

**State of California
Office of Administrative Law**

In re:

California Gambling Control Commission

Regulatory Action:

Title 4, California Code of Regulations

Adopt sections:

**Amend sections: 12200.20, 12220.20, 12480,
12482, 12500, 12505,
12508**

Repeal sections: 12488

**NOTICE OF APPROVAL OF CHANGES
WITHOUT REGULATORY EFFECT**

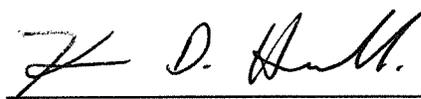
**California Code of Regulations, Title 1,
Section 100**

OAL File No. 2013-1018-01 N

This action by the California Gambling Control Commission (Commission) makes changes without regulatory effect to specified sections in Title 4 of the California Code of Regulations in connection with the Governor's Reorganization Plan No. 2 of 2012, and subsequent clean up bills, Stats.2013, c. 32 (SB 76) and Stats.2013, c. 353 (SB 820). The proposed amendments include changes to Department of Justice, Bureau of Gambling Control (Bureau) forms BGC-618 and BGC-620.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, Title 1, section 100.

Date: 12/4/2013



Kevin D. Hull
Attorney

For: DEBRA M. CORNEZ
Director

Original: Tina Littleton
Copy: James Allen

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2013-1018-01N	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY California Gambling Control Commission			AGENCY FILE NUMBER (if any) CGCC-GCA-2013-05-N

ENDORSED FILED
IN THE OFFICE OF

2013 DEC -4 PM 3:23


 DEBPA BOWEN
 SECRETARY OF STATE

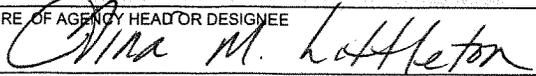
 2013 OCT 18 AM 9:53
 OFFICE OF
 ADMINISTRATIVE LAW
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY		ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Governor's Reorganization Plan No. 2 of 2012 - Cleanup		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) N/A	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
		AMEND	
		§§ 12200.20, 12220.20, 12480, 12482, 12500, 12505 and 12508	
TITLE(S) 4		REPEAL	
		§ 12488	
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)		<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)		<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> File & Print	
		<input type="checkbox"/> Other (Specify) _____	
		<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)	
		<input type="checkbox"/> Print Only	
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) N/A			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))		<input type="checkbox"/> Effective on filing with Secretary of State	
		<input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect	
		<input type="checkbox"/> Effective other (Specify) _____	
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)		<input type="checkbox"/> Fair Political Practices Commission	
		<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON James Allen		TELEPHONE NUMBER (916) 263-4024	FAX NUMBER (Optional) (916) 263-4099
		E-MAIL ADDRESS (Optional) jallen@cgcc.ca.gov	

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 10/17/2013
TYPED NAME AND TITLE OF SIGNATORY TINA M. LITTLETON, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 04 2013

Office of Administrative Law

Allen, Jim

From: Stacey Luna Baxter <Stacey.Luna@doj.ca.gov>
Sent: Tuesday, December 03, 2013 11:52 AM
To: Allen, Jim
Cc: Carr, Anna; Aisha Martin-Walton
Subject: Remote Caller Bingo Section 100 Changes

Jim....thanks for contacting me and advising of the concerns OAL had, which we do appreciate, regarding the proposed changes in the Bureau's Remote Caller Bingo forms. This is to confirm that we have reviewed the proposed changes and do support and agree with them.

If you need anything further, please don't hesitate to call.

Stacey Luna, Assistant Bureau Chief
Bureau of Gambling Control
Department of Justice
(916) 227-2314

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1 CALIFORNIA GAMBLING CONTROL COMMISSION

2 GOVERNOR'S REORGANIZATION PLAN NO. 2 OF 2012 CLEAN-UP (SB 76 AND SB 820)

3 CGCC-GCA-2013-05-N

4 ORDER OF ADOPTION

5
6 The California Gambling Control Commission hereby adopts the following changes in its
7 regulations contained in Division 18 of Title 4 of the California Code of Regulations:

8
9 CHAPTER 2.1. THIRD-PARTY PROVIDERS OF PROPOSITION PLAYER SERVICES.

10 ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS.

11 § 12200.20. Annual Fee.

12 (a) No later than September 1 of each year, each registered or licensed primary owner shall
13 submit to the Bureau the annual fee set forth in subsection (c) of this section, based on the total
14 number of registrations or licenses affiliated with the primary owner on the immediately
15 preceding August 1. The payment due September 1 of each year shall be based on the total
16 number of registrations or licenses affiliated with the primary owner on August 1 that same year.

17 (b) Within 30 days of approval of any request to convert a registration to a license, the
18 Bureau shall notify the licensee of any additional fees owed for the term of the license granted,
19 allowing pro rata credit on a monthly basis for any annual fee paid in connection with a
20 registration that has not expired.

21 (c) The annual fee shall be computed as follows:

22 (1) Beginning September 1, 2004, each primary owner shall pay the annual sum of two
23 thousand fifty dollars (\$2050) per registrant or licensee. This fee shall be retroactive to
24 September 1, 2004. Any overpayment of fees previously paid that cannot be applied against an
25 installment payment that is due shall be credited against the following year's annual fee
26 obligation, unless the primary owner no later than February 1, 2005 submits a written refund
27 request to the Bureau.

28 (2) Beginning September 1, 2005, each primary owner shall pay the annual sum of two
29 thousand three hundred dollars (\$2300) per registrant or licensee, less any applicable credit that
30 may apply from paragraph (1) of this subsection.

