

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 3. Authorization.**

It shall be lawful, pursuant to Amendment Number 743 to the Constitution for any Nonprofit Organization, upon obtaining a License to conduct Bingo at a Location.

**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."

**Section 5. Assessments.**

There is assessed on each License Holder operating a Bingo Facility, assessments to be aid as set forth in this Section. Regardless of the number of pieces Bingo Equipment actually in operation, each License Holder shall calculate and remit the assessments due under this Section of these Rules on a minimum of five hundred (500) pieces of Bingo Equipment at all times. Should any Bingo Facility have more than five hundred (500) pieces of Bingo Equipment in operation, the License Holder shall calculate and remit the assessments due under this Section of these Rules on the greatest number of pieces of Bingo Equipment in operation each month. The assessments due under this Section shall be paid as follows:

- (a) An amount of one hundred thirty-three dollars and eighty-five cents (\$133.85) shall be assessed upon each pieces of Bingo Equipment (electronic player station or player terminal) used at any Location pursuant to the provisions of these Rules. This assessed amount shall be paid by the Nonprofit Organization to the County Supplement Fund on the first (1st) business day of each month during each calendar year for which the License is issued. This assessed amount shall be used by the Sheriff, among other things, to make monthly payments to the Greene County Commission its use for any lawful purpose to benefit the public good/welfare in general for the citizens of Greene County. Any excess funds may be used by the Sheriff for any lawful purpose to benefit the public good/welfare in general for the citizens of Greene County. The assessments levied pursuant to this Section may be reallocated by the Sheriff via the monthly assessments letters issued by him without requiring further amendment of these Rules.
- (b) An amount of ninety-six dollars and fourteen cents (\$96.14) shall be assessed upon each pieces of Bingo Equipment (electronic player station or player terminal) used at any Location pursuant to the provisions of these Rules. This assessed amount shall be paid by the Nonprofit Organization to the Office of the Greene County Sheriff on the first (1st) business day of each month during each calendar year for which the License is issued.



These assessed amount(s) shall be used by the Office of the Sheriff for any lawful purpose to benefit the public good/welfare in general for the citizens of Greene County.

- (c) Funds required to be paid under this Section shall be made by personal check and/or cashier's check and/or a bank's "official check." Funds shall not be paid by cash and cash will not be accepted. If payment is made by personal check and said check is not honored for any reason, the Sheriff may assess an insufficient funds fee of thirty dollars (\$30.00). The License Holder may be thereafter required to make future payment(s) only by cashier's check or a bank's "official check."
- (d) Each License Holder shall write its own checks and shall perform its own accounting and calculations required by this Section, subject to verification by the Office of the Sheriff. Checks should be made payable to each individual recipient in accordance with the monthly assessments letters issued by the Sheriff. Each Licensee shall deliver its checks to the Bingo Clerk of the Office of the Sheriff by the deadlines imposed by the first (1st) day of each month. The Office of the Sheriff will thereafter ensure the delivery of the checks to each individual recipient identified in the monthly assessment letters issued by the Sheriff.
- (e) Failure to remit the assessed amounts as directed in the monthly assessment letters issued by the Sheriff by the end of the first (1st) business day of each month shall result in a penalty of twenty five percent (25%) of the total assessed amounts due under these Rules which said assessed amount is due and payable on the second (2nd) business day of the month. For each additional day the assessed amount remains unpaid, a fixed amount of one thousand dollars (\$1,000.00) per day shall be assessed and paid to the Office of the Sheriff.
- (f) At any time after the fifth (5th) business day wherein the Licensee fails and/or refuses to remit the assessed amounts due, the Office of the Sheriff may order said Bingo Facility closed until all assessed amounts due pursuant to this Section are paid in full. The Office of the Sheriff may additionally exercise its option to revoke and/or rescind and/or nonrenew the License of a License Holder whose assessments are delinquent by more than five (5) business days.

