



General Statutes Commission

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MEMORANDUM

To: Senate Rules and Operations of the Senate
From: General Statutes Commission
Re: HB 1064 (GSC Clarifying Bingo License Statute)
Date: June 23, 2020

General Comments

Section 1 of this bill includes a recommendation from the General Statutes Commission to clarify the bingo license statute (G.S. 14-309.7) by (i) replacing legalese with plain English, (ii) eliminating technically unnecessary language, (iii) making technical amendments to conform to this State's drafting conventions, (iv) making stylistic changes to improve readability, (v) adding commas, and (vi) rephrasing unclear language. The Commission circulated a draft of these amendments to the State Bureau of Investigation, N.C. Sheriffs' Association, Inc., Department of Justice, Department of Revenue, Department of Agriculture and Consumer Services, N.C. Association of County Commissioners, N.C. League of Municipalities, and N.C. Center for Nonprofits. The Commission is unaware of any opposition to these amendments.

Section 1 of the bill also replaces references to the State Bureau of Investigation with references to the Alcohol Law Enforcement Division to conform to the current organization of the Department of Public Safety. Part I of S.L. 2019-203 relocated the Alcohol Law Enforcement Branch of the State Bureau of Investigation as a division of the Department of Public Safety. The Alcohol Law Enforcement Division is the licensing agency for organizations conducting bingo games and beach bingo games.

For Section 2 of the bill, please see the bill summary.

Specific Comments

Section 1(a) amends G.S. 14-309.7, which governs the licensing of organizations conducting bingo games, as follows:

- Throughout the section, replaces references to the State Bureau of Investigation with references to the Alcohol Law Enforcement Division to conform to the current organization of the Department of Public Safety.
- In subsection (a), replaces "may not" with "shall not" to be consistent with this State's drafting conventions and makes stylistic changes to improve readability.
- In subsection (b), adds an Oxford comma, eliminates technically unnecessary language, adds a cross-reference, replaces "organization" with "applicant" to be consistent with the rest of the subsection, and replaces legalese with plain English.
- In subsection (c), adds an Oxford comma, replaces legalese with plain English, clarifies an ambiguous reference, replaces "No . . . may" with "No . . . shall" to be consistent with this State's drafting conventions, and recodifies part of the subsection as subsection (c1).

- In subsection (c1), makes stylistic changes to improve readability, replaces legalese with plain English, replaces "must" with "shall" to be consistent with the rest of the section, and replaces "which" with "that."
- In subsection (d), replaces legalese with plain English.
- In subsection (e), eliminates technically unnecessary language, replaces legalese with plain English, makes stylistic changes to improve readability, replaces "may not" with "shall not" to be consistent with this State's drafting conventions, adds a missing comma, replaces "the licensing agency" with "the Division" (the name of the licensing agency), rephrases unclear language, and replaces "which" with "that."

Sections 1(b) and 1(c) similarly amend G.S. 14-309.11 and G.S. 14-309.14, respectively, to replace references to the State Bureau of Investigation with references to the Alcohol Law Enforcement Division to conform to the current organization of the Department of Public Safety.

Section 1(d) provides that this act becomes effective October 1, 2020, and applies to applications submitted on or after that date.