 2/23 | FISCAL NOTE REQUESTED | | |
| 2/24 | 2ND READING PASS AS AMENDED MOTION FAILED | 25 | 25 |
| 2/24 | 2ND READING INDEFINITELY POSTPONE MOTION FAILED | 22 | 27 |
| 2/24 | SEGREGATED FROM COMMITTEE OF WHOLE REPORT | 27 | 23 |
| 2/24 | LAY ON TABLE MOTION FAILED | 23 | 27 |
| 2/24 | PLACED ON 2ND READING | 26 | 23 |
| 2/24 | PREVIOUS AMENDMENTS PASSED | 48 | 0 |
| 2/24 | 2ND READING PASS AS AMENDED MOTION FAILED | 24 | 26 |
| 2/24 | 2ND READING INDEFINITELY POSTPONED | 28 | 21 |
| 2/26 | FISCAL NOTE RECEIVED | | |
| 3/11 | RULES SUSPENDED TO ALLOW RECONSIDERATION OF BILL | 34 | 16 |
| 3/11 | REREFERRED TO BUSINESS & INDUSTRY | | |
| 3/13 | COMMITTEE REPORT--BILL PASSED AS AMENDED | | |
| 3/14 | 2ND READING PASS AS AMENDED MOTION FAILED | 23 | 27 |
| 3/14 | 2ND READING INDEFINITELY POSTPONED | 30 | 20 |

1 Senate BILL NO. 308
 2 INTRODUCED BY Tyret Orisoll Whalen Kolat
 3 BY REQUEST Boyle Lynch Guss
 4 Richard Harmon Waller Wallace Menehan
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT
 6 BLACKJACK OR TWENTY-ONE IS AN AUTHORIZED CARD GAME UNDER THE
 7 MONTANA CARD GAMES ACT IF THE ELECTORATE OF THE LICENSING
 8 CITY, TOWN, OR COUNTY AUTHORIZES ITS PLAY; AND AMENDING
 9 SECTIONS 23-5-311, 23-5-313, AND 23-5-321, MCA."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. Section 23-5-311, MCA, is amended to read:
 12 "23-5-311. Authorized card games. (1) It is unlawful
 13 for any person to conduct or participate in any card game or
 14 make any tables available for the playing of card games
 15 except those card games authorized by this part.
 16 (2) The card games authorized by this part are and are
 17 limited to the card games known as:
 18 (a) bridge, cribbage, hearts, panguingue, pinochle,
 19 pitch, rummy, whist, solo, and poker; and
 20 (b) blackjack or twenty-one if, upon referral by the
 21 governing body to the electorate, a majority of those voting
 22 on the question in the licensing city, town, or county
 23 authorizes its play."
 24 Section 2. Section 23-5-313, MCA, is amended to read:
 25

1 "23-5-313. Rules of play to-be-posted -- posting --
 2 rake-off approved. (1) Rules governing the conduct of each
 3 game shall be prominently posted on the premises of any
 4 licensed establishment where such game is conducted. Such
 5 rules shall include notice of the maximum percentage
 6 rake-off, if any, and shall require that the person taking
 7 the rake-off do so in an obvious manner and only after
 8 announcing the amount of each rake-off, which shall only be
 9 taken at the conclusion of each game when the winner of each
 10 individual pot has been determined.

- 11 (2) If the game twenty-one is played:
- 12 (a) a maximum of two tables, with one game at a table,
- 13 may be operated on the licensed premises;
- 14 (b) a maximum of seven persons, including the dealer,
- 15 may play a game;
- 16 (c) the maximum bet is \$5 a player on each hand he
- 17 plays; and
- 18 (d) the cards must be dealt by the dealer from a
- 19 device, commonly known as a shoe, that holds five shuffled
- 20 decks of cards."

21 Section 3. Section 23-5-321, MCA, is amended to read:
 22 "23-5-321. Licensing by local governing bodies. (1)
 23 Any city, town, or county may issue licenses for the games
 24 provided for in this part to be conducted on premises which
 25 have been licensed for the sale of liquor, beer, food,



1 cigarettes, or any other consumable products. Within the
 2 cities or towns, such licenses may be issued by the city or
 3 town council or commission. Licenses for games conducted on
 4 premises outside the limits of any city or town may be
 5 issued by the county commissioners of the respective
 6 counties. When a license has been required by any city,
 7 town, or county, no game as provided for in this part shall
 8 be conducted on any premises which have been licensed for
 9 the sale of liquor, beer, food, cigarettes, or any other
 10 consumable product without such license having first been
 11 obtained.

