

## Subject Index Reference (BEA and Administrative Rules) 5/6/2010

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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 **Amended/effective 03/09/2010**  
(For "Unit Agreements"...see Rule 402.205

### Active member

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  
Sec. 2001.105(a)(5)...persons who conduct, promote, administer must be members  
Sec. 2001.411(a)...bona-fide, active members to conduct, promote, administer  
Rule 402.201...game must have active member physically present and supervising / directing game

### Adjusted Gross Receipts

Sec.2001.457...required disbursements to charity  
Rule 402.501(a)...distribution of proceeds (35% less auth'd expenses nte 6%)

### Administrative Hold

Rule 402.400(k)...requesting admin hold, effective date, cessation of bingo activity  
Rule 402.400(k)(4)...orgs. in AH must submit required reports, renewals, fees etc.

### Administrative Penalties

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  
Sec. 2001.603...notice of violation and penalty  
Sec. 2001.604...penalty to be paid or hearing requested  
Sec. 2001.605...hearing  
Sec. 2001.606...decision by executive director  
Sec. 2001.607...options following decision: pay or appeal  
Sec. 2001.608...collection of penalty  
Sec. 2001.609...determination by court  
Sec. 2001.610...remittance of penalty and interest  
Sec. 2001.611...administrative procedure  
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

### Admission

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

### Advertising

Sec. 2001.415...advertisements discussed  
Sec. 2001.415(a)...licensed commercial lessors authorized to advertise  
Sec. 2001.458(a)(1)...authorized expense  
Sec. 2001.459(a)(1)...paid from bingo account  
Sec. 2001.551(b)(4)...promotional game  
Rule 402.200(b)...exact conductor name

### Advisory Opinions

Sec. 2001.059...written requests and Commission processing  
Sec. 2001.059(a),(g)...restrictions discussed (new HB 1474)  
Rule 402.101...advisory opinion rule—**Amended/effective 03/09/2010**

### Affiliated Organizations

Sec. 2001.102(c)...affiliated organization and 501(c)  
Sec. 2001.402(b)...limit of 2 at same location—deleted per HB 14742  
Sec. 2001.411...in conduct of games

### Age

Sec. 2001.418(a)...may play if under age 18 w/ guardian  
Sec. 2001.418(b)...conductor can set house rules  
Sec. 2001.418(c)...may not work if under age 18

### Agent, Designated

Sec. 2001.438...unit operations with designated agent

### Allocations

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

### Amendment of License

Sec.2001.108...amend. appl. for change of bingo premises (**revised per HB1474**)  
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 (**revised per HB 1474**)  
Sec. 2001.306(d)...telephone/fax amendments  
Sec. 2001.306(e)...method of paying fees  
Rule 402.403(d)...amendments  
Rule 402.410...amendment of a license-general provisions.  
Rule 402.422...amendment to a regular license—**Amended/effective 01/28/2010.**  
Rule 402.424...amendment of a license by telephone or facsimile.  
Rule 402.442...amendment to lessor license  
Rule 402.409...amendment for Change of Premises or Occasion Termination or Abandonment-**Amended 01/2010.**

### Amusement Machines / Devices

Sec. 2001.416(a)...no other games of chance during bingo occasion  
Sec. 2001.416(d)...exhibition & play

## Annual License to Conduct

- Rule 402.403(a)(2)...Conductor may hold only one annual license to conduct; license valid for specific location
- Rule 402.403(a)(3)...with exception of temporary licenses; org. must have annual license to sell pull-tabs

## 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. 2001.253...System Service Provider (SSP) license deleted per HB1474~~
- Sec. 2001.301...investigate qualifications
- Sec. 2001.302...supplemental information 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
- Sec. 2001.161...authorized organization that holds commercial lessor license must also hold active conductor's license

## 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
- Sec. 2001.057(g)...rules to govern
- Rule 402.102...BAC purpose, composition, meetings etc—**Amended/effective 01/28/2010**

## Bingo Bank Account

- Sec. 2001.451...organization bingo accounts (**revised per HB 1474**)
- 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. New rule effective 5/2/2010.

