

**PROCLAMATION OF AMENDMENTS TO THE RECOMPILED RULES AND
REGULATIONS FOR THE OPERATION OF BINGO PURSUANT TO AMENDMENT
743 TO THE CONSTITUTION OF ALABAMA OF 1901**

Dated this the 10th day of October, 2023

WHEREAS, for the past ten (10) years, the Attorney General of Alabama has waged a campaign against the conduct of bingo in Greene County, Alabama pursuant to Amendment 743 to the Alabama Constitution ("the Amendment") and the Greene County Bingo Rules and Regulations ("the Rules"); and

WHEREAS, the Sheriff was given plenary regulatory powers by the Legislature by which these Rules are promulgated and which the Attorney General seeks to usurp; and

WHEREAS, while the Sheriff has consistently, conscientiously, and dutifully exercised his constitutionally-imposed and mandated duties to regulate bingo pursuant to rules promulgated by him, attacks against their validity continue. With these amendments, the Sheriff exercises his right to define "electronic marking machines" for the first time in state history and believes the issuance of these amended Rules eliminates the need for continued, protracted, expensive litigation; and

WHEREAS, should these efforts prevail, the will of the voters who ratified the Amendment and authorized the play of bingo using electronic marking machines will be overturned, the Constitution of Alabama will be amended by the Executive and Judicial branches of government, and the judgment of the Attorney General will be placed above that of the Legislature which approved the Amendment and the voters that ratified it; and

WHEREAS, the result of such action would be calamitous for the County as the economic benefit to the County that was conveyed by the Amendment's passage and ratification and that is presently derived from those who visit Greene County to play bingo would cease and the critical needs and services that are presently supported by the assessments generated by the Amendment and the Rules would be crippled if not eliminated altogether.

NOW THEREFORE, the Rules are hereby amended as follows and the affected sections are hereby repealed and replaced with the sections set forth below. The remaining sections of the Rules shall remain in full force and effect. The changes described in this Proclamation are for ease of reference only. A full set of the Rules incorporating these changes is attached. That set of the Rules shall supersede all previous versions of the Rules.

Section 2 of the Rules is hereby repealed and replaced to read as follows:

Section 2. Definitions.

The following words, terms and phrases when used in these Rules, shall have the meanings ascribed to them except where the context clearly indicates otherwise:

The Amendment. Amendment 743 to the Constitution.

Appeal. The exclusive, determinative, and final review of any decision under these Rules to the Sheriff.

Bingo. That game commonly known as Bingo in which prizes are awarded on the basis of designated numbers or symbols on a card or electronic marking machine conforming to numbers or symbols selected at random (whether or not electronic, computer, or other technological aids are used in connection therewith). To the extent that the foregoing elements are present in the game of Bingo, the definition of Bingo shall encompass all kinds and variations of Bingo from "call Bingo" in which designated numbers or symbols are drawn by a person and matched to numbers or symbols on a paper card as well as "electronic Bingo" where electronic devices and/or computers perform the operation of the game with microprocessors or other computer devices and interact with the human players by means of an electronic and/or computer console and an electronic marking machine and in which the numbers or symbols are selected at random by a computer and the card is present only in electronic format.

In the event that any controversy concerning whether or not certain activity, or type of activity, constitutes the game of "Bingo", as herein defined, and for which a License may be issued, the decision of the of the Sheriff shall control and shall be final.

The prizes or evidence thereof for winning Bingo games may be dispersed by the electronic devices or consoles used in playing such games at the time each game is won or on different schedules that reflect a record of wins and losses involving multiple games.