#### **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.

#### **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.

#### **Section 8. General Regulations.**

- (a) No person or organization shall conduct any game of Bingo except under a License issued pursuant to these Rules.
- (b) A License Holder may hold only one License and that License shall be valid for only one Location in Greene County, Alabama. A License is not assignable or transferable and shall become automatically void upon the change of name, dissolution, loss of charter, or, if the License Holder is a tax-exempt organization under section 501 of the Internal Revenue Code, upon the loss of exemption from taxation under the Internal Revenue Code.
- (c) The Sheriff shall refuse to grant a License or to renew a License to any applicant or License Holder unless and until the applicant or License Holder fully provides the information required in this Section in a form and in sufficient detail to satisfy the Sheriff. The Sheriff shall have complete discretion to require any reasonable confirming documentation as to any information required hereunder and shall have a reasonable length of time to check, verify, and/or confirm by any method available to him, the accuracy or validity of any information provided hereunder.
- (d) Each License shall contain the name and address of the License Holder, the Location at which the License Holder is permitted to conduct Bingo games, the days of work on which the License Holder is permitted to conduct Bingo games, the date on which the License was issued, and the date on which it expires.
- (e) The License Holder shall display the License conspicuously at the Location where Bingo is conducted at all times during the conduct of a Bingo game in a location from which it can be viewed by the general public.

- (f) These Rules shall be available to the general public at, among other places, the Office of the Sheriff.
- (g) Each Location shall be insured through a general liability insurance policy in an amount not less than five million dollars (\$5,000,000.00). If liquor is served at the Location, each Location shall also be insured through a policy of liquor liability insurance in an amount not less than one million dollars (\$1,000,000.00) per occurrence. Current proof of insurance shall be kept on file with the Office of the Sheriff.
- (h) Each Location shall have on-site security as prescribed and approved by the Sheriff.
- (i) Each Location shall have first aid personnel as prescribed and approved by the Sheriff.
- (j) If any License Holder pays out in prizes in excess of ten thousand dollars (\$10,000.00) during any Bingo session, said License Holder shall self-report the violation to the Office of the Sheriff (in writing) within forty-eight hours of each violation, at which point the License Holder will be subject to pay a penalty of two thousand dollars (\$2,000.00) per week during which such violation occurred. The fine is prescribed herein is payable within twenty-four (24) hours of the conclusion of a business week. If the License Holder fails to self-report a violation, the License Holder is subject to the revocation of its License immediately.
- (k) All Nonprofit Organizations licensed under these Rules shall be required to maintain a separate checking account for Bingo operations, into which all Bingo funds are deposited and from which all Bingo disbursement checks are written. The Bingo checking account shall be maintained in addition to any other checking or savings account by the Nonprofit Organization.
- (l) No person who has been convicted of a felony offense and whose civil rights have not been restored by law shall conduct or in any way participate in the operation of any Bingo game permitted hereunder. No person who has been convicted of any gambling offense will be permitted to conduct, or, in any way to participate in the operation of, any Bingo game permitted hereunder within twelve (12) months of the conviction. No person who was, or is, an associate of any person, connected with, or known to be connected with, any known criminal organization shall be permitted to conduct or in any way participate in the operation of any Bingo game permitted hereunder.
- (m) Each Bingo Facility shall have a parking lot that conforms with all applicable statutes and code regulations. In no event, however, shall a Bingo Facility have less than 75 parking spaces per machine operating inside the Bingo Facility. For example, a Bingo Facility with five hundred (500) machines would be required to have a minimum of three hundred and seventy-five (375) parking spaces.
- (n) Each License Holder shall post, in a conspicuous location in the Bingo Facility it operates, the License Holder's name, the name of the Designated Representative, its mailing address, and its telephone number. The Designated Representative shall be primarily responsible

for the resolution of any customer complaint received by the License Holder. Upon receipt of a complaint, the License Holder shall document the complaint and all actions it takes to address the complaint. A copy of any such complaints shall be provided to the Office of the Sheriff within seven (7) calendar days of receiving the complaint. Within thirty (30) days of the receipt of the complaints, the License Holder shall notify the Office of the Sheriff of the resolution to the complaint. If any complaint is not resolved within thirty (30) days, the License Holder shall continue to provide the Office of the Sheriff with reports on the status of the resolution of the complaint at least monthly until resolved.