31 (3) Beginning September 1, 2006, and thereafter, each primary owner shall pay the annual

Underline denotes new text. ~~Strikethrough~~ denotes deleted text.

1 sum of two thousand eight hundred dollars (\$2800) per registrant or licensee, less any applicable
2 credit that may apply from paragraph (1) of this subsection.

3 (d)(1) The annual fee for each registered primary owner may be paid in installments. The
4 primary owner must submit a written request to the Bureau to make installment payments prior
5 to August 1 of that same year. Upon approval by the ~~Executive Director~~ Bureau, installment
6 payments submitted prior to licensure shall be made as follows: one-third of the annual fee to be
7 submitted no later than September 1, one-third no later than December 1, and the balance no later
8 than March 1.

9 (2) The annual fee for each licensed primary owner may be paid in installments. The
10 primary owner must submit a written request to the Bureau to make installment payments 120
11 days prior to the expiration of the license. Upon approval by the ~~Executive Director~~ Bureau,
12 installment payments submitted after conversion to licensure shall be made as follows: one-third
13 of the annual fee to be submitted prior to issuance of the license, one-third to be submitted three
14 months thereafter, and one-third to be submitted six (6) months thereafter.

15 (e) Refunds shall not be available in the event of a subsequent decrease in the number of
16 registrants or licensees upon which the annual fee payment was based.

17 (f)(1) Following assessment of the annual fee, if the primary owner increases the number of
18 its registrants or licensees above the number upon which the annual fee assessment was based,
19 the primary owner shall submit to the Bureau both the required application fee for the additional
20 registrants or licensees, and the additional per player annual fee set forth in subsection (c) of this
21 section. No new badges shall be issued until the Bureau has received all fees required by this
22 subsection.

23 (2) Annual fees due under this subsection shall be prorated on a monthly basis.

24 (3) Annual fees due under this subsection may be paid in installments, on the conditions that
25 the installment payment request is submitted in writing, that one-third of the fees are paid with
26 the application for additional registrants or licensees, and that two subsequent equal payments
27 are paid at reasonable intervals prior to expiration of the applicable term, subject to the approval
28 of the ~~Executive Director~~ Bureau.

29 (g) No renewal application shall be approved by the Commission until any delinquent annual
30 fees have been paid in full.

1 (h) No application for a contract extension shall be approved by the Bureau until any
2 delinquent annual fees have been paid in full.

3 Note: Authority cited: Sections 19840, 19841 and 19984, Business and Professions Code. Reference: Sections
4 ~~19951 and~~ 19984, Business and Professions Code.

5

6 **CHAPTER 2.2. GAMBLING BUSINESSES: REGISTRATION; LICENSING.**

7 **ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS.**

8 **§ 12220.20. Annual Fee.**

9 (a) No later than September 1 of each year, each registered or licensed primary owner shall
10 submit to the Bureau the annual fee set forth in subsection (c) of this section, based on the total
11 number of registrations or licenses affiliated with the primary owner on the immediately
12 preceding August 1. The payment due September 1 of each year shall be based on the total
13 number of registrations or licenses affiliated with the primary owner on August 1 of that same
14 year.

15 (b) Within 30 days of approval of any request to convert a registration to a license, the
16 Bureau shall notify the licensee of any additional fees owed for the term of the license granted,
17 allowing pro rata credit on a monthly basis for any annual fee paid in connection with a
18 registration that has not expired.

19 (c) The annual fee shall be computed as follows:

20 (1) Beginning September 1, 2004, each primary owner shall pay the annual sum of two
21 thousand fifty dollars (\$2050) per registrant or licensee. This fee shall be retroactive to
22 September 1, 2004. Any overpayment of fees previously paid that cannot be applied against an
23 installment payment that is due shall be credited against the following year's annual fee
24 obligation, unless the primary owner no later than February 1, 2005 submits a written refund
25 request to the Bureau.

26 (2) Beginning September 1, 2005, each primary owner shall pay the annual sum of two
27 thousand three hundred dollars (\$2300) per registrant or licensee, less any applicable credit that
28 may apply from paragraph (1) of this subsection.

29 (3) Beginning September 1, 2006, and thereafter, each primary owner shall pay the annual
30 sum of two thousand eight hundred dollars (\$2800) per registrant or licensee, less any applicable

1 credit that may apply from paragraph (1) of this subsection.

2 (d)(1) The annual fee for each registered primary owner may be paid in installments. The
3 primary owner must submit a written request to the Bureau to make installment payments prior
4 to August 1 of that same year. Upon approval by the ~~Executive Director~~ Bureau, installment
5 payments submitted prior to licensure shall be made as follows: one-third of the annual fee to be
6 submitted no later than September 1, one-third no later than December 1, and the balance no later
7 than March 1.

8 (2) The annual fee for each licensed primary owner may be paid in installments. The
9 primary owner must submit a written request to the Bureau to make installment payments 120
10 days prior to the expiration of the license. Upon approval by the ~~Executive Director~~ Bureau,
11 installment payments submitted after conversion to licensure shall be made as follows: one-third
12 of the annual fee to be submitted prior to issuance of the license, one-third to be submitted three
13 months thereafter, and one-third to be submitted six (6) months thereafter.

14 (e) Refunds shall not be available in the event of a subsequent decrease in the number of
15 registrants or licensees upon which the annual fee payment was based.

16 (f)(1) Following assessment of the annual fee, if the primary owner increases the number of
17 its registrants or licensees above the number upon which the annual fee assessment was based,
18 the primary owner shall submit to the Bureau both the required application fee for the additional
19 registrants or licensees and the additional per player fee set forth in subsection (c) of this section.
20 No new badges shall be issued until the Bureau has received all fees required by this subsection.

