

Subject Index Reference (BEA and Administrative Rules) 07/1/2011

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NOTE: Citations displayed are abbreviated. "Sec." citations refers to the Texas Occupations Code § 2001.xxx. "Rule" citations refer to 16 TAC § 402.xxx.

Accounting Unit

Sec. 2001.432...forming accounting unit discussed
(For "Unit Accounting"...see Rule 402.203
(For "Unit Agreements"...see Rule 402.205

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Sec. 2001.102(b)(10)...active members under whom games will be conducted
Sec. 2001.105(a)(1)...members who conduct bingo must be active
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Rule 402.400(k)(4)...orgs. in AH must submit required reports, renewals, fees etc.

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Sec. 2001.559...Comm. authority for suspension, revocation of license and/or admin. penalty
Sec. 2001.601...Comm. may impose administrative penalty
Sec. 2001.602...amount of administrative penalty
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Sec. 2001.604...penalty to be paid or hearing requested
Sec. 2001.605...hearing
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Rule 402.602 ...waiver of penalty; settlement of prize fees/taxes; waiver
Rule 402.706...standard administrative penalties guidelines
Rule 402.707...expedited administrative penalties guidelines

Administrative Rules Texas Administrative Code, Title 16, Part 9, Chapter 402 CBAR

Sec. 2001.054...Commission may adopt rules to enforce / administer this chap.
Rule 402.200(i)(1)...conductors must make copy of Act/Rules available to public
Sec. 43...TLC has until 04/1/2010 to develop admin rules for HB 1474

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Sec. 2001.412...admission to bingo games
Sec. 2001.413...admission charge required, exception (Sec. 2001.4115)
Sec. 2001.418...House rules may prohibit youth under 18 years of age

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Sec. 2001.415(a)...licensed commercial lessors authorized to advertise
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Sec. 2001.059(a),(g)...restrictions discussed (new HB 1474)
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Sec. 2001.102(c)...affiliated organization and 501(c)
Sec. 2001.411...in conduct of games

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Sec. 2001.418(a)...may play if under age 18 w/ guardian
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Sec. 2001.438...unit operations with designated agent

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Sec. 2001.503...local share of prize fee discussed
Sec. 2001.507...collection and disbursement of prize fees discussed

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Sec.2001.108...amend. appl. for change of bingo premises
Sec. 2001.108(e)...use of "extra" temporary licenses during change of bingo hall joint license amendment application
Sec. 2001.211(c)...license holders must report changes w/ in 10 days
Sec. 2001.306(a)...\$10 amendment license fee
Sec. 2001.306(b)...valid for duration of annual license
Sec. 2001.306(c)...must return original license; amendment not effective until receipt of amended license
Sec. 2001.306(d)...telephone/fax amendments
Sec. 2001.306(e)...method of paying fees
Rule 402.403(d)...amendments
Rule 402.409...amendment for Change of Premises or Occasion Termination or Abandonment
Rule 402.410...amendment of a license-general provisions.
Rule 402.422...amendment to a regular conductor license
Rule 402.424...amendment of a license by telephone or facsimile.
Rule 402.442...amendment to lessor license

Amusement Machines / Devices

Sec. 2001.416(a)...no other games of chance during bingo occasion
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Annual License to Conduct

Rule 402.403(a)(2)...Conductor may hold only one annual license to conduct; license valid for specific location

Applications

Sec. 2001.102...license to conduct

Sec. 2001.102(c)...501(c) exemption
Sec. 2001.103...temporary game license
Sec. 2001.156(a)...license to lease
Sec. 2001.157...lessor: supplemental information
Sec. 2001.203...manufacturer license
Sec. 2001.208...distributor license
Sec. 2001.213...requires all information to process
Sec. 2001.301...commission to investigate qualifications
Sec. 2001.302...supplemental information may be required
Sec. 2001.305(a)...copies to governing body
Sec. 2001.306...conductor amendment
Sec. 2001.308...two page renewal [if license held 5+ years]
Rule 402.400(d)...commission has 14 days from receipt...
Rule 402.400(q)...designated authorized representative for application processing; workers on license not authorized for discussion of application items.
Rule 402.700(d)...reapply-1 year after forfeiture, revocation or denial
Rule 402.403(a)...annual application discussed
Rule 402.403(b)...commercial application discussed
Rule 402.403(c)...temporary application discussed
Rule 402.403(d)...amendment application discussed

Approval of Bingo Pull-Tabs, equipment etc

Rule 402.300(b)...discussion of pull-tab approval process
Rule 402.302(b)...approval of card-minding system / components

Association

Sec. 2001.152(a)(1)..."association of licensed authorized organizations"
Sec. 2001.153(b)...group of licensed authorized organizations as lessor

Audit, General

Rule 402.500...general audit discussed.

Audit, Compliance

Rule 402.715...relating to compliance audit.

Authorized Commercial Lessor

Sec. 2001.002(1)...definition

Authorized Organization(s)

Sec. 2001.002(1)...authorized commercial lessor
Sec. 2001.002(2)...authorized organization (conductor)
Sec. 2001.101...organization types authorized for license to conduct

Authorized Representative

Rule 402.400(q)...licensee's authorized representative discussed

Authorized Signature

Rule 402.400(a)(5)...as required on applications by commission

Bingo

Sec. 2001.002(4)...definition
Sec. 2001.002(24)..."break-open", "pull-tab" bingo definition
Sec. 2001.551(b)...exempted games
Sec. 2001.552(a)...game cannot violate random selection of numbers/symbols
Rule 402.201...prohibited occasion unless operator physically present

Bingo Advisory Committee (BAC)

Sec. 2001.057(a)...member composition
Sec. 2001.057(c),(d)...member term, reimbursement

Sec. 2001.057(e)...duties, purpose
Sec. 2001.057(f)...quarterly meetings or on request
Rule 402.102...BAC purpose, composition, meetings etc.

Bingo Bank Account

Sec. 2001.451...organization bingo accounts
Sec. 2001.452...bingo account withdrawals
Sec. 2001.453...authorized uses of bingo account
Sec. 2001.459...expenses paid from bingo account
Sec. 2001.554...no illegal diversion of funds
Rule 402.202...transfer of funds discussed in detail.

Bingo Cards

Sec. 2001.056...approval of bingo cards
Sec. 2001.407(f)...occasional sale by licensed organization
Rule 402.200(g)...reserved cards generally prohibited
Rule 402.200(j)...verification of winning cards
Rule 402.300...instant bingo cards discussed
Rule 402.301...disposable bingo card requirements

Bingo Caller

Sec. 2001.411(e)...operator performing as bingo caller

Bingo Chairperson

Sec. 2001.002(4-a),(b)(6) ...term defined ; organization must designate
Sec. 2001.102(b)(6)...BCP will be responsible for conduct of bingo
Sec. 2001.106(2)...name and address of BCP on license
Sec. 2001.107(a)...training requirements defined
Sec. 2001.313(d)...bingo chairperson must be listed on registry
Sec.2001.316...commission notices to bingo chairperson
Rule 402.100(1)...definition
Rule 402.103...requires the BCP to be current on Bingo Training Program
Rule 402.406... Bingo Chairperson (BCP) elected by vote of org. membership
Rule 402.715...audit-related responsibilities discussed

Bingo Enabling Act (Texas Occupations Code § 2001.xxx)

Sec. 2001.058...commission must make available to public
Rule 402.200i(1)...conductor must make copy of Act/ Rules available to public

