
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1840 Session of
2013

INTRODUCED BY D. COSTA, DeLUCA, YOUNGBLOOD, MUSTIO, KOTIK,
V. BROWN, MILLARD, KORTZ, CALTAGIRONE, COHEN, MOLCHANY,
MULLERY, WHITE, FARRY AND GROVE, NOVEMBER 18, 2013

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, NOVEMBER 18, 2013

AN ACT

1 Amending the act of July 10, 1981 (P.L.214, No.67), entitled "An
2 act relating to the lawful conduct of bingo, prescribing
3 penalties and making a repeal," further defining
4 "association" and adding definitions; and further providing
5 for rules for licensing and operation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The definition of "association" in section 3 of
9 the act of July 10, 1981 (P.L.214, No.67), known as the Bingo
10 Law, amended December 15, 1982 (P.L.1299, No.293), is amended
11 and the section is amended by adding definitions to read:

12 Section 3. Definitions.

13 The following words and phrases when used in this act shall
14 have, unless the context clearly indicates otherwise, the
15 meanings given to them in this section:

16 "Association." A volunteer fire company or an ambulance,
17 religious, charitable, fraternal, veterans, civic, county fair
18 or agricultural association, or any separately chartered
19 auxiliary of any of the above associations, organized as a

1 nonprofit organization which shall have existed, and conducted
2 business in furtherance of their written constitution, charter,
3 articles of incorporation or bylaw express purpose, for two
4 years prior to application for a license: Provided, however,
5 That an association whose membership consists exclusively of
6 elderly residents of a senior citizen housing project may apply
7 for a license immediately upon its being organized as such and
8 need not meet the two-year waiting requirement[.], and Provided,
9 further, That the two-year waiting requirement shall not apply
10 to a bona fide consolidated volunteer fire company, if each
11 volunteer fire company included in the merger or consolidation
12 establishing the consolidated entity holds a valid and current
13 bingo license. A consolidated entity may apply for a bingo
14 license immediately upon it being determined and verified to be
15 a bona fide consolidated volunteer fire company. This term
16 shall not be interpreted to include political organizations as
17 associations eligible for a bingo license. An association shall
18 not be denied a bingo license because its name denotes
19 affiliation with a political organization if in fact the
20 association is not a political organization as evidenced by its
21 written constitution, charter, articles of incorporation or
22 bylaw express purpose.

23 * * *

24 "Consolidated entity." A bona fide consolidated volunteer
25 fire company.

26 "Consolidated volunteer fire company" or "bona fide
27 consolidated fire company." Two or more volunteer fire
28 companies which merge or consolidate their use of facilities,
29 equipment, firefighters and services to provide fire protection
30 or rescue services and which may offer other voluntary emergency

1 services within this Commonwealth. Voluntary emergency services
2 provided by a consolidated volunteer fire company may include
3 voluntary ambulance and voluntary rescue services.

4 * * *

5 Section 2. Section 5(a) and (d) of the act, amended December
6 15, 1982 (P.L.1299, No.293) and February 12, 1988 (P.L.76,
7 No.14), are amended to read:

8 Section 5. Rules for licensing and operation.

9 (a) Issuance and fee.--

10 (1) The licensing authority shall license, upon
11 application, any association as defined in section 3 to
12 conduct the game of bingo at one location in the county,
13 which, when in a county of the second class, shall only be in
14 the city, borough or township where the main business office
15 or headquarters of the association is located. The county
16 treasurer of a county of the second class shall indicate on
17 each license the city, borough or township where the
18 association may conduct bingo. The single municipal location
19 limitation shall not apply to a group of licensed
20 associations conducting bingo at a central location. The
21 license fee to be charged to each nonprofit association shall
22 be \$100 per annum except to those recognized senior citizens'
23 groups who conduct bingo for their members only the fee shall
24 be \$50 per annum. The license fee to be charged to each
25 agricultural association or county fair shall be \$100 per
26 annum. Associations which conduct bingo only one period each
27 year for not more than three consecutive days shall be
28 charged \$15 for the issuance of their license. The fees
29 collected pursuant to this section shall be paid by the
30 licensing authority into the general fund of the county and

1 used for county purposes. All records retained by the
2 licensing authority relating to the issuance of bingo
3 licenses and bingo permits shall be public information.

4 (2) The municipal location limitation applicable to the
5 conduct of bingo in a county of the second class shall not
6 apply to two or more volunteer fire companies that merge or
7 consolidate their use of facilities, equipment, firefighters
8 and services, provided that the consolidated entity is in
9 fact a bona fide consolidated volunteer fire company as
10 determined and verified in accordance with the requirements
11 of 35 Pa.C.S. § 7814 (relating to consolidated incentive).

12 (3) Notwithstanding the single municipal location
13 requirement of paragraph (1), if it is determined that the
14 applicant is a bona fide consolidated volunteer fire company
15 operating in a county of the second class, such consolidated
16 volunteer fire company is hereby authorized to conduct the
17 game of bingo at two locations in the county of the second
18 class of which one location shall be in the city, borough or
19 township where the main business office or headquarters of
20 the merged or consolidated volunteer fire company is located.
21 The license fee to be charged a merged or consolidated
22 volunteer fire company that conducts bingo at two locations
23 in a county of the second class shall be \$100 per annum for
24 each such location. The county treasurer of a county of the
25 second class shall indicate on each license the city, borough
26 or township where the merged or consolidated volunteer fire
27 company may conduct bingo.

28 * * *

29 (d) Application for license.--Each association shall apply
30 to the licensing authority for a license on a form to be

1 prescribed by the Secretary of the Commonwealth. Said form shall
2 contain an affidavit to be affirmed by the executive officer or
3 secretary of the association stating that:

4 (1) No person under the age of 18 will be permitted by
5 the association to play bingo unless accompanied by an adult.

6 (2) The facility in which any game of bingo is to be
7 played does have adequate means of ingress and egress and
8 adequate sanitary facilities available in the area.

9 (3) The association is the sole or joint owner with a
10 licensed association of the equipment used in playing bingo
11 or it leases the equipment from another licensed association
12 under a written agreement for a fee which is not determined
13 by the amount of receipts realized from the playing of bingo
14 or the number of people attending bingo games. This paragraph
15 shall not apply to associations contracting with charitable
16 organizations or outside operators to conduct bingo at
17 expositions, carnivals or fairs.

18 (4) The association is the owner of both the premises
19 upon which bingo is played and the personal property used in
20 the conduct of the game or, if it is not, that the
21 association is not leasing such premises or personal property
22 from the owner thereof under an oral agreement, nor is it
23 leasing such premises or personal property from the owner
24 thereof under a written agreement at a rental which is
25 determined by either the amount of receipts realized from the
26 playing of bingo or the number of people attending bingo
27 games, nor is it leasing such premises or personal property
28 from a person who has been convicted of a felony or a
29 violation of this act.

30 (5) The association will not conduct the playing of

1 bingo more than twice per week in any one week, except those
2 associations conducting bingo at expositions, carnivals or
3 fairs.

4 (6) The association in any calendar day will not award a
5 total of more than \$4,000 in prizes.

6 (7) The association is a nonprofit association as
7 defined in this act.

8 (8) The association is a merged or consolidated
9 volunteer fire company in a county of the second class and
10 will conduct bingo at two locations in such county.

11 * * *

12 Section 3. This act shall take effect in 60 days.