

CHAPTER 47

RULES OF LEGALIZED GAMES OF CHANCE

Authority

N.J.S.A. 5:8-6, 5:8-21, 5:8-34, 5:8-51 and 5:8-61.

Source and Effective Date

R.2002 d.258, effective July 12, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

Chapter Expiration Date

Chapter 47, Rules of Legalized Games of Chance, expires on July 12, 2007.

Chapter Historical Note

Chapter 47, Rules of Legalized Games of Chance, was filed and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Chapter 47, Rules of Legalized Games of Chance, was readopted as R.1992 d.96, effective January 27, 1992. See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Subchapter 13, Raffles and Bingo Equipment Providers; Fees Notifications; Qualifications, was renamed Raffles and Bingo Equipment Providers; Instant Raffle Equipment Suppliers; Fees Notifications; Qualifications, by R.1996 d.538, effective November 18, 1996. See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Pursuant to Executive Order No. 66(1978), Chapter 47, Rules of Legalized Games of Chance, was readopted as R.1997 d.89, effective January 24, 1997. See: 28 N.J.R. 5139(a), 29 N.J.R. 581(a).

Subchapter 18, Conduct of Armchair Races, and Subchapter 19, Compensated Armchair Race Projectionist and Cashier, were adopted as R.2001 d.343, effective September 17, 2001. See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

Chapter 47, Rules of Legalized Games of Chance, was readopted as R.2002 d.258, effective July 12, 2002. See: Source and Effective Date. See, also, section annotations.

Subchapter 6A, Compensated Workers, was adopted as new rules by R.2007 d.141, effective May 7, 2007. See: 38 N.J.R. 3141(a), 39 N.J.R. 1763(a).

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SUBCHAPTER 1. DEFINITIONS

Law Review and Journal Commentaries

Bingo and Raffles: Nonprofits and Games of Chance. Richard J. Van Wagner, Bernadette Fallows Davidson, 8189 N.J.L.J. 19 (1998).

13:47-1.1 Words and phrases defined

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

“Authorized purpose” means an educational, charitable, patriotic, religious or public-spirited purpose, which terms are defined to be the purpose of benefiting an indefinite number of persons either by bringing their minds or hearts under the influence of education or religion, by relieving their bodies from disease, suffering, or constraint, by assisting them to establish themselves in life or by erecting or maintaining public buildings or works, or otherwise lessening the burden of government or, in the case of a senior citizen association or club, the support of such organization. Authorized purpose includes capital improvements to a facility owned by the licensee as limited by N.J.A.C. 13:47-6.3. Authorized purpose does not include the erection or acquisition of property, real, personal or mixed, unless such property is and shall be used exclusively for one or more of the purposes hereinabove stated.

“Authorized use” means the use of funds for an authorized purpose.

“Balanced” means the wheel is so installed as to give each section or subsection on the wheel an equal opportunity to win.

“Big six wheel” means a wheel having a 60-inch diameter, manufactured to have 60 sections of equal size on the face of the wheel. Each section of the wheel contains three dice with one side of each of the three dice bearing one of the numbers 1 through 6. The wheel has a laydown containing the numbers 1 through 6.

“Bingo” means a specific kind of game of chance played for prizes with cards bearing numbers or other designations five or more in one line, the holder covering numbers, as objects, similarly numbered, are drawn from a receptacle and the game being won by the person who first covers a previously designated arrangement of numbers on such card, by selling tickets or rights to participate in such games.

“Bingo board” means a board containing more than one bingo card.

“Bingo card” means a card containing five lines of numbers or other designations, five or more in one line, with each line being identified by a letter printed at the top of the line in the following order B, I, N, G, O.

“Bingo equipment” means the receptacle and numbered objects to be drawn from it, the master board upon which such objects are placed as drawn, the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them, the boards or signs, however operated, used to announce or display the numbers or designations as they are drawn, public address systems, and all other articles essential to the operation, conduct and playing of bingo.

“Bingo equipment provider” means any person licensed by the Control Commission to provide equipment for use in, or in connection with, the holding, operating or conducting of bingo games.

“Bingo occasion” means a single gathering or session at which a series of successive bingo games is played not to exceed 35 in number.

“Calendar raffle” means an off-premises draw raffle in which calendars bearing non-repeating consecutive numbers are sold. A specific cash or merchandise prize is designated for each date on the calendar upon which a prize(s) is to be awarded. The winners are determined by drawing from a container, objects bearing numbers matching the non-repeating numbers on all calendars sold.

“Capital improvements” means the improvement, maintenance or repair of a facility.

“Card” means a non-reusable card which is indelibly marked by the player upon which bingo is played.

“Compensated worker” means a person licensed by the Control Commission to be compensated for holding, operating or conducting, or assisting in the holding, operating or conducting games of chance for a registered organization, or an auxiliary or affiliated organization, of which the person is not a member.

“Consolation prize” means 25 percent of the gross receipts derived from the sale of cards to participate in a Progressive Jackpot Bingo Game on each occasion.