Bingo Equipment

Sec. 151.3105(Tax Code)...discusses tax-exempt bingo equipment
Sec. 2001.002(5)(A)...definition-include bingo balls
Sec. 2001.002(5)(B)...does not include child's game under \$20 or common parts such as light bulb, fuse, or bingo ball.
Sec. 2001. 407(a)...manufacturer may furnish bingo equipment to a licensed distributor
Sec. 2001.407(b)...distributor may only furnish to licensed conductor, distributor or authorized person under exempted/unlicensed games
Sec. 2001.407(b)...sales of bingo equipment under this section require immediate or payment NLT 30 days after actual delivery
Sec. 2001.407(c)...distributor may only rec. bingo equip. from licensed dist/manf
Sec. 2001.407(d)...lease or purchase of card-minders, pull-tab dispensers etc.
Sec. 2001.407(e)...exception to restrictions on obtaining bingo equipment
Sec. 2001.407(f)...occasional sale of bingo equipment by licensed organization
Sec. 2001.553...unauthorized sale of equipment
Rule 402.200(c)...inspection and use of equipment
Rule 402.301(a)(4)...definition of **Braille** card
Rule 402.301(f)...Braille card use

Bingo Game

Sec. 2001.002(4)...bingo game definition
Sec. 2001.055...commission establishes the games allowed during an occasion

Sec. 2001.408...bingo may be played using pull-tabs
Sec. 2001.409 bingo may be played using card-minder
Sec. 2001.420(a)...\$750 maximum prize/game
Sec. 2001.434...conduct of bingo under unit accounting
Sec. 2001.551(b)(4)...games for promotional or advertising purposes
Rule 402.201...operator must be present and directing bingo occasion

Bingo Occasion

Sec. 2001.002(6)...definition
Sec. 2001.102(b)(10)...active member designated as Primary / Alt. Operator(s)
Sec. 2001.310(a)...display of license
Sec. 2001.401...restrictions on premises providers
Sec. 2001.404...principal location defined
Sec. 2001.405...rent cannot be based on per capita/proceeds
Sec. 2001.408...pull tabs
Sec. 2001.409...card-minder prohibitions
Sec. 2001.410(a)...pull-tab prohibitions
Sec. 2001.410(b),(c)...\$1 pull-tab; 5 dispenser units per premises
Sec. 2001.411(a)...bona fide member as person operating or conducting
Sec. 2001.412...admission to game / opportunity to play
Sec. 2001.413...admission charge required (No free bingo)
Sec. 2001.415...only conductor to advertise/promote
Sec. 2001.416...no other game of chance allows Raffles and Penal Code 47.01 devices
Sec. 2001.417(a)...1-800# gambling hot-line
Sec. 2001.417(b)...1-800# prominently displayed
Sec. 2001.418(a)...may play if under age 18; conductor can set house rules
Sec. 2001.418(b)...may not work if under age 18
Sec. 2001.419...frequency and times of games
Sec. 2001.419(d)...bingo occasions no intermission required; no overlap
Sec. 2001.420(b)...\$2500 maximum/occasion
Sec. 2001.420(q)...door prize / maximum of \$250 prize
Sec. 2001.502...prize fee collection
Rule 402.200(c)...tampering w/ equipment
Rule 402.200(d)...location of game
Rule 402.200(i)(1)...BEA / Administrative rules available
Rule 402.200(i)(3)...display of operator name; complaints to commission
Rule 402.200(j)...no reservation of bingo cards
Rule 402.200(k)(1)...workers prohibited from play
Rule 402.200(m)...verification of winning cards/numbers
Rule 402.201...operator must be present and supervising occasion
Rule 402.302...card-minding systems discussed

Bingo (Card) Paper

Rule 402.301 Bingo Card/Paper

Bingo Reports

Rule 402.600 Bingo Reports

Bookkeeper

Rule 402.402(a)(2)...defined and discussed in terms of Registry
Rule 402.402(e)...required to be named on license

Books and Records Inspections (BRI)

Rule 402.703...BRI discussed

Bond (Security)

Sec. 2001.204...\$10,000, Manufacturer bond
Sec. 2001.514...furnish; forfeiture; release

Rule 402.603...bonds required, types, cancellation, increase
In amount of bond, forfeiture, release, reinstatement
Rule 402.407(a)(2)...unit manager bond requirements discussed

Braille card

Rule 402.301(a)(4)...definition
Rule 402.301(f)...discussion of Braille card use

Burden of Proof

Sec. 2001.352...preponderance on applicant to show eligibility after denial
Rule 402.403(c)...burden of proof on applicant

Business Office, Primary

Sec. 2001.002(23)...definition
Sec.2001.404...as relates to location of bingo game
Rule 402.100(15)...defined

Card, Debit

Sec. 2001.451(b-1)...use of debit card transactions discussed

Card, Identification

Sec. 2001.314...discussion of identification card for registry
Rule 402.402...identification cards and how to obtain

Card-minding Device / Systems

Sec. 2001.409...prohibited practices
Sec. 2001.409(b)...40% limit **repealed**
Sec. 2001.417...problem gambler's help line displayed
Rule 402.100(6)...definition of card-minding device
Rule 402.200(j)..."loaded" card-minding devices cannot be reserved
Rule 402.302...card-minding systems discussed
Rule 402.302(a)...definition of card-minding device and other definitions
Rule 402.302(b)...approval of card-minding system components
Rule 402.302(d)(12)...card-minding device limited to 66 card-faces per game
Rule 402.302(f)...licensed authorized organization requirements
Rule 402.302(i) ...restrictions

Chairperson, Bingo (See Bingo Chairperson above)

Change in Information

Sec. 2001.211...report changes within 14 days of effective date-MD appls.
Rule 402.400...application information discussed
Rule 402.407(a)(3)...unit manager required to report to Commission change
In information NLT 15th day after the date of change

Charitable Distribution

Sec. 2001.457...35% calculation
Rule 402.501(a)...35% of organization's adjusted gross receipts
TX Constitutional Amendment authorizing Bingo:
Art. III, Sec. 47(b)(1)...all proceeds from the games are **spent in TX...**

Charitable Proceeds

Rule 402.502...charitable use of proceeds

Charitable Purposes

Sec. 2001.002(7)...purpose as described by Sec. 2001.454.
Sec. 2001.105(a)(4)...progress toward charitable purposes in last 12 months
Sec. 2001.454(a)...game net proceeds / rental of property devoted to charitable purposes

Sec. 2001.455...use of proceeds by recipient
Rule 402.501...distribution of proceeds for charitable purposes

Children in bingo halls

Sec. 2001.418(a)...Under 18 may play if accompanied by parent or guardian
Sec. 2001.418(b)...licensed organization may establish house rules against (a)

Commercial Lessor

Sec. 2001.002(1)...definition
Sec. 2001.002(15)...licensed commercial lessor
Sec. 2001.151...license required
Sec. 2001.152(a)...3 types of lessors allowed to be licensed
Sec. 2001.154(a)...ineligible persons
Sec. 2001.156...application requirements
Sec. 2001.157...supplemental information
Sec. 2001.158...license fees
Sec. 2001.158(d)...lessor two year license discussed
Sec. 2001.159...license issuance
Sec. 2001.160...transfer of license (Revised 06/2011 HB2728)
Sec. 2001.310(a)...license display
Sec. 2001.310(b)...lessor license contents
Sec. 2001.401...restriction on premises providers
Sec. 2001.406...rent for premises
Rule 402.403...licenses, fees bonds for conductors & lessor
Rule 402.442...amendment to commercial lessor license.

