

SB 542 - AS INTRODUCED

2026 SESSION

26-2158

08/06

SENATE BILL **542**

AN ACT limiting game dates available to charities at gaming facilities and increasing the number of charities working with a gaming facility each day based on the facility's revenue.

SPONSORS: Sen. Lang, Dist 2; Sen. Gannon, Dist 23; Sen. Pearl, Dist 17; Sen. Watters, Dist 4; Sen. Avard, Dist 12; Sen. McGough, Dist 11; Sen. Murphy, Dist 16; Rep. Janigian, Rock. 25

COMMITTEE: Ways and Means

ANALYSIS

This bill limits game dates available to charities at gaming facilities and increasing the number of charities working with a gaming facility each day based on the facility's revenue.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT limiting game dates available to charities at gaming facilities and increasing the number of charities working with a gaming facility each day based on the facility's revenue.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Charity and Host Town Operations with Game Operator Employers. Amend
2 RSA 287-D by inserting after section 14 the following new section:

3 287-D:14-a Charity and Host Town Operations with Game Operator Employers.

4 I. Each game operator employer operating games of chance, historical horse racing
5 machines, or video lottery terminals shall contract with licensed charitable organizations for each
6 game date in accordance with this section.

7 II. Game operator employers shall be categorized into one of 4 groups for the purposes of
8 determining how many charities the game operator employer shall contract with on a game date.
9 Categorization shall be determined based on the game operator employer's average monthly
10 revenue:

11 (a) Group 1: Average monthly revenue is less than \$1,000,000;

12 (b) Group 2: Average monthly revenue is greater than \$1,000,000 but less than
13 \$2,000,000;

14 (c) Group 3: Average monthly revenue is greater than \$2,000,000 but less than
15 \$5,000,000; and

16 (d) Group 4: Average monthly revenue exceeds \$5,000,000.

17 III. Average monthly revenue shall be calculated based on the combined gaming revenue
18 generated for the state, the charities, and the game operator employer over a 3 month period.
19 Gaming revenue shall be those amounts collected from regulated gaming operations, including
20 games of chance, video lottery terminals, and historic horse racing. If a game operator employer
21 does not have 3 months of operations on which to calculate average monthly revenue, the operator
22 shall contract with one licensed charity until three months of revenue data are available from which
23 to determine the appropriate categorization for the game operator employer.

24 IV. Game operator employers shall contract with licensed charitable organizations as
25 follows:

26 (a) Group 1 operators shall contract with one licensed charitable organization per game
27 date;

28 (b) Group 2 operators shall contract with 2 licensed charitable organizations per game
29 date;

1 (c) Group 3 operators shall contract with 3 licensed charitable organizations per game
2 date; and

3 (d) Group 4 operators shall contract with 4 licensed charitable organizations per game
4 date.

5 V. For the purposes of the game operator employer's requirements under paragraph IV,
6 operating on behalf of the host town or city in accordance with RSA 287-D:4-a shall be considered the
7 same as hosting a licensed charitable organization.

8 VI. Licensed charitable organizations may obtain no more than 7 game dates with game
9 operator employers during the calendar year.

10 VII. The commission shall review the categorization of each game operator employer on an
11 annual basis on or by October 31 to ensure that each game operator employer is in the appropriate
12 group set forth in paragraph II. If a game operator employer must move to a different group after
13 such review, the game operator employer shall have a period of 30 days to adjust its operations to
14 accommodate the corresponding number of licensed charities for the new group to which the game
15 operator employer has been assigned.

16 VIII. A game operator employer may request that the commission review the game operator
17 employer's group categorization if the game operator employer concludes that it is no longer in the
18 correct group. If the commission determines that such an adjustment is necessary, the game
19 operator employer shall have a period of 30 days to adjust its operations to accommodate the
20 corresponding number of licensed charities for the new group to which the game operator employer
21 has been assigned.

22 2 Cross Reference; Game Dates. Amend RSA 284:23, I (d) to read as follows:

23 (d) Each person, association, or corporation licensed to conduct historic horse race
24 wagering shall collect a sum equal to 25 percent of revenues generated from historic horse race pari-
25 mutuel pools after breakage and payment of winnings to patrons. Each licensee that conducts
26 wagering on historic horse races shall distribute 35 percent of the amount collected under this
27 paragraph to charitable organizations with whom the licensee contracts on each licensed game date.
28 Charitable organizations from within the executive council district where the licensee is located shall
29 be given preference, and no charitable organization shall be eligible for more than ~~[10]~~ 7 dates of
30 revenue under this section, within a 12 month period. Each licensee operating historic horse racing
31 machines must contract with ~~[2]~~ licensed charitable organizations for each game date *in*
32 *accordance with RSA 284:14-a*. The remainder of the total amount collected by the licensee under
33 this paragraph shall be paid to the lottery commission for use according to the special fund
34 established under RSA 284:21-j.

35 3 Cross Reference; Game Dates. Amend RSA 284-D:4-a, I to read as follows:

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1 I. Notwithstanding any provision of law to the contrary, game operator employers licensed
2 under RSA 287-D:4 are required to annually operate ~~[a minimum of 7 but not more than [10]~~ 7 game
3 dates for the benefit of the town or city where the game operator employer is located.

4 4 Cross Reference; Game Dates. Amend 284-D:4-a, III to read as follows:

5 III. The game dates benefiting the host municipality shall be in place of a charity game date,
6 however, this shall not prevent the game operator employer from hosting ~~[a charity]~~ **one or more**
7 **charities** on the same game dates when ~~[2]~~ **additional** charities would normally ~~[operate]~~
8 **participate in charitable gaming**.

9 5 Cross Reference; Game Dates. Amend RSA 287-D:6, IV to read as follows:

10 IV. Only one license shall be issued to each applicant per year to operate games of chance for
11 ~~[10]~~ 7 days, which ~~[10]~~ 7 days need not be consecutive.

12 6 Cross Reference; Game Dates. Amend RSA 287-D:13, I to read as follows:

13 I. A charitable gaming license shall be \$50, which shall entitle the charity up to ~~[10]~~ 7 game
14 dates per calendar year.

15 7 Cross Reference; Number of Charitable Organizations. RSA 287-D:14, I to read as follows:

16 I. ~~[No more than 2 licensed charitable organizations may conduct games of chance at any~~
17 ~~one location on any date.]~~ **The number of charities conducting games of chance at any one**
18 **location shall not exceed the number required for the game operator employer under RSA**
19 **287-D:14-a.**

20 8 Cross Reference; Game Dates. RSA 287-D:14, XXII(b) to read as follows:

21 (b) Any single facilities licensee shall not award the host municipality more than ~~[10]~~ 7
22 days per calendar year.

23 9 Game Operator Employer; Distribution of Daily Gross Revenues. RSA 287-D:19, III(f) to read
24 as follows:

25 (f) ~~[No charitable organization]~~ **The game operator employer** shall ~~[receive less than]~~
26 **equally distribute** 35 percent of the **daily** gross revenues from any games of chance minus any
27 prizes paid, **to the licensed charitable organizations or host community partnering with the**
28 **game operator on that date.**

29 10 Distribution of Daily Gross Revenues. RSA 287-J:6, III(a) to read as follows:

30 (a) Each licensee shall distribute 35 percent of the amount collected under paragraph III
31 to charitable organizations with whom the licensee contracts on each licensed game date. Each VLT
32 licensee must contract with ~~[2]~~ **the number of** licensed charitable organizations **determined by**
33 **RSA 27-D:14-a** for each game date.

34 11 Effective Date. This act shall take effect 60 days after its passage.