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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 411 Session of  
2017

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INTRODUCED BY KLUNK, D. COSTA, GROVE, RYAN, DAVIS, DIAMOND,  
ROTHMAN, PICKETT, SAINATO, IRVIN, DUNBAR, MILLARD, KAUFFMAN,  
GABLER, WARNER, WATSON, SAYLOR, PHILLIPS-HILL, NELSON, WARD,  
MOUL, SANTORA, NEILSON, R. BROWN, MARSICO AND MASSER,  
MARCH 20, 2017

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REFERRED TO COMMITTEE ON GAMING OVERSIGHT, MARCH 20, 2017

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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 providing for  
4 definitions, for rules for licensing and operation and for  
5 penalty.

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

8 Section 1. The definitions of "association," "bingo" and  
9 "bona fide member" in section 3 of the act of July 10, 1981  
10 (P.L.214, No.67), known as the Bingo Law, are amended and the  
11 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

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

24 "Bingo." A game in which each player has a card or board  
25 containing five horizontal rows all but the central one  
26 containing five figures. The central row has four figures with  
27 the word "free" marked in the center thereof. Any preannounced  
28 combination of spaces when completed by a player constitutes  
29 bingo. In the absence of a preannouncement of a combination of  
30 spaces, any combination of five in a row whether horizontal or

1 vertical when completed by a player constitutes bingo when its  
2 numbers are announced and covered. A wheel or other mechanical  
3 device may be used by any person conducting the game of bingo,  
4 and any such person may award a prize to any player or players  
5 first completing any combination constituting bingo. The term  
6 shall also include predraw bingo.

7 "Bona fide member." Any individual who holds a full  
8 membership in the association as defined by the association's  
9 constitution, charter, articles of incorporation or bylaws [and  
10 has been a member of the association for at least one year]. The  
11 term shall also include those individuals who are members of an  
12 auxiliary or recognized junior affiliate of the parent  
13 association.

14 \* \* \*

15 "Consolidated entity." A bona fide consolidated volunteer  
16 fire company.

17 "Consolidated volunteer fire company" or "bona fide  
18 consolidated volunteer fire company." Two or more volunteer  
19 fire companies that merge or consolidate their use of  
20 facilities, equipment, firefighters and services to provide fire  
21 protection or rescue services and that may offer other voluntary  
22 emergency services within this Commonwealth. Voluntary emergency  
23 services provided by a consolidated volunteer fire company may  
24 include voluntary ambulance and voluntary rescue services.

25 \* \* \*

26 "Predraw bingo." A game of bingo in which 24 or more numbers  
27 are randomly generated prior to the beginning of a game in the  
28 presence of at least five players. The random numbers shall be  
29 generated through the use of balls or other objects separate  
30 from those to be used once a game begins or through use of a

1 wheel or other mechanical device. Players may purchase concealed  
2 face cards to play the game after the random numbers are  
3 generated and called. Any card on which all numbers on the card  
4 are covered solely by the random numbers called or by the random  
5 numbers and the subsequent numbers called once the game begins  
6 shall constitute bingo.

7 Section 2. Section 5(a), (c)(2), (3), (4), (9), (10) and  
8 (11) and (d) of the act are amended and subsection (c) is  
9 amended by adding a paragraph to read:

10 Section 5. Rules for licensing and operation.

11 (a) Issuance and fee.--[The]

12 (1) Except as provided in paragraph (2), the licensing  
13 authority shall license, upon application, any association as  
14 defined in section 3 to conduct the game of bingo at one  
15 location in the county[, which, when in a county of the  
16 second class, shall only be in the city, borough or township  
17 where the main business office or headquarters of the  
18 association is located. The county treasurer of a county of  
19 the second class shall indicate on each license the city,  
20 borough or township where the association may conduct bingo.  
21 The single municipal location limitation shall not apply to a  
22 group of licensed associations conducting bingo at a central  
23 location]. The license fee to be charged to each nonprofit  
24 association shall be \$100 per annum except to those  
25 recognized senior citizens' groups who conduct bingo for  
26 their members only the fee shall be \$50 per annum. The  
27 license fee to be charged to each agricultural association or  
28 county fair shall be \$100 per annum. Associations which  
29 conduct bingo only one period each year for not more than  
30 three consecutive days shall be charged \$15 for the issuance

1 of their license. The fees collected pursuant to this section  
2 shall be paid by the licensing authority into the general  
3 fund of the county and used for county purposes. All records  
4 retained by the licensing authority relating to the issuance  
5 of bingo licenses and bingo permits shall be public  
6 information.

7 (2) Notwithstanding the single location requirement of  
8 paragraph (1), if it is determined that the applicant is a  
9 bona fide consolidated volunteer fire company, the  
10 consolidated volunteer fire company is authorized to conduct  
11 the game of bingo at two locations in the county.