Commission

Sec. 2001.002(8)...definition
Sec. 2001.051...control and supervision
Sec. 2001.057...Bingo Advisory Committee (BAC)
Sec. 2001.058...providing BEA & Rules to public; reasonable charge
Sec. 2001.107(c)...establish primary operator / operator training content by rule
Sec. 2001.256...commission's inspection power: SSP services
Sec. 2001.218...commission monitors default payments for bingo supplies
Sec. 2001.414(a)...establish record keeping procedures by rule
Sec. 2001.419(d)...may restrict individuals from conduct of bingo by rule
Sec. 2001.551(f)(4)(B)...may establish certain rules in promotional bingo game
Rule 402.100(7)...legislative origin of Texas Lottery Commission

Common Roof / Common Foundation

Sec. 2001.403...one bingo location per location; key date: 5/23/97

Compliance Audit / Review

Rule 402.705...compliance review
Rule 402.715...compliance audit

Conductor

Sec. 2001.102...application requirements
Sec. 2001.105(a)...license issuance and renewal criteria
Sec. 2001.151...leasing to authorized organization—must be licensed as lessor
Sec. 2001.306...amendment of license
Sec. 2001.402(c)...limit of seven conductors per hall
Sec. 2001.454...use of net proceeds
Sec. 2001.456...prohibited use of proceeds
Rule 402.100(5)...definition as licensed authorized organization
Rule 402.403...license for conductor & lessor
Rule 402.200...make available BEA/ Rules to patrons
Rule 402.420...qualifications and requirements for Conductor's license
Rule 402.422...amendment to regular conductor license.

Consanguinity (*close relation/association*)

Sec. 2001.154(a)(5)...lessor
Sec. 2001.202(9)(a)...manufacturer
Sec. 2001.207(9)(a)...distributor

Contiguous Counties-Conduct of Bingo

Sec. 2001.404(1)...bingo in contiguous counties discussed

Copies of BEA & Administrative Rules

Sec. 2001.058(a)...commission to provide a printed copy
Sec. 2001.058(b)...commission may charge \$\$ reasonable amount
Rule 402.200(i)(1)...conductor must make available copy of BEA / Admin Rules to patrons on demand

Corrective Action

Rule 402.709...corrective action discussed .

Credit

Sec. 2001.218...terms of payment; default
Sec. 2001.407(b)...restriction to 30 days after sale

Crimes, Criminal History, Convictions, Misdemeanors

Sec. 2001.002(8-a)..."crime of moral turpitude" discussed (revised 06/2011 HB2728)
Sec. 2001.102(b)(12)...workers
Sec. 2001.105(a)(6)...workers/operators; prohibited criminal history
Sec. 2001.105(b)...officers **and** directors discussed
Sec. 2001.154(a)(1)...lessor; prohibited criminal history
Sec. 2001.202(1)...manufacturer; prohibited criminal history
Sec. 2001.207...distributor; prohibited criminal history
Sec. 2001.553(c)...violation of Sec. 2001.553(a),(b) is misdemeanor
Sec. 2001.554(b)...violation of Act is misdemeanor
Sec. 2001.3025...access to criminal history record info
Rule 402.400(l)...each person required to be name in application will have criminal record history inquiry
Rule 402.701(c)...disqualifying conviction

Debit Card Transactions

Sec. 2001.451(b-1)...deposit of debit card transactions discussed
Rule 402.504...debit card transactions rule

Default of Payments

Sec. 2001.218(a)...sale or lease payment due 30th day after delivery; defaults must be reported to TLC; cash only after default

Definitions of Terms

Sec. 2001.002...definitions
Sec. 2001.431...new unit accounting definitions
Sec. 2001.436(c)...adjusted gross receipts and cost of goods discussed in unit context
Rule 402.100...definitions
Rule 402.300...instant bingo definitions
Rule 402.402...caller, cashier, manager, operator, sales person defined

Denial of License

Sec. 2001.212...denial of license
Sec. 2001.302...failure to submit supplemental information
Sec. 2001.351...for same grounds as revocation
Rule 402.700...denials, suspensions, revocations, hearing

Delinquent Purchaser

- Sec. 2001.218...payment due
- Sec. 2001.218(a)...sale or lease payment due NLT 30 days after actual delivery
- Sec. 2001.218(b)...seller to notify commission of non-payment
- Sec. 2001.218(c)...default restricts payment options; commission monitors
- Rule 402.604...delinquent purchaser discussed

Deposits

- Sec. 2001.451...to bingo account

Designated Agent

- Sec. 2001.438...unit operations with designated agent discussed
- Sec. 2001.438(e)...designated agent must complete bingo training

Designated Member

- Sec. 2001.411(c-1)...active member required to assist in bingo
- Rule 402.408...designation of members

Director of Bingo Operations

- Sec. 2001.052..."director of bingo operations" under direction of commission
- Sec. 2001.603...~~executive~~ director in accessing penalties
- Sec. 2001.604...~~executive~~ director in penalties and/or hearings
- Sec. 2001.605...~~executive~~ director in hearings
- Sec. 2001.606...~~executive~~ director decision
- Sec. 2001.607...options following ~~executive~~ director decision
- Sec. 2001.608...collection of penalty; actions by ~~executive~~ director
- Rule 402.100(9)...director, CBOD

Disallowing charitable distributions

- Rule 402.501(f)...bingo director or his designees

Disbursement; Record Requirements

- Sec. 2001.457...required disbursement discussed
- Sec.2001.457(c)...~~deleted~~ per HB 1474
- Rule 402.506...disbursement record requirements discussed

Disclosure of Information

- Sec. 2001.560(c)...to governing body, attorney general or commission

Discrimination Prohibited

- Sec. 2001.412...Admission denial prohibited based on race, color, creed etc.

Dispute

- Rule 402.200(n)...org. must establish and adhere to written procedures that address disputes. Procedure made available to players upon request.

Dispute Resolution

- Rule 402.708...relating to Dispute Resolution

Distributor

- Sec. 2001.002(9)...definition
- Sec. 2001.154(a)(4)...ineligible for lessor license
- Sec. 2001.206...license required
- Sec. 2001.207...license eligibility; persons ineligible
- Sec. 2001.208...application requirements
- Sec. 2001.209...license fee: (\$1000) and cost of background check

- Sec. 2001.210...license restrictions
- Sec. 2001.211... amendment of application
- Sec. 2001.214...term of license term (1 year or 2 year)
- Sec. 2001.215...books, records and reports
- Sec. 2001.216...examination of records
- Sec. 2001.217...sale of bingo supplies to LAO requires license
- Sec. 2001.407(b)-(e)...equipment and bingo supplies
- Sec. 2001.434(c)...sales to a unit (HB 2519)
- Sec. 2001.556...price fixing prohibited
- Rule 402.400(n)...criminal history check; fingerprint cards for M/D/SSP
- Rule 402.300...distributor, instant prize pay-out; packaging; record-keeping on sales, TLC seal
- Rule 402.302(d)...distributor requirements with card-minding devices
- Rule 402.102...distributor as BAC member
- Rule 402.501(e)...specific information on invoice, credit memo

Diversion of Net Proceeds

- Sec. 2001.554(a)(4)...misdemeanor

Door Prizes

- Sec. 2001.416...except bingo/raffles, other games of chance prohibited
- Sec. 2001.420(c)...licensed authorized organization or other person; \$250 limit
- Sec.2001.458(a)...items of expense, reasonable and necessary

Draft Administrative Rules

- Rule 403.110...Petition for Adoption of Rule Changes (See TLC Legal to view this **TLC** Administrative Rule on adopting new rules.