Bingo Card. A card, whether paper or electronic (so long as any electronic card is displayed on an Electronic Marking Machine), depicting a Bingo game and incorporates at least the following elements:

it must be clearly marked as a Bingo Card; and
it must be comprised of a five (5) by five (5) square grid with each column of the grid headed by a letter: "B" "I" "N" "G" or "O"; and each space of each column shall be populated by one (1) of seventy-five (75) numbers as follows:

- the column labeled "B" shall have one of five numbers between 1 and 15 in each of the five (5) spaces in the "B" column
- the column labeled "I" shall have one of five numbers between 16 and 30 in each of the five (5) spaces in the "I" column
- the column labeled "N" shall have one of five numbers between 31 and 45 in each of the five (5) spaces in the "N" column
- the column labeled "G" shall have one of five numbers between 46 and 60 in each of the five (5) spaces in the "G" column
- the column labeled "O" shall have one of five numbers between 61 and 75 in each of the five (5) spaces in the "O" column
- the centermost space of every Bingo card displayed on an Electronic Marking Machine shall be marked "FREE SPACE" and must bear the name of the Licensee and Bingo Facility where the Electronic Marking Machine is located

Bingo Equipment. Any electronic or mechanical equipment, machine or device, software, including Entertainment Phase games for play during a Bookend Bingo Session, or computer or other technologic hardware or device (including an electronic player station or player terminal), (i) which is installed, or is to be installed at a Bingo Facility and (ii) which is used, or can be used, to play Bingo as herein defined. Bingo Equipment includes any machine, device or hardware that assists a player or the playing of Bingo games (and it is this "machine" which assists a player in the playing of a bingo game that is referred to in Section 5), broadens the participation levels in a common game and includes all the ancillary Bingo supplies. Examples of Bingo Equipment include, but are not limited to, software, dispensers, readers, electronic player stations, player terminals, central computer services containing random number generators and other processing capabilities for remote player terminals, electronic consoles capable of providing game results in different display modes, telephones and telephone circuits, televisions, cables and other telecommunication circuits, and satellites and related transmitting and/or receiving equipment. All of these aforementioned items may also be known, when linked together, separately or severally, as "electronic marking machines" or may be part of the "electronic marking machine." Bingo Equipment shall not be deemed to be, for any purpose, a "gambling device" or "slot machine" within the meaning of the Code of Alabama 1975, § 13A-1 2-20 (5) and(10) or any other provision of law, whether now in effect or hereafter enacted.

Bingo Facility. An approved Location where Bingo games are operated by Nonprofit Organizations as provided in this Article. As long as Nonprofit Organizations are operating the Bingo games, the Bingo Facility may be owned or operated by an individual, partnership or for-profit organization.

Bingo Session. Any continuous series of Bingo games conducted pursuant to this Article provided that any session shall end and a new session shall start when the prize amount given out by the Nonprofit Organization operating a Bingo session exceeds ten thousand dollars (\$10,000.00) for each such Nonprofit Organization.

Bookend Bingo. Bookend Bingo shall be Bingo which is played during a Bookend Bingo Session on an Electronic Marking Machine and, other than Paper Card Bingo, shall be the sole form of Bingo permitted in Greene County.

Bookend Bingo shall consist of the following three (3) phases:

- the Beginning Phase.
- the Entertainment Phase, and
- the Completing Phase.

Bookend Bingo can only be played using the Bookend Bingo software approved by the Sheriff and shall be integrated within each Electronic Marking Machine so that the Entertainment Phase of a Bookend Bingo Session can only be accessed after playing the Beginning Phase on an Electronic Marking Machine and players may only be awarded points that can be converted to

cash or other prizes following the successful play of a Completing Phase Bingo game on the same Electronic Marking Machine.

If the Bookend Bingo software developer offers, the Sheriff approves an Integrated System, and if a Licensee chooses to adopt and implement that Integrated System, players may be allowed to move their points, once awarded during the Beginning Phase of a Bookend Bingo Session, from one Electronic Marking Machine to another during the Entertainment Phase of a Bookend Bingo Session provided that, no matter how many different Electronic Marking Machines a player may access and play during the Entertainment Phase, the points used to access the Entertainment Phase are awarded by playing the Beginning Phase Bingo and no cash or other prize may be awarded without playing and winning the Completing Phase Bingo game.

