



Charitable Bingo Operations Division

Instructions – Texas Application for a License to Manufacture Bingo Supplies, Devices, and Equipment

B-AP-122-I (Rev. 6/11)

PUBLIC INSPECTION

This application and any attachments will be open to public inspection as required by the Texas Open Records Act.

WHO SHOULD SUBMIT THIS APPLICATION

This application should be submitted by any person (sole owner, partnership, corporation or other group) who intends to distribute or supply in any manner bingo equipment, devices, or supplies for use in bingo games in Texas.

FOR ASSISTANCE

For assistance in completing this application, please call the Charitable Bingo Division toll-free, at 1-800-BINGO-77 (800-246-4677).

GENERAL INSTRUCTIONS

- DO NOT return these instructions with your completed application.
- DO NOT leave any item on the application blank. If an item does not apply to your organization, enter "NA."
- Please print or type all information.
- Do not enter dashes when entering a Social Security Number, Federal Employer's Identification Number (EIN), or Vendor Identification Number.
- The disclosure of information concerning the race, sex, date of birth, and Social Security Number of individuals is necessary to conduct a criminal history background investigation which is authorized under the Bingo Enabling Act, Chapter 2001. Failure to provide all information requested for each individual will delay the issuance of your license.
- This application must be complete and all required documentation submitted before it can be processed.
- The license fee must be submitted with this application. The \$3000 one (1) year license fee or \$7000 two (2) year license fee may be paid by cashier's check, money order, or personal check. All payments must be made payable to the STATE COMPTROLLER.
- Processing Fees - If an application for an original license is withdrawn, the applicant's license fee may be refunded upon written request less a \$100 processing fee. If the Commission serves the applicant for an original license with a notice of application denial and the applicant later withdraws the application, the Commission will refund the applicant's license fee, less a \$400 processing fee, upon the applicant's written request.
- This application must have the notarized signatures of the sole owner, two (2) partners, two (2) LLC members, or two (2) officers.
- You will be required to post a bond in the amount of \$10,000 prior to obtaining a license. The bond must be conditioned on your compliance with the provisions of the Texas Bingo Enabling Act and may be forfeited to the State of Texas on suspension or revocation of your manufacturer's license. The bond may be in cash or issued by a surety company chartered or authorized to do business in Texas.
- Each officer, director, shareholder, LLC member, partner, or sole owner must submit a completed Texas Department of Public Safety (DPS) or Federal Bureau of Investigation (FBI) fingerprint card in addition to an *Individual Statement of Certification* form.
- Attach required schedules and paperwork (see checklist).

Note: All paper, pull-tabs and card minding systems must be approved by the Texas Lottery Commission (TLC) prior to their sale in Texas. Only a licensed manufacturer may submit products to TLC for approval. See Charitable Bingo Administration Rules available on our website (www.txbingo.org) for specific product requirements.

APPLICATION SUBMISSION

PLEASE SUBMIT YOUR COMPLETED APPLICATION, ALL SUPPLEMENTAL INFORMATION AND THE APPROPRIATE LICENSE FEE TO:

by mail:

**CHARITABLE BINGO OPERATIONS DIVISION
TEXAS LOTTERY COMMISSION
P.O. BOX 16630
AUSTIN, TEXAS 78761-6630**

for delivery:

**CHARITABLE BINGO OPERATIONS DIVISION
TEXAS LOTTERY COMMISSION
611 E. 6TH STREET
AUSTIN, TEXAS 78701**

Please retain these instructions and a copy of your completed application for your files.

SPECIFIC INSTRUCTIONS

Item 1 – Enter the legal name of the applicant as it appears on the organizing instrument (i.e.: Articles of Incorporation, Partnership Agreement, Members Agreement, etc.). If applying as a sole ownership, enter the sole owner's complete legal name (Last Name, First Name, Middle Initial). If applying for a license as a group other than a partnership, limited liability company, or corporation, enter the legal names of each member of the group as it should appear on your license to manufacture bingo supplies, devices, and equipment.

Item 2 – Enter the appropriate mailing address to receive ALL bingo related correspondence for the applicant. Also include the designated agents name and social security number, organization's Web site, optional e-mail address, and the name and daytime telephone number of the individual responsible for the completion of the application, as applicable.

Item 3 – Indicate how the business is owned. A Foreign Corporation is any business incorporated outside the State of Texas. A business incorporated outside the State of Texas would need to hold a Certificate of Authority (C.O.A.) to do business in Texas issued by the Texas Secretary of State prior to the sale of bingo supplies, devices, or equipment to an authorized distributor. Should the method of organization not fall under the classifications listed, check "Other" and specify how the business is owned.

Item 4 – Enter the applicant's nine-digit Federal Employer's Identification Number (EIN) assigned by the Internal Revenue Service, if applicable.

Item 5 – If the applicant's business is organized as a sole ownership, enter the sole owner's Social Security Number.

Item 6 – Enter the applicant's 11-digit taxpayer number for reporting any Texas taxes or the Texas Vendor Identification Number assigned by the Comptroller of Public Accounts, if applicable. For more information on Texas Vendor Identification Numbers, contact the Comptroller of Public Accounts at 1-800-531-5441.

Item 7 – If the organization is a corporation enter: (1) the state where incorporated, (2) the charter number, (3) the date of incorporation, (4) the certificate of authority (C.O.A.) number issued by the Texas Secretary of State's Office, if applicable, and (5) the date of certification to do business in Texas. Submit copies of your charter, C.O.A., articles of incorporation and by-laws with your application.

Item 8 – If the applicant is a foreign corporation or other foreign legal entity, provide all requested information for the registered agent of service in Texas. As required in the Texas Business Corporations Act, the corporation's registered agent of service must be located in Texas.

