

ALBA

ARIZONA LICENSED BEVERAGE ASSOCIATION

Dear ALBA Members,

The following is a reprint of a capitol times article stating that several state agencies are cracking down on standalone bingo gaming devices.

Many of you have called over the last year asking how VFW's, American Legion Posts and some bars throughout the state have been allowed to use these machines on their premise. After several meetings with AZ Department of Gaming and Department of liquor we had been advised these machines are illegal according to Arizona laws.

There now seems to be a concentrated effort to bring liquor licensees using these machines into compliance. Alba will be meeting with the appropriate state agencies requesting warnings before crackdowns on businesses.

Director Ben Henry of the DLLC, is on record (see letter below) stating the illegality of bingo machines and has warned of compliance crackdowns months ago.

Letter from Ben Henry and Governor Katie Hobbs

Capitol Times Article

Senator Borrelli is calling on multiple state agencies to back off of a crackdown on the use of bingo machines the Hobbs administration calls illegal. Laws 2017, Chap 240 (S1180: Bingo establishments; ADA compliance), which Borrelli sponsored, allowed operators to use technological aids as an electronic substitute for bingo cards for players with disabilities, but standalone bingo gambling devices remained illegal under the law. In September, multiple state agencies began cracking down on multiple groups – including VFWs and American Legion posts – for allegedly using machines that don't fall under the allowable category. At a press conference today, Borrelli called the actions by the Dept of Gaming, Dept of Revenue and Dept of Liquor, Licenses and Control "harassment," alleging the investigations were motivated by the state agencies' desire to defend tribal gaming. The Dept of Gaming did not immediately respond to a request for comment, but the Governor's office claimed it was Borrelli who had ulterior motives. "Senator Borrelli seems more interested in promoting unregulated, potentially predatory gambling than in helping non-profit organizations comply with the law. It's shameful he would make a political stunt out of Governor Hobbs protecting some of Arizona's most vulnerable populations from corporations that could be exploiting them for personal profit," Hobbs spokesperson Christian Slater said in a statement. The new crackdown on these games started at the beginning of September and upset clubs employing the machines in question. Borrelli wrote a letter to the agencies asking them to lay off the bingo groups. "You claim that the non-profits at issue are violating A.R.S. § 13-3306(D), which prohibits possession of a bingo gambling device. But, inexplicably, you fail to even mention that a BTA is not a 'bingo gambling device' – it is an electronic substitute for bingo cards," Borrelli wrote. "It also is my understanding that your legal analysis is sourced to individuals deeply connected to tribal gaming. Your flimsy legal analysis and the 180-degree turn by your departments leads me to fear that you are sacrificing Arizona's veterans to cow to tribal gaming interests." But the agencies involved wrote a letter to Borrelli, stating they are only going after establishments using machines similar to slot machines, not those using the BTA assistance devices allowed under the law. Sources with knowledge of the investigations said the issue first came up during the administration of former Governor Doug Ducey, and the previous administration also spoke with Borrelli in an attempt to bring groups into compliance with the law. Additionally, the agencies wrote that they have provided resources to help offenders come into compliance with the law. Borrelli said he's talked to Hobbs Chief of Staff Chad Campbell about the issue, but it has not helped. American Legion Commander Ron Ross attended Borrelli's presser and said the money generated by bingo is used to provide supplies for students, teachers and ROTC units. "We're not there to make millions of dollars doing anything, we're there to help people that need the help," he said.

ALBA will continue to follow these developments and provide any new information as it becomes available.

NO ONE OF US IS AS STRONG AS ALL OF US WORKING TOGETHER!

Thank you for your continued support.

Sincerely,

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