“Control Commission” means the Legalized Games of Chance Control Commission.

“Deal” means a package sealed by the manufacturer consisting of one game of instant raffle tickets with the same serial number.

“Distributor” means any person who sells, offers to sell or otherwise provides to a registered organization, any instant

raffle ticket or any equipment or device to be used in, or in connection with, an instant raffle game.

“Draw raffle” means a raffle in which the winners are determined by drawing from a container having therein counterparts of all tickets sold.

“Duck race raffle” means a variation of an off-premises draw raffle wherein a player is sold a ticket, share or right to participate. Game pieces representing all tickets, shares or rights to participate are released into a running waterway which has been barricaded in an acceptable form to create a gate which will permit the passage of only one game piece at a time. The winner is the holder of the ticket, share or right to

participate on which is printed the number that corresponds with the number on the game piece that passes through the gate in the predetermined sequence required to win a particular prize.

“50/50 bingo game” means a bingo game played on non-reusable cards that are permanently marked wherein the prizes awarded are 50 percent of the gross receipts derived from the sale of cards for participation in the game.

“50/50 bingo game prize” means 50 percent of the gross receipts from the sale of all cards to participate in the game.

“Flare” means the information sheet provided by the manufacturer which describes a particular instant raffle game.

“Form number” means a unique number used by the manufacturer to identify the type of game, price to play and the prize structure.

“Golf Hole-in-One Contest” means a golf-like game categorized as a non-draw raffle in which a participant pays a fee for the right to drive a golf ball from a tee into a golf hole in an area known as or similar to a “green” on a golf course by striking it one time. The grand prize winner(s) is the player(s) whose ball lands in the grand prize hole in one stroke in the final phase of play. These contests may be conducted as multiple day events having qualifying phases where participants qualify for the final phase. Participants may also qualify to win ancillary prizes for other accomplishments.

“Goods, wares and merchandise” means prizes, equipment as defined in this section, chairs and tables, and articles of a minor nature such as pencils, crayons, tickets, envelopes, paper clips and coupons necessary to the conduct of games of chance.

“Horse race wheel” means a wheel having a 60-inch diameter, manufactured to have on its face 10 sections each of which contain six subsections which subsections are located on the outer rim of the wheel. Each section bears a number from 1 through 10 together with a picture of a horse. Each of the six subsections located along the outer rim of the wheel and contained in each of the 10 sections determines the odds to be paid to a winner and shows the following payoff odds: 7 to 1, 6 to 1, 5 to 1 and 4 to 1 and two of the six subsections show 3 to 1 payoff odds. The wheel has a lay-down with the numbers 1 through 10 which corresponds with the numbers displayed on the pictorial of the horse in each of the 10 sections on the face of the wheel.

“Ideal gross receipts” means the gross receipts derived from a deal if all of the instant raffle tickets in the deal are sold.

“Ideal net receipts” means the gross receipts derived from a deal if all of the instant raffle tickets in the deal are sold minus the prizes awarded.

“Instant raffle equipment” means any ticket, equipment or device designed and approved for use in conducting, or in connection with the conduct of, any instant raffle game.

“Instant raffle equipment supplier” means any distributor or manufacturer licensed by the Control Commission to provide instant raffle equipment or services.

“Instant raffle game” means a non-draw raffle game in which a player purchases shares, tickets or rights to participate and the winner(s) is determined by a previously determined prize designation which has been obscured from the player’s view until a tab or other opaque covering has been removed.

“Instant raffle ticket” means a folded and banded paper ticket or a paper card with perforated break-open tabs, the face of which is covered or otherwise hidden from view to conceal a number, letter, symbol, or set of numbers, letters or symbols, some of which have been designated in advance as prize winners.

“Issuing authority” means the governing body of a municipality or a person to whom a municipal governing body has delegated by ordinance the authority to approve the granting of raffle and bingo licenses.

“Laydown” means the shelf area in the front of a booth containing a raffle wheel divided into sections each of which bears a number or symbol corresponding to a number or symbol on the wheel upon which participants place their wagers.

“Manufacturer” means a person who assembles from raw materials, supplies or subparts, any ticket, equipment or device used in connection with the holding, operating or conducting of any instant raffle game.

“Merchandise” means any objects, wares, goods or commodities not specifically prohibited by this chapter.

“Multi-color bingo game” means a game played on a minimum of six non-reusable cards, three of which are one color, two of which are a different color and one of which is a third color, which are indelibly marked wherein the prize(s) are a percentage of the gross receipts derived from the sale of cards to participate in the game and are determined by the color of the card upon which the player achieves bingo. If a player achieves bingo on a card in the group of three cards of the same color that player wins 25 percent of the prize pool. If a player achieves bingo on one of the two cards of the same color, that player wins 50 percent of the prize pool. If a player achieves bingo on the single card having the third color, that player wins 75 percent of the prize pool.

