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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1399 Session of  
2015

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INTRODUCED BY KAUFER, DAVIS, KOTIK, BOBACK, DIAMOND, MILLARD,  
THOMAS, D. COSTA AND COHEN, JUNE 24, 2015

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REFERRED TO COMMITTEE ON GAMING OVERSIGHT, JUNE 24, 2015

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AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated  
2 Statutes, in gaming, providing for bingo.

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

5 Section 1. Title 4 of the Pennsylvania Consolidated Statutes  
6 is amended by adding a chapter to read:

7 CHAPTER 13B

8 BINGO

9 Sec.

10 13B01. Definitions.

11 13B02. Operation.

12 13B03. Regulation and enforcement by board.

13 13B04. Application for license.

14 13B05. Board consideration of application.

15 13B06. Licensing fee.

16 13B07. Bingo tax.

17 13B08. Applicability of Bingo Law.

18 § 13B01. Definitions.

1 The following words and phrases when used in this chapter  
2 shall have the meanings given to them in this section unless the  
3 context clearly indicates otherwise:

4 "Bingo." A game in which:

5 (1) Each player has a card or board containing five  
6 horizontal rows all but the central one containing five  
7 figures.

8 (2) The central row has four figures with the word  
9 "free" marked in the center thereof.

10 (3) Any preannounced combination of spaces when  
11 completed by a player constitutes bingo.

12 (4) In the absence of a preannouncement of a combination  
13 of spaces, any combination of five in a row whether  
14 horizontal or vertical when completed by a player constitutes  
15 bingo when its numbers are announced and covered.

16 (5) A wheel or other mechanical or electronic device is  
17 used by the licensee conducting the game.

18 (6) The licensee awards a prize to any player or players  
19 first completing any combination constituting bingo.

20 "Bingo license." A license issued by the board under this  
21 chapter which authorizes a licensed gaming entity to offer bingo  
22 to players within the licensed facility.

23 "Gross bingo revenue." The total of all fees or cash  
24 equivalents paid by players to a licensee to participate in  
25 bingo minus:

26 (1) The total of cash or cash equivalents paid out to  
27 players as prizes.

28 (2) The cash equivalent value of any merchandise awarded  
29 to players as prizes.

30 (3) Cash or cash equivalents paid to purchase annuities

1 to fund prizes payable to players over a period of time as a  
2 result of participating in bingo.

3 "Licensee." A licensed gaming entity that holds bingo  
4 license.

5 "Prize." Cash, cash equivalents or merchandise.

6 § 13B02. Operation.

7 (a) License required.--A licensed gaming entity that holds a  
8 valid bingo license from the board may offer bingo to players  
9 within the licensed facility.

10 (b) Conduct of bingo.--Bingo games operated by a licensee  
11 shall be subject to the following conditions:

12 (1) The minimum age for participating in bingo shall be  
13 21 years of age.

14 (2) The game of bingo shall only be offered to players  
15 within the licensed facility no more than one continuous 24-  
16 hour period in each calendar month.

17 (3) The licensee shall use only bingo cards, boards and  
18 number selection devices approved by the board.

19 § 13B03. Regulation and enforcement by board.

20 (a) General rule.--The board shall promulgate regulations  
21 for the operation of bingo by licensees and shall enforce the  
22 regulations.

23 (b) Powers and duties.--The board shall authorize licensees  
24 to conduct bingo, subject to the provisions of this chapter. The  
25 board shall also develop standards for evaluating and approving  
26 bingo, including bingo cards, boards and number selection  
27 devices.

28 § 13B04. Application for license.

29 (a) Filing of application.--Ninety days after the effective  
30 date of this section, a licensed gaming entity may apply for a

1 bingo license under this chapter. The application shall include:

2 (1) The name, business address and contact information  
3 of the applicant.

4 (2) Identification and a description of the specific  
5 type or form of bingo the applicant proposes to make  
6 available, including prizes to be awarded to winning  
7 participants.

8 (3) Other information as the board, in its discretion,  
9 may determine to require.

10 § 13B05. Board consideration of application.

11 (a) Suitability.--A holder, or an affiliate of a holder, of  
12 a slot machine license and table game operation certificate,  
13 whose license and certificate are in good standing, shall be  
14 considered suitable to be issued a bingo license by the board  
15 without additional investigation.

16 (b) Issuance of order.--

17 (1) The board may issue an order granting or denying an  
18 application for a bingo license within 30 days of the date on  
19 which a properly completed application and any additional  
20 information that the board may require is filed.

21 (2) If the board approves an application, it may impose  
22 reasonable conditions of licensure consistent with the  
23 requirements of this chapter.

24 § 13B06. Licensing fee.

25 If the board grants an application under section 13B04  
26 (relating to application for license), within 30 days of entry  
27 of the board's order, the successful applicant shall pay a  
28 licensing fee of \$25,000.

29 § 13B07. Bingo tax.

30 (a) Imposition.--A licensee shall report to the department

1 and pay from its monthly gross bingo revenue, on a form and in  
2 the manner prescribed by the department, a tax of 14% of its  
3 monthly gross bingo revenue.

4 (b) Deposits and distributions.--

5 (1) The tax imposed under subsection (a) shall be  
6 payable to the department on a monthly basis and shall be  
7 based upon gross bingo revenue derived during the previous  
8 month.

9 (2) All funds owed to the Commonwealth under this  
10 section shall be held in trust for the Commonwealth by the  
11 licensee until the funds are paid to the department. Unless  
12 otherwise agreed to by the board, a licensee shall establish  
13 a separate bank account into which gross tournament revenue  
14 shall be deposited and maintained until such time as the  
15 funds are paid to the department under this section.

16 (3) The tax imposed under subsection (a) shall be  
17 deposited into the General Fund.

18 § 13B08. Applicability of Bingo Law.

19 The act of July 10, 1981 (P.L.214, No.67), known as the Bingo  
20 Law, shall not apply to licensees that operate in accordance  
21 with the provisions of this chapter.

22 Section 2. This act shall take effect in 60 days.