21 (2) Annual fees due under this subsection shall be prorated on a monthly basis.

22 (3) Annual fees due under this subsection may be paid in installments, on the conditions that
23 the installment payment request is submitted in writing, that one-third of the fees are paid with
24 the application for additional registrants or licensees, and that two subsequent equal payments
25 are paid at reasonable intervals prior to expiration of the applicable term, subject to the approval
26 of the ~~Executive Director~~ Bureau.

27 (g) No renewal application shall be approved by the Commission until any delinquent annual
28 fees have been paid in full.

29 Note: Authority cited: Sections 19801, 19811, 19823, 19824, 19840, 19841 and 19853(a)(3), Business and
30 Professions Code. Reference: Sections 19853(a)(3) and ~~19951~~, Business and Professions Code.

1 duties related to the conduct of remote caller bingo games in any of the following categories:

2 (A) Administrative;

3 (B) Financial;

4 (C) Managerial;

5 (D) Security; or

6 (E) Technical.

7 (97) "Fiduciary" means an individual who is designated in writing by an authorized
8 organization to manage the finances of the organization's remote caller bingo operation for the
9 benefit of the organization rather than the benefit of the designated individual, exercising the
10 highest level of good faith, loyalty, and diligence.

11 (108) "Financial duties" include, but are not limited to, cashiering, maintaining accounts
12 payable and receivable, payroll processing, and maintenance of financial accounting books and
13 records, on behalf of an organization or a vendor.

14 (119) "Game" is defined as beginning when the first ball or number symbol is called and
15 ends when all succeeding balls or number symbols are returned to the cage or blower and the
16 machine has been cleared. A game may have two or more parts with different winning patterns
17 for each part.

18 (1210) "Game pacer" means an electrical or electronic device that is set to a predetermined
19 interval establishing the timing of bingo calls. The game pacer may be a separate device or may
20 be incorporated into the bingo calling station.

21 (1311) "Host site" means the location at which the live bingo game is conducted and the
22 transmission of the remote caller bingo game originates.

23 (14) "Interim approval" means:

24 (A) Approval by the Bureau of a card minding device for use in the play of any bingo game
25 based on a certification from the manufacturer, pursuant to Section 12486, that the device
26 complies in all respects with the provisions of Penal Code section 326.5, subdivision (p),
27 paragraphs (1) and (2), including the requirement that the device be both portable and hand held.

28 (B) Approval by the Commission, pursuant to Section 12488, of any bingo or remote caller
29 bingo equipment or supplies used in the play and transmission of any remote caller bingo game.

30 (1512) "Interim license" means a license issued by the Commission pursuant to Section

1 12492 or Section 12500 that allows the following:

2 (A) A fiduciary, ~~site manager,~~ or caller of an authorized organization, or a vendor to conduct
3 remote caller bingo games; or

4 (B) An owner-licensee of a manufacturing, distributing, or vending business to provide
5 remote caller bingo equipment, supplies, and services or card-minding devices in this state.

6 ~~(1613)~~ "Managerial duties" include ~~providing assistance to the site manager, and may~~
7 ~~include,~~ but are not limited to, the oversight of the conduct of the game and the supervision of
8 the employees, members, and patrons at any remote caller bingo game site.

9 ~~(1714)~~ "Manufacturer" means any person that directly or indirectly does one or a
10 combination of the following:

11 (A) Manufactures, distributes, supplies, vends, leases, or otherwise provides bingo equipment
12 or supplies used in a remote caller bingo game.

13 (B) Manufactures, distributes, supplies, vends, leases, or otherwise provides card-minding
14 devices, including the assembly, production, programming, or modification of card-minding
15 devices, in this state or for use in this state.

16 (C) Performs any of the functions listed in subparagraphs (A) or (B) in a location outside of
17 this state, with respect to remote caller bingo equipment and supplies or card-minding devices
18 intended for operation in this state.

19 ~~(1815)~~ "Member" means an individual who belongs to an authorized organization and assists
20 with the conduct of remote caller bingo games.

21 ~~(19)~~ "Modification" means ~~a change or alteration in card-minding device software that~~
22 ~~affects the manner or mode of play of the device.~~

23 ~~(2016)~~ "Net receipts" means the total revenue from all activities connected with participation
24 in a game of remote caller bingo after costs and expenses are deducted.

25 ~~(21)~~ "Nonrecurring capital acquisition" means ~~any money, property, or equipment acquired~~
26 ~~in a single transaction.~~

27 ~~(2217)~~ "Organization" or ~~"Authorized Organization,"~~ means an organization that is exempt
28 from the payment of the bank and corporation tax by Section 23701a, 23701b, 23701d, 23701e,
29 23701f, 23701g, 23701k, 23701l, or 23701w of the Revenue and Taxation Code; a mobile home
30 park association; a senior citizens organization; or a charitable organization affiliated with a

1 school district.

2 ~~(2318)~~ "Owner" means an individual, corporation, limited liability company, partnership,
3 trust, joint venture, association, or any other entity that has 10 percent or more interest in or has
4 the power to exercise significant influence over a manufacturing, distributing, or vending
5 business and is endorsed on the license certificate issued to the owner-licensee.

6 ~~(2419)~~ "Owner-licensee" means an individual, corporation, limited liability company,
7 partnership, trust, joint venture, association, or any other owner of a manufacturing, distributing,
8 or vending business that holds an interim or regular license issued by the Commission.

9 ~~(2520)~~ "Point of sale system" means a financial interface software system used to track
10 transactions involving card-minding devices and customer accounts.

