

A GUIDE FOR APPLYING FOR A NON-ANNUAL TEMPORARY BINGO LICENSE



Texas Lottery Commission
Charitable Bingo Operations Division

This guide is designed to assist any recognized eligible organization, in an informal format, to apply for a Non-Annual Temporary Bingo License. All information is current at time of printing; however, all regulations, rules and legislation should be checked by your organization before beginning the application process.

08/2017

The foremost element to acquiring a license is time. One must submit the application with all required documentation, **postmarked no later than 30 days prior to the occasion.**

A Non-Annual Temporary License may be obtained by:

- A Religious Society
- A Fraternal Organization
- A Veteran Organization
- A Volunteer Fire Department
- A Volunteer EMS Provider
- A Nonprofit Medical Organization

Introduction

Your organization has decided it wants to conduct bingo to fund a charitable purpose, and needs to be licensed to legally operate.

Listed below are a few questions to consider before your organization begins the application process;

- Is your organization a nonprofit unincorporated association or corporation?
- Is the conduct of bingo legal in the municipality, county, or justice precinct where your organization has its primary business office? If not, you may be able to play in an adjacent county where bingo is legal.
- Has your 501(c) been active for three years?
- Has your organization been organized in the state of Texas for at least three years?
- Does your organization have a bona fide membership list/roster?
- If you answer “**NO**” to any of these questions, you are not currently qualified for a license to conduct charitable bingo.
- If you answer “**YES**” to all of the questions, proceed with your application.

Qualifications, Requirements and Necessary Documentation

- **The applicant must hold a valid 501(c) exemption through the Internal Revenue Service. (Not valid for Religious Societies, Volunteer Fire Departments & Volunteer EMS Providers.)**

If unable to validate a 501(c) with the IRS, additional documentation will be requested.

1. A copy of “*Letter of Determination*” issued by IRS.
2. A letter of good standing from parent organization, if affiliated with a state or national organization, *Verification by Parent for Charitable Organization Conductor FORMID 110* and a copy of parent organization’s letter from IRS granting approval to cover affiliated subordinate units.

- **The applicant must have been organized in Texas for at least three years.**

Listing in a publication such as a national roster or newspaper article.

Or

A letter to the applicant from a government agency.

- **The applicant must be an unincorporated association or corporation and must be organized to perform and engage in charitable work.**

Assigned copy of the organization’s organizing instruments, including any bylaws, constitution, charter, and articles of incorporation.

The name of the applicant organization must match the name of the organization on the organizing instruments.

- **Proof of membership actively and continuously engaged in furthering its authorized purposes for the past three years.**

Organizing instruments describing the organization’s purposes.

Minutes from three annual membership meetings reflecting that the organization voted on the election of officers and reported on matters related to furthering the organization's purpose.

The meeting minutes must be dated and signed by an officer of the organization.

· The applicant must ensure that none of the organization's officers, directors and operators have been convicted in any jurisdiction of a gambling or gambling-related offense; and, have not been convicted of a criminal fraud offense, with the exception of a criminal fraud offense that is a Class C misdemeanor.

A criminal history check on all officers, directors and operators will occur.

A signed copy of the applicant organization's organizing instruments and supplements that list the officer and director positions.

Or

If officers/directors are not listed in organizing instruments, a current membership list identifying officers and directors.

If officer/director positions are unfilled, a statement signed by an officer indicating which positions are vacant.

Any officer/director/operator listed on the application not meeting the criminal history background requirement must resign before a license may be issued.

· The applicant must have a bona fide membership.

A current membership list with all officers and directors noted.

· The applicant may appoint only the organization's members to serve as operators.

A current membership list with all officers and directors noted. Membership list will be compared to persons on the application to confirm that only members have been named as operators.

- **The applicant must demonstrate significant progress toward the accomplishment of the organization's purposes during the twelve months preceding the date of application.**

At least three different types of acceptable documents as proof that the organization was engaged in furthering its charitable purpose for the time period beginning one year prior to the date the application was signed.

- **The applicant may not distribute any income to members, officers, or governing body except as reasonable compensation for services.**

The most recent copy of *IRS Form 990*, if the organization is required to file with the Internal Revenue Service.

Or

"NO" marked on Item 11 of *FORMID 1*

- **License Application Requirements, Section 2001.102 (a)(b)(c)**

If the organization is organized under Texas laws, the organization must be in good standing with the Texas Secretary of State (SOS). If unable to validate good standing with the SOS;

A copy of *"Tax Clearance Letter for Reinstatement"* from the Texas State Comptroller of Public Accounts and

A stamped, filed copy of an *"Application for Reinstatement"* from the Texas Secretary of State will be requested.

Required Forms and Submitting Your Information

- ***Original Application for Temporary Bingo Occasions for Non-Licensed Organization FORMID 20***
- ***Verification by Parent for Charitable Organization Conductor FORMID 110*** (only if the organization is subject to a parent organization)

Application processing time depends upon several variables, including the completeness and accuracy of the

submitted application and supplemental documentation as required.

- Do not leave any item blank. Enter "**N/A**" if an item does not apply.
- Keep a copy of your completed application for your files.
- Ensure that you send the completed application, all supplemental information, all together at one time.

Courier Delivery:

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Charitable Bingo Operations Division
611 East 6th Street
Austin, Texas 78701-3715

USPS Delivery:

Texas Lottery Commission
Charitable Bingo Operations Division
PO Box 16630
Austin, Texas 78761-6630

For assistance:

1-800-BINGO77

(1-800-246-4677)

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FAX: 1-512-344-5142

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