



# Instructions – Texas Application for an Original License to Conduct Charitable Bingo

B-AP-117 (Rev. 8/10)

### PUBLIC INSPECTION

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

### WHO SHOULD SUBMIT THIS APPLICATION

The application should be submitted by every non-profit organization (religious society, medical research or treatment organization, fraternal organization, veteran's organization, volunteer fire department, National Historical District Association, or volunteer emergency medical services provider) that intends to conduct charitable bingo games in a legalized area in Texas. A license to conduct charitable bingo can be issued only to an authorized organization that will be responsible for all the games conducted under the license and all required reports.

### FOR ASSISTANCE

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

### GENERAL INSTRUCTIONS

- DO NOT return the instructions or checklist 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 type or print legibly all information.
- DO NOT use dashes when entering a Social Security Number, Federal Employer's Identification Number (EIN), or Texas Vendor Identification Number (TVIN).
- The disclosure of information concerning the race, gender, 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 (BEA), Chapter 2001. Failure to provide all information requested for each individual will delay the issuance of your license.
- Your organization will be required to post a bond or other security based on the license class calculated in Item 20.
- This application must be complete and all required documentation submitted before it can be processed.
- You must enclose all forms, fees and documents listed on the checklist.
- If you are applying pursuant to Charitable Bingo Administrative Rule (CBAR) 400(n) for an eligibility determination, Schedule W1 must be attached. You are required to complete only items 1-11, 14, 19 and 23. A one hundred dollar (\$100) license fee must be submitted at the time of application.

### SPECIFIC INSTRUCTIONS

**Item 1** – Enter the legal name of the applicant as it appears on the organizing instrument (i.e.: Articles of Incorporation, bylaws, constitution, charter from parent organization, etc.).

**Item 2** – Enter the appropriate mailing address to receive ALL bingo related correspondence for the applicant. Also include the organization's Web site, fax number, 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 the type of non-profit organization as established in the purpose of your organizing instrument.

**Religious** – A church, synagogue, or other organization or association that is organized primarily for religious purposes.

**Medical** – An organization whose predominant activities are for the support of medical research or treatment programs.

**Fraternal** – An organization that performs and engages in performing charitable, benevolent, patriotic, employment-related, or educational functions.

**Volunteer Fire Department (VFD)** – An association or organization that operates fire-fighting equipment, actively provides fire-fighting services, and does not pay its members, other than nominal compensation.

**Veteran** – An organization whose members are veterans or dependents of veterans of the armed services of the United States and that is chartered by the United States Congress.

**National Historical District Association** – An organization representing the owners and lessees of a majority of the real property located with a "National Historical District" designation as defined in BEA Section 2001.002(11)(B), whose net proceeds are used for restoration, construction, maintenance, and/or security within the district.

**Volunteer Emergency Medical Services Provider (VEMSP)** – A not for profit organization that provides out-of-hospital acute medical care and/or transport to definitive care, to patients with illnesses which the patient, or the medical practitioner, believes constitutes a medical emergency.

**Item 4** – Indicate if the organization is affiliated with a state or national organization by checking the corresponding box.

**Item 5** – Indicate if the organization holds a valid 501(c) exemption from the Internal Revenue Service (IRS). If the CBOD is unable to verify your current 501(c) exemption status, you may later be asked to provide a copy of the 501(c) exemption determination letter. If a 501(c) exempt group ruling has been issued, a letter of good standing from a parent organization that holds a Section 501(c) exemption for both the parent organization and its affiliate is adequate evidence of the affiliate organization's Section 501(c) exemption. All organizations applying for a license to conduct charitable bingo must have a current 501(c) exemption or be covered by a group exemption. This does not apply to VFD's, VEMSP's and Religious Societies.

**Item 6** – Enter the nine (9) digit EIN assigned to your organization by the IRS. Enter the specific EIN assigned to your organization, chapter, post, or unit. DO NOT enter the EIN assigned to your parent organization if you have answered yes to question 4. The EIN is the number on the FORM 990 filed with the IRS or on the 501(c) exemption determination letter issued to your organization by the IRS. Organizations filing as Medical, Fraternal, Veteran, or National Historical District Association must supply this number. Note: For more information on the EIN number, contact the IRS at 1-877-829-5500.

**Item 7** – Enter the eleven (11) digit TVIN assigned to your organization by the Texas Comptroller of Public Accounts. Your organization should have a TVIN if you have conducted charitable bingo in the past or ever paid any tax to the Comptroller of Public Accounts. Organizations filing as a Religious Society or VFD must supply this number if Item 6 was not completed. For additional information on the TVIN, contact the Comptroller of Public Accounts at 1-800-531-5441.

**Item 8** – If the organization is a corporation, enter: (1) the state where incorporated, (2) charter number or certificate of authority (COA) number issued by the Texas Secretary of State's Office, and (3) the date of incorporation or certification to do business in Texas. Submit copies of your charter or COA, articles of incorporation, and bylaws with your application.