- (o) All bingo must be played on the physical premises of the licensed location on a card and/or machine bearing a stamp as provided for in C.A. 743. Any violation of this rule shall result in immediate closure of the Bingo Facility and/or assessment of five thousand dollars (\$5,000.00) per day for each day of violation, to be determined at the sole discretion of the Sheriff. Repeated violation of this rule may result in forfeiture/revocation of the License.
- (p) If any License Holder and/or any other individual/entity chooses to appeal/challenge/overtake/change and/or alter in any way, form or fashion any decision and/or action of the Sheriff concerning
  - (i) an alleged violation of this Section and/or
  - (ii) amount(s) owed for alleged violations of this Section and/or
  - (iii) any order that a Bingo facility be closed

the License Holder shall suspend and/or halt the play of Bingo until such time as the Sheriff's decision is either affirmed or overturned/changed/altered.

#### **Section 9. Records and Accounting.**

Each License Holder shall keep and maintain the following records and accounts pertaining to each Bingo session conducted by it for at least three (3) years from the date of such session:

- (a) An itemized list of all gross receipts for each Bingo session, which shall include all receipts derived from the sale of Bingo cards, entrance fees, donations or from any other source whatsoever pertaining to the operation of such session; and
- (b) An itemized list of all expenses, costs and disbursements, other than prizes paid or given as a result of the operation of any Bingo session, together with the name and address of each person to whom said Bingo expenses, disbursement or consideration was paid or given; and
- (c) A receipt or invoice for all items purchased and for all services rendered; and such other records as will adequately reflect the amount and nature of such expenses, costs and disbursements.

All records, receipts, accounts and/or lists required to be kept and maintained by this Section shall be open to inspection by the Office of the Sheriff during reasonable business hours.

**Section 10. Enforcement and Supervision; Rules.**

The Office of the Sheriff is vested with the powers granted to it/them by the law, the Constitution, and the Amendment to enforce and supervise the administration and enforcement of these Rules. All Bingo Facilities shall be open for inspection by the Office of the Sheriff during all times at which Bingo games are being conducted and during all other reasonable business hours. In no event should these Rules be construed to in any way limit the authority of the Office of the Sheriff to enforce any and all applicable criminal and/or civil law(s) of the State of Alabama to prevent and/or discourage any illegal activity(ies).

**Section 11. Revocation of Permits; Appeal.**

The Office of the Sheriff, for good cause shown, may revoke or deny an application for a renewal of any License issued pursuant hereto if the License Holder violates any provision of these Rules, provided, however, that no License may be revoked without complying with the following procedures:

- (a) Except as provided for in Section 5 of these Rules, the Office of the Sheriff must deliver or cause to be delivered to the Designated Representative thirty (30) days written notice of its intention to revoke a License Holder's License and the grounds therefore in specific detail to allow the License Holder to cure any alleged violation of any rule/regulation herein.
- (b) In curing the alleged violation, the Office of the Sheriff may require a License Holder to post a bond for an amount which will ensure that additional violations will not occur. The amount of said bond will be in an amount set at the sole discretion of the Office of the Sheriff.
- (c) If the License Holder cures the violation within the thirty (30) day notice period, no revocation will be affected.
- (d) In the event that the Office of the Sheriff does not consider the violation cured within the thirty (30) day notice period, the revocation shall become effective. The Sheriff's decision as to whether a violation has been "cured" shall be final.
- (e) If a License Holder violates the same or a substantially similar rule or regulation more than twice within any three (3) month period, the License Holder will not be entitled to be given thirty (30) days to cure any alleged violation but will immediately either cease and desist all Bingo operations, pay a fine to the Office of the Sheriff in an amount set at the sole discretion of the Sheriff, or both. The appropriate fine(s) to be imposed under this Section shall be determined solely and finally by the Sheriff.

## **Section 12. Advertising.**

No advertisement of any kind, whether on a billboard, printed materials that are displayed or handed out at the facility, or pictures or language posted on social media may contain casino-style imagery such as dice, cards, poker chips, roulette wheels, words, or other images that depict or imply the play of any game other than Bingo.