“Multi-color bingo prize pool” means the gross receipts derived from the sale of cards to participate in the multi-color bingo game. Prizes of 75 percent, 50 percent and 25 percent of the prize pool are awarded to the winner(s) of the multi-color bingo game based upon the specific category of the card on which the winner(s) achieve bingo.

“Net proceeds,” as pertains to bingo, means the gross income received from all activities engaged in on an occasion when bingo is played, less only such actual expenses incurred as are authorized in the Bingo Licensing Law and this chapter.

“Net proceeds,” as pertains to raffle, means the gross income from the sale of tickets or rights to participate in a raffle, whether sold in advance of the occasion or not, less only such actual expenses incurred as are authorized in the Raffles Licensing Law and this chapter. In the case of a special door prize raffle, “net proceeds” means the entire net income derived from the assemblage at which such raffle is held.

“Non-draw raffle” means a raffle conducted by means other than drawing from a container having therein the counterparts of all tickets or rights to participate, that is, any wheel or game approved by the Control Commission to be licensed as an allotment of a prize(s) by chance.

“Off-premises draw raffle” means a raffle conducted by a drawing, for a merchandise prize(s), with respect to which tickets may be sold in advance of the occasion of the drawing and the winner(s) need not be present to win.

“Off-premises 50-50 raffle” means a raffle conducted by a drawing for a cash or money prize or prizes, with respect to which tickets may be sold in advance of the occasion of the drawing and the winner(s) need not be present to win, the prize or prizes equaling 50 percent of the amount received for all tickets or rights to participate.

“On premises draw raffle” means a raffle conducted by a drawing for a merchandise prize or prizes, with respect to which all tickets are sold only to persons present at the place of the drawing, the winner(s) determined and the prize(s) awarded to a person or persons present at the drawing.

“On-premises 50-50 raffle” means a raffle conducted by a drawing for cash or money prizes, with respect to which all tickets are sold only to persons present at the place of the drawing, the winner(s) determined and the prize(s) awarded equaling 50 percent of the amount received for all tickets or rights to participate.

“Person” means a natural person, firm, association, corporation or other legal entity.

“Predraw bingo game” means a bingo game played on a non-reusable card which is indelibly marked. A predesignated number of numbers are drawn by the licensee prior to the purchase of cards by the player(s). The cards used are sealed so that the face of the card is undetectable prior to purchase. The prize is determined by a percentage of the gross receipts derived from the sale of cards to participate in the game. The maximum prize is awarded to the player(s) who achieves bingo with the predrawn numbers. The prize is reduced as additional numbers are called.

“Progressive jackpot bingo game” means a bingo game played on a non-reusable card which is indelibly marked, wherein the prize(s) is determined by a percentage of the gross receipts derived from the sale of cards to participate in the game. The jackpot prize winner is the player(s) who completes a full card pattern within a pre-designated number of numbers called. The jackpot game shall on all occasions be played to a conclusion and except for the occasion upon which the jackpot prize is won, award a consolation prize to the player(s) who completes the full card pattern notwithstanding the number of calls in excess of the predesignated number of calls permitted to win the jackpot prize.

“Progressive jackpot prize” means 50 percent of the gross receipts derived from the sale of cards to participate in a

progressive jackpot bingo game on the occasion it is won and all previous occasions in the particular progression.

“Raffle equipment provider” means any person licensed by the Control Commission to provide equipment for use in, or in connection with, the holding, operating or conducting of a raffle, except instant raffle equipment as defined by this chapter.

“Registered organization” means an organization which has applied for, received and possesses a valid registration certificate bearing an identification number issued to it by the Legalized Games of Chance Control Commission. Only a registered organization is qualified, within the meaning of N.J.S.A. 5:8-60.3, to conduct raffles.

“Qualified organization” means a bona fide organization or association of veterans, religious congregation, religious organization, charitable organization, educational organization, fraternal organization, civic and service club, *officially* recognized volunteer fire company, officially recognized first aid squad, and officially recognized rescue squad, and senior citizens association or club which:

1. Is organized as a non-profit or religious organization and is authorized by its certificate or articles of incorporation, bylaws or other written authority to support one of the authorized purposes;
2. Appoints the Executive Officer of the Control Commission as agent for the service of process; and
3. Is constituted of not less than five individuals.

“Raffle” means a specific kind of game of chance played by drawing for prizes or the allotment of prizes by chance, by the selling of shares or tickets or rights to participate in such game. Nothing contained in this chapter shall be deemed to authorize as a raffle the playing for money or other valuable thing at any game not specifically authorized by the Control Commission.

“Raffle equipment” means implements, devices and machines designed, intended or used for the conduct of raffles and the identification of the winning number or unit and the ticket or other evidence of rights to participate in raffles.

“Raffle occasion” means the day upon which the drawing or allotment of prize(s) takes place.

“Regular bingo game” means a game in which a player is entitled to participate without additional charge, upon payment of the charge for admission to the room or place where the game is played.

