
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 261

Session of
1981

INTRODUCED BY BURNS, J. L. WRIGHT, WILSON, COCHRAN, MRKONIC,
STEWART, BURD, KUKOVICH, OLIVER, McCLATCHY, COPPABIANCA,
CORNELL, CESSAR, LASHINGER, SALVATORE, PRATT, DOMBROWSKI,
BROWN, STEIGHNER, GRUPPO, COHEN, CLARK, TELEK, BOWSER,
NAHILL, SIEMINSKI, McVERRY AND POTT, JANUARY 27, 1981

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 9, 1981

AN ACT

1 Relating to the lawful conduct of bingo, prescribing penalties
2 and making a repeal.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the "Bingo Law."

7 Section 2. Legislative intent.

8 The General Assembly hereby declares that the playing of
9 bingo for the purpose of raising funds, by certain nonprofit
10 associations, for the promotion of charitable or civic purposes,
11 is in the public interest.

12 It is hereby declared to be the policy of the Legislature
13 that all phases of licensing, operation and regulation of the
14 game of bingo be strictly controlled, and that all laws and

1 regulations with respect thereto as well as all gambling laws
2 should be strictly construed and rigidly enforced.

3 The Legislature recognizes the possibility of association
4 between commercial gambling and organized crime, and wishes to
5 discourage commercialization of the game of bingo; prevent
6 participation by organized crime and prevent the diversion of
7 funds from the purposes herein authorized.

8 Section 3. Definitions.

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

12 "Association." A volunteer fire company or auxiliary
13 thereof, ambulance association or a religious, charitable,
14 fraternal, veterans, civic, county fair or agricultural
15 association organized as a nonprofit organization which shall
16 have existed, and conducted business in furtherance of their
17 written constitution, charter, articles of incorporation or
18 bylaw express purpose, for ~~five~~ TWO years prior to application <—
19 for a license.

20 "Bingo." A game in which each player has a card or board
21 containing five horizontal rows all but the central one
22 containing five figures. The central row has four figures with
23 the word "free" marked in the center thereof. Any preannounced
24 combination of spaces when completed by a player constitutes
25 bingo. In the absence of a preannouncement of a combination of
26 spaces, any combination of five in a row whether horizontal or
27 vertical when completed by a player constitutes bingo when its
28 ~~four~~ members are announced and covered. A wheel or other <—
29 mechanical device may be used by any person conducting the game
30 of bingo, and any such person may award to any player or players

1 first completing any combination constituting bingo a prize so
2 long as such prize awarded shall not exceed a value of \$250 for
3 any one such game of bingo except for jackpot games which shall
4 not exceed \$2,000 for one such game of bingo.

5 "Charitable purpose." Benevolent or philanthropic purpose.

6 "Civic purpose." Community purpose.

7 Section 4. Associations permitted to conduct bingo.

8 Any association, for a charitable or civic purpose, when
9 licensed pursuant to this act, may conduct the game of bingo as
10 herein defined.

11 Section 5. Rules for licensing.

12 (a) Issuance and fee.--In every county, the county treasurer
13 shall license, upon application, any association as defined in
14 section 3 to conduct the game of bingo at one location in the
15 county. The license fee to be charged to each nonprofit
16 association shall be \$100 per annum. The license fee to be
17 charged to each agricultural association or county fair shall be
18 \$100 per annum. The fees collected pursuant to this section
19 shall be paid by the county treasurer into the general fund of
20 the county and used for county purposes.

21 (b) Display.--Licenses issued pursuant to this section shall
22 be publicly displayed at games conducted by licensees.

23 (c) Operation.--No association may hire any person not a
24 bona fide member of the association to manage, set up bingo,
25 operate or actually run the game of bingo, except those
26 associations which have been chartered for five years, and
27 obtain a yearly license to conduct bingo at carnivals or
28 expositions not exceeding ten days in duration and operate bingo
29 for merchandise only.

30 (d) Ineligibility for license.--No license shall be issued

1 to any association if:

2 (1) Any person under the age of 18 will be permitted by
3 the association to play bingo unless accompanied by an adult.

4 (2) The facility in which any game of bingo is to be
5 played does not have adequate means of ingress and egress or
6 does not have adequate sanitary facilities available in the
7 area.

