

BINGO LAW- FREQUENTLY ASKED QUESTIONS-

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Frequently asked questions about the BINGO LAW-

Preface:

This list of frequently asked questions is meant to address only the most common questions asked about Bingo. The list is in no way intended to address all the rules and regulations that govern the conduct of Bingo, nor does it constitute legal advice. Associations that are interested in applying for a Bingo License should become familiar with the **Pennsylvania Bingo Law (the Law), 10 P.S. §§301-308.1**.

Q: What Law governs the conduct of Bingo?

A: The Pennsylvania Bingo Law (the Law), 10 P.S. §§301-308.1, was passed in 1981. The Law allows certain nonprofit associations, known as "Associations", to conduct Bingo for the purpose of raising funds for "Charitable" and "Civic" purpose.

Q: Who can apply for and be granted a Bingo License?

A: A license cannot be granted to an individual. Only an "association" as defined in the Bingo Law, 10P.S. §§301-308.1, can apply. Members of interested associations should refer to §303 of the Law to see if their association is eligible for licensing.

Q: Are there different types of licenses?

A: Yes, there are different types of licenses depending on the association applying for the license and how often the association wishes to play Bingo. Most associations would be required to apply for a "**Regular License.**" Those associations that wish to conduct Bingo only once during the year may apply for and may apply for and be granted a "**Three Consecutive Day License**" that allows the association to conduct Bingo only over three consecutive days in a license year. An "**Agricultural Association or County Fair**" can apply for and be granted a license to conduct Bingo at an Exposition, carnival or fair for a period not exceeding ten days. An association or group that wishes to conduct Bingo for entertainment purposes where all prizes

awarded are of “nominal value” may apply and be granted an “**Entertainment Only License**” to conduct Bingo for entertainment purposes only.

Application for Initial Regular License or Three Consecutive Day License: An application for a Bingo License along with instructions is available from the Perry County Treasurer’s Office, or it can be downloaded from this site. The application must be completed in its entirety, notarized and must then be taken to the Perry County Treasurer’s Office located 25 West Main Street, New Bloomfield, PA 17068, along with the documentation listed on page 2 of the application. The application and the accompanying documentation will be reviewed for compliance with the Law. If in compliance the Treasurer’s Office will issue the license upon payment of the license fee of \$100.00 (\$15.00 for a three-day license). All licenses are issued by and fees paid to the Perry County Treasurer. Be certain to review the instructions on Page 2 of the application in their entirety and include ALL the listed required documentation with the application. The license is valid for one year from date of issue.

Renewal of Regular License: Eligible organizations seeking to renew their Bingo License must complete an application as they did in applying for their initial license. The documentation required for an initial license need not be provided, unless, there has been a change in any of the documentation i.e. bylaws have been amended, there has been a change in tax exempt status etc. The application must be completed in its entirety, notarized and then brought to the Perry County Treasurer’s Office located 25 West Main Street, New Bloomfield, PA 17068 If in compliance the Treasurer’s Office will issue the license upon payment of the license fee of **\$100.00 (\$15.00 for three-day license)**. All licenses are issued by and fees paid to the Perry County Treasurer.

Three Consecutive Day License: An eligible association may apply for a license that permits the association to play the game of bingo for three consecutive days. The application procedure is the same as for an Initial Regular License. The fee for a Three Consecutive Day License is \$15.00. The applicant association must be prepared to state the dates they intend to conduct the games. An association is eligible for only one Three Consecutive Day License per year and if so licensed, may not apply for another Three Consecutive Day License or Regular License for one year from the date the final game was played.

Agricultural Association or County Fair License: An eligible agricultural or county fair association may apply for a license that permits the association to conduct the game of bingo at the association’s event for a period not exceeding ten (10) days. The application procedure is the same as for an Initial Regular License. The fee for **Agricultural Association or County Fair License is \$100.00**. The applicant association must be prepared to state the dates they intend to conduct the games. An association is eligible for only one Agricultural Association or County Fair License per year and if so licensed, may not apply for a Regular License for one year from the date the final game was played.

Senior Citizen Group License: An association whose membership consists exclusively of elderly residents may apply for a license that permits the playing of bingo only by members of the association. **The fee for a Senior Citizen Group License is**

\$50.00. The application procedure is the same as for an Initial Regular License. The license is valid for one year from date of issue.

Entertainment Only License: An eligible association may apply for an Entertainment Only License when games are not played for the purpose of making a profit. All prizes awarded shall be of nominal value. **There is no fee for an Entertainment Only License.** The application procedure is the same as for an Initial Regular License except that the application must be accompanied by an affidavit that states: (1) The organization is a nonprofit community recognized organization. (2) No person under the age of 18 will be permitted by the organization to play bingo unless accompanied by an adult. (3) The organization is conducting bingo for entertainment purposes only and all prizes awarded will be of nominal value. A copy of the required affidavit can be downloaded from this site. The license is valid for one year from date of issue.

Q: How long is a license valid?

A: All licenses are valid for one year from the date of issue, except an association applying for a three consecutive day license. On a three consecutive day license application, it must specify the dates they intend to conduct Bingo and an association granted a three consecutive day license cannot apply for and be granted any other Bingo license for one year from the date of issue of the three consecutive day license.

Q: Can an eligible association permit its license to be used by another association to play Bingo?

A: No. Only the association in whose name the license is issued may conduct Bingo.

