

HB 2190 STAFF MEASURE SUMMARY

Carrier: Rep. Evans

House Committee On Business and Labor

Action Date: 04/17/17

Action: Do Pass.

Vote: 8-0-1-0

Yeas: 8 - Barreto, Doherty, Evans, Fahey, Hack, Heard, Holvey, Kennemer

Exc: 1 - Bynum

Fiscal: No fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Allows cities and counties to authorize social games only if they are operated and controlled by charitable, fraternal or religious organization.

ISSUES DISCUSSED:

- Entertainment and tourism value of card rooms
- Whether card rooms conduct background checks on employees and provide security and surveillance
- Competition with non-profit card rooms
- Portland Meadows reliance on revenue generated from poker players
- City of Portland's recent enforcement action
- Desire by poker club owners for more state regulation
- Whether poker playing is dominant use of premises
- How card dealers are paid and whether they can serve as volunteers

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Cities and counties have had statutory authority to adopt ordinances allowing social games to be played in private businesses, private clubs, and places of public accommodation since 1974. As defined in Oregon statutes, a social game is a game between players in a private home where no house player, house bank or house odds exist and where there is no house income from the operation of the social game; additionally, if authorized by a city or county, social games can take place in a private business, private club or place of public accommodation. Social games are not considered gambling for purposes of enforcing gambling laws.

The Bureau of Labor and Industries (BOLI) issued a ruling in 2015 against a Portland poker club for violating minimum wage and record keeping requirements. One or more persons volunteered to serve as a poker dealer, but BOLI ruled that people cannot volunteer their services for private, for-profit employers. The City of Portland issued enforcement letters in December 2016 to four poker clubs for violating the dealer-player requirement.

House Bill 2190 limits cities and counties to authorizing the playing of social games on premises operated and controlled by charitable, fraternal and religious organizations. For-profit, private businesses and clubs may no longer allow social games to be played on their premises. There continues to be the ability to play social games in private homes.

This Summary has not been adopted or officially endorsed by action of the committee.