**Item 9** – Enter the type of document that establishes your organization such as its bylaws, its constitution, its charter, or its listing in the diocese directory, and the date your organization was first established. Your organizing instrument(s) should demonstrate: 1) the date your organization was established, 2) the purpose of your organization as it relates to the BEA, and 3) whether your organization has a membership. If your organization's organizing instrument(s) state that the organization has no members, you should contact the CBOD for suggestions on how to resolve this issue before you file your application.

**Item 10** – Indicate if your organization has filed Form 990 with the Internal Revenue Service in the past by checking the corresponding box. As part of *Schedule A - Evidence of Eligibility*, organizations who have filed Form 990 in the past must submit a copy of their most recent filing.

**Item 11** – Indicate if your organization distributes any of its income to its members, officers, or governing body except as reasonable compensation for services by checking the corresponding box. If "yes," please describe the compensation.

**Item 12** – Enter the date the organization wants to start conducting charitable bingo. The date should be at least forty-five (45) days after the filing of the application. There are several factors you should be aware of when planning the start of your game. First, the BEA prohibits anyone other than a licensed authorized organization from advertising a bingo game. Secondly, only a licensed

authorized organization may purchase bingo supplies. You should keep these factors, as well as the forty-five (45) day processing time, in mind when planning the start of your game. If you wish your license to be effective upon the CBOD determination that you have met all requirements, checkmark the "Effective the earliest possible date" box.

**Item 13** – Enter the day(s) and time(s) of the week charitable bingo will be conducted by the organization. The days and times of each occasion may not exceed three (3) occasions per week and may not exceed four (4) hours per occasion. List the days in order using Sunday as the first weekday available. When completing the times, 12:00 a.m. (midnight) is the first time available in a day, and the last available time for one day is 11:59 p.m., as 12:00 a.m. begins the next day. The times indicated will represent the bingo occasion. Bingo may not be conducted outside the approved bingo occasion. No more than two (2) occasions may be conducted on the same day at the same location except as allowed with a separate temporary license. The two (2) occasions may be conducted on the same day by one organization or by two (2) separate organizations each holding a single occasion. See the BEA, Section 2001.419, for additional information regarding the frequency and times of occasions.

**Item 14** – Enter the name of the organization's primary business office and the address where regular meetings are held and business records are maintained. If the organization has no business office, the organization is principally located in the county of the principal residence of the chief executive officer (CEO). This address must be a physical address and cannot include a PO Box or Rural Route. Charitable bingo may only be conducted in the county in which the organization is principally located or a contiguous county. Indicate whether the organization location entered is a business office or the principle residence of the CEO by checking the corresponding box.

**Item 15** – Enter the name and physical address of the location where charitable bingo games are to be conducted. This address must be a physical address and cannot include a PO Box or Rural Route. If the location where the charitable bingo games are to be conducted is not currently licensed, the lessor from whom you are proposing to lease will be required to complete a Texas Application for a License to Lease Bingo Premises.

**Item 16** – Indicate if this location address is inside the city limits.

**Item 17** – Indicate how the location is controlled by the organization. If the location is owned, enter the date the location was acquired. If the location is not owned by the organization, check the "Lease" box. Use of facilities free of charge would be considered leasing if the playing location is not owned by the organization.

**Item 18** – Enter the name, mailing address, and eleven (11) digit taxpayer number of the entity from whom you are leasing the premises. This is the same information reflected on the lessor's license for the proposed bingo location. If your proposed lessor is not currently licensed, you can obtain their taxpayer number by asking for their EIN or TVIN. **Note:** The EIN will be nine (9) digits; the TVIN will be eleven (11) digits. If you are unable to obtain either of these numbers, complete all information except the taxpayer number.

**Item 19** – Enter the name and all requested information for the officer or member of your board of directors that will serve as the Bingo Chairperson for your organization. This individual is responsible for overseeing the organization's bingo activities and reporting back to the membership about those activities.

**Item 20** – Complete this calculation to determine the amount of license fee and security amount required. Indicate if you are applying for a one (1) year license or two (2) year license by placing a checkmark in the corresponding check box. Please refer to the Table of License Fees and Security Amounts for the appropriate fee amounts. Attach a check made payable to the State Comptroller for the license fee payment when filing the application. The CBOD will accept only the following types of bonds or other security as security for the payment of prize fees: (1) cash or check made payable to the State Comptroller, (2) irrevocable assignments of accounts, (3) letters of credit from financial institutions, (4) United States Treasury bonds, readily convertible to cash, or (5) surety bonds. In accordance with CBAR 402.404(a)(1)(B), additional license fees, and resulting bond or other security, may be required if the CBOD finds the estimated gross receipts used to calculate the license fee are not reasonable when compared to other similarly situated organizations.