In no event shall the adoption of any Integrated System be deemed to be mandated by these Rules. Any Integrated System that is approved by the Sheriff must require that:

1. the Entertainment Phase of a Bookend Bingo Session can only be accessed after playing the Beginning Phase on an Electronic Marking Machine; and
2. players may only be awarded points that can be converted to cash or other prizes following the successful play of a Completing Phase Bingo game on an Electronic Marking Machine as a part of the Bookend Bingo Session.

The Beginning Phase. The Beginning Phase of a Bookend Bingo Session shall be that phase of the play of Bookend Bingo during which points may be won playing Bingo using an Electronic Marking Machine approved by the Sheriff and that has at least the following elements, as established by the Alabama Supreme Court:

1. Each player uses one or more cards with spaces arranged in five columns and five rows, with an alphanumeric or similar designation assigned to each space.
2. Alphanumeric or similar designations are randomly drawn and announced one by one.
3. In order to play, each player must pay attention to the values announced; if one of the values matches a value on one or more of the player's cards, the player must physically act by marking his or her card accordingly.
4. A player can fail to pay proper attention or to properly mark his or her card, and thereby miss an opportunity to be declared a winner.
5. A player must recognize that his or her card has a "bingo," i.e., a predetermined pattern of matching values, and in turn announce to the other players and the announcer that this is the case before any other player does so.
6. The game of bingo contemplates a group activity in which multiple players compete against each other to be the first to properly mark a card with the predetermined winning pattern and announce that fact.

See Barber et al. v. Cornerstone Community Outreach, et al., 42 So.3d 65 (Ala. 2010).

No Beginning Phase of a Bookend Bingo Session may be played with less than two (2) players.

At the conclusion of the Beginning Phase of a Bookend Bingo Session, players may be awarded points that they win while playing Bingo during the Beginning Phase of a Bookend Bingo Session. These points may be used to play entertainment games during the Entertainment Phase of a Bookend Bingo Session.

The Entertainment Phase. The Entertainment Phase of a Bookend Bingo Session shall be that phase of the play of Bookend Bingo during which points that were won playing bingo during the Beginning Phase of a Bookend Bingo Session can be used by a player to play other entertainment games during which the player can win additional points, or which can be used to play the Completing Phase. During the Entertainment Phase, a player must be able to lose some or all of the points and/or win additional points to those previously awarded during the Beginning Phase.

The Completing Phase. The Completing Phase of a Bookend Bingo Session shall be that phase of the play of Bookend Bingo during which points that have been won by players during the Beginning Phase and/or the Entertainment Phase can be used to play Bingo using an Electronic Marking Machine approved by the Sheriff and that has at least the following elements, as established by the Alabama Supreme Court:

1. Each player uses one or more cards with spaces arranged in five columns and five rows, with an alphanumeric or similar designation assigned to each space.
2. Alphanumeric or similar designations are randomly drawn and announced one by one.
3. In order to play, each player must pay attention to the values announced; if one of the values matches a value on one or more of the player's cards, the player must physically act by marking his or her card accordingly.
4. A player can fail to pay proper attention or to properly mark his or her card, and thereby miss an opportunity to be declared a winner.
5. A player must recognize that his or her card has a "bingo," i.e., a predetermined pattern of matching values, and in turn announce to the other players and the announcer that this is the case before any other player does so.
6. The game of bingo contemplates a group activity in which multiple players compete against each other to be the first to properly mark a card with the predetermined winning pattern and announce that fact.

See Cornerstone.

No Completing Phase of a Bookend Bingo Session may be played with less than two (2) players.

At the conclusion of the Completing Phase of a Bookend Bingo Session, players will be awarded any points that the player won playing Bingo during the Bookend Bingo Session. These points may be converted into a prize and/or cash equivalent and be redeemed by the player(s). In no event, however, shall a player be awarded more than ten thousand dollars (10,000.00) during any Bookend Bingo Session.