“Seal card” means a board or placard used in conjunction with an instant raffle game which contains a seal or seals which, when removed or opened, reveals a pre-designated number, letter, symbol or monetary denomination which awards a prize to the winner. Some winners may qualify for an additional top-tier monetary or merchandise prize.

“Senior citizens association or club” means an association or club that is formed and is functioning as an organization not for profit to the benefit of its membership in general and is comprised predominantly of persons who are at least 62 years of age.

“Serial number” means a number having a minimum of five characters, printed by the manufacturer on each ticket, right or share to participate in an instant raffle game or on each card to participate in a special bingo game.

“Services rendered” means repair to equipment and reasonable compensation to bookkeepers or accountants who assist by rendering their professional services for an amount conforming to the schedule of authorized fees fixed by this chapter (see N.J.A.C. 13:47-16.2, Schedule of Fees, “B”). In the case of bingo “services rendered” also means rental of premises (see N.J.A.C. 13:47-14, Rental of Premises for Bingo). Where premises are not rented for a fee, “services rendered” may include a reasonable amount for janitorial service. In the case of raffles, “services rendered” does not include rental of premises but does include rental of equipment for raffles, when rented from an approved person in an amount conforming to the schedule of authorized rates fixed by these rules. In the case of raffles, “services rendered” shall not be an authorized expense unless rendered solely for the conduct of the raffle.

“Six-on playing board” means a playing board containing six playing cards used to play bingo.

“Special’ bingo game” means a game that is played in addition to a “regular” bingo game, for which a player must pay a charge in addition to the charge for admission to the room or place where the game is played. A “special” game must be played on a non-reusable card that is indelibly marked.

“Special door prize raffle” means a raffle for a door prize(s) of donated merchandise, the total retail value of which shall not exceed \$50.00, for which no extra charge is made, at an assemblage where no other game of chance is held, operated or conducted, and the net proceeds of which are devoted to an authorized purpose.

“Special Senior Citizen Bingo” means any bingo game held, operated and conducted by a senior citizen association or club solely for the purpose of amusement and recreation of its members, where:

1. No player or other person furnishes something of value for the opportunity to participate;
2. The prizes offered or awarded are of nominal value;
3. No person other than a bona fide active member of the licensed organization participates in the conduct of the game or games; and
4. No person is paid for conducting or assisting in the conduct of the game or games.

“Something of value” means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise directly or indirectly contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game without charge.

“Successive occasion” means the next occasion in the sequence of occasions for which the license is issued.

Amended by R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Amended by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Amended by R.1996 d.177, effective April 1, 1996.

See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

Added “calendar raffle”, “special senior citizen bingo” and “something of value”.

Amended by R.1996, d.280, effective June 17, 1996.

See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).

Amended by R.1996 d.481, effective October 7, 1996.

See: 28 N.J.R. 3711(a), 28 N.J.R. 4486(a).

Amended by R.1996 d.538, effective November 18, 1996.

See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Amended by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

In “Calendar raffle”, inserted “upon which a prize(s) is to be awarded” at the end of the second sentence; in “Progressive jackpot bingo game”, inserted “except for the occasion upon which the jackpot prize is won,” in the last sentence; and added new “Golf Hole-in-One Contest” and “Predraw bingo game” definitions.

Amended by R.2002 d.258, effective August 5, 2002.

See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

Added “Bingo board”, “Bingo card”, “Registered organization”; deleted “Playing board” and “Playing card”.

Amended by R.2006 d.109, effective March 20, 2006.

See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).

Rewrote definition “Authorized purpose”; added definitions “Capital improvements”, “Card” and “Issuing authority”.

Amended by R.2006 d.301, effective August 21, 2006.

See: 37 N.J.R. 3028(a), 38 N.J.R. 3309(b).

In definition “Qualified organization”, rewrote paragraphs 1, 2 and 3, and deleted 4 and 5.

Amended by R.2007 d.141, effective May 7, 2007.

See: 38 N.J.R. 3141(a), 39 N.J.R. 1763(a).

Added definition “Compensated worker”.

Cross References

See Section 16.1 (Schedule of Rates “A”) of this Chapter.

SUBCHAPTER 2. REGISTRATION AND IDENTIFICATION

13:47-2.1 General provisions

(a) Every organization desiring to apply for a license to conduct bingo or raffles or to allow its members to assist a licensed affiliated organization, as described in N.J.A.C. 13:47-6.4 shall, before making any such application or allowing any assistance, register with the Control Commission and secure an identification number.

(b) An identification number issued by the Control Commission shall be valid for a period of two years or until modified, suspended or revoked by the Control Commission.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Case Notes

Krishna colporteur (religious book peddling) at Meadowlands sports complex is protected under the free exercise of religion clause of the U.S. Constitution; as facility is not a public forum, lessee organizations have the right to regulate patrons' activities on the premises; bingo and raffle rules cited in support of precedent that fundraising for religious purposes is accorded free exercise clause protection. *International Society for Krishna Consciousness, Inc. v. New Jersey Sports and Exposition Authority*, 532 F.Supp. 1088 (D.N.J.1981) affirmed 691 F.2d 155 (3rd Cir.1982).