12 ~~(2) Any~~ The governing body may charge an annual
 13 license fee for each license ~~so~~ issued under this part,
 14 ~~which--license--fee,--if--any,--shall--expire--on~~ subsection. The
 15 fee must be paid by June 30 of each year, and such fee shall
 16 must be prorated.

17 (2) If a license issued under this section allows the
 18 game of twenty-one to be played, each person acting as a
 19 dealer must also be licensed. The fee is \$50 a year, must be
 20 paid by June 30, and must be prorated. A dealer
 21 participating in a twenty-one game shall wear an
 22 identification badge or card, issued by the licensing
 23 governing body, that identifies him as the dealer and states
 24 that he is licensed under this subsection to deal the game
 25 of twenty-one in establishments licensed to play that game

1 in the local government unit that issued the identification.
 2 (3) Any A license issued ~~pursuant to~~ under this part
 3 ~~shall be deemed to be~~ section is a revocable privilege, ~~and~~
 4 ~~no holder thereof may acquire any vested rights therein or~~
 5 ~~thereunder."~~

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB308, on second reading.

DESCRIPTION OF PROPOSED LEGISLATION:

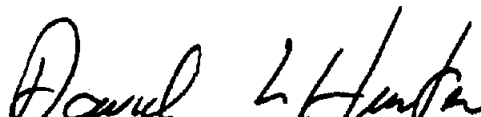
An act to provide that twenty-one is an authorized card game under the Montana card games act if the governing body or electorate of the licensing city, town, or county authorizes its play; and providing an immediate effective date.

FISCAL IMPACT:

Under the proposed law, a governing body may charge an annual license fee of not less than \$1,500 for each twenty-one table. Thirty percent of the local license fees must be deposited in the state general fund. It is not possible to accurately assess the impact that this proposal would have on the general fund. Information is not available on the number of twenty-one tables in the state that would actually be charged the proposed fee.

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

Section 3(2) does not specify how the \$50 fee for dealer licenses is to be used.

 DATE 2/26/87
DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

 DATE 3/2/87
LARRY TVEIT, PRIMARY SPONSOR

Fiscal Note for SB308, on second reading.

SB 308

RE-REFERRED AND
APPROVED BY COMM. ON
BUSINESS & INDUSTRY
AS AMENDED

SENATE BILL NO. 308

INTRODUCED BY TVEIT, DRISCOLL, WHALEN, KOLSTAD, MANNING,
DAILY, FRITZ, WALKER, HOLLIDAY, BOYLAN, LYNCH, MENAHAN,
QUILICI, MCCORMICK, PAVLOVICH, PISTORIA,
BACHINI, D. BROWN, KEENAN, HARRINGTON

BY REQUEST

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT
BLACKJACK-OR TWENTY-ONE IS AN AUTHORIZED CARD GAME UNDER THE
MONTANA CARD GAMES ACT IF THE ~~GOVERNING-BODY-OR~~ ELECTORATE
OF THE LICENSING CITY, TOWN, OR COUNTY AUTHORIZES ITS PLAY;
AND AMENDING SECTIONS 23-5-311, 23-5-313, AND 23-5-321, MCA;
AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 23-5-311, MCA, is amended to read:

"23-5-311. Authorized card games. (1) It is unlawful
for any person to conduct or participate in any card game or
make any tables available for the playing of card games
except those card games authorized by this part.

(2) The card games authorized by this part are and are
limited to the card games known as:

(a) bridge, cribbage, hearts, panguingue, pinochle,
pitch, rummy, whist, solo, and poker; and

(b) ~~blackjack-or twenty-one if,~~ IF, upon:

~~(i) -- APPROVAL -- BY -- THE -- GOVERNING -- BODY -- OF -- THE -- LICENSING
CITY, -- TOWN, -- OR -- COUNTY -- SUBJECT -- TO -- THE -- ELECTORATE'S -- RIGHT -- OF
REFERENDUM -- UNDER -- 7 -- 5 -- 131 -- THROUGH -- 7 -- 5 -- 137, -- OR~~

~~(ii) referral by the governing body to the electorate,
AND a majority of those voting on the question in the
licensing city, town, or county authorizes its play."~~

Section 2. Section 23-5-313, MCA, is amended to read:

"23-5-313. Rules of play ~~to-be-posted -- posting --~~
rake-off approved. (1) Rules governing the conduct of each
game shall be prominently posted on the premises of any
licensed establishment where such game is conducted. Such
rules shall include notice of the maximum percentage
rake-off, if any, and shall require that the person taking
the rake-off do so in an obvious manner and only after
announcing the amount of each rake-off, which shall only be
taken at the conclusion of each game when the winner of each
individual pot has been determined.