Dual Notification

- Sec. 2001.316...commission notice to licensed authorized organization and appropriate commercial lessor

Election

- Sec. 2001.101(a)(2)(B)(i)...electing officers of a nonprofit organization
- Sec. 2001.651...ordering election
- Sec. 2001.652...petition
- Sec. 2001.653...verification of petition
- Sec. 2001.654...date of election
- Sec. 2001.655...ballot proposition
- Sec. 2001.656...effect of election
- Sec. 2001.657...determination of local option status

Electronic Funds Transfer (EFT)

- Sec. 2001.452(a)...electronic funds transferred authorized
- Rule 402.514 Electronic funds transfer

Equipment, Bingo

- Sec. 2001.002(5)(v)...definition of bingo equipment modified
- Sec. 2001.217...sale of equipment an offense if not licensed
- Sec. 2001.218...terms of payments and default
- Sec. 2001.407...equipment and supply transactions
- Sec. 2001.553...sale of equipment or services an offense if not licensed
- Sec. 2001.556...price fixing prohibited

Exemptions

- Sec. 2001.551(b)...exempted bingo games (CBOD no longer exempts 01252008)
- Sec. 2001.407(e)...bingo equipment/paper must come from licensed distributor.

Expenses

- Sec. 2001.002(18)...net proceeds definition
- Sec. 2001.102(b)(7)...expenses listed on applications

Sec. 2001.406(b)... "separate expenses" discussed
Sec. 2001.4115... joint hiring of bingo workers as authorized expense
Sec. 2001.453... bingo account authorized expenditures
Sec. 2001.457... charitable distribution (35%)
Sec. 2001.458(a)... allowable expenses, reasonable and necessary (Revised
06/2011 SB1342—adding **health insurance**
Sec. 2001.458(a)... EFT fees are authorized expense
Sec. 2001.459... expenses paid from bingo account
Sec. 2001.459(a)... printing of gift certificates as authorized expense
Sec. 2001.505... record of each expenditure
Rule 402.501(f)... director may disallow expenses not supported or reasonable
Rule 402.505... permissible expenses
Rule 402.600... reports and filings of rental tax, prize fees
Rule 402.601... penalty of prize fees, settlement of prize fee, rental tax
Rule 402.602... waiver of prize fees, rental tax, gross receipts tax

"FAX" amendments

Sec. 2001.306(d)... amendment by telephone or fax
Rule 402.424... amendment of license by telephone or facsimile.

False Statements on Application

Sec. 2001.554(a)(1)... revocation
Rule 402.701(b)... falsification / nondisclosure

Felony / Criminal Record

Sec. 2001.102(b)(12)... individual statement of criminal history
Sec. 2001.105(a)... criminal history of individuals associated
with application / license
Sec. 2001.154(a)... not eligible for commercial Lessor license
Sec. 2001.203(b)... applying for manufacturer's license
Sec. 2001.207... criminal disqualification in distributor's license
Sec. 2001.208... applying for distributor's license
Sec. 2001.551... bingo game w/o license or exemption
Sec. 2001.552... fraudulent award of prizes
Rule 402.701(c)... disqualifying conviction

Filing Extensions (Bingo quarterly report)

Rule 402.600(m)... grounds for requesting filing extensions and procedure

Fourteen Days (14)

Rule 402.400(d)... Commission to review application and...

Fraternal Organization

Sec. 2001.002(11)... definition
Sec. 2001.002(11)(A)... non-profit
Sec. 2001.101(b)... requirements

Franchise Tax

Sec. 2001.4335... bingo exempt from TX franchise tax

"Free" Bingo

Sec. 2001.413... prohibited in licensed games, except as provided for
by Sec. 2001.4155
Sec. 2001.551... permitted in exempted games; minimal charge to play
Rule 402.212... promotional bingo games by businesses discussed

Frequency of Games

Sec. 2001.055... commission by rule may establish number / type of games

Sec. 2001.419... described

Funds

Sec. 2001.153... lessor funds to obtain and furnish premises to lease
Sec. 2001.452... bingo account withdrawals discussed
Sec. 2001.453... authorized use of bingo account
Rule 402.202... Transfer of funds discussed

Gambling Hot Line (HB 2292 terminates 1-800 number funding**)**

Games of Chance

Sec. 2001.416... other games

General Audit

Rule 402.500... general audit discussed

General Licensing Provisions

Rule 402.400... general licensing provisions.

General Records Requirements

Rule 402.500... general records requirements

Gift Certificates

Sec. 2001.4155... use of gift certificates discussed
(Note: Sec. 2001.4155 will be found between Sec. 2001.415 and Sec. 2001.416)
Rule 402.503... bingo gift certificates discussed

Governing Body

Sec. 2001.002(12)... definition
Sec. 2001.002(19)... governing body and allowable compensation
Sec. 2001.101(a)(2)(B)... organizations' governing body elected by members vote
Sec. 2001.156(b)(4)... copy of lessor's application sent to local governing body
Sec. 2001.305(a)... copy of all applications sent to appropriate governing body
Sec. 2001.305(b)... copy of license to governing body
Sec. 2001.305(c)... written notification from licensee to police & sheriff's office
(w/in 10 days of license issue)
Sec. 2001.305(d)... game can't be conducted without notification under (b) and (c)

Government Agency

Rule 402.200... Bingo at premises owned by a government agency

"Grandfathered" Lessor

Sec. 2001.152(b)... described

Gross Receipts

Sec. 2001.002(13)... definition
Sec. 2001.104(a)... defines license classes / fees
Sec. 2001.104(b),(c)... annual recapitulation for over / under payment of fees
Sec. 2001.414(b)... record on cash register
Sec. 2001.451... commingling of funds prohibited
Sec. 2001.457... charitable distribution, calculations for
Rule 402.501... distribution of proceeds

Gross Rental Tax

Sec. 2001.501... imposition of 3% of gross rental
Sec. 2001.504... payment and reporting of tax or fee
Sec. 2001.508... penalties
Sec. 2001.510... non-filer
Sec. 2001.511... jeopardy determination
Sec. 2001.512... tax laws
Sec. 2001.512... application of tax laws

Guidelines

Rule 402.706...standard administrative penalty guidelines
Rule 402.707... expedited administrative penalty guidelines

Health Insurance Benefits

Sec.2001.458...expanded per SB1342 (06/2011) to address health insurance for bingo workers.

Hearing

Sec. 2001.352...denied license request for hearing
Sec. 2001.354...final hearing
Sec. 2001.356...in conjunction with temporary suspension notification
Sec. 2001.357...judicial review
Sec. 2001.604...after receipt of notice of violation/penalty-either pay or hearing.
Sec. 2001.605...hearing after notice
Rule 402.700...denials, suspensions, revocations, hearings

House Rules (and written procedures)

Sec. 2001.418(b)...license holder may post written notice prohibiting minors
Rule 402.200...organization must establish and adhere to a “**written procedure**” regarding problems during bingo occasion and disputes
Rule 402.210...house rules.
Rule 402.301(k)...required for other than “regular bingo” games; how games are played

Identification Card-Registry / Badge

Sec. 2001.314...discussion of identification card
Rule 402.402(i)...identification card for approved bingo worker
Rule 402.402(i)(2)...ID card must be visible while operator/worker on duty

Ineligible Persons

Section 2001.154...ineligible persons (comer lessor license) discussed

Information

Sec.2001.058...commission to provide copy of BEA & Rules upon request
Sec. 2001.211...reporting information changes within 10 days
Sec. 2001.212...agency may cease processing appl. for insufficient info.
Sec. 2001.560...examination of records, disclosure
Rule 402.701...providing all information for criminal background invest.
Rule 402.701(g)...reporting changes in information

Injunction

Sec. 2001.558...violations, grounds for injunction

Inspection / Investigation

Sec. 2001.301...commission required to investigate qualifications of any applicant
Sec. 2001.557...inspection of game premises/ all records
Sec. 2001.560...inspection / examination of all records, facilities
Rule 402.200(b)...inspection of equipment at any time
Rule 402.200(c)(2),(4)...inspection of bingo balls, console and flashboard prior to the first game of each bingo occasion; inspection log (records) required
Rule 402.303(d)...commission inspection of individual pull-tabs or dispenser
Rule 402.701...investigation of applicants for licenses
Rule 402.703...books and records inspection (BRI) discussed
Rule 402.704...tax review inspections discussed

Instant Bingo / Pull-tabs

Sec. 2001.002(24)...definition
Sec. 2001.002(25)...dispenser defined
Sec. 2001.410(b)...maximum price of \$1.00 per ticket

Sec. 2001.410(d)...bingo game must be on instant ticket
Sec. 2001.420(b)...instant bingo prizes excluded from \$2,500 limit occasion
Sec. 2001.4155(a)...gift certificates can be used for instant bingo

Rule 402.100(10)...defined
Rule 402.300...pull-tab bingo discussed
Rule 402.301...manufacturing, sale, purchase of disposable cards
Rule 402.303...pull-tab or instant bingo dispensers discussed
Rule 402.403(a)(3)...must conduct regular bingo to sell instant bingo tickets, unless temp. occasion.