Bookend Bingo Session. A Bookend Bingo Session shall be the play of Bingo using an Electronic Marking Machine that includes at least the Beginning Phase of Bookend Bingo, but that may also include play during the Entertainment Phase of Bookend Bingo and the play of Bingo during the Completing Phase of Bookend Bingo.

All phases of a Bookend Bingo Session must be played utilizing an Electronic Marking Machine.

To commence the play of a Bookend Bingo Session, a player must purchase one or more Bingo cards from the Licensee. To activate the card(s), a Beginning Phase Bingo Game of Bookend Bingo must be played. During this Beginning Phase Bingo game(s), players may win points based on the cost of the Bingo cards purchased that are determined by the outcome of the Bingo game pattern(s) achieved in the Beginning Phase Bingo game. Winning game patterns may be via either interim or game ending patterns. The interim and game ending patterns and prizes shall be based on and be similar to and/or consistent with those commonly used in Bingo games that are achieved in any particular game.

To complete a Bookend Bingo Session, a player shall play a Completing Phase Bingo game. Players' winnings will be determined and may only be collected by playing a Completing Phase Bingo game. Winnings will be based on the outcome of the Bingo game pattern(s) achieved in the Completing Phase Bingo game. Winning game patterns may be via either interim or game ending patterns. The interim and game ending patterns and prizes shall be based on and be similar to and/or consistent with those commonly used in Bingo games that are achieved in any particular game.

Every Bookend Bingo Session must commence with the play of bingo on an Electronic Marking Machine.

Each Bookend Bingo game played during the Beginning and/or the Completing Phase on an Electronic Marking Machine must utilize a card that depicts a Bingo game and incorporates at least the following elements:

it must be clearly marked as a Bingo Card; and
it must be comprised of a five (5) by five (5) square grid with each column of the grid headed by a letter: "B" "I" "N" "G" or "O"; and each space of each column shall be populated by one (1) of seventy-five (75) numbers as follows:

- the column labeled "B" shall have one of five numbers between 1 and 15 in each of the five (5) spaces in the "B" column
- the column labeled "I" shall have one of five numbers between 16 and 30 in each of the five (5) spaces in the "I" column
- the column labeled "N" shall have one of five numbers between 31 and 45 in each of the five (5) spaces in the "N" column
- the column labeled "G" shall have one of five numbers between 46 and 60 in each of the five (5) spaces in the "G" column
- the column labeled "O" shall have one of five numbers between 61 and 75 in each of the five (5) spaces in the "O" column

- the centermost space of every Bingo card displayed on an Electronic Marking Machine shall be marked "FREE SPACE" and bear the name of the Licensee and Bingo Facility where the Electronic Marking Machine is located

There shall be no other displays on the Electronic Marking Machine's monitor screen during the play of the Beginning Phase and/or the Completing Phase Bookend Bingo game other than a Bingo card and a representation of the ball draw.

The speakers on the cabinet housing the Bingo game must broadcast the "calling" of each ball drawn during the play of the Beginning Phase and any Completing Phase Bookend Bingo game.

The players must physically mark or daub the numbers as they are announced on their Bingo card using the Electronic Marking Machine during the play of the Beginning Phase and any Completing Phase Bookend Bingo game.

The Beginning Phase and/or Completing Phase Bookend Bingo game must replicate Bingo play by permitting players to "sleep" a Bingo if they fail to pay attention and/or physically marking or daub a number when it is called thereby forfeiting any points, prizes, and/or cash equivalent to which the player would be entitled if he or she had claimed his or her winning Bingo pattern.

Players can win additional points or lose some or all of these points they accumulated during each phase of the Bookend Bingo Session depending on the outcome of the Bingo game(s).

Business Week. A seven (7) day period that begins at 12:01 a.m. on each Monday and ends at 12:00 midnight on the following Sunday.

Constitution. The Constitution of Alabama of 1901.

Designated Representative. A specified representative of an applicant organization and/or a License Holder who shall execute a statement agreeing to be responsible for ensuring Bingo played at any Bingo Facility pursuant to a Nonprofit Organization's License comply with the terms of any License issued to the applicant organization and/or License Holder, including the provisions of these Rules and The Amendment.