## 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) ...term defined (new HB 1474)
- Sec. 2001.102(b)(6)...organization must designate (new HB 1474)
- Sec. 2001.102(b)(6)...BCP will be responsible for conduct of bingo
- Sec. 2001.106(2)...name and address of BCP on license (new per HB1474)
- Sec. 2001.107(a)...training requirements defined (new HB 1474)
- 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

## 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

## Bingo Equipment (Continued from previous page)

- 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 receive bingo equipment from licensed distributor or manufacturer.  
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 (**revised per HB 1474**)  
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 (**revised per HB 1474**)  
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 15<sup>th</sup> day after the date of change

#### **Charitable Distribution ----(heavily revised per HB 1474)**

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 402.403(a)(5)...conductor organizations must be organized and operate for purposes other than bingo  
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. 2001.151...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  
Sec. 2001.161(a)...authorized organization as lessor must also be conductor  
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. 2001.161(a)...~~deleted~~ **per HB 1474**  
Sec. 2001.306...amendment of license (**revised per HB 1474**)  
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, fees, bonds  
Rule 402.200...make available BEA/ Rules to patrons  
Rule 402.420...qualifications and requirements for Conductor's license (**new/effective 12/09/09**)  
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 (new per HB 1474)

#### 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...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 (new HB 1474)  
Sec. 2001.102(b)(12)...workers  
Sec. 2001.105(a)(6)...workers/operators; prohibited criminal history  
Sec. 2001.105(b)...officers **and** directors discussed (new HB 1474)  
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 (**new per HB 1474**)  
Rule 402.400(n)...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 30<sup>th</sup> 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 (**revised per HB 1474**)

#### 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 (**new rule/ effective 05/02/2010**)

#### 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 (**revised per HB 1474**)  
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  
to me 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 (**revised per HB 1474**)  
Sec. 2001.209...license fee: (\$1000) and cost of background check  
Sec. 2001.210...license restrictions  
Sec. 2001.211... amendment of application (**revised per HB 1474**)  
Sec. 2001.214...term of license term (1 year)  
Sec. 2001.215...books, records and reports  
Sec. 2001.216...examination of records  
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

#### Diversions 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---see Notification

#### 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

Sec. 2001.452(a)...electronic funds transferred authorized (**new per HB1474**)

#### 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 (*new per HB 1474*)  
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  
Sec.2001.458(a)...EFT fees are authorized expense (*new per HB 1474*)  
Sec. 2001.459...expenses paid from bingo account (*revised per HB 1474*)  
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 (*new per HB 1474*)

#### "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 (*revised per HB 1474*)  
Sec. 2001.453...authorized use of bingo account (*revised per HB 1474*)  
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. 2001.102(b)(11)...copy of conductor's application sent to  
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

#### 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 / 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

#### 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 insuff. 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 402.701...investigation of applicants for licenses  
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 402.703...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.

#### Interest waiver

Rule 402.602...Waiver of penalty, settlement of prize fees, rental tax etc.

#### Intermission Between Games

Sec. 2001.419(d)...definition  
Sec. 2001.419(e)...as part of bingo occasion

#### 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  
Sec. 2001.303...deleted per HB 1474

#### 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 (*new per HB 1474*)  
Rule 402.411...late license renewal fee (**New Rule 01/2010**)

#### 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 (*revised per HB 1474*)  
 Sec. 2001.159...licensing criteria  
 Sec. 2001.160(c)...~~deleted per HB 1474~~  
 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 (*new HB 1474*)  
 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 (*revised per HB 1474*)  
 Sec. 2001.108...amend. application timelines (*revised per HB 1474*)  
 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  
 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 (*revised per HB 1474*)  
 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, fees (conductor / lessor)-amended/effective 05/02/2010  
 Rule 402.403(c)...temporary licenses discussed  
 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 (*new per HB 1474*)  
 Sec. 2001.104(d)...conductor license effective for two years option; payment  
 options (*new per HB 1474*)  
 Sec. 2001.158(a)...lessor annual license (*revised per HB 1474*)  
 Sec. 2001.205...manufacturer's annual license-\$3000  
 Sec. 2001.209...distributor's annual license-\$1000  
 Rule 402.404...license fees (**Amended/effective 0502/2010**)  
 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

Sec. 2001.002(14)...definition  
 Sec. 2001.411...persons operating or conducting

#### Licensing Provisions

Rule 402.400...general licensing provisions rule

#### 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 402.403...certified org. meeting minutes required if play location is other  
 than organization's location for general activities  
 Rule 402.200(c)...location of bingo occasion  
 Rule 402.702...Location verification inspection discussed (**Repealed 01/2010**)

#### 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 (*revised per HB 1474*)

Sec. 2001.204...bond (\$10,000)  
Sec. 2001.205...license fee  
Sec. 2001.211...amendment of application (**revised per HB 1474**)  
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 (**new per HB 1474**)