Insurance, health premium payments

Sec.2001.458...expanded per SB1342 (06/2011) to address health insurance for bingo workers.

Interest on Delinquent Tax; waiver

Rule 402.601...interest on delinquent tax
Rule 402.602...Waiver of penalty, settlement of prize fees, rental tax etc.

Inventory Records

Rules 402.511...required inventory records

IRS

Sec. 2001.002(19)(B)...source for 501(c) exemption
Sec. 2001.102(c)...501(c); tax exempt status

Jeopardy Determination

Sec. 2001.511...described

Joint Employment / Hiring

Sec. 2001.4115...jointly hiring of bingo workers discussed
(Note: New Sec. 2001.4115 is found between sections .411 and .412)

Judicial Review

Sec. 2001.357...judicial review

Late Renewal of License

Sec. 2001.315...discusses late renewal of license options
Rule 402.411...late license renewal fee

Lease Termination

Sec. 2001.108...shuffling conductors playing schedules during amds, lease termination
Rule 402.409...discusses lease termination or abandonment.

Legal Opinions

Sec. 2001.059...advisory opinions discussed
Rule 402.101...advisory opinions

Lessor

Sec. 2001.002(1)...authorized commercial lessor definition
Sec. 2001.002(15)...licensed commercial lessor definition
Sec. 2001.151...leases premises
Sec. 2001.152...eligibility for commercial lessor license
Sec. 2001.152(a)(1)...premises for Total & Exclusive Use of 1 org
Sec. 2001.153...source of funds, restrictions
Sec. 2001.154...ineligibility to hold commercial lessor license
Sec. 2001.155...exemption from licensing requirements {On/before 5/1/97
Sec. 2001.156...license application information
Sec. 2001.157...supplemental information requests authorized
Sec. 2001.158...lessor license classes and fees

Sec. 2001.159...licensing criteria
Sec. 2001.160...transfer of lessor license discussed (Revised 06/2011 HB2728)
Sec. 2001.310(b)...contents / display of license
Sec. 2001.402(c)...limit of seven conductors per hall
Sec. 2001.403...common roof / foundation
Sec. 2001.406...rent for premises
Sec. 2001.411(d)...restrictions
Rule 402.400(n)...criminal record history for persons named in application
Rule 402.404(a)(2)(A)...license fee for new lessor license by licensed
Authorized org. must be paid from bingo acct.
Rule 402.404(a)(2)(A)...license fees based on estimated gross rental revenue

Liability (Bingo Liability)

Rule 402.401(a)(1)...defines "bingo liability"

License

Sec. 2001.002(25-a)...new term "regular license" defined
Sec. 2001.102...license application discussed
Sec. 2001.104(a)...conductor license classes/fees
Sec. 2001.104(b)...recalculations of fees
Sec. 2001.104(d)...conductor two-year license discussed
Sec. 2001.105(a)...criteria for conductor license issue / renewal
Sec. 2001.105(b)...no license / renewal if NQ officer
Sec. 2001.106...form and contents of license
Sec. 2001.108...amend. application timelines
Sec. 2001.152(b)...lessor active on 6/10/89
Sec. 2001.158(a)...lessor license classes/fees
Sec. 2001.158(d)...lessor two-year license discussed
Sec. 2001.159...lessor license
Sec. 2001.160...transfer of lessor license (Revised 06/2011 HB2728)
Sec. 2001.161...location restrictions
Sec. 2001.201...manufacturer's license
Sec. 2001.206...distributor's license
Sec. 2001.212...denial of license discussed
Sec. 2001.214(b)...manf. / dist. two-year license discussed
Sec. 2001.304...temporary authorization criteria
Sec. 2001.305...license copy to governing body
Sec. 2001.306...amendment of license
Sec. 2001.307...maximum license term (1 year or less)
Sec. 2001.309...each location separately licensed
Sec. 2001.310...license display
Sec. 2001.311...no vested rights
Sec. 2001.351...denial of application or license
Sec. 2001.353...suspension / revocation of license after hearing
Sec. 2001.431(4)...unit manager—new individual license type
Sec. 2001.437...unit manager license discussed
Rule 402.400...general licensing provisions
Rule 402.401...temporary license discussed
Rule 402.404...license fees discuss under various conditions
Rule 402.403...licenses (conductor / lessor)
Rule 402.410...amendment of a license-general provisions
Rule 402.411...late renewal of license discussed (effective 01/28/2010)
Rule 402.420...qualifications and requirements for conductor's license

License Class / Fee Structure, License Fees

Sec. 2001.103...temporary license fee-\$25
Sec. 2001.104(a)...conductor annual license
Sec. 2001.104(b)...appropriate license fee discussed
Sec. 2001.104(d)...conductor license effective for two years option; payment options
Sec. 2001.158(a)...lessor annual license

Sec. 2001.205...manufacturer's annual license-\$3000
Sec. 2001.209...distributor's annual license-\$1000
Rule 402.404...license fees
Rule 402.403(a)...application for license must be accompanied by license fee
Rule 402.203(b)...annual license fee for unit manager (not to exceed \$250)

Licensed Authorized Organization (LAO)

Sec. 2001.002(14)...definition
Sec. 2001.161...licensed authorized organization as commercial lessor
Sec. 2001.411...persons operating or conducting

Licensing Provisions

Rule 402.400...general licensing provisions rule

Loans ("Approved Loans" ~~deleted per HB 1474~~)

Sec. 2001.451(c)...transfers from general fund
Rule 402.202...Transfer of funds; loans discussed

Local Option Status (allowing Bingo)

Sec. 2001.657...local option elections discussed

Local Share of Prize Fees

Sec. 2001.503(a),(b)...if county/munc. had tax prior to 1/1/93, receives 50%
Sec. 2001.503(c)... if both county and municipality

Location

Sec. 2001.002(22)...premises definition
Sec. 2001.002(23)...primary business office defined
Sec. 2001.402...single premises
Sec. 2001.403...common roof or foundation
Sec. 2001.404...principal location defined
Sec. 2001.557...inspection of premises/ records
Rule 402.100(1)...bingo premises defined
Rule 402.100(12)...defined
Rule 402.100(14)... "place" defined
Rule 402.200(c)...location of bingo occasion
Rule 402.403...certified org. meeting minutes required if play location is other than organization's location for general activities
Rule 402.700...location verification inspection

Loteria

Rule 402.301(a)(13)...definition
Rule 402.301(g)...describes loteria playing cards, not bingo equipment

Manager

Rule 402.402(4)...definition of manager.
Rule 402.407...relating to Unit Manager

Manufacturer

Sec. 2001.002(16)...definition
Sec. 2001.201...license required
Sec. 2001.202...persons ineligible
Sec. 2001.203...license application
Sec. 2001.204...bond (\$10,000)
Manufacturer (*Continued from previous page*)

Sec. 2001.205...license fee
Sec. 2001.211...amendment of application
Sec. 2001.214...term of license (1 year)
Sec. 2001.215...records and reports
Sec. 2001.216...examination of records

Sec. 2001.407(a)...sales only to licensed distributor
Sec. 2001.556...price fixing prohibited
Rule 402.300(d)...manufacturing requirements for instant bingo
Rule 402.302(c)(1)(c)...fee charged for testing submissions
Rule 402.303(b)...dispenser requirements
Rule 402.303(e)(5)...manf. / dist.sales records kept for 4 years
Rule 402.301...seal required on disposable bingo cards
(Note: Exception for promotional and exempt
bingo games conducted IAW Sec. 2001.551.)