Electronic Marking Machine. An Electronic Marking Machine is an electronic device comprised of an electronic console that utilizes the Bookend Bingo software and where a Bingo card must be displayed and where the player can interact with the console to carry out the essential elements of Bingo which the Alabama Supreme Court has identified as:

1. Each player uses one or more cards with spaces arranged in five columns and five rows, with an alphanumeric or similar designation assigned to each space.
2. Alphanumeric or similar designations are randomly drawn and announced one by one.
3. In order to play, each player must pay attention to the values announced: if one of the values matches a value on one or more of the player's cards, the player must physically act by marking his or her card accordingly.

4. A player can fail to pay proper attention or to properly mark his or her card, and thereby miss an opportunity to be declared a winner.
5. A player must recognize that his or her card has a "bingo," i.e., a predetermined pattern of matching values, and in turn announce to the other players and the announcer that this is the case before any other player does so.
6. The game of bingo contemplates a group activity in which multiple players compete against each other to be the first to properly mark a card with the predetermined winning pattern and announce that fact.

See Cornerstone.

In order to more than comply with these requirements, an Electronic Marking Machine must incorporate each of these requirements as follows:

1. The Electronic Marking Machine must facilitate communication between players and between players and the house; and
2. The Electronic Marking Machine must allow each player to use one or more card(s) with spaces arranged in five (5) columns and five (5) rows, with an alphanumeric or similar designation assigned to each space; and
3. Every card available for play on an Electronic Marking Machine must include alphanumeric or similar designations that are randomly drawn and announced one by one; and
4. The Electronic Marking Machine allows players to select the card(s) they will play; and
5. The Electronic Marking Machine reads all the cards at the beginning of the game and remembers them until power is switched off; and
6. The Electronic Marking Machine utilizes the console speakers to audibly announce each ball drawn; and
7. The Electronic Marking Machine must facilitate a player's ability to physically mark or daub their Bingo card as the numbers are selected and called; and
8. The Electronic Marking Machine provides a means for recording not only the numbers called out by the dealer but also any pattern that is pre-defined as constituting "BINGO" or equivalently a win; and
9. In order to play Bingo on an Electronic Marking Machine, each player must pay attention to the values announced; if one of the values matches a value on one or more of the player's cards, the player must physically act by marking or daubing his or her card accordingly; and
10. If a player fails to pay proper attention or to properly mark or daub his or her card, and thereby misses an opportunity to be declared a winner, the player forfeits any prize he or she would have won had the player claimed his or her winning "bingo;" and
11. A player must recognize that his or her card has a "bingo," i.e., a predetermined pattern of matching values, and, in turn, announce to the other players and the announcer that this is the case before the next ball is drawn and/or announced; and
12. The Electronic Marking Machine must allow the players to notify other players and the house when a "BINGO" has been achieved, thereby entitling the winning player(s) to claim a prize and, if the pattern achieved is a game ending pattern, terminating the game; and

13. The game of Bingo is a group activity in which multiple players compete against each other to be the first to properly mark a card with the predetermined winning pattern and announce that fact; and
14. The Electronic Marking Machine requires player interaction and participation, and a player's inattention can result in them "sleeping" a bingo or even losing the game.

An Electronic Marking Machine does not change or deviate any aspect of the game commonly known as Bingo but, instead, provides an electronic means of physically marking or daubing and interacting with the other players and the house, and calling, "BINGO."

Integrated System. An Integrated System is that software that, while not mandated by these Rules, is approved by the Sheriff and that, if implemented by a Licensee, allows the Bookend Bingo software to integrate across multiple vendor platforms to track a player's activities so that that player can seamlessly move from one Electronic Marking Machine to another to play the Entertainment Phase games from different vendors while ensuring that every player, no matter how many Entertainment Phase games the player may play, on how many different machines, from how many different vendors, play a Beginning Phase Bookend Bingo game to commence their Bookend Bingo Session and play a Concluding Phase Bookend Bingo game to win and claim their prize(s). An Integrated System can include back-office accounting systems and server-based Entertainment Phase gaming systems with integrated entertaining displays. Any Licensee that chooses not to implement an Integrated System must ensure that players play each Bookend Bingo Session on a single Electronic Marking Machine.

