

# REMOTE CALLER BINGO

## Frequently Asked Questions

### GENERAL

#### **What is a remote caller bingo game?**

A remote caller bingo game means a game of bingo in which the numbers or symbols on randomly drawn plastic balls are announced by a natural person present at the site at which the live game is conducted. The organization conducting the bingo game uses audio and video technology to link any of its in-state facilities for the purpose of transmitting the remote calling of a live bingo game from a single location to multiple locations. The locations must be owned, leased, or rented by that organization, or the use of which has been donated to the organization.

#### **I have a complaint regarding the operation of a bingo game. Where can I file a complaint?**

Complaints regarding the conduct of bingo games that are not remote caller bingo games should be submitted to the local city or county government offices that oversee bingo. This may be the police department, sheriff's office, or business permit office.

### CITY OR COUNTY APPROVAL

#### **If a city or county wishes to authorize remote caller bingo games in its jurisdiction, what must the local ordinance include?**

The local ordinance must require remote caller bingo games to be conducted in accordance with the provisions of [Code section 326.3](#), including the following requirements:

- (1) The game may be conducted only by the following organizations:
  - (A) An organization that is exempted from the payment of the bank and corporation tax by Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701w, or 23701l of the Revenue and Taxation Code.
  - (B) A mobilehome park association.
  - (C) A senior citizens organization.
  - (D) Charitable organizations affiliated with a school district.
- (2) The organization conducting the game shall have been incorporated or in existence for three years or more.
- (3) The organization conducting the game shall be licensed pursuant to subdivision (l) of Section 326.5.
- (4) The receipts of the game shall be used only for charitable purposes. The organization conducting the game shall determine the disbursement of the net receipts of the game.
- (5) The operation of bingo may not be the primary purpose for which the organization is organized.

**If a city or county wishes to authorize the use of bingo card-minding devices by organizations conducting traditional bingo and remote caller bingo, what should the local ordinance include?**

The local ordinance should reflect the requirements of state law applying to bingo card-minding devices as stated in [Code section 326.5\(p\)](#). The [County bingo ordinance](#) was recently revised to reflect this Penal Code section and other changes made by SB 1369.

**ORGANIZATION ELIGIBILITY TO CONDUCT REMOTE CALLER BINGO**

**Which nonprofit organizations are eligible to conduct remote caller bingo?**

In order to be eligible to conduct remote caller bingo nonprofit organizations must meet the requirements described in [Code section 326.3\(b\)\(1\)](#), which should be reviewed for specific information. The following is a partial summary of these legal provisions:

- a mobile home park association
- a senior citizens organization
- a charitable organization affiliated with a school district
- An organization that is exempted from the payment of the bank and corporation tax by the Revenue and Taxation (R&T) Code:
  - a labor, agricultural or horticultural organization (R&T Code sec. 23701a)
  - a fraternal order (R&T Code sec. 23701b)
  - a corporation, community chest or trust, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition, etc. (R&T Code sec. 23701d)
  - a business league, chamber of commerce, real estate board, or board of trade (R&T Code sec. 23701e)
  - a social organization (R&T Code sec. 23701g)
  - religious or apostolic corporations (R&T Code sec. 23701k)
  - a domestic fraternal society (R&T Code sec. 23701l)
  - a veterans organization (R&T Code 23701w)

Nonprofit organizations that meet the requirements indicated above must also satisfy the following pursuant to Penal Code section 326.3(b)(2)-(5):

- The organization must have been in existence for three years or more;
- The organization must be licensed by the local jurisdiction (city or county);
- Receipts of the game must be used only for charitable purposes; and
- Operation of bingo may not be the primary purpose for which the organization is formed.

**Our organization is eligible to conduct remote caller bingo. How does our organization become recognized by the California Gambling Control Commission as being eligible?**

In order for the California Gambling Control Commission (Commission) to recognize an organization as being eligible to conduct remote caller bingo, the highest ranking officer of the organization must submit a [of Eligibility to Conduct Remote Caller Bingo, CGCC-618 \(New 03/09\)](#) to the Commission. The Commission will review the statement and schedule it for consideration at a noticed meeting.