**Item 21** – Indicate if a regular license to conduct charitable bingo is held or has been held at this playing location. If "YES," please proceed to Item 23. If "NO," proceed to Item 22.

**Item 22** – If a current bingo license is or has been held at the proposed playing location, it has been previously certified as legal to conduct bingo and re-certification is not required. If a current bingo license is not displayed, Item 22 must be completed by the county clerk or city secretary, when applicable, to determine that the proposed playing location address has been legalized for bingo by a local option election. Please contact our office before certifying any proposed playing location in Tarrant, Dallas, or Harris Counties.

**Item 23** – This is the Certification of Responsibility to be signed by the Bingo Chairperson and an operator of the organization. The signing operator must be listed on the Registry of Approved Bingo Workers and as an operator on Schedule B. Two different persons must sign this form. If the Bingo Chairperson is unavailable, another officer may sign the Certification of Responsibility in lieu of the Bingo Chairperson. PLEASE READ CAREFULLY.

## **SUMMARIES OF SCHEDULES AND FORMS**

All organizations filing for an Original License to Conduct Charitable Bingo must complete Schedules A, B, and Schedule C or D as applicable. Review the remaining schedules and forms to determine if they apply to your organization.

### **Schedule A Evidence of Eligibility.**

Use this form to summarize the evidence you are submitting to confirm that you are authorized to hold a license to conduct bingo.

### **Schedule B Individuals for License to Conduct Bingo.**

Use to list all of the officers, directors and persons who will serve as operators for your organization. Please ensure all operators have completed a *Texas Application for Registry of Approved Bingo Workers* form if they are not currently listed on the Registry.

### **Schedule C Assignment of Security for Bingo Prize Fees.**

Use if your organization wishes to irrevocably assign an account including certificates of deposit or certificates of savings, in a bank, savings and loan institution, or credit union whose deposits are insured by an agency of the United States government.

### **Schedule D Continuous Bond of Bingo License.**

Use if your organization wishes to post a bond with a surety company chartered or authorized to do business in the State of Texas. The appointing instrument must be properly notarized and physically attached to the bond.

### **Schedule E Authorization of Representation.**

Use if your organization desires to designate an individual to serve as an authorized representative. This gives the Commission the authority to discuss any aspects of your organization's bingo activities with your authorized representative.

### **Schedule G Verification by Parent Organization.**

Use if your organization is a subordinate to a central or parent organization. This schedule should be completed by your organization and the central or parent organization.

### **Schedule W1 Eligibility Determination.**

Use if your organization desires to have their eligibility for a license determined prior to identifying a playing location, days, times, and starting date.

### **Designation of Member**

Use if your organization desires to designate an individual, other than an organization member, as a member of your organization for the purposes of conducting bingo and other law.

### **Texas Application for Registry of Approved Bingo Workers**

This form must be completed by all persons designated as operators, bookkeepers and the Bingo Chairperson on your application. Any person that will be involved with the conduct of bingo as an operator, manager, cashier, usher, caller or salesperson for a regular license holder must be listed on the Registry before they may begin working in their position.

### **Transfer of Funds**

Use if your organization is transferring money from an account held by the organization to their bingo bank account or the unit bingo bank account if they becoming members of an accounting unit.

## CHECKLIST

### REQUIRED FORMS AND PAPERWORK TO INCLUDE AS PART OF YOUR APPLICATION:

Please ensure that all of the following forms, fees and documents are submitted when applying for an original license to conduct bingo:

1. **Texas Application for Original License to Conduct Bingo form**
2. **License Fee** – Submit a check made payable to the State Comptroller in the Amount made calculated in Item 20.
3. **Bond** – Submit a check made payable to the State Comptroller or Schedule C – Assignment of for Bingo Prize Fees or Schedule D – Continuous Bond of Bingo License in the amount calculated in Item 20.
4. **Schedule A – Evidence of Eligibility** – Submit all documents requested based on the type of organization you are applying as.
5. **Schedule B – Individuals for License to Conduct Bingo**
6. **Texas Application for Registry of Approved Bingo Workers**
7. **Bingo Training Program** – The Bingo Chairperson must attend this training course before the license may be issued. Class information is available at [www.txbingo.org](http://www.txbingo.org).
8. **Pre License Interview Training** – The Bingo Chairperson and one operator must attend this training course before the license may be issued. This web based training is available at [www.txbingo.org](http://www.txbingo.org).

## 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  
1-800-BINGO-77 (1-800-246-4677)**

for delivery:

**CHARITABLE BINGO OPERATIONS DIVISION  
TEXAS LOTTERY COMMISSION  
611 E. 6TH STREET  
AUSTIN, TEXAS 78701-3715  
1-800-BINGO-77 (1-800-246-4677)**

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