8 (3) The association is not the owner of the equipment
9 used in the playing of bingo.

10 (4) The association is not the owner of the premises
11 ~~upon which bingo is played, or is leasing such premises from~~ <—
12 ~~the owner thereof under an oral agreement, or at a rental~~
13 ~~which is arrived at based upon the amount of receipts~~
14 ~~realized from the playing of bingo.~~ UPON WHICH BINGO IS <—
15 PLAYED AND IS EITHER:

16 (I) LEASING SUCH PREMISES FROM THE OWNER THEREOF
17 UNDER AN ORAL AGREEMENT; OR

18 (II) LEASING SUCH PREMISES FROM THE OWNER THEREOF
19 UNDER A WRITTEN AGREEMENT AT A RENTAL WHICH IS DETERMINED
20 BY THE AMOUNT OF RECEIPTS REALIZED FROM THE PLAYING OF
21 BINGO.

22 (5) The association conducts the playing of bingo more
23 than twice per week in any one week.

24 (6) The association, within any 24-hour period, awards a
25 total of more than \$4,000 in prizes.

26 (e) Limitation on compensation.--No person may be employed
27 in the operation or the actual running of a bingo game for
28 compensation greater than \$50 per day or any part thereof, and
29 any person compensated shall be paid individually.

30 Section 6. Revocation of licenses.

1 (a) Grounds.--The county treasurer shall revoke or refuse to
2 renew the license of any association whenever he finds that:

3 (1) Any of the funds derived from the operation of the
4 game of bingo are used for any purpose other than for
5 charitable, civic or religious work.

6 (2) Any person under the age of 18 unaccompanied by an
7 adult is playing bingo as herein defined.

8 (3) The facility in which any game of bingo is played
9 does not have adequate means of ingress and egress or does
10 not have adequate sanitary facilities available in the area.

11 (4) Greater compensation than is herein authorized has
12 been paid to or received by any person, or that a person or
13 persons other than those authorized in section 5 have been
14 involved in managing, setting up, operating or running the
15 game.

16 (5) The association conducts bingo using bingo equipment
17 which it does not own.

18 (6) The association conducts bingo upon premises which
19 ~~it does not own, or is leasing such premises from the owner~~ <—
20 ~~thereof under an oral agreement or at a rental which is~~
21 ~~arrived at based upon the amount of receipts realized from~~
22 ~~the playing of bingo.~~ IT DOES NOT OWN AND IS EITHER: <—

23 (I) LEASING SUCH PREMISES FROM THE OWNER THEREOF
24 UNDER AN ORAL AGREEMENT; OR

25 (II) LEASING SUCH PREMISES FROM THE OWNER THEREOF
26 UNDER A WRITTEN AGREEMENT AT A RENTAL WHICH IS DETERMINED
27 BY THE AMOUNT OF RECEIPTS REALIZED FROM THE PLAYING OF
28 BINGO.

29 (b) Production of records.--The county treasurer may require
30 the licensees to produce their books, accounts and records

1 relating to the conduct of bingo in order to determine whether a
2 license should be revoked or renewal thereof denied.

3 Section 7. Penalty.

4 (a) Summary offense.--Any association violating the
5 provisions of this act shall be guilty of a summary offense, and
6 upon conviction thereof shall be sentenced to pay a fine not
7 exceeding ~~\$500~~ \$1,000 and shall forfeit any license issued to <—
8 the association, and it shall be ineligible for a license
9 renewal for ~~one year~~ 30 MONTHS thereafter. <—

10 (b) Misdemeanor.--Any person who conducts or assists in the
11 conducting of bingo, unless engaged in the conduct of bingo by
12 an association licensed pursuant to the provisions of this act,
13 is guilty of a misdemeanor of the first degree.

14 Section 8. Additional powers of the district attorney.

15 The district attorney, upon receipt of any information to the
16 effect that the provisions of this act have been violated, may
17 require the licensee to produce their books, accounts and
18 records relating to the conduct of bingo in order to determine
19 whether criminal action should be pursued.

20 Section 9. Repeal.

21 The provisions of Title 18 of the Pennsylvania Consolidated
22 Statutes (relating to crimes and offenses) are repealed to the
23 extent that they are inconsistent with this act.

24 Section 10. Effective date.

25 This act shall take effect immediately.