12 \* \* \*

13 (c) Operation.--Each licensed association shall comply with  
14 the following restrictions and rules governing the operation of  
15 bingo:

16 \* \* \*

17 [(2) No association shall conduct bingo more than twice  
18 in any one week, except an association shall be permitted to  
19 conduct the game of bingo for a period not to exceed ten days  
20 at the association's exposition, carnival or fair site in  
21 addition to the regularly scheduled games.]

22 (3) Prizes awarded shall not exceed a value of [\$250]  
23 \$500 for any one game of bingo, except for jackpot games  
24 which shall not exceed a value of [\$2,000] \$4,000 for one  
25 such game. In addition, no more than [\$4,000] \$8,000 in  
26 prizes shall be awarded in any calendar day.

27 (4) Only associations licensed to conduct bingo shall be  
28 permitted to advertise their bingo games. Such advertisements  
29 shall contain the date, time, location, whether cash or  
30 merchandise prizes will be awarded and the name of the

1 association licensed to conduct the bingo game and the name  
2 of the individual in charge of the operation of the game. [An  
3 association shall not advertise the prizes or their dollar  
4 value which will be awarded nor shall they advertise a  
5 guaranteed prize dollar value.] An association may advertise  
6 any prize, its dollar value and any guaranteed prize dollar  
7 value.

8 \* \* \*

9 (9) [No] Except as provided in paragraph (13), no  
10 association shall permit any person who is not a bona fide  
11 member of the association or who has been convicted of a  
12 felony or a violation of this act to manage, set up,  
13 supervise or participate in the operation of the  
14 association's bingo games. Nothing contained in this act  
15 shall be construed to prohibit individuals under 18 years of  
16 age from participating in the operation of the game and being  
17 compensated therefor if written permission is obtained from  
18 their parent or guardian.

19 (10) Associations which obtain a license for the purpose  
20 of conducting bingo at an exposition, carnival or fair for a  
21 period not exceeding ten days shall be permitted to contract  
22 a charitable organization to manage, set up, supervise or  
23 participate in the operation of the bingo game provided only  
24 merchandise prizes are awarded. [Only] Except as provided in  
25 paragraph (13), only bona fide members of the contracted  
26 charitable organization shall be permitted to participate in  
27 the operation of the bingo game. If no charitable  
28 organizations are available, the association may contract an  
29 outside operator to conduct the game for merchandise at the  
30 exposition, carnival or fair site. The provisions of this

1 paragraph shall not be construed to allow bingo games to be  
2 ordinarily carried out on a commercial basis in this  
3 Commonwealth.

4 [(11) No person shall participate in the operation of  
5 bingo games on more than four days in any calendar week,  
6 which games may be operated by no more than two different  
7 licensed associations. This provision shall not apply to  
8 persons engaged in the operation of bingo for merchandise at  
9 expositions, carnivals or fairs not exceeding ten days in  
10 duration.]

11 \* \* \*

12 (13) An association or a charitable organization may  
13 permit a person who is not a bona fide member of the  
14 association or charitable organization and who has not been  
15 convicted of a felony or violation of this act to announce  
16 numbers during the conduct of bingo if the person is under  
17 the supervision of a bona fide member of the association or  
18 charitable organization. A person who is not a bona fide  
19 member of the association or charitable organization must be  
20 approved by the association or charitable organization prior  
21 to announcing numbers according to the association's or  
22 charitable organization's constitution, charter, articles of  
23 incorporation or bylaws.

24 (d) Application for license.--Each association shall apply  
25 to the licensing authority for a license on a form to be  
26 prescribed by the Secretary of the Commonwealth. Said form shall  
27 contain an affidavit to be affirmed by the executive officer or  
28 secretary of the association stating that:

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

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

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

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

25           [(5) The association will not conduct the playing of  
26 bingo more than twice per week in any one week, except those  
27 associations conducting bingo at expositions, carnivals or  
28 fairs.]

29           (6) The association in any calendar day will not award a  
30 total of more than [\$4,000] \$8,000 in prizes.



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

3           \* \* \*

4           Section 3. Section 7(b) of the act is amended to read:

5 Section 7. Penalty.

6           \* \* \*

7           (b) Misdemeanor.--Any person who conducts or assists in the  
8 conducting of bingo in violation of the provisions of this act,  
9 is guilty of a misdemeanor of the first degree. [Any person who  
10 permits the conduct of bingo on the same premises, owned by him  
11 or leased to him, on more than five days in any one week or by  
12 more than one association in any calendar day, except for bingo  
13 being played at an exposition, carnival or fair, is guilty of a  
14 misdemeanor of the first degree.]

15          Section 4. This act shall take effect in 60 days.