Material Omission

Sec. 2001.554...omission-revocation of license

Meeting Minutes

Rule 402.403(a)(4)...org. meeting minutes req'd when bingo location
Other than general activities location

Member

Sec. 2001.002(19)...members and allowable compensation
Sec. 2001.101(a)(2)(B)...voting ;election of officers
Sec. 2001.102(b)(10)...as primary operator
Sec. 2001.105(a)...operators as active members; criminal history
Sec. 2001.411...member to conduct, administer, assist, promote bingo game
Sec. 2001.411(c-1)...organization may designate members
Rule 402.408...designation of members

Minors

Sec. 2001.418...minors playing bingo/working bingo, house rules

Net Proceeds

Sec. 2001.002(18)...definition
Sec. 2001.051...proceeds from bingo for authorized purposes only
Sec. 2001.102(a)(8),(9)...specified purpose/use on application
Sec. 2001.451...bingo (checking) account required
Sec. 2001.451(g)(1)...net proceeds required

Sec. 2001.454(a)...devoted to charitable purposes
Sec. 2001.454(b)...new allowances for use
Sec. 2001.455...use of proceeds by recipient
Sec. 2001.456...prohibited use of proceeds
Sec. 2001.458...authorized expenses
Sec. 2001.554...diversion as violation

Rule 402.203(b)(1)...Unit's net proceeds defined

Rule 402.452...Net Proceeds

Rule 402.501...charitable use of net proceeds

Rule 402.502...recordkeeping for charitable use of proceeds

Non-profit Organization

Sec. 2001.002(19)...definition
Sec. 2001.002(19)(B)...valid 501(c) status required
Sec. 2001.101(2)...requirements

Notification; Notification of Change

Sec. 2001.211...change reported within 10 days of effective date
Sec. 2001.316...commission "dual" notification (conductor & lessor) discussed
Rule 402.400(p)...within 10 days, change to application information
Rule 402.402(h)...individuals of REGISTRY must notify commission within
30 days of change in information.

Number of Conductors

Sec. 2001.402(c)...No more than seven conductors in single premises

Officer

Sec. 2001.002(19)...officers and allowable compensation
Sec. 2001.053...commission may use officers and investigators to administer
Sec. 2001.105(b)...conductor license; prohibited criminal history
Sec. 2001.154(a)...lessor license; prohibited criminal history
Sec. 2001.202...manufacturer-prohibited criminal history
Sec. 2001.207...distributor-prohibited criminal history

Operating Capital

Sec. 2001.451(h)...operating capital in bingo account discussed
Rule 402.451...Operating Capital discussed
Rule 402.453...Request to Increase Operating Capital

Operator

Sec. 2001.102(b)(10)...member designated to conduct game
Sec.2001.107...Operator Training Program discussed
Sec. 2001.303...access to IRS information on individual.
Sec. 2001.356...notice to officer, operator or agent
Sec. 2001.411...individual qualifications to conduct
Sec. 2001.411(e)...operator performing as bingo caller
Sec. 2001.458...cannot be paid (by exclusion-not authorized expense)
Sec. 2001.459...cannot be paid (by exclusion-not authorized expense)
Rule 402.402(b)(1)...operators required to be on registry of appvd workers
Rule 402.100(14)...operator defined
Rule 402.201...must be physically present at bingo game premises
Rule 402.200(i)(3)...operator's name displayed; "Operator on Duty" sign
Rule 402.103... Training Program discussed.
Rule 402.103(c)(1)...annual licensed organization must have bingo chairperson and all operators trained;
designated unit manager also must have valid certificate of completion.

Organization, Authorized

Sec. 2001.002(2)...definition
Sec. 2001.101...criteria---revised per HB 1474 (eff. Oct. 2009)
Sec. 2001.101(a)(6)...voluntary EMS provider---new per HB 1474
Rule 402.403(5)...organizational purpose must be other than bingo

Paper Bingo and Bingo Cards

Rule 402.301...Bingo card and paper discussed
Rule 402.301(g)...Lotteria paper / card described

Paperwork Reduction

Sec. 2001.308...license application pages restricted

Parties of Interest

Sec. 2001.156(b)(1)...financial or real party in interest
Sec. 2001.159...application signatures of real party in interest

Penalties / Penalty Guidelines

Sec.2001.508...penalties for failure to pay or report
Rule 402.706...standard administrative penalties
Rule 402.707...expedited administrative penalties)

Premium payment-health insurance

Sec.2001.458...expanded per SB1342 (06/2011) to address health insurance for
bingo workers.

Person(s)

Sec. 2001.002(2)...as licensed entity
Sec. 2001.002(20)...definition
Sec. 2001.154...persons ineligible for lessor license

Sec. 2001.411...persons operating or conducting bingo

Personal Identification Number (PIN)

Rule 402.424...using for fax amendments

Postmarked Date /Receipt by Commission

Rule 402.400(o)(5)...postmarked date in receipt of renewal applications

Pre-Licensing interview

Rule 402.400(g)...Commission may require attendance

Premises

Sec. 2001.002(22)...definition
Sec. 2001.401...restrictions on premises providers
Sec. 2001.402...single premises
Sec. 2001.403...common roof or foundation
Sec. 2001.557...inspection of premises
Rule 402.100(2)...bingo premises defined
Rule 402.100(15)...“place” defined
Rule 402.409...amendment or change of premises

Price Fixing Prohibited

Sec. 2001.556...no fixed prices
Rule 402.204...price fixing discussed

Primary Business Office / Principal Location

Sec. 2001.002(23)...definition
Sec. 2001.152(a)...for purposes of leasing, total and exclusive use
Sec. 2001.404...defined (revised per HB 1474)
Sec. 2001.404(1)...bingo in “contiguous counties” discussed
Rule 402.100(15)...definition

Prizes at Bingo Game

Sec. 2001.420(a)...\$750/ single game
Sec. 2001.420(b)...\$2500/occasion
Sec. 2001.420(c)...single door prize limit of \$250
Sec. 2001.506...organization records
Sec. 2001.552...fraudulent award discussed
Sec. 2001.551(b)(C)...prizes at exempted games must be nominal
Rule 402.200(d)...prize value

Prize Fees

Sec. 2001.502...withhold 5% from player
Sec. 2001.503...county / municipality share (local share)
Sec. 2001.504...payment and reporting
Sec. 2001.507...allocation of bingo funds
Sec. 2001.508...penalties
Sec. 2001.509...re-computation
Sec. 2001.510...non-filer
Sec. 2001.511...jeopardy determination
Sec. 2001.512...tax laws on prize fees

Proceeds, Charitable

Rule 402.502...charitable use of proceeds (*amended 04/2011 effective 04/24/2011*)
Rule 402.501...distribution of proceeds for charitable purposes (new! effective 04/24/2011)

Professional Gambler

Rule 402.104 Prof. Gambler and Gambler Promoter

Prohibited Bingo Occasion

Rule 402.201...prohibited bingo occasion discussed

Promotional Bingo

Sec. 2001.407(e)...bingo equipment/paper from a licensed distributor
Sec. 2001.551(b)(4)...game for promotional or advertising purposes
Rule 402.212...promotional bingo
Rule 402.301(i)...TLC seal **not** required on bingo paper for these games.