License. A License issued pursuant to the provisions of this Article.

License Holder. Any Nonprofit Organization or Vendor that has been issued a License by the Sheriff pursuant to these Rules.

Location. A building, hall, enclosure, room or other indoor area that has been inspected and approved by the Sheriff for the conduct of Bingo games that also complies with all Federal, State and local laws and applicable building and fire codes, as well as any other further regulations as prescribed by the Sheriff.

Nonprofit Organization. Any bona fide religious, educational, service, senior citizens', fraternal or veterans' organization which operates without profit to its members or is exempt from taxation by virtue of having been classified as a nonprofit organization by the State of Alabama and/or the Internal Revenue Service of the United States Government. This term includes, but is not limited to, a volunteer fire department and a volunteer rescue squad. Nonprofit Organizations need not be domiciled in the State of Alabama. There shall be no limit on the number of Nonprofit Organizations the Sheriff may authorize to operate Bingo games at a Bingo Facility.

Office of the Sheriff. The Office or Department of the Sheriff and its employees, representatives, agents, and/or other designated representatives.

Prizes Given. Cash or prizes of equivalent value awarded in "call Bingo" or in the case of "electronic Bingo," cash or prizes given by the Bingo Facility cashier to players at the completion of play.

Rules. The Recompiled Rules and Regulations.

Sheriff. The Sheriff of Greene County, Alabama.

Vendor. Any person, company, corporation, or other entity that provides equipment, software, including Entertainment Phase games for play during a Bookend Bingo Session, facilities, or services to a License Holder and/or Bingo Facility.

Section 4 of the Rules is hereby repealed and replaced to read as follows:

Section 4. Licensure and Regulation.

A. Bingo License.

(1) Any Nonprofit Organization wishing to conduct bingo in Greene County shall apply for a license to do so from the Office of the Sheriff by filing, with the Office of the Sheriff, a written application for a license on a form prescribed by the Sheriff. The application fee, which shall be due at the time the application is submitted, shall be:

(a) Ten thousand dollars (\$10,000.00) for a one (1) year License or

(b) Fifty thousand dollars (\$50,000.00) for a three (3) year License.

If a License is not issued, the application fee shall be returned to the applicant.

The application fee shall be in addition to the Assessments provided for in Section 5 below.

(2) A License must be renewed by filing a renewal application with the Office of Sheriff within thirty (30) days prior to the date of expiration of the License on a form prescribed by the Sheriff. The License renewal fee shall be:

(a) Ten thousand dollars (\$10,000.00) for a one (1) year License renewal or

(b) Fifty thousand dollars (\$50,000.00) for a three (3) year License renewal.

The issuance of a License shall in no way create a property interest in continued licensure nor confer a legal right to the granting of a subsequent renewal License application. The Office of Sheriff shall issue or deny applications for renewal Licenses in the same manner as the issuance or denial of an original application for a License including, but not limited to, acceptable results to the investigation herein prescribed. Whether the results of the investigation are "acceptable" shall be solely and finally determined by the Sheriff.