11 ~~(2621)~~ "Profit" means the gross receipts collected from one or more bingo games, less
12 reasonable sums necessarily and actually expended for prizes, licensing fees, overhead costs, and
13 other allowable expenses.

14 ~~(27)~~ "Progressive prize" means any prize that increases or accumulates as consecutive remote
15 caller bingo games are played.

16 ~~(28)~~ "Recognized organization" means an organization recognized by the Commission
17 pursuant to Section 12505.

18 ~~(2922)~~ "Record" includes, but is not limited to, ledgers and accounts relating to inventory,
19 proceeds, expenditures, and the distribution of all profits derived from remote caller bingo
20 games.

21 ~~(30)~~ "Regular approval" means:

22 ~~(A) Approval by the Bureau of a card-minding device for use in the play of any bingo game~~
23 ~~based on a finding that the device complies in all respects with the provisions of Penal Code~~
24 ~~section 326.5, subdivision (p), paragraphs (1) and (2), including the requirement that the device~~
25 ~~be both portable and hand-held, and any specific additional criteria established by the~~
26 ~~Commission in regulation;~~

27 ~~(B) Approval by the Commission of any bingo or remote caller bingo equipment or supplies~~
28 ~~used in the play and transmission of any remote caller bingo game based on a finding that the~~
29 ~~equipment and supplies comply in all respects with any specific standards and testing procedures~~
30 ~~for the approval of equipment or supplies established by the Commission in regulation.~~

1 (3123) "Regular license" means a license issued by the Commission pursuant to the
2 provisions of Section 12492, Section 12500, section 326.3(q)(1) of the Penal Code, and any
3 specific additional licensing criteria established by the Commission in regulation.

4 (3224) "Remote caller bingo equipment" includes, in addition to the equipment specified in
5 paragraph (3), all network, video, audio and telecommunications equipment used for the purpose
6 of transmitting the play of a bingo game from a host site to one or more satellite sites.

7 (3325) "Satellite site" means the location at which the transmission of the live bingo game
8 from a host site is received.

9 (3426) "Security duties" include, but are not limited to, physically safeguarding the
10 authorized organization's patrons, staff, assets, and property, including the site's surrounding area
11 and parking facility.

12 (3527) "Site" means the property owned or leased by ~~the licensee~~ an authorized organization,
13 or property whose use is donated to ~~the licensee~~ an authorized organization and which property
14 is used by ~~such licensee~~ that authorized organization for performance of the charitable purpose
15 for which the organization ~~is organized~~ was formed.

16 (3628) "Site manager" means an individual who is physically present at a remoter caller
17 bingo game site and is the primary person responsible for the game conduct, staff, and patrons
18 present at the site and obtaining the declared winner's identifying information and mailing
19 address.

20 (3729) "Sponsor" means an authorized organization conducting remote caller bingo games,
21 which has met the requirements of section 326.3(b)(1) of the Penal Code.

22 (3830) "Technical duties" include, but are not limited to, providing expertise related to the
23 maintenance, repair and operation of remote caller bingo equipment.

24 (3931) "Vendor" means, for purposes of section 326.3 of the Penal Code, a person that
25 directly or indirectly provides equipment, supplies, or services to an authorized organization for
26 use in remote caller bingo games, including management companies that have a written
27 agreement with an organization to assist with or conduct remote caller bingo games.

28 (4032) "Volunteer" means a member of an organization that assists with the conduct of
29 remote caller bingo games and is not compensated for the performance of their duties and does
30 not benefit financially from the conduct of remote caller bingo games.

1 (4133) "Work permit" means a card, certificate, or permit issued by the Commission
2 pursuant to Section 12503 or by a county, city, or city and county, that authorizes the holder to
3 be employed by a vendor or an authorized organization to conduct remote caller bingo games in
4 the following categories:

5 (A) Administrative;

6 (B) Financial;

7 (C) Managerial;

8 (D) Security; or

9 (E) Technical.

10 Note: Authority cited: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3 and
11 ~~326.5~~, Penal Code. Reference: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3
12 and ~~326.5~~, Penal Code.

13

14 **§ 12482. Assistance to Bingo Players with Disabilities.**

15 Pursuant to the provisions of paragraph (6) of subdivision (p) of section 326.5 of the Penal
16 Code, the following requirements are established as means by which the operator of a bingo
17 game shall, as required by applicable law, offer assistance to players with disabilities:

18 (a) For players with disabilities consistent with definitions set forth in the Americans with
19 Disabilities Act (ADA) (42 U.S.C. § 12101 *et seq.*), when those disabilities would restrict a
20 player's ability to mark cards:

21 (1) The operator of a bingo game that offers card-minding devices shall reserve at least two
22 card-minding devices, ~~approved pursuant to Section 12486 by the Bureau,~~ for use by disabled
23 players. If there are no requests for use of the reserved card-minding devices prior to fifteen
24 minutes before the scheduled start of a session, the reserved devices may be made available for
25 use by any player.

26 (2) If the operator of a bingo game, or any other person involved in the conduct of a bingo
27 game, charges players a fee for the use of card-minding devices, players with disabilities as
28 described in subsection (a) shall not be required to pay that fee or to comply with a minimum
29 purchase requirement imposed on players utilizing card-minding devices, if any. Those players
30 are required to comply with any minimum purchase requirement imposed on all players by an
31 operator.

1 (3) The operator of a bingo game that offers card-minding devices shall allow players with
2 disabilities as described in subsection (a) to claim prizes by presenting a printout of a winning
3 card, or other evidence of a winning card approved by the Commission.