(2) If the game twenty-one is played:

(a) a maximum of two tables, with one game at a table,
may be operated on the licensed premises;

(b) a maximum of seven persons, including the dealer,
may play a game;

(c) the maximum bet is \$5 a player on each hand he
plays; and

(d) the cards must be dealt by the dealer from a



1 device, commonly known as a shoe, that holds five shuffled
 2 decks of cards."

3 Section 3. Section 23-5-321, MCA, is amended to read:

4 "23-5-321. Licensing by local governing bodies. (1)

5 Any city, town, or county may issue licenses for the games
 6 provided for in this part to be conducted on premises which
 7 ~~have been licensed for the sale of liquor, beer, food,~~
 8 ~~cigarettes, or any other consumable products~~ AN
 9 ~~ABE BEVERAGES LICENSE ISSUED BY THE LIQUOR DIVISION OF THE~~
 10 ~~DEPARTMENT OF REVENUE~~ BEEN LICENSED FOR THE SALE OF LIQUOR,
 11 BEER, FOOD, CIGARETTES, OR ANY OTHER CONSUMABLE PRODUCTS.

12 Within the cities or towns, such licenses may be issued by
 13 the city or town council or commission. Licenses for games
 14 conducted on premises outside the limits of any city or town
 15 may be issued by the county commissioners of the respective
 16 counties. When a license has been required by any city,
 17 town, or county, no game as provided for in this part shall
 18 be conducted on any premises which ~~have been licensed for~~
 19 ~~the sale of liquor, beer, food, cigarettes, or any other~~
 20 ~~consumable product without such license having first been~~
 21 ~~obtained~~ DOES NOT HAVE AN ABE BEVERAGES LICENSE ISSUED BY
 22 THE LIQUOR DIVISION OF THE DEPARTMENT OF REVENUE HAVE BEEN
 23 LICENSED FOR THE SALE OF LIQUOR, BEER, FOOD, CIGARETTES, OR
 24 ANY OTHER CONSUMABLE PRODUCT WITHOUT SUCH LICENSE HAVING
 25 FIRST BEEN OBTAINED.

1 ~~(2) Any~~ The governing body may charge an annual
 2 license fee OF NOT LESS THAN \$1,500 FOR EACH TABLE for each
 3 license ~~so~~ issued under this part ~~which license fee, if~~
 4 ~~any, shall expire on~~ subsection. The fee must be paid by
 5 June 30 ~~of each year,~~ and such fee shall must be prorated.
 6 THIRTY PERCENT OF THE FEES PAID PURSUANT TO THIS SUBSECTION
 7 MUST BE TRANSMITTED BY THE LICENSING CITY, TOWN, OR COUNTY
 8 TO THE STATE TREASURER FOR DEPOSIT IN THE STATE GENERAL
 9 FUND.

10 (2) If a license issued under this section allows the
 11 game of twenty-one to be played, each person acting as a
 12 dealer must also be licensed. The fee is \$50 a year, must be
 13 paid by June 30, and must be prorated. A dealer
 14 participating in a twenty-one game shall wear an
 15 identification badge or card, issued by the licensing
 16 governing body, that identifies him as the dealer and states
 17 that he is licensed under this subsection to deal the game
 18 of twenty-one in establishments licensed to play that game
 19 in the local government unit that issued the identification.

20 (3) Any A license issued pursuant to under this part
 21 ~~shall be deemed to be~~ section is a revocable privilege, and
 22 ~~no holder thereof may acquire any vested rights therein or~~
 23 ~~thereunder."~~

24 NEW SECTION. SECTION 4. EFFECTIVE DATE. THIS ACT IS
 25 EFFECTIVE ON PASSAGE AND APPROVAL.