13:47-2.2 Registration form

Registration shall be upon a form supplied on request by the Secretary of the Control Commission. Form 1-A is hereby adopted for that purpose.

13:47-2.3 Application for registration: renewal; fees

(a) Except as provided in (b) below, each organization requesting registration shall remit by check or money order a non-refundable biennial registration fee of \$100.00, payable to the Legalized Games of Chance Control Commission, and shall submit a completed application together with sufficient proof of the organization's eligibility for registration. Such proofs shall include at least the following:

1. The by-laws and constitution or any other written authority under which the applicant organization operates;
2. The names and addresses of five individuals over the age of 18 who are to be primarily responsible for the conduct of the games of chance on each occasion and who are to ensure proper utilization of the net proceeds; and
3. If incorporated, a copy of the applicant organization's articles of incorporation which have been filed with the proper governmental body in the state of incorporation.

(b) A senior citizen association or club requesting registration shall submit a completed application together with sufficient proof of the organization's eligibility for registration. Qualified senior citizen associations and clubs shall be exempt from the biennial registration fee.

(c) The Control Commission, when provided with all information required by this section and upon its considered review of such qualifying information, and being satisfied that the applicant organization is a qualified organization, shall direct the Secretary to assign an identification number to the organization and affix that number to a copy of Form 1-AC.

(d) Each registered organization requesting renewal of its registration with the Control Commission shall apply for renewal on the form provided by the Commission. The renewal form shall report any changes in the information previously supplied or shall confirm that the information previously supplied to the Commission has not changed.

(e) Each registered organization requesting renewal of its registration with the Control Commission shall remit by check payable to the Legalized Games of Chance Control Commission, a non-refundable fee of \$100.00 together with any additional information requested by the Control Commission.

(f) If an organization does not renew its registration prior to its expiration date, the organization may renew its registration within 30 days of its expiration by filing an application for renewal of its registration together with a check in the amount set forth in (e) above, plus an additional amount of \$35.00 as a late filing fee.

(g) If an organization does not renew its registration within 30 days of its expiration, the organization may only re-apply for registration by fulfilling all of the initial registration requirements as set forth in (a) above.

Amended by R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Amended by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Amended by R.1996 d.177, effective April 1, 1996.

See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

Provided fee exemption for senior citizen associations.

Amended by R.2006 d.301, effective August 21, 2006.

See: 37 N.J.R. 3028(a), 38 N.J.R. 3309(b).

In the introductory paragraph of (a), deleted "subsection" preceding "(b)", deleted former (a)2 and (a)3; added new (a)2; recodified former (a)4 as (a)3; and in (a)3, substituted "proper governmental body in the state of incorporation" for "Secretary of State of New Jersey".

Amended by R.2006 d.294, effective August 21, 2006.

See: 38 N.J.R. 1535(a), 38 N.J.R. 3310(a).

In the introductory paragraphs of (a) and (e), substituted "\$100.00" for "\$50.00"; also in the introductory paragraph of (a), intended to delete "subsection" preceding "(b)" which was previously deleted at 38 N.J.R. 3309(b); and added (f) and (g).

13:47-2.4 Identification number

All applications for licenses, amendment of licenses, reports and any other papers relating to licensed games of chance, shall bear the identification number of the organization involved.

13:47-2.5 Municipal approval

Neither registration nor the assignment of an identification number shall entitle any organization to hold, operate or conduct, or assist in the holding, operating or conducting of, any game or games of chance without the approval of the issuing authority of the municipality in which the game or games are to be held, operated or conducted.

Repeal and New Rule, R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Old section was "Evidence of eligibility".

Amended by R.2006 d.109, effective March 20, 2006.

See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).

Substituted "issuing authority" for "governing body".

Case Notes

Ordinance restricting issuance of bingo licenses was invalid as contrary to State law. *Kendall Park Chapter of Deborah v. New Brunswick*, 159 N.J.Super. 249, 387 A.2d 1214 (App.Div.1978), certification denied 78 N.J. 396, 396 A.2d 583 (1978).

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Statutory References

As to Bingo, see N.J.S.A. 5:8-27, and as to Raffles, see N.J.S.A. 5:8-54.

13:47-4.8 Joint license

No joint license for the holding, operating and conducting of any game of chance shall be issued to two or more organizations.

13:47-4.9 Licensing fees payable to the Control Commission

(a) Except as provided in (d) below, all licensing fees are to be paid by check made payable to the Legalized Games of Chance Control Commission at the time the application is filed with the municipality, except as set forth in (c)6 below.

(b) The licensing fees payable by law to the Control Commission which are set forth in this chapter are non-refundable.