- (3) In each application there shall be identified a Designated Representative of the Nonprofit Organization under whom the games of Bingo are proposed to be conducted. The Designated Representative shall be responsible for ensuring that the conduct of such Bingo games shall be in accordance with the terms of any License issued to the Nonprofit Organization, the provisions of the Constitution, the Amendment, and these Rules. Persons other than the Designated Representative may participate in the operation of the Bingo games, subject to the supervision of the Designated Representative. Should the Designated Representative change, the application on file with the Office of the Sheriff shall be updated to substitute the new Designated Representative's name. Any change in the Designated Representative shall be subject to the approval of the Sheriff prior to taking effect.
- (4) The Office of the Sheriff shall cause to be investigated the qualifications of each applicant organization as provided under these Rules with due expedition after the filing of an application. To accomplish this investigation, the Office of the Sheriff shall examine and have unfettered and unrestricted access to any and all documents, financial instruments, bank records, financial records, any other documents by whatever name known and in whatever form found belonging to and/or in the possession of (constructive or otherwise), pertaining to, relating to, mentioning any applicant organization being investigated as well as any officer, agent, employee, shareholder of any such applicant organization. The investigation shall include at least the following:
- (a) The relationship between the Nonprofit Organization and its Vendors;
 - (b) Whether any Bingo Equipment to be placed at a Bingo Facility meet the requirements of the Constitution, the Amendment, and these Rules, as well as any other legal requirements whether statutory or created by common law;
 - (c) Whether any building in which a facility is proposed to be located, as well as any fixtures or appurtenances affixed or adjacent thereto, meets the requirements of any and all applicable municipal building codes and/or county building codes and/or state building codes and/or national building codes, as well as any and all requirements of the Constitution, the Amendment, and these Rules;
 - (d) The relationship between the Nonprofit Organization, its members, its officers, its directors, employees, and any organized criminal syndicate or other known criminal figures;
 - (e) Whether the Bingo Facility meets the requirements of the Constitution, the law of Alabama, and these Rules promulgated by the Sheriff;
 - (f) Whether the Bingo Equipment to be used is fair to the general public and free of any tampering and/or manipulation that would render the numbers generated and/or selected anything other than "at random" or "randomly."

- (5) As part of the application process, the Sheriff shall verify that the applicant is a Nonprofit Organization and that the procedures and practices it intends to use in operating the Bingo games fully comply with the Constitution, the law of Alabama, and these Rules, and any applicable amendment to the Constitution, and that the Nonprofit Organization's work is in the best interests of Greene County, Alabama and its citizens. The Sheriff can make this finding based upon the recommendation of any representative appointed pursuant to these Rules to make such investigation or on such other information as he deems sufficient to allow him to reach a conclusion.

B. Vendor License.

- (1) Any person and/or entity intending to provide Bingo Equipment to any Licensed Facility in Greene County shall, by November 9, 2023, apply for a license to do so from the Office of the Sheriff by filing, with the Office of the Sheriff, a written application for a license on a form prescribed by the Sheriff.

APPLICATION FOR LICENSURE UNDER THIS SECTION SHALL SUBJECT THE APPLICANT AND/OR LICENSEE TO THE JURISDICTION OF THE OFFICE OF SHERIFF.

THE OFFICE OF SHERIFF SHALL RETAIN JURISDICTION OVER ALL APPLICANTS AND/OR LICENSEES UNDER THIS SECTION FOR AS LONG AS THE APPLICATION REMAINS PENDING AND/OR THE LICENSE REMAINS IN EFFECT.

AN APPLICANT AND/OR LICENSEE SHALL NOTIFY THE SHERIFF OF ANY MATERIAL CHANGE TO ANY INFORMATION IT HAS SUPPLIED ON AN APPLICATION WITHIN THIRTY (30) DAYS OF SUCH CHANGE OCCURRING.

The application fee, which shall be due at the time the application is submitted, shall be five thousand dollars (\$5,000.00) for a one (1) year License.

If a License is not issued, the application fee shall be returned to the applicant.

- (2) A License must be renewed by filing a renewal application with the Office of Sheriff within thirty (30) days prior to the date of expiration of the License on a form prescribed by the Sheriff. The License renewal fee shall be five thousand dollars (\$5,000.00) for a one (1) year License renewal.

The issuance of a License shall in no way create a property interest in continued licensure nor confer a legal right to the granting of a subsequent renewal License application. The Office of Sheriff shall issue or deny applications for renewal Licenses in the same manner as the issuance or denial of an original application for a License including, but not limited to, acceptable results to the investigation herein prescribed. Whether the results of the investigation are "acceptable" shall be solely and finally determined by the Sheriff.