Prosecution, Exemption

Sec. 2001.555...bingo license, unless wrongfully obtained

Provisional Employee

Rule 402.402(8)...defined
Rule 402.402...work requirements, documentation discussed

Public Information

Sec. 2001.058...BEA and Admin. Rules available to public

Pull-tabs [*Instant Bingo, break-open bingo*]

Sec. 2001.002(24)...definition
Sec. 2001.408...authorized way to play bingo
Sec. 2001.410(b)...price may not exceed \$1.00
Rule 402.100(11)&(17)...break-open, instant, pull-tab bingo defined
Rule 402.300...Pull-Tab Bingo Revised/effective July 17, 2007
Rule 402.303(e)(4)...conductors must keep records on pull-tab sales
Rule 402.403...may sell pull-tab tickets (only) during all bingo occasions; no regular bingo games required; old provision for regular games removed.

Pull-tab Dispensers

Sec. 2001.002(5)...as bingo equipment
Sec. 2001.002(25)...definition
Sec. 2001.407(d)...authorization for distributors to sell or lease
Sec. 2001.410(a)...prohibited practices
Sec. 2001.410(c)...five (5) devices allowed on premises
Sec. 2001.417(a)...problem gamblers' help line displayed
Rule 402.303...pull-tab / instant bingo dispensers; record keeping

Quarterly Returns

Sec. 2001.508...penalties for failure to report
Sec. 2001.312...failure to file
Sec. 2001.504...reporting taxes / fees
Sec. 2001.504(a)...changes qrtly report due date from 15th to 25th
Sec. 2001.505...report of expenses
Quarterly Returns (*continued from previous page*)
Sec. 2001.506...described
Sec. 2001.510...determination if no return made
Rule 402.304(p)...SSP must hold for four years from date submitted
Rule 402.600...bingo reports; quarterly reports; extensions (Revised 04/06)
Rule 402.602...waiver of penalty, settlement of prize fees, rental tax etc.

Raffles

Sec. 2001.416...raffles authorized, discussed

Reapplication for license

Rule 402.700(d)...eligible to reapply for a license one year from date of denial

Reasonable Compensation

Sec. 2001.002(19)...allowable compensation for members, officers etc.

Records

Sec. 2001.002(23)...kept at primary business office
Sec. 2001.215...manufacturer / distributor required records / reports
Sec. 2001.216...Commission restricted on release of M/D record info
Sec. 2001.414(b)...bingo records / cash register receipts
Sec. 2001.505...report of receipts, expenses
Sec. 2001.506...record of prize winner discussed
Sec. 2001.554...offenses
Sec. 2001.560...inspection of records by commission
Rule 402.103(f)(2)...certificate of completion (OTP)... 4 years
Rule 402.300...records required for selling instant bingo cards
Rule 402.301(e)...sale/purchase of bingo paper/cards—4 years
Rule 402.302(f)...card-minding records-kept for 4 years
Rule 402.303...manufacturer and distributor record requirements
Rule 402.500...general record requirements
Rule 402.502(d)(3)...use of net proceeds records—4 years
Rule 402.504(c)(4)...debit card transaction records—4 years
Rule 402.506...disbursement records requirements discussed.
Rule 402.511...required inventory records

Registry of Approved Bingo Workers

Sec. 2001.313...discussion of new registry
Sec. 2001.313(c)...registry access through Commission website
Sec. 2001.313(h)..."provisional worker" (14 day) pending completion of CBI
Sec. 2001.314...identification cards for workers on registry
Rule 402.402...registry of approved bingo workers
Rule 402.402(b)...individuals who must be listed on registry

Regular License

Sec. 2001.002(25-a)...term defined
Sec. 2001.104(d)...options to pay annual license fee

Religious Society

Sec. 2001.002(26)...definition
Sec. 2001.101(a)(1)...requirements-3 years

Renewal of license

Sec. 2001.105(a)... criteria for renewal of license to conduct
Sec. 2001.212...denial of license during renewal
Sec. 2001.307...licenses may not be effective for more than one year
Sec. 2001.312...not eligible for renewal unless all required reports,
Tax returns, requested information has been filed.
Sec. 2001.315...late license renewal option discussed
Sec.2001.316..."dual" notification (conductor & lessor)
Rule 402.400(o)...timely renewal of license discussed
Rule 402.103(e)(3)...Operator training requirement to renew
Rule 402.411...late license renewal discussed

Rent

Sec. 2001.002(18)...gross rent discussed as part of net proceeds
Sec. 2001.102(b)(6)...rent entry in conductor's application

Sec. 2001.159...fair and reasonable amount
Sec. 2001.405...prohibited rental payments
Sec. 2001.406...rent for premises; "separate expenses" (% of total area of lessor facility)
Sec. 2001.457...charitable distribution calculation

Repealed Provisions of BEA (per HB 1474—effective October 1, 2009)

Sec. 2001.002(3), (10)
Sec. 2001.057(b)
Sec. 2001.160(c)
Sec. 2001.161(a)
Sec. 2001. 303
Sec. 2001.402(b)
Sec. 2001.406(c)
Sec. 2001.417
Sec. 2001.457(d)
Sec. 2001.505(c)
Sec. 2001.553(b)
Subchapter F, Chapter 2001

Reports

Sec. 2001.060...Bi-annual bingo rpt to TX Legislature
Sec. 2001.505...conductor report of expenses
Rule 402.600...Bingo Reports
Rule 402.600(l)(2)... grounds for requesting filing **extension**

Restrictions on Bingo

Sec. 2001.055...commission by rule may establish number / type of games
Sec. 2001.401...leasing game facilities
Sec. 2001.402(a)... more than 1 play location per license
Sec. 2001.402(b)...maximum of 2 affiliated organizations
Sec. 2001.404..."principally located" defined
Sec. 2001.405...rent not based on per capita/proceeds
Sec. 2001.407(a)...manufacturer may supply only distributor
Sec. 2001.407(b)...distributor supply only conductor/exempt; 30 day credit
Sec. 2001.407(c)...distributor may receive only from manuf. / other distr.
Sec. 2001.407(d)...may lease or purchase card-minder, pull-tab dispensers
Sec. 2001.407(e)...conductor/exempt must purchase from licensed distributor
Sec. 2001.407(f)...occasional equipment sale by organization
Sec. 2001.408.....pull tabs
Sec. 2001.409.....card-minder prohibitions—40% rule **repealed**
Sec. 2001.410(a)...pull-tab dispensers—use restrictions
Sec. 2001.410(b)...maximum of \$1price for pull-tab

Restrictions on Bingo (Continued from previous page)

Sec. 2001.410(c)...maximum of five pull-tab dispensers per licensed premise
Sec. 2001.411(a)...bona fide member must conduct game
Sec. 2001.412...may not deny admission to game / opportunity to play
Sec. 2001.413...no playing without charge; no free play at licensed game
Sec. 2001.415...only conductor organization to advertise/promote
Sec. 2001.416...no other games of chance (except raffles & Penal Code 47.01)
Sec. 2001.417(a)...1-800# gambling hot-line required to be displayed
Sec. 2001.420(a)...\$750 maximum prize/game
Sec. 2001.420(b)...\$2500 maximum/occasion (excludes pull-tab bingo)
Sec. 2001.420(c)...door prize of \$250 limit
Sec. 2001.454(a)...net proceeds to charitable purposes
Rule 402.200...general restrictions on conduct of bingo