(c) The licensing fees payable to the Commission are:

1. Bingo: \$20.00 for each occasion on which any game or games of bingo are to be conducted under the license;
2. On-premises draw raffle for cash prizes (50/50) in excess of \$400.00 or merchandise prizes where the total combined retail value of prizes awarded is in excess of \$400.00: \$20.00 for each day on which a drawing(s) is to be conducted under the license;
3. On-premises draw raffle for cash prizes (50/50) that do not exceed \$400.00 or merchandise prizes where the total combined retail value of prizes awarded does not exceed \$400.00: no licensing fee. In the event the retail value of the prize(s) offered or awarded exceeds \$400.00 in a raffle in which it was anticipated that the retail value would not exceed \$400.00, the licensee shall submit a check or money order made payable to the Legalized Games of Chance Commission in the amount of \$20.00 at the time of filing the report of operations required by N.J.A.C. 13:47-9 and if required, provide the licensing municipality with any additional fees due, together with a copy of the Report of Raffle Operations;
4. Off-premises draw raffle awarding merchandise as a prize: \$20.00 for each \$1,000 or part thereof of the retail value of the prize(s) to be awarded;
5. Carnival games or wheels: \$20.00 for each game or wheel held on any one day, or any series of consecutive days not exceeding six at one location;
6. Off-premises cash (50/50) raffle: a \$20.00 fee shall be paid at the time the application is filed. In the event the awarded prize exceeds \$1,000, then an additional fee of \$20.00 for each \$1,000 or part thereof in value of the

awarded prize in excess of \$1,000 shall be forwarded to the Control Commission by check payable to the Legalized Games of Chance Control Commission together with the Report of Operations as required by N.J.A.C. 13:47-9 and if required, any additional fees due, together with a copy of the Report of Raffle Operations shall be provided to the licensing municipality;

7. Special door prize raffle: no fee is payable and no license is required, provided the merchandise is wholly donated, has a total retail value of less than \$50.00, and the raffle is conducted in accordance with N.J.A.C. 13:47-3.11 and 8.15;

8. Calendar raffle awarding cash or merchandise as a prize: \$20.00 for each \$1,000 or part thereof of the retail value of the prize(s) to be awarded.

9. Instant raffle games awarding cash or merchandise as a prize:

- i. \$20.00 for each day on which instant raffle tickets are sold or offered for sale; or
- ii. \$750.00 for a one-year license to sell, or to offer for sale, instant raffle tickets during that year.

10. Golf Hole-in-One Contest: \$20.00 for each \$1,000 or part thereof of the retail value of the ancillary prizes offered.

11. Armchair race: \$50.00 per licensed day of operation.

12. Casino Night: \$100.00 for each day of operation.

(d) The licensee fees set forth in (a) through (c) above shall not apply to any senior citizen association or club registered with the Control Commission, which will hold, operate or conduct the games solely for the bona fide active members of the licensed association or club. No fee shall be charged to any senior citizen association or club for processing an application or issuing a license to hold, operate or conduct any legalized game of chance solely for its bona fide active members.

Amended by R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Amended by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Amended by R.1996 d.177, effective April 1, 1996.

See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

Provided fee exemption for senior citizen associations.

Amended by R.1996 d.538, effective November 18, 1996.

See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Amended by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

In (c), added a new 10.

Amended by R.2001 d.343, effective September 17, 2001.

See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

Added (c)11.

Amended by R.2002 d.258, effective August 5, 2002.

See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

In (c), rewrote 3 and 6 and substituted "13:47-8.15" for "13:47-3.11".

Amended by R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

In (c), added 12.

Amended by R.2006 d.294, effective August 21, 2006.

See: 38 N.J.R. 1535(a), 38 N.J.R. 3310(a).

Substituted "\$20.00" for "\$10.00" throughout; and in (c)9ii, substituted "\$750.00" for "\$500.00".

13:47-4.10 Licensing fees payable to the licensing municipality

(a) Where no specific ordinance setting fees due the licensing municipality exists, the licensing municipality shall charge a fee in an amount equal to the amount charged by the Control Commission.

(b) Each licensing municipality may set by ordinance a licensing fee in an amount necessary to defray all proper expenses incurred by the municipality in the administration of the Bingo Licensing Law, the Raffles Licensing Law and the regulations governing the conduct of any game or games held, operated or conducted under any license issued by it. No municipal licensing fee shall be set at an amount in excess of the amount charged by the Control Commission.

(c) A municipality may by ordinance exempt all qualified organizations from the payment of any municipal licensing fee.

(d) No municipal ordinance shall exempt any organization from payment of any fee due the Control Commission.

(e) Each licensing municipality shall forward a copy of any such ordinance to the Control Commission immediately upon adoption.

New Rule, R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

SUBCHAPTER 5. LICENSE AMENDMENT

13:47-5.1 Application form

(a) Application to amend a license shall be made by an officer of the licensee on Form 7-A, hereby adopted. The application shall have annexed such proofs, signatures and verifications as would have been necessary if the changes were in the original application.

(b) No licensee who has applied for an amended license shall operate a game in any manner other than that which has been licensed until an amended license certificate has been issued.