4 (b) For players with disabilities consistent with definitions set forth in the ADA, when those
5 disabilities would restrict a player's ability to verbally announce "BINGO," the operator of a
6 bingo game shall allow those players to utilize a form of visual or audible signaling to notify the
7 operator of a winning pattern or "bingo," which may include a flag, paddle, light, horn, bell or
8 whistle, or other means approved by the Commission.

9 (c) For players with disabilities consistent with definitions set forth in the ADA, when those
10 disabilities would restrict the players' ability to mark cards, or to announce "BINGO," the
11 operator of a bingo game shall allow another individual to assist the disabled players in the play
12 of bingo. The assisting individual shall not be counted towards the 750-player maximum
13 applicable to remote caller bingo as provided in subdivision (i) of section 326.3 of the Penal
14 Code.

15 Note: Authority cited: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3 and
16 326.5, Penal Code. Reference: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3
17 and 326.5, Penal Code.

18
19 ARTICLE 2. BINGO EQUIPMENT, DEVICES AND SUPPLIES.

20 ~~§ 12488. Approval of Remote Caller Bingo Equipment.~~

21 ~~(a) This section does not apply to card-minding devices.~~

22 ~~(b) Beginning on the effective date of these regulations, any equipment used in the conduct~~
23 ~~of remote caller bingo must be approved by the Commission in advance. An interim approval~~
24 ~~process is established to further the legislative intent of avoiding delays in implementing the~~
25 ~~California Remote Caller Bingo Act, as expressed in Section 19850.6 of the Business and~~
26 ~~Professions Code. Until such time as the Commission establishes specific standards and testing~~
27 ~~procedures for the approval of remote caller bingo equipment, such equipment shall be approved~~
28 ~~on an interim basis pursuant to this section.~~

29 ~~(c) At least 30 days prior to conducting a remote caller bingo game, an organization that~~
30 ~~conducts or cosponsors the game must submit a written list to the Commission of all equipment~~
31 ~~to be used, including any equipment used in the transmission of the game. The list must include~~

Underline denotes new text. ~~Strikethrough~~ denotes deleted text.

1 ~~the make and model number of the equipment to be used and, to the extent feasible, the~~
2 ~~manufacturer, distributor or vendor from which the item was purchased, leased or otherwise~~
3 ~~acquired. Equipment lists shall only be accepted from authorized organizations, as defined in~~
4 ~~this chapter. Unless disapproved by the Executive Director, the equipment listed on the~~
5 ~~equipment list shall be deemed approved 30 days after the submission date.~~

6 ~~(d)(1) Any equipment purchased, leased or otherwise acquired after the effective date of this~~
7 ~~section and used in the play of remote caller bingo, except for audio and video technology used~~
8 ~~to transmit a live bingo game from a host site to a satellite site, must be manufactured by a~~
9 ~~licensed manufacturer and distributed through a licensed distributor as provided in Section~~
10 ~~12492.~~

11 ~~(2) Any audio and video technology used to transmit a live bingo game from a host site to a~~
12 ~~satellite site purchased after the effective date of these regulations must either:~~

13 ~~(A) Be manufactured by a licensed manufacturer and distributed through a licensed vendor~~
14 ~~as provided in Section 12492; or~~

15 ~~(B) Be commercially available and able to send the transmission of the live bingo game~~
16 ~~from the host site to any and all satellite sites in a manner that is secure, accurate, and~~
17 ~~simultaneous.~~

18 ~~(e) Any approval received pursuant to this section is subject to the following conditions:~~

19 ~~(1) An interim approval shall be valid for one year from the date it is granted or until~~
20 ~~regulations specifying additional standards and requirements for the approval and testing of~~
21 ~~remote caller bingo equipment become effective, whichever is later.~~

22 ~~(2) An interim approval does not obligate the Commission to grant a regular approval and~~
23 ~~does not create a vested right to either an extension of the interim approval or to the granting of a~~
24 ~~subsequent regular approval.~~

25 ~~(3) Issuance of an interim approval for bingo equipment has no bearing on whether the~~
26 ~~equipment will meet standards later established by the Commission.~~

27 ~~Note: Authority cited: Section 19850.6, Business and Professions Code; and Section 326.3(t), Penal Code.~~
28 ~~Reference: Section 19850.6, Business and Professions Code; and Section 326.3(t), Penal Code.~~

1 create a vested right in the holder to either a renewal of the interim license or to the granting of a
2 subsequent regular license.

3 (4) Issuance of an interim license has no bearing on the question of whether the holder will
4 qualify for issuance of any Commission permit, registration, or license. The interim license will
5 be cancelled in the event that the Commission subsequently determines that the applicant does
6 not qualify for a regular license.

7 (5) If, during the term of an interim license, it is determined that the holder is disqualified
8 pursuant to Section 12501, the Executive Director shall prepare an order to show cause why that
9 interim license should not be cancelled. The holder of the interim license shall be given at least
10 30 days, but not more than 90 days, to respond in writing. After receipt of the holder's response,
11 or if the holder fails to respond in the time specified, the matter shall be set for consideration at a
12 noticed Commission meeting. The holder may address the Commission by way of an oral
13 statement at the Commission meeting, and may request an evidentiary hearing, either in writing
14 not less than ten days after the meeting or at the meeting itself. Any evidentiary hearing shall be
15 conducted in accordance with applicable provisions of subsection (b) of Section 12050 of this
16 division.

17 (e) Any fiduciary, ~~site manager~~, or caller applying for a renewal interim license shall submit
18 the following to the Bureau no later than 90 days prior to expiration of that license:

19 (1) Application for Interim License for Remote Caller Bingo, BGC-620, referred to in
20 paragraph (1) of subsection (c).