Revocation

Sec. 2001.211...failure to notify of change in information
Sec. 2001.302...failure to submit supplemental information

Sec. 2001.353...suspension or revocation of license
Sec. 2001.554(a)...other offenses; revocation
Sec. 2001.554(c)...reapplication after 1 year from revocation date
Sec. 2001.559...revocation and administrative penalties
Rule 402.700...denials, suspensions, revocations and hearings

Rule-Making Authority

Sec. 2001.054...commission may adopt rules to enforce and administer Act

Sale of Bingo Supplies

Sec. 2001.217...unlicensed sale of bingo supplies, equipment or services

Scope of Agency Authority

Sec. 2001.051...control and supervision of bingo
Sec. 2001.052...director of bingo operations
Sec. 2001.053...officers and investigators
Sec. 2001.054...rule-making authority
Sec. 2001.055...regulation of games
Sec. 2001.056...approval of bingo games
Sec. 2001.057...bingo advisory committee

Security (Bonds)

Sec. 2001.204...\$10,000 manufacturer bond
Sec. 2001.514...license requirements, forfeiture, release
Rule 402.603...detailed discussion on bonds and other securities

Senior Citizen (Exempted Game) Bingo

Sec. 2001.407(e)...exempted game supplies must come from TX distributors
Sec. 2001.551...exemption
Rule 402.301(j)...TLC seal **not** required on disposable paper for these games.

Seizure and Sale of Property

Sec. 2001.513...described

Seven Conductors Maximum in hall

Sec. 2001.402(c)...no more than 7 organizations at the same premises

Signature Requirements

Rule 402.412...signature requirements discussed

Significant Progress toward Charitable Purposes

Sec. 2001.105(a)...requirement to show

Six (+) Taxpayer number errors when filing MD quarterly report

Rule 402.600(f)...6 or more wrong TXP#s on MD QR is returned w/o upload.

Subchapter A- Administration

Rules 402.100-402.103

Subchapter B-Conduct of Bingo

Rules 402.200-402.210

Subchapter C-Bingo Games and Equipment

Rule 402.300-402.304

Subchapter D-Licensing Requirements

Rule 402.400-402.442

Subchapter E-Books and Records

Rule 402.500-402.511

Subchapter F-Payment of Taxes, Prize Fee and Bonds

Rule 402.600-402.603

Subchapter G-Compliance and Enforcement

Rule 402.700-402.715

Surrender of License

Sec. 2001.457...1 year to disperse unexpended funds to charitable purposes
Rule 402.400(k)...voluntary cancellation of license discussed

Suspension of License

Sec. 2001.355...procedure
Rule 402.700...denial; suspension; revocation; hearings

Tax-exempt

Sec. 151.3105 (Tax Code)...discusses tax-exempt bingo equipment

Tax Review Inspection

Rule 402.704...Tax Review Inspection discussed

“Telephone” amendment

Sec. 2001.306(d)...amendment by telephone or fax

Temporary Authorization

Sec. 2001.304...non-licensed applicant only; requirements
Rule 402.400(i)...organizations with TA required to file reports
Rule 402.405...temporary authorization

Temporary License

Sec. 2001.103...temporary occasion license
Sec. 2001.103(e)...annual licensees authorized **24** temporaries within annual license period. (new per HB 1474)
Sec. 2001.103(f)...all 24 temporaries may be requested on single application without days / times listed.
Sec. 2001.103(g)...organization must notify commission of specific date / time of temporaries before use of license
Sec. 2001.108(e)...“extra” temporary licenses during bingo hall changes; In addition to number authorized each licensee
Sec. 2001.401(2)...playing location exempt from lessor's license
Sec. 2001.419...as a third occasion
Rule 402.401...temporary license rule
Rule 402.402(l) registry of workers not required for non-annual licensees
Rule 402.401...temporary license discussed; application submission 30 day & 7 day deadlines
Rule 402.401(b)4)...licensed temporary occasion not held; license fees forfeited

Temporary Suspension

Sec. 2001.355...temporary suspension
Sec. 2001.356...notice of temporary suspension

“Total & Exclusive Use” clause

Sec.2001.152(a)(1)...organization with T & EU use premises as prim. Bus. office

Training Program (Bingo Training Program)

Sec. 2001.107...Training required for BCP only
Sec. 2001.107...no longer mandatory 8 hrs of training
Sec. 2001.437(h)...unit managers to attend training program
Sec. 2001.438(e)...designated agent to attend training program
Rule 402.103...Bingo Training Program

Transactions

Sec. 2001.413...recording bingo gross receipt transactions; use of cash register
Sec. 2001.554...failure to fully and truly record, revocation of license

Transfer of Funds

Rule 402.202...transfer of funds discussed

Transfer of License, Lessor

Sec. 2001.160...prohibited generally; exceptions described(Revised 06/2011 HB2728)

Trust Agreements

Sec. 2001.439...trust agreement discussed in forming a unit

Two-Year Licenses

Sec.2001.104(d)...conductor license effective for two years
Sec. 2001.158(d)...commercial lessor license effective for two years
Sec. 2001.214(b)...manufacturer or distributor license effective for two years

Under 18 years of age playing bingo

Sec. 2001.418(a)...authorized if accompanied by parent or guardian
Sec. 2001.418(b)...license organization may set house rules against (a)

Unexpended Funds

Sec. 2001.457...cessation of bingo, one year to disburse

Unit Accounting

Sec. 2001.431...unit accounting discussed
Sec. 2001.436...disbursement of funds by dissolved unit discussed
Rule 402.203...unit accounting rule (*amended 04/2011 effective 04/24/2011*)
Rule 402.205...unit agreements discussed (*amended 04/2011 effective 04/24/2011*)

Unit Manager

Sec. 2001.431(4)...unit manager defined
Sec. 2001.437...unit manager license discussed
Sec. 2001.437...unit manager and unit operations discussed
Sec. 2001.438...unit manager, designated agent and unit operations discussed
Rule 402.402(b)(2)...managers required to be on registry of approved workers
Rule 402.407...unit manager discussed

Use of Proceeds

Sec. 2001.456...prohibited used of proceeds by licensed organization
Rule 402.501...charitable use of net proceeds
Rule 402.502...charitable use of proceeds
Rule 402.203(g)...unit's use of proceeds discussed

Verification

Rule 402.200(m)(1)...winner verification discussed; posting winning card
Rule 402.702...location verification inspection discussed

Veterans / Veterans Organizations

Sec. 2001.002(27)...definition
Sec. 2001.101(a)(4)...as a authorized organization
Sec. 2001.551... VA medical center / military hospital exempted games

Volunteer Fire Department (VFD)

Sec. 2001.002(28)...definition
Sec. 2001.101(a)(5)...as authorized organization

Voting Rights (Member)

Sec. 2001.101(a)(2)(B)...members & election of officers

Waiver

Rule 402.450...Request for Waiver.

Winner

Rule 402.200(i)(1)...winner verification / posting winning bingo card...30 minutes

Worker

Sec. 2001.105(a)(6)...prohibited criminal history
Sec. 2001.4115...joint hiring of employees discussed
Sec. 2001.418(c)...age requirements to work bingo sessions
Sec. 2001.453...wages as authorized use of bingo account
Sec. 2001.458(a)(8)...listed as legitimate item of expense
Rule 402.402...registry of approved bingo workers
Rule 402.400(q)...workers cannot discuss application items
Rule 402.200(f)...operator on duty (sign required to be displayed)
Rule 402.200(h)...no playing while working the bingo occasion