The advertisement of Bingo operations which can be seen and/or noticed by a motorist(s) and/or passenger(s) in a motorized vehicle traveling along a Federal Highway in the State of Alabama shall be allowed only if:

- (a) any lights used in the advertisement are clear and/or white and do not blink; and
- (b) any billboard is of standard size, that is, no more than fourteen (14) feet high and forty-eight (48) feet wide.

If there is any dispute regarding whether any particular advertisement is in conflict with this Section, the Sheriff shall conclusively decide the matter. Also, if any Licensee and/or other affected and/or interested party attempts to overturn and/or change and/or alter in any way the decision of the Sheriff, the advertisement itself shall be removed during the pendency of the effort to overturn and/or change, and/or alter the decision of the Sheriff. "Removed" means taken down and/or disassembled entirely.

Once the Sheriff renders a final determination regarding any particular advertisement's compliance or noncompliance with this Section, any attempt to challenge and/or appeal and/or overturn and/or change and/or alter the decision of the Sheriff in any way shall result in the suspension of the play of Bingo at the Bingo Facility attempting to challenge and/or appeal and/or overturn and/or change and/or alter the decision of the Sheriff.

Licensees may advertise the play of Bingo by and through any and all forms of media. However, no advertisement of any kind, regardless of media or platform used, shall contain casino-style imagery such as dice, and/or playing cards (not to include Bingo cards) and/or poker chips and/or roulette wheels and/or words and/or other images that depict and/or imply and/or suggest the play of any game other than Bingo. The Sheriff shall be the final arbiter regarding compliance of any advertisement with the spirit of this Rule and his decision shall be final.

Each advertisement shall indicate in the advertisement the purposes for which the net proceeds will be used by the licensee.

No other individual and/or entity other than a licensee is permitted to advertise the play of Bingo.

No licensee shall advertise and/or promote in any manner the play of any game other than Bingo.

No Licensee shall advertise and/or suggest and/or imply in any form or fashion the possibility of a player(s) being awarded any prize and/or jackpot and/or community prize and/or award of any kind (whether in cash, equivalent prizes, and/or a combination of both) in excess of ten thousand dollars (\$10,000.00) per session. For purposes of these Rules, an award in excess of ten thousand

dollars (\$10,000.00) shall be an award of any prize(s) and/or jackpot(s) and/or community prize(s) and/or award(s) of any kind (whether in cash, equivalent prizes, and/or a combination of both) which is awarded at one time no matter how many players shall divide the award/prize/jackpot/community prize. The Sheriff shall be the final arbiter regarding compliance with this rule and his decision regarding compliance shall be final.

The Sheriff shall be the final arbiter regarding any License Holder's compliance with these rules regarding advertising, and his decision shall be final. The Sheriff shall issue written notification to any License Holder regarding the Sheriff's decision regarding violation of this section. The License Holder shall have forty-eight (48) hours to rectify the violation. For every day beyond the forty-eight (48) rectification period which the License Holder continues to violate this Section said License Holder will pay one thousand dollars (\$1,000.00) per day to the Greene County Sheriff's Department, and the bingo establishment may be closed by the Sheriff's Department until such time as the violation is rectified. This rule applies to billboards as well as any other form of advertisement/promotion and License Holders are urged to have the Sheriff's Department review any proposed billboards prior to posting. The Sheriff's Department may order closed any Bingo establishment until the amount(s) owed pursuant to this rule are paid in full.

If any License Holder and/or individual/entity chooses to appeal/challenge/overturn/change and/or alter in any way, form or fashion any decision of the Sheriff concerning (i) an alleged violation of this Section and/or (ii) amount(s) owed for failure to rectify an alleged violation in a timely manner and/or (iii) any order that a Bingo establishment be closed, the License Holder shall suspend and/or halt the play of Bingo until such time as the Sheriff's decision is either affirmed or overturned/changed/alterd. License Holders shall continue to be liable for one thousand dollars (\$1,000.00) per day during the pendency of any appeal and/or challenge (of whatever kind, form and/or fashion).