21 (2) A non-refundable application fee of \$50.00.

22 (f) Each application for an initial or renewal interim license shall be reviewed and, if found to
23 be complete and correct, shall be set for consideration at a noticed Commission meeting. If the
24 application does not satisfy the requirements of this article, the applicant shall be provided a
25 written list of deficiencies.

26 (g) A renewal interim license shall be valid for one year from the date of approval of the
27 renewal application or from the expiration of the prior interim license, whichever is later.

28 Note: Authority cited: Sections 19850.5 and 19850.6, Business and Professions Code; and Section 326.3, Penal
29 Code. Reference: Sections 19850.5 and 19850.6, Business and Professions Code; and Section 326.3, Penal Code.

30

1 **§ 12505. ~~Recognition~~ Authorization of Organizations Conducting Remote Caller Bingo**
2 **Games.**

3 (a) No organization may conduct remote caller bingo games in this state unless it has been
4 ~~recognized~~ authorized by the Commission pursuant to this article.

5 (b) Any organization requesting ~~recognition~~ authorization by the Commission shall:

6 (1) Meet the requirements specified in section 326.3(b)(1-5) of the Penal Code.

7 (2) Submit to the Bureau a Statement of Eligibility to Conduct Remote Caller Bingo, BGC-
8 618 (~~New 04~~ Rev. 10/13), which is attached in Appendix C to this Chapter.

9 (3) Submit a non-refundable processing fee of \$50.00.

10 (c) Any organization ~~recognized~~ authorized by the Commission shall annually submit the
11 following to the Bureau within 120 calendar days after the close of the organization's fiscal year:

12 (1) Statement of Eligibility to Conduct Remote Caller Bingo, BGC-618, referred to in
13 paragraph (2) of subsection (b), specifying any changes in the information included in the
14 organization's last statement of eligibility filed with the Bureau.

15 (2) A non-refundable processing fee of \$25.00.

16 (d) Each statement received pursuant to this section shall be reviewed and, if found to be
17 complete and correct, shall be set for consideration at a noticed Commission meeting. If the
18 statement does not satisfy the requirements of this article, the applicant shall be provided a
19 written list of the deficiencies. The Commission reserves the right to refuse ~~recognition~~
20 authorization to any organization that does not meet the requirements specified in subsection (b).

21 Note: Authority cited: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3 and 326.5,
22 Penal Code. Reference: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3 and
23 326.5, Penal Code.

24
25 ~~ARTICLE 5. REMOTE CALLER BINGO REQUIREMENTS; STANDARDS OF PLAY.~~

26 **§ 12508. Remote Caller Bingo Requirements.**

27 (a) An organization conducting remote caller bingo shall have been ~~recognized~~ authorized by
28 the Commission pursuant to Section 12505.

29 (b) Any vendor providing remote caller bingo services must have a valid interim license
30 issued pursuant to Section 12492.

1 (c) Organizations and vendors shall retain records in connection with their remote caller
2 bingo games for a period of five (5) years. Records shall be maintained in California, written in
3 English and must include the following:

4 (1) Full and accurate records of the income received and expenses disbursed in connection
5 with the operation, conduct, promotion, supervision, and any other related activity of remote
6 caller bingo games. ~~Such~~ Those records shall be maintained in accordance with generally
7 accepted principles of accounting.

8 (2) Full and accurate records of the names and license or permit numbers, if applicable, of all
9 organization members, including any volunteers, and any employees conducting or providing
10 remote caller bingo services.

11 ~~(d)~~ (1) The records kept by ~~organizations and~~ vendors, pursuant to paragraph (1) of subsection
12 (c), shall be audited by an independent California certified public accountant at least annually,
13 and copies of the audit reports shall be provided to the Bureau within 120 days after the close of
14 the ~~organization's and~~ vendor's fiscal years.

15 (2) The records kept by organizations, pursuant to paragraph (1) of subsection (c), shall be
16 audited by an independent California certified public accountant at least annually, and copies of
17 the audit reports shall be provided to the Bureau within 60 days after completion of the audit
18 report.

19 (e) In addition to the requirements of subsections (c) and (d), the following requirements
20 shall apply to organizations that conduct remote caller bingo:

21 (1) The operation of remote caller bingo may not be the primary purpose for which the
22 organization is formed.

23 (2) The receipts of the game shall be used only for charitable purposes. The organization
24 conducting the game shall determine the disbursement of the net receipts of the game.

25 ~~(3) Organizations authorized to conduct remote caller bingo shall provide copies of the~~
26 ~~records pertaining to those games to the Bureau w~~ Within 30 days after the end of each calendar
27 quarter, A each organization authorized to conduct remote caller bingo games shall submit to
28 the Bureau a loan reimbursement payment, as prescribed by paragraph (2) of subdivision (d) of
29 section 326.4 of the Penal Code, for reimbursement of the loan from the Indian Gaming Special
30 Distribution Fund to the Charity Bingo Mitigation Fund ~~shall be submitted to the Commission~~

1 concurrent with the submission of records, as specified in this paragraph, the amount of which
2 shall be based on the gross revenues from all remote caller bingo games conducted by the
3 organization during the calendar quarter for which the records are payment is submitted.

4 (f) An organization authorized to conduct remote caller bingo games shall provide the
5 ~~Commission~~ Bureau and local law enforcement with at least 30 days advance written notice of
6 its intent to conduct those games. The notice shall include all of the following:

7 (1) The legal name of the organization and the address of record of the agent upon who legal
8 notice may be served.

9 (2) The locations of the caller and remote players, whether the property is owned by the
10 organization or donated, and if donated, by whom.

11 (3) The name of the licensed caller, and the name of the site manager.