Amended by R.2006 d.294, effective August 21, 2006.

See: 38 N.J.R. 1535(a), 38 N.J.R. 3310(a).

Added designation (a); and added (b).

Statutory References

As to Bingo, see N.J.S.A. 5:8-28, and as to Raffles, see N.J.S.A. 5:8-55.

13:47-5.2 Copies of application

The same number of copies of an application to amend a license shall be required as for an application for a license, and the application shall be processed and disposed of in the same manner.

13:47-5.3 Approval

When the issuing authority approves an amendment of a license, the original license shall be returned by the license holder and exchanged for the amended license, upon payment of any additional fee required.

Amended by R.2006 d.109, effective March 20, 2006.

See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).

Substituted "issuing authority" for "governing body" and added "by the license holder".

13:47-5.4 New date

If a game of chance cannot be held on the date stated in the license because of emergency weather conditions or because of other emergency conditions determined by the Control Commission, the organization may within 48 hours fix a new date for the game, which date shall be within seven days of the original date. Within such 48-hour period, and in any case before the postponed game is held, written notification of the new date shall be filed in duplicate with the municipal clerk of the municipality in which the Game of Chance is to be held. The municipal clerk shall immediately forward the duplicate copy of the notification to the Control Commission.

SUBCHAPTER 6. GENERAL CONDUCT OF GAMES OF CHANCE

13:47-6.1 Member in charge of conduct of games

(a) The officers of a licensee shall designate a bona fide, active member to be in charge of, and primarily responsible for, the conduct of the game of chance on each occasion.

(b) The member in charge shall supervise all activities on the occasions for which he is in charge and shall be responsible for the making of the required report of operations thereof.

(c) The member in charge shall be familiar with the provisions of the Bingo Licensing Law or the Raffles Licensing Law as the case may be and the rules and regulations of this Chapter.

Amended by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Statutory References

As to Bingo, see N.J.S.A. 5:8-26, and as to Raffles, see N.J.S.A. 5:8-52.

13:47-6.2 Member in charge of proceeds; separate bank account

(a) The officers of a licensee shall designate an officer or member to be in full charge of, and responsible for, the proper utilization of the entire net proceeds of the games of chance in accordance with the law and the rules and regulations of this Chapter.

(b) Each registered organization shall establish, keep and maintain a bank account in a State or Federal chartered banking institution in which only the proceeds derived from the conduct of games of chance shall be deposited and from which only payments for authorized expenses and utilization of net proceeds for authorized purposes shall be made.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Recodified from N.J.A.C. 13:47-6.19 and amended by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Rewrote (a); and in (b), added new 2 and 3 and recodified former 2 and 3 as 4 and 5. Former N.J.A.C. 13:47-6.20, Conduct by unaffiliated organizations, was recodified to N.J.A.C. 13:47-6.21.

Amended by R.2002 d.258, effective August 5, 2002.

See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

In (a), inserted "(except a gift certificate redeemable for live, edible seafood)".

Amended by R.2006 d.301, effective August 21, 2006.

See: 37 N.J.R. 3028(a), 38 N.J.R. 3309(b).

In (a), deleted "alcoholic beverages" following "seafood" and inserted a comma following "legal tender".

13:47-6.21 Conduct by unaffiliated organizations

(a) Two or more unaffiliated organizations may not conduct bingo at the same place on the same day except as provided in N.J.A.C. 13:47-14.3(c).

(b) Two or more unaffiliated organizations may conduct raffles at the same place at the same time.

Amended by R.1988 d.184, effective April 18, 1988.

See: 20 N.J.R. 249(a), 20 N.J.R. 912(b).

Recodified from N.J.A.C. 13:47-6.20 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.21, Time limit for devoting of proceeds, was recodified to N.J.A.C. 13:47-6.22.

13:47-6.22 Time limit for devoting of proceeds

(a) The net proceeds derived from the holding of a game of chance must be devoted to one or more of the authorized purposes within one year of the holding of the game of chance. Organizations failing to comply with this section will be required to show cause before the Commission why their right to conduct games of chance should not be revoked.

(b) Any organization desiring to hold the net proceeds of games of chance for a period longer than one year may apply to the Commission for special permission.

Recodified from N.J.A.C. 13:47-6.21 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.22, Unreasonable proceeds, was recodified to N.J.A.C. 13:47-6.23.

13:47-6.23 Unreasonable proceeds

Any organization licensed to conduct games of chance, which does not show that the conduct of games of chance during any one year period has produced reasonable net proceeds for authorized purposes, will be required to show cause before the Commission why its right to conduct games of chance should not be revoked.

Recodified from N.J.A.C. 13:47-6.22 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.23, Payment for equipment, was recodified to N.J.A.C. 13:47-6.24.

13:47-6.24 (Reserved)

Repealed by R.2002 d.258, effective August 5, 2002.

See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

Section was "Payment for equipment".

13:47-6.25 Cheating: notification; liability

(a) A player in any game of chance authorized by the Control Commission shall play the game solely to win and shall take no action to improve another player's chance of winning.