### **Section 13. Non-Exclusivity.**

Any and all Bingo Equipment which is placed in a Bingo Facility must be made available to all Bingo Facilities that desire to buy and/or lease and/or rent and/or license said Bingo Equipment on the same general terms and for the same generation and/or version and/or iteration. If any Vendor limits (in any manner) the use of its Bingo Equipment to the exclusion of any other Bingo Facility that requests to obtain Bingo Equipment it has placed at another Bingo Facility, the Vendor will not be allowed to continue having its Bingo Equipment in use at any Bingo Facility until such time as the Bingo Equipment is made available for use by every Bingo Facility requesting access to the Vendor's Bingo Equipment.

**Exception:** A Vendor shall not be required to supply Bingo Equipment and/or otherwise do business with any person/entity who/which owes money to the Vendor from a previous use and/or purchase of Bingo Equipment. Proof of such alleged debt will be required in the form of written and/or electronic request(s) for payment made at the time that the alleged debt accrued. Further, no Vendor will be required to do business with any person/entity who/which is in breach of contract with the Vendor. If a controversy exists as to whether a person/entity is in breach of contract, the Sheriff will render a final determination regarding the applicability of this Section.

By placing Bingo Equipment in a Bingo Facility, a Vendor agrees to submit itself to the terms of Section 13 of these Rules for the resolution of any and all controversy(ies) related to and/or arising in any manner out of the play of Bingo and/or any decision and/or action of the Sheriff. If any Vendor does not wish to be bound by this Section and/or Section 13 of these Rules, it should immediately remove all of its Bingo Equipment from Greene County, Alabama. Continued deployment of a Vendor's Bingo Equipment in a Location in Greene County will be prima facie evidence of the Vendor's consent to these Rules.

**Section 14. Penalties for Violations of these Rules.**

Violations of the Amendment and/or these Rules shall be:

- (1) A class A misdemeanor; and
- (2) When deemed appropriate by the Sheriff of Greene County, a basis for revocation and/or non-renewal of any such License issued by the Sheriff.

**Section 15. Exclusive Dispute Resolution.**

Any dispute that arises in any matter whatsoever related to or arising from the application for a license and/or award and/or denial of an application and/or the renewal and/or the nonrenewal and/or the revocation of a License to operate Bingo pursuant to the Amendment and/or these Rules, the possession of a License to operate Bingo pursuant to the Amendment and/or these Rules, or the operation and/or attempted operation of Bingo pursuant to a validly issued License pursuant to the Amendment and these Rules shall be resolved by Appeal. This Appeal shall be the exclusive remedy available to nonprofit organizations applying for and/or holding a License to operate Bingo pursuant to the Amendment and these Rules regarding any issue relating to the operation and/or playing of Bingo pursuant to the Amendment and these Rules including, but not limited to, the operation of Bingo and/or a decision granting or denying a new or renewal License and/or the approval or denial of a proposed Location for the operation of Bingo and/or the decision to revoke, suspend, or cancel a previously issued License and/or any other administrative decision relating to the licensing and/or operating and/or playing of bingo in Greene County. This Section applies to all disputes whether the dispute involves and/or requests money damages and/or requests equitable relief. This Section applies to, but is not limited to, any act/omission alleged in a civil suit and/or civil dispute of any kind to constitute a criminal act and/or deprivation of any civil right.

A dispute covered by this Section shall be submitted in writing as an Appeal within sixty (60) days of the dispute arising. The Appeal should describe the dispute in particularity, set forth the basis for the Appeal and the resolution being requested, and provide all relevant facts and/or authority supporting the appellant's position. A final decision may be rendered by the Sheriff with or without a hearing.

The application for a License, acceptance of a License, or the continued operation pursuant to an existing License after the effective date of these Rules shall be deemed to constitute an agreement by the applicant or License Holder to subject itself to this exclusive dispute resolution process. If



any current License Holder is unwilling to submit to this Section, it should immediately cease operation of its Bingo operations pursuant to that License and surrender the License to the Office of the Sheriff. Any Vendor or License Holder that continues to operate and/or conduct business regarding and/or related in any manner to and/or arising out of and/or associated in any manner with Bingo in Greene County, Alabama, on and/or after the date of the issuance of these Rules shall be deemed to have consented to being bound by these Rules in general and this Section in particular by and through their continued operation of Bingo activities in Greene County, Alabama. Any applicant, Vendor, and/or License Holder that does not consent to be bound by these Rules in general and this Section in particular should immediately cease its Bingo operations in Greene County, Alabama. If a License Holder does not consent to be bound by these Rules in general and this Section in particular, it should also immediately surrender its License to the Sheriff.