12 (4) The names of administrative, managerial, technical, financial, and security personnel
13 employed.

14 (5) The name of the vendor and any person or entity maintaining the equipment used to
15 operate and transmit the game.

16 (6) The name of the person designated as having a fiduciary responsibility for the game.

17 (7) The license numbers of all persons who are required to be licensed.

18 (8) A copy of the local ordinance for each city, county or city and county in which the game
19 will be played.

20 (9) A copy of the license issued to the organization pursuant to subdivision (I) of section
21 326.5 of the Penal Code.

22 Note: Authority cited: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3 and
23 326.4, Penal Code. Reference: Sections 326.3(b), 326.3(j)(4), 326.3(s) and 326.3(w) and 326.4, Penal Code.

24
25 ~~ARTICLE 6. ACCOUNTING AND FINANCIAL REPORTING.~~

26 ///

27 ///

APPENDIX C

(Amend Form BGC-618 (Rev. 04/13) and Form BGC-620 (Rev. 04/13))



APPLICATION FOR INTERIM LICENSE FOR REMOTE CALLER BINGO

BGC-620 (Rev. 04/10/13)

Pursuant to California Code of Regulations, Title 4, Section 12500 and California Penal Code section 326.3(q)(1) and (u)(2), the California Gambling Control Commission (Commission) shall regulate remote caller bingo. This includes the licensing of any person who conducts remote caller bingo, including, but not limited to, license persons having fiduciary responsibility for remote caller bingo games, site managers, and bingo callers.

Instructions:

Type or print legibly, in ink, all information requested on this application. If a question does not apply, write "N/A" (Not Applicable). Incomplete applications will be returned. You must provide truthful information in all your responses. All answers to questions in this application and on all supplemental documentation will be subject to verification. Any misrepresentation or failure to disclose information may constitute sufficient cause for denial or revocation of your remote caller bingo interim license.

Applicants must submit fingerprints via Live Scan by following the steps listed below.

- 1) Locate and call a Live Scan provider. Determine if an appointment is required and the preferred method of payment (e.g., cash, cashier's check, etc.). Applicants must pay the cost associated with the processing and transmitting of his/her fingerprints directly to the agency providing the service. Fees vary by provider.
- 2) Take the Request for Live Scan Service form, BCII 8016, to a Live Scan provider. The provider will process the fingerprints via Live Scan.
- 3) After the fingerprints have been taken, attach a copy of the Request for Live Scan Service form to this application confirming that fingerprints have been submitted.

Send the completed application package with required fees (listed below) to: Bureau of Gambling Control, P.O. Box 168024, Sacramento, CA 95816-8024. Please make all checks payable to the Bureau of Gambling Control.

SECTION 1 – REMOTE CALLER BINGO INTERIM LICENSE	
Name of Applicant	Name of Authorized Organization or Vendor
<input type="checkbox"/> Initial Interim License: \$50.00 (non-refundable fee, per license type) Attach: Completed Request for Live Scan Service, BCII 8016	
<input type="checkbox"/> Renewal Interim License: \$50.00 (non-refundable fee, per license type)	
SECTION 2 – REMOTE CALLER BINGO INTERIM LICENSE TYPE	
<input type="checkbox"/> Fiduciary: Is an individual who is designated in writing by an authorized organization to manage the finances of the organization's remote caller bingo operation for the benefit of the organization rather than the benefit of the designated individual, exercising the highest level of good faith, loyalty, and diligence.	
<input type="checkbox"/> Caller: Is an individual who is present at a host game site and who announces the numbers or symbols from randomly drawn plastic balls.	
<input type="checkbox"/> Site Manager: Is an individual who is physically present at a remote caller bingo game site and is the primary person responsible for the game conduct, staff, and patrons at the site.	

SECTION 3a – APPLICANT INFORMATION

Indicate your association with the authorized organization or vendor. (Check all that apply)

- | | | | |
|---|--|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Officer | <input type="checkbox"/> Treasurer | <input type="checkbox"/> Volunteer | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Executive Director | <input type="checkbox"/> Director | <input type="checkbox"/> Employee | |
| <input type="checkbox"/> President | <input type="checkbox"/> General Manager | <input type="checkbox"/> Trustor | |
| <input type="checkbox"/> Vice-President | <input type="checkbox"/> Member | <input type="checkbox"/> Trustee | |

~~Description of your duties relating to the conduct of remote caller bingo operations:~~

Last Name	First Name	Middle Initial
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Other names you have used or been known by (aliases, maiden name, nicknames, other name changes, legal or otherwise)

*Residence Address – Number/Street	Apt. / Unit Number
------------------------------------	--------------------

City	County	State	Zip Code
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*Mailing Address, if different than above

Contact Numbers

Home: ()	Work: ()	Cell: ()
----------------	----------------	----------------

E-mail Address (if any)

Birthdate (mm/dd/yyyy)	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	**Social Security Number
------------------------	---	--------------------------

SECTION 3b – GENERAL APPLICANT INFORMATION

If you answer "yes" to any of the questions, provide an explanation on a separate sheet of paper.
If this is an application for renewal, you are only required to provide information not previously disclosed.

- | | |
|---|--|
| <p>1. Have you been issued a gaming license, certificate, permit, etc. by any tribal, county, city, state, federal, or international agency?
If yes, attach a listing of the gaming agency name, issue date and expiration date.</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>2. Have you ever been convicted of any crime (misdemeanor or felony), including convictions which you pled "no contest" or "nolo contendere"?
If yes, provide the following information for each conviction:</p> <ul style="list-style-type: none"> a. Date of conviction b. Crime convicted of c. Court location (city and state) d. Penalty received | <input type="checkbox"/> Yes <input type="checkbox"/> No |

SECTION 4 – AUTHORIZED REPRESENTATIVE INFORMATION

Complete this section *only* if you choose to designate someone to represent you concerning your application or other matters regarding licensure.