**REMOTE CALLER BINGO LICENSES AND PERMITS**

**Who is required to be issued licenses and permits from the Commission in order to participate in the operation of remote caller bingo games?**

Individuals that will perform duties in the capacity of a fiduciary, site manager, or caller, are required to have a valid interim license from the Commission. Any administrative, managerial, technical, financial, and security personnel must obtain valid interim work permits from the Commission.

For further information, please review the Commission's *Emergency Regulations Currently in Effect* link on the [web page](#).

**How do I become licensed with the Commission in order to conduct remote caller bingo?**

The Commission has established an interim license and interim work permit process to expedite the implementation of remote caller bingo. Applicants will be subject to a criminal history review to determine suitability for an interim license or work permit. Once the review is complete consideration for approval will be set at a noticed Commission meeting.

An [for Interim License for Remote Caller Bingo, CGCC-620 \(New 03/09\)](#) must be submitted for individuals with the following responsibilities for remote caller bingo games:

- ✓ Fiduciary
- ✓ Site Manager
- ✓ Caller

An [for Interim Work Permit for Remote Caller Bingo, CGCC-622 \(New 03/09\)](#) must be submitted for anyone employed by the organization that is responsible for the performance of duties in any of the following categories:

- ✓ Administrative
- ✓ Managerial
- ✓ Technical
- ✓ Financial
- ✓ Security

An [for Interim License for Bingo Equipment Manufacturers and Distributors, CGCC-610 \(New 03/09\)](#) must be submitted for owners with a 10 percent or greater ownership interest in a business that manufactures or distributes card-minding devices or other bingo supplies, equipment, or services used in the playing of remote caller bingo.

## **CARD-MINDING DEVICES**

**Can bingo card-minding devices be used in California?**

Bingo card-minding devices may be used by charitable organizations conducting bingo in California; however, the device must meet specific requirements pursuant to California Code of Regulations section 12486 and be approved in advance by the Commission.

**How do I obtain approval of bingo card-minding devices?**

To further the legislative intent of avoiding disruption of fundraising efforts by nonprofit organizations, the Commission has developed emergency regulations, which have established an interim approval process for bingo card-minding devices. The manufacturer of the bingo card-minding device must submit an [for Interim Approval of Bingo Card-Minding Device, CGCC-615 \(New 11/08\)](#) to the Commission for consideration.

***I am a distributor of bingo card-minding devices. Can I certify the devices as compliant with SB 1369 requirements?***

No. The manufacturer that developed and built the card-minding device, and maintains and modifies the software is required to certify the device's compliance with section 326.5 of the Penal Code, rather than a distributor or supplier that only makes the device available for use.

***How will I know what devices have been approved by the Commission for use in California?***

The Commission has a list of approved devices available on the [web page](#).

## **MITIGATION PAYMENTS**

***What is the Charity Bingo Mitigation Fund?***

SB 1369 allows nonprofit organizations that used electronic devices other than card-minding devices, in reliance on a local ordinance, to apply for Charity Bingo Mitigation Funding in an effort to ease the transition to remote caller bingo. Applicants may apply for an amount up to net revenues generated from the use of electronic devices, other than card-minding devices, by the qualified organization for Fiscal Year ending June 30, 2008. All applications must be received no later than January 31, 2009. Funding amounts will be determined based on accumulated funding requests.

***Which nonprofit organizations are eligible for mitigation payments?***

Nonprofit organizations that, as of July 1, 2008, used electronic devices other than card-minding devices to conduct games in reliance on an ordinance of a city, county, or city and county and have ceased using these devices are eligible for mitigation funds.

Please refer to the Commission's [web page](#) to view the Commission's November 24, 2008 letter to nonprofit organizations, titled Mitigation Payments Pursuant to SB 1369, which provides additional information and includes an attached application to request bingo mitigation payment. The application must be accompanied by documentation, including a Board of Directors resolution documenting the organization's cessation of electronic device use, other than bingo card-minding devices, as of January 1, 2009.

***If I obtain mitigation funds, can my organization conduct remote caller bingo?***

Yes.