#### 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 (**new per HB 1474**)  
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 402.501...distribution of proceeds for charitable purposes  
Rule 402.203(b)(1)...Unit's net proceeds defined  
Rule 402.452...Net Proceeds...new draft rule under development May 2010 (HB 1474)

#### 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 (**new per HB 1474**)  
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 (**new per HB 1474**)  
Rule 402.451...draft new admin rule under development May 2010 (HB1474)  
Rule 402.453...Request to Increase Operating Capital {draft new admin rule under development May 2010 (HB1474)}

#### 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. **Amended/effective 01/28/2010**  
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)

#### Person

Sec. 2001.002(2)...as licensed entity  
Sec. 2001.002(20)...definition

#### 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(1)...bingo premises defined  
Rule 402.100(14)..."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 (**new per HB 1474**)  
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 (**revised per HB 1474!**)  
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

#### Proceeds, Charitable

Rule 402.502..charitable use of proceeds  
Rule 402.501...distribution of proceeds for charitable purposes

#### Professional Gambler

Rule 402.104 Prof. Gambler and Gambler Promoter

#### Prohibited Bingo Occasion

Rule 402.201...prohibited bingo occasion discussed (**Amended/effective 03/09/2010**)

#### 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 (**NEW /effective 03/09/2010**)  
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 (**new per HB 1474**)

Rule 402.402(6)...discussed in conjunction with Registry  
Rule 402.402(9)...work requirements 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)&(16)...break-open, instant, pull-tab bingo defined  
Rule 402.300...Pull-Tab Bingo (Adopted as amended-see website 06/2007)  
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 (effective 05/02/2010).**

#### 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 15<sup>th</sup> to 25<sup>th</sup>  
Sec. 2001.505...report of expenses  
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. 2001.414(b)...bingo records / cash register receipts  
Sec. 2001.505...report of receipts, expenses (**revised per HB 1474**)  
Sec.2001.505(c)...report available to comptroller **deleted per HB 1474**  
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 (**revised per HB 1474**)  
Sec. 2001.313(c)...registry access through Commission website  
Sec. 2001.313(h)...“provisional worker” (14 day) pending completion of CBI (new per HB 1474)  
Sec. 2001.314...identification cards for workers on registry (revised per HB 1474)  
Rule 402.402...registry of approved bingo workers—**Amended/effective 03/09/2010**  
Rule 402.402(b)...individuals who must be listed on registry

## Regular License

Sec. 2001.002(25-a)...term defined (new per HB 1474)  
Sec. 2001.104(d)...options to pay annual license fee (new per HB 1474)

## Religious Society

Sec. 2001.002(26)...definition  
Sec. 2001.101(a)(1)...requirements-3 years—revised per HB 1474

## 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 (**new per HB1474**)  
Sec.2001.316...“dual” notification (conductor & lessor) (new per HB 1474)  
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 (effective 01/28/2010)

## Rent

Sec. 2001.002(18)...gross rent and 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” (**new per HB 1474**)  
Sec. 2001.406(c)...**deleted per HB 1474**

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 (new HB 1474)  
Sec. 2001.505...conductor report (**revised per HB 1474**)  
Rule 402.600...Bingo Reports  
Rule 402.600(m)... 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  
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

## 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, Unlawful and Inducement

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) Bingo

Sec. 2001.407(e)...exempted game supplies must come from 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

## System Service Provider (SSP) (~~DELETED~~ per HB 1474)

~~Rule 402.304...SSP (repealed Nov. 2009) (HB 1474)~~

## 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)...Orgs. With TA required to file reports

Rule 402.405...temporary authorization—**Amended/effective 03/09/2010**

## 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—**Amended/effective 03/09/2010**

Rule 402.402(l) registry of workers not required for non-annual licensees

Rule 402.403(c)...temporary license discussed; application submission 30 day & 7 day deadlines

Rule 402.403(c)(3)...licensed temporary occasion not held

## Temporary Suspension

Sec. 2001.355...temporary suspension

Sec. 2001.356...notice of temporary suspension (**revised per HB 1474**)

## “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 (new per HB1474)

Sec. 2001.107...no longer mandatory 8 hrs of training (new per HB 1474)

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—**Amended/effective 01//28/2010**

## 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 (**Replaced/effective 5/2/2010**)

#### **Transfer of License, Lessor**

Sec. 2001.160...prohibited generally; exceptions described

#### **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  
Rule 402.205...unit agreements discussed

#### **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 402.502...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..draft new admin rule under development May 2010 (HB 1474)

#### **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