- (3) The Office of the Sheriff shall cause to be investigated the qualifications of each applicant organization as provided under these Rules with due expedition after the filing of an application. To accomplish this investigation, the Office of the Sheriff shall examine and have unfettered and unrestricted access to any and all documents, financial instruments, bank records, financial records, any other documents by whatever name known and in whatever form found belonging to and/or in the possession of (constructive or otherwise), pertaining to, relating to, mentioning any applicant organization being investigated as well as any officer, agent, employee, shareholder of any such applicant organization. The investigation shall include at least the following:
- (a) Whether any Bingo Equipment to be placed at a Bingo Facility meet the requirements of the Constitution, the Amendment, and these Rules, as well as any other legal requirements whether statutory or created by common law;
 - (b) A criminal background investigation into the principals;
 - (c) The relationship between the licensee, its members, its officers, its directors, employees, and any organized criminal syndicate or other known criminal figures;
 - (d) Whether the Bingo Facility meets the requirements of the Constitution, the law of Alabama, and these Rules promulgated by the Sheriff;
 - (e) Whether the Bingo Equipment to be used is fair to the general public and free of any tampering and/or manipulation that would render the numbers generated and/or selected anything other than "at random" or "randomly."

A new Section 6 of the Rules is hereby inserted that reads as follows:

Section 6. Bookend Bingo.

The Office of the Sheriff has participated in the development of a universal software application, known as "Bookend Bingo." No electronic bingo game which was previously authorized and played pursuant to these Rules shall be authorized or played except as a part of a Bookend Bingo Session.

The Beginning Phase Bingo games and the Completing Phase Bingo games must commence at least every thirty (30) minutes.

To establish and maintain uniform game play that operates with integrity and to eliminate the disputed claims that underlie and propagate the disputes that have led to years of contentious litigation and produced an uncertainty that endangers the quality of life in Greene County, every Licensee shall mandate the implementation of the approved Bookend Bingo software on any Electronic Marking Machine operating within its Bingo Facility. All Electronic Marking Machines within any Bingo Facility in Greene County shall be fully integrated with the Bookend Bingo software within forty-five (45) days of October 10, 2023. Any noncompliant machine(s) in

a Bingo Facility after November 24, 2023, shall be disabled and removed from the Bingo Facility. Any Bingo Facility that fails to comply with this Section shall cease operations on November, 24 2023, and not resume operations until all software within the Bingo Facility has become fully compliant with this Section.

A new Section 6 of the Rules is hereby inserted that reads as follows:

Section 7. Paper Bingo

Bingo may be played on paper cards. However, all such cards must bear a stamp of the Greene County Sheriff's Department and also have the name of the licensee clearly marked on said card(s). Furthermore, all such cards shall be purchased from the Greene County Sheriff's Department. No paper card(s) which has/have not been purchased from the Greene County Sheriff's Department shall be used at any Bingo Facility.

The remaining sections of the Rules shall be renumbered so that:

- Section 6 becomes Section 8 and
- Section 7 becomes Section 9 and
- Section 8 becomes Section 10 and
- Section 9 becomes Section 11 and
- Section 10 becomes Section 12 and
- Section 11 becomes Section 13 and

WHEREAS, the attached "Recompiled Rules and Regulations for the Operation of Bingo Pursuant to Amendment 743 of the Constitution of Alabama of 1901 in Greene County, Alabama" are a complete and accurate set of the rules and regulations and are intended by the Sheriff to replace, in their entirety, any and all previous rules and regulations and amendments thereto for the operation of charitable Bingo in Greene County, Alabama, pursuant to Amendment 743.

These Rules shall be effective immediately on their signing on this the 10th day of October, 2023 and shall continue in full force and effect continuously hereafter until such time as the Sheriff may, in the future, amend and/or revise them.


Sheriff Jonathan "Joe" Benison