Q: Can an auxiliary to an association use the license of the licensed association to conduct Bingo?

A: Yes. Auxiliary groups within association shall be eligible to conduct Bingo using the license issued to the association provided that the auxiliary group or groups are listed on the application for license and the license of the association. Regardless of which group in the association is using the license, Bingo may only be played twice in any single week.

Q: How does an association establish that it is an association as defined by the Law?

A: The association must meet the definition of an association found in §303 of the Law. With some exceptions, the association must be in existence for two years prior to making application for a license.

Q: What does the association do once it has completed its application for a license and prepared the necessary accompanying documentation?

A: The application must be completed in its entirety, notarized and must then to the **Perry County Treasurer's Office located at 25 West Main St. New Bloomfield, Pa. 17068**. If in compliance the Treasurer's Office will issue the license upon payment of the applicable license fee. All licenses are issued by fees paid to the Perry County Treasurer.

Q: Can anyone from the association bring the application and documentation to the Treasurer's Office?

A: Yes, as long as they are a "bona fide member" of the association as defined by the Law and the application has been completed in its entirety, is signed by the President (Executive Officer) or Secretary of the association and the application is notarized.

Q: Will documentation that must accompany a license application be returned?

A: No, it will be filed by the Treasurer with the application and becomes public information.

Q: Once issued can a Bingo License be revoked?

A: Yes. The Perry County Treasurer can revoke a license upon recommendation of the District Attorney if it is found that grounds for revocation listed in §306 of the Law exist.

Q: Who investigates violations of the Bingo Law?

A: The District Attorney is charged with investigating violations of the Law; however, any State, county or local law enforcement official is empowered to investigate violations of the Law.

Q: Do some municipalities prohibit Bingo?

A: No. Unlike Local Option Small Games of Chance Act, there is no voter referendum requirement in the Bingo Law.

Q: Where can Bingo be played?

A: Bingo, with one exception, may only be played at the association's "licensed premises" (regular place of business, or other location specifically listed on the association's application for license). Each association must list its "licensed premises" on its license application. An association may conduct Bingo at the association's exposition, carnival or fair site for a period not to exceed ten days.

Q: Are there age restrictions on who can play Bingo?

A: No, except that anyone less than 18 years of age must be accompanied by an adult.

Q: Can anyone conduct Bingo for an association.

A: No. Only a "Bona fide member" of the association as defined by the Law may conduct Bingo on behalf of the association. However, a person who is not a bona fide member may call numbers provided certain criteria listed in §305(c)(13) are met. Associations which obtain a license for the (sole) purpose of conducting Bingo at an exposition, carnival or fair for a period not exceeding ten days shall be permitted to contract a charitable organization to manage, set up, supervise or participate in the operation of the Bingo game **provided only merchandise prizes are awarded.** Only bona fide members of the contracted charitable organization shall be permitted to participate in the operation of the Bingo game. If no charitable organizations are available, the association may contract an outside operator to conduct the game for merchandise at the exposition, carnival or fair site. The provisions of the paragraph shall not be construed to allow Bingo games to be ordinarily carried out on a commercial basis in the Commonwealth.

Q: Can members of the association be paid or compensated for conducting Bingo for the association?

A: Yes. A bona fide member may be paid up to \$50.00 per day for conducting Bingo for the association. The member can be paid by check or cash, and must sign a written receipt for the payment.

Q: Can a bona fide member of the association who is under 18 years of age conduct Bingo for the association?

A: Yes. A bona fide member of the association who is under 18 years of age may conduct Bingo (and be compensated for conducting Bingo) provided the association has written authorization from the member's parent or legal guardian.

Q: Are there restrictions on advertising Bingo?

A: Yes. §305 (c) (4) of the Law states: "Only associations licensed to conduct Bingo shall be permitted to advertise their Bingo games. Such advertisements shall contain the date, time, location, whether cash or merchandise prizes will be awarded and the name of the association licensed to conduct the Bingo game and the name of the individual in charge of the operation of the game. An association shall not advertise the prizes or their dollar value which will be awarded not shall they advertise a guaranteed prize dollar value."

Q: Must an association maintain records concerning its conduct of Bingo?

A: Yes. §305 (c) (7) of the Law states: "Each association shall keep written records of the moneys and merchandise collected and distributed for each day they conduct Bingo. These records shall indicate the total proceeds collected, the total prize money distributed, the total value of all merchandise awarded as a prize and the amount of

moneys paid as rentals or wages and to whom such rentals or wages were paid. All prizes awarded having a value greater than \$250 shall be specifically described in the association's records". **In addition**, §305 (c) (8) of the Law states: "Each association shall deposit with a financial institution all proceeds for each day's Bingo game in an account in the association's name. This deposit shall be made before any of the proceeds may be used for any other purpose, except for payment of prize money and compensation to members employed in the operation of the game".

Q: Are there limitations on what an association may use the proceeds of Bingo for?

A: Yes. The Law permits the proceeds to be used for only "Charitable purposes" or "Civic purposes" as defined in §303 of the Law.

Q: Are there limits on prizes?

A: Yes, there are very specific limits. §305 (c) (3) of the Law states: "Prizes awarded shall not exceed a value of \$500 for any one game of Bingo, except of jackpot games which shall not exceed a value of \$4,000 for one such game. In addition, no more than \$8,000 in prizes shall be awarded in any calendar day".