Last Name		First Name	Middle Initial
Relationship to Applicant: <input type="checkbox"/> Attorney <input type="checkbox"/> Employee <input type="checkbox"/> Other: _____			
Business Name, if applicable		E-mail Address (if any)	
Mailing Address			
Telephone Number ()	Cell Phone Number (if any) ()	Fax Number ()	

SECTION 5 – CERTIFICATION / SIGNATURE

I certify under penalty of perjury under the laws of the State of California that I have personally completed this form and know its contents, the information contained herein and in any attachments, is true, accurate, and complete. I also understand that approval of an interim license is subject to the following conditions:

- (1) *An interim license shall be valid for one year from the date it is issued by the Commission and may be renewed if regulations specifying the criteria for a regular license have not been adopted.*
- (2) *Upon adoption of regulations specifying the criteria for a regular license, the Bureau will notify the holder of the interim license of the requirement to submit a regular application package within 30 days of the effective date of the regulations. If a response has not been received within 30 days, the interim license will not be eligible for renewal.*
- (3) *An interim license does not obligate the Commission to issue a regular license nor does it create a vested right in the holder to either a renewal of the interim license or to the granting of a subsequent regular license.*
- (4) *Issuance of an interim license has no bearing on the question of whether the holder will qualify for issuance of any Commission permit, registration, or license. The interim license will be cancelled in the event that the Commission subsequently determines that the applicant does not qualify for a regular license.*
- (5) *If, during the term of an interim license, it is determined that the holder is disqualified pursuant to Section 12501, the Executive Director shall prepare an order to show cause why that interim license should not be cancelled. The holder of the interim license shall be given at least 30 days, but not more than 90 days, to respond in writing. After receipt of the holder's response, or if the holder fails to respond in the time specified, the matter shall be set for consideration at a noticed Commission meeting. The holder may address the Commission by way of an oral statement at the Commission meeting, and may request an evidentiary hearing, either in writing not less than ten days after the meeting or at the meeting itself.*

Signature	Date
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* You must provide your residence address to the Bureau. Unless a separate mailing address is provided, the Bureau will mail all correspondence to your residence address. Your residence address will not be displayed on the Bureau's website and will not be provided to the public as a result of a request pursuant to the Public Records Act (Government Code section 6250 et seq.) or Business and Professions Code section 19821(b).

** Disclosure of your U.S. social security number is mandatory. Business and Professions Code section 30 and Public Law 94-455 (42 USC section 405(c)(2)(C)) authorize collection of your social security number. Your social security number will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with Family Code section 17520 or for verification of licensure. If you fail to disclose your social security number, your application will not be processed and you will be reported to the Franchise Tax Board, which may assess a \$100 penalty against you.

Effective July 1, 2012, the California Gambling Control Commission is required to deny an application and to suspend the license/registration/permit/approval of any applicant or licensee who has outstanding state tax obligations and appears on either the Franchise Tax Board's or Board of Equalization's certified list of the top 500 tax delinquencies over \$100,000 (Business and Professions Code section 494.5).



STATEMENT OF ELIGIBILITY TO CONDUCT REMOTE CALLER BINGO

BGC-618 (Rev. 0410/13)

Pursuant to California Code of Regulations, Title 4, Section 125045 and California Penal Code (PC) section 326.3(b)(4), remote caller bingo games may only be conducted by organizations that meet specific criteria. ~~The California Gambling Control Commission (Commission) regulates remote caller bingo and recognizes organizations that are eligible to conduct remote caller bingo games. Those eligible organizations must be authorized to conduct remote caller bingo games by the California Gambling Control Commission (Commission) pursuant to PC section 326.3(i)(4).~~

Instructions:

Type or print legibly, in ink, all information requested on this statement. If a question does not apply, write "N/A" (Not Applicable). Incomplete statements will be returned. You must provide truthful information in all your responses. All answers to questions on this statement and on all supplemental documentation will be subject to verification.

Send the completed statement package with required fees (listed below) to: Bureau of Gambling Control, P.O. Box 168024, Sacramento, CA 95816-8024. Please make all checks payable to the Bureau of Gambling Control.

SECTION 1 – STATEMENT OF ELIGIBILITY TYPE

Initial Statement: \$50.00 (non-refundable fee)

Submit the following documents with your completed statement:

- ✓ Founding documents (i.e. Articles of Incorporation, bylaws, constitution, articles of association, trust instrument or will and decree of final distribution, or statement describing your operations and charitable purpose.)
- ✓ Copy of Certificate of Determination of Exemption from the Franchise Tax Board.
- ✓ Organization chart or a listing of the names and titles of trustees, directors, and officers

Annual Statement: \$25.00 (non-refundable fee)

1) Have there been any changes to the organization's eligibility since last filing a statement?

- Yes: Complete all sections and attach any amended documents, if applicable.
- No: Complete section 1, 2, and 5 only

SECTION 2 – ORGANIZATION INFORMATION

Name of Authorized Organization

Street Address of Principal Office City State Zip

Mailing Address (if different than street address) City State Zip

Telephone Number () Fax Number () Business Hours

Provide at least one of the following:

Federal Tax Identification Number: _____ Corporate Number: _____

Charitable Trust Number: _____ Organization Number: _____

What fiscal year does the organization use?

- Calendar year (January – December)
- Other: From: _____ To: _____