Item 9 – Indicate if the applicant has ever been licensed as a manufacturer, supplier or distributor of bingo supplies, devices and equipment in any state by checking the corresponding checkbox. If yes, ensure that a completed *Schedule Q - Licensing History* form is submitted with the application form.

Item 10 – Enter the name and address of the main office of your manufacturing business. This must be a physical address and cannot include a PO Box or directions (i.e. 5 miles north of I-20).

Item 11 – Enter the name, address, and location type of each separate location of your business at which manufacturing, warehousing, selling, or promoting of bingo supplies, devices, or equipment that you intend for sale in Texas takes place. For each location, indicate the location type by checking the corresponding box. Please note that each location must reflect a physical address and cannot include a PO Box or directions (i.e., 5 miles north of I-20). Include the main office location if manufacturing, warehousing, selling, or promoting of bingo supplies, devices, or equipment takes place at that location. If additional sheets are attached, check “yes” in the corresponding box.

Item 12 – Provide a list of all major items you manufacture and intend to sell in Texas with the brand name, if any, under which it will be sold. The list should include all items selling for \$25.00 or more. Also include a copy of product catalogs, brochures, photographs, etc. reflecting all items manufactured.

Item 13 – List the names and addresses of each manufacturer, supplier, and distributor in which the applicant has a financial interest. This financial interest would include any indebtedness between the applicant and the manufacturer, supplier, or distributor of \$5,000 or more. Give full details of the financial interest, including the terms and amount of obligation. If additional sheets are attached, check “yes” in the corresponding box. If the applicant has no indebtedness, check the “Not Applicable” box.

Item 14 – List the legal names and physical addresses of all commercial lessors, manufacturers or distributors of bingo supplies, devices, or equipment, licensed or pending licensure in Texas, in which the applicant is an owner, officer, director, agent, or employee. Indicate the name of the affiliated commercial lessor, manufacturer or distributor, the position(s) held by the applicant in the affiliated commercial lessor, manufacturer or distributor business, and the ownership percentage, if applicable. If additional sheets are attached, check “yes” in the corresponding box. Check the “Not Applicable” box if this does not apply.

Item 15 – Indicate the license term you are applying for by checking the corresponding one (1) or two (2) year checkbox. Enclose \$3000 for a one (1) year license or \$7000 for a two (2) year license. License fee may be paid by cashier’s check, money order, or personal check. All payments must be made payable to the STATE COMPTROLLER.

Item 16 – This is the affidavit of responsibility to be signed before a notary public by the sole owner, two (2) officers of a corporation, two (2) members of a limited liability company, or two (2) partners of a corporation as applicable. The individual(s) signing must also be listed in the applicable position(s) on the *Individual Statement of Certification* form. PLEASE READ CAREFULLY.

SUMMARIES OF SCHEDULES

All organizations filing for a License to Manufacture Bingo Supplies, Devices, and Equipment must complete Schedules S and T and submit *Individual Statement of Certification* forms and fingerprint cards for applicable individuals. Review the remaining schedules to determine if they apply to your organization.

Schedule E - Authorization of Representation.

Use if your organization desires to appoint an individual other than an officer, director, LLC member, partner, or designated business contact to serve as an authorized representative. This gives the Texas Lottery Commission the authority to discuss any aspects of your organization’s bingo activities with your authorized representative.

Schedule Q – Licensing History

Use to provide a brief history of all past or current manufacturing, distributing or suppliers licenses issued by another state.

Schedule R - Continuous Bond of Manufacturer.

Use if your organization wishes to post the \$10,000 required bond with a surety company. A written Power of Attorney form from the surety company should accompany Schedule R when submitted.

Schedule S - Organization Structure.

Use to describe the comprehensive organization of your business as it relates to itself and other affiliated entities. Supporting documentation must be attached to this Schedule.

Schedule T - Notice of Agreement to Distribute Bingo Products.

Use to disclose all licensed distributors who will handle your products for marketing in Texas.

Individual Statement of Certification

Use to disclose all officers, directors, partners, LLC members, sole owner, partners, shareholders holding more than ten percent (10%) of any class of stock, a foreign corporation’s registered agent for service, and representative/agents.

Fingerprint Cards

All directors, partners, LLC members, sole owner, partners, shareholders holding more than ten percent (10%) of any class of stock, and a foreign corporation’s or other foreign legal entity’s registered agent for service must submit either a Texas Department of Public Safety or Federal Bureau of Investigation (FBI) fingerprint card.

CHECKLIST

REQUIRED FORMS AND PAPERWORK TO INCLUDE WITH YOUR APPLICATION:

You may use this checklist to ensure that your application is complete and that you have collected all required documentation to submit with it.

- 1. **Application.** Be certain that all items are completed, it is signed by two (2) authorized individuals and notarized. A copy should be made for your files.
- 2. **License Fee.** Make payable to the State Comptroller.
- 3. **Organizing Instrument(s).** Attach a copy of all of your organization’s organizing instrument(s).
- 4. **Bond and bond-related documents.**
- 5. **Fingerprint Card and Individual Statement of Certification** for all officers, directors, partners, shareholders, LLC members, registered agent for service or sole owner. Submit only *Individual Statements of Certification* forms for credit interest holders and representative/agents.
- 6. **Product catalogs, brochures, photographs, etc.** reflecting all manufactured items intending to be sold in Texas.
- 7. **Description** of each type of bingo supply, equipment, or device you intend to sell in Texas.
- 8. **License Application Attachments.** Requested in Items 11 through 14, as applicable.
- 9. **Schedules.** Attach all applicable schedules (see Summaries of Schedules.)