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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 261

Session of  
1981

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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

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,  
JANUARY 27, 1981

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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  
15 regulations with respect thereto as well as all gambling laws

1 should be strictly construed and rigidly enforced.

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

7 Section 3. Definitions.

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

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

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

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

4 "Charitable purpose." Benevolent or philanthropic purpose.

5 "Civic purpose." Community purpose.

6 Section 4. Associations permitted to conduct bingo.

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

10 Section 5. Rules for licensing.

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

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

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

29 (d) Ineligibility for license.--No license shall be issued  
30 to any association if:

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

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

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

9           (4) The association is not the owner of the premises  
10 upon which bingo is played, or is leasing such premises from  
11 the owner thereof under an oral agreement, or at a rental  
12 which is arrived at based upon the amount of receipts  
13 realized from the playing of bingo.

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

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

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

22 Section 6. Revocation of licenses.

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

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

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

30           (3) The facility in which any game of bingo is played

1 does not have adequate means of ingress and egress or does  
2 not have adequate sanitary facilities available in the area.

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

8 (5) The association conducts bingo using bingo equipment  
9 which it does not own.

10 (6) The association conducts bingo upon premises which  
11 it does not own, or is leasing such premises from the owner  
12 thereof under an oral agreement or at a rental which is  
13 arrived at based upon the amount of receipts realized from  
14 the playing of bingo.

15 (b) Production of records.--The county treasurer may require  
16 the licensees to produce their books, accounts and records  
17 relating to the conduct of bingo in order to determine whether a  
18 license should be revoked or renewal thereof denied.

19 Section 7. Penalty.

20 (a) Summary offense.--Any association violating the  
21 provisions of this act shall be guilty of a summary offense, and  
22 upon conviction thereof shall be sentenced to pay a fine not  
23 exceeding \$500 and shall forfeit any license issued to the  
24 association, and it shall be ineligible for a license renewal  
25 for one year thereafter.

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

30 Section 8. Additional powers of the district attorney.

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

6       Section 9.   Repeal.

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

10      Section 10.   Effective date.

11      This act shall take effect immediately.