The Appeal provided for in these Rules in general and this Section in particular is intended to be an administrative remedy. Should a court, however, determine that this process is in any way deficient or defective, the Appeal shall, at the least, be deemed to be a condition-precedent to the filing and/or initiation of any dispute resolution process with any judicial or quasi-judicial entity. In the event of such a ruling or finding, nothing in these Rules and/or this Section should be construed as a waiver and/or abandonment of the arbitration requirement(s) and procedures as expressed in the previous iteration(s) and amendments to the Greene County Bingo Rules and Regulations concerning the duty to arbitrate disputes as they were most recently constituted prior to the date of these Rules. Specifically, any and/or all controversy(s) and/or claim(s) and/or dispute(s) arising out of and/or in any way related to (i) these Rules and/or (ii) the Sheriff's decisions and/or duties and/or responsibilities and/or authority granted to, conferred upon, and/or required of the Sheriff by these Rules and/or the Amendment, and/or (iii) the scope of any such duties and/or responsibilities and/or authority, and/or (iv) any and/or all decisions made and/or rendered and/or adopted by the Sheriff concerning and/or related to the Amendment, these Rules and/or the duties and/or responsibilities and/or authority granted to, conferred upon, and/or required of the Sheriff by the Amendment and these Rules shall be handled and/or litigated and/or decided through binding arbitration administered by the American Arbitration Association pursuant to the rules promulgated by the American Arbitration Association. Alabama law shall apply. The place of arbitration shall be Birmingham, Alabama. The issue of arbitrability shall be controlled by these Rules when being decided by the arbitrator(s).

Nothing in this Section should be construed as a waiver and/or abandonment of the fact that the Constitution vests the Sheriff with full complete, and final authority regarding the licensing and regulation of all matters related to Bingo pursuant to the Amendment and these Rules.

All disputes, however brought and/or resolved, shall acknowledge, respect, and recognize that the Constitution vests the Sheriff with complete and final authority regarding licensing and regulation of all matters related to Bingo authorized by the Amendment.

Any and all Vendor(s), applicant(s) for a license, and License Holder(s) who file suit naming the Sheriff as a defendant and/or that are engaged in the arbitration of a dispute as contemplated hereunder agree that it has no right to continue to do business in Greene County during the pendency of any suit or arbitration it may institute. Every Vendor, applicant for a license, and License Holder agrees and/or promises and/or pledges to discontinue and/or cease all such business

and/or Bingo activity until such time as the suit and/or arbitration is pending including, but not limited to, the exhausting of any right of appeal which may apply to any party.

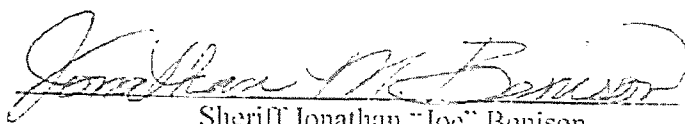
The terms and conditions of this Section are intended to be severable, and if any particular provision and/or term of this Section is held to be inoperable and/or void and/or without effect, it is the intent of this Section that all other provisions and/or terms of this Section remain in full force and effect and be construed in the manner that gives effect to the greatest extent possible to preserve the remaining provisions of these Rules.

Should litigation over a matter covered by this Section be commenced in any state or federal court, the Sheriff shall have the right to intervene into that litigation to request that the court dismiss that action and direct that the lawsuit be resolved in compliance with this Section.

The failure to follow adhere to the provisions of this Section shall be a basis for the immediate revocation of a License Holder's License or the denial of an applicant's application.

Submitting an application for a new and/or renewal License shall be prima facie evidence of an applicant's consent to the process set forth in this Section and is an express acknowledgement by the applicant that this Section confers adequate due process to it.

**WHEREAS**, these Rules 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.

  
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Sheriff Jonathan "Joe" Benison