(b) A licensee who has reasonable cause to believe that a player has acted or is acting in violation of (a) above or any other regulation included in this chapter, shall require the player to cease playing the game and shall notify the Control Commission in writing as expeditiously as possible.

(c) A licensee who takes good faith action pursuant to (b) above shall not be required to refund or redeem any imitation money held by a player who improved the chances of another player or the player whose chances were improved.

New Rule, R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

SUBCHAPTER 6A. COMPENSATED WORKERS

13:47-6A.1 Application procedure

(a) A person who wants to be compensated for holding, operating or conducting, or assisting in the holding, operating or conducting games of chance for a registered organization shall submit an application for a compensated worker license to the Control Commission on a form provided by the Control Commission, which includes a statement indicating that the applicant is familiar with the rules governing the operation of games of chance found in N.J.A.C. 13:47, together with a non-refundable application fee as set forth in N.J.A.C. 13:47-6A.7 by check or money order payable to the Legalized Games of Chance Control Commission.

(b) The Control Commission shall review the application for completeness, and provided that the applicant meets the qualifications set forth in N.J.A.C. 13:47-6A.4, and barring any violation of the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., the Raffle Licensing Law, N.J.S.A. 5:8-50 et seq., the Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq. or disciplinary action in connection with a license, certificate, or registration in another state, shall approve the application.

(c) The Control Commission shall notify the applicant of the approval or disapproval of the application and, if approved, issue a license and a license number.

13:47-6A.2 Agent for service of process

(a) All applicants for licensure as a compensated worker shall appoint the Executive Officer of the Control Commis-

sion as agent for service of process on a form provided by the Control Commission.

(b) Upon the service of process on the Executive Officer of the Control Commission as agent for a compensated worker, the Executive Officer shall forward the papers by registered or certified mail, return receipt requested, to the person named and who is a defendant in the proceeding, at the last known address on file with the Control Commission.

13:47-6A.3 License approval and renewal

(a) Upon notification of approval by the Control Commission, the applicant shall forward a license fee as set forth in N.J.A.C. 13:47-6A.7 by certified check or money order payable to the Legalized Games of Chance Control Commission. The license shall be valid for one year unless modified, suspended or revoked by the Control Commission.

(b) Prior to the expiration of the annual license period, each licensee shall submit an application for license renewal and payment of a license renewal fee as set forth in N.J.A.C. 13:47-6A.7.

(c) The Control Commission may suspend or revoke the license of a licensee, after an opportunity to be heard, for any violation of the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., the Raffle Licensing Law, N.J.S.A. 5:8-50, the Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq., this chapter or any other applicable statute or rule of the Control Commission.

13:47-6A.4 Qualifications of compensated workers

(a) In order to be approved for licensure as a compensated worker by the Control Commission, a person must be:

1. At least 18 years of age; and
2. Of good moral character and free of criminal convictions.

13:47-6A.5 Duties of compensated workers

(a) A licensed compensated worker may perform all of the duties and functions commonly associated with operating the games of chance, except that no such person shall be authorized to make payments from the licensed organization's games of chance account as required by N.J.A.C. 13:47-6.2.

(b) If the person licensed as a compensated worker is a corporation or other business entity, each officer, manager or employee who is holding, operating or conducting, or assisting in the holding, operating or conducting games of chance at the premises where the games are being held shall be a licensed compensated worker.

(c) A licensed compensated worker holding, operating or conducting or assisting in the holding, operating or conducting bingo games shall be subject to the supervision of the

member in charge of the occasion appointed in accordance with N.J.A.C. 13:47-6.1.

13:47-6A.6 Compensation

A person licensed by the Control Commission who is to be compensated for services rendered to a registered organization in connection with holding, operating or conducting or assisting in the holding, operating or conducting games of chance shall be compensated at a rate that is not less than the minimum wage required to be paid by employers to their employees established pursuant to N.J.S.A. 34:11-56a4, as amended and supplemented.

13:47-6A.7 Fees

(a) The following fees for compensated workers shall be charged by the Control Commission:

1. Application fee..... \$100.00;
2. License fee..... \$125.00; and
3. License renewal fee..... \$125.00.

SUBCHAPTER 7. CONDUCT OF BINGO

13:47-7.1 (Reserved)

Amended by R.1989 d.431, effective August 21, 1989.
See: 21 N.J.R. 698(b), 21 N.J.R. 2526(a).

Added (e) and (f).
Repealed by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Formerly "Personnel".

13:47-7.2 Amount of prize limitation

(a) No prize may be offered or awarded in excess of the sum or value of \$250.00 for a single game, nor may the aggregate of all prizes offered and awarded in all games held on one occasion exceed \$1,000, except as provided in (b) below.

(b) No prize awarded in a bingo game wherein the prize is a percentage of the gross receipts derived from the sale of cards to participate in the game, which is authorized to be held, operated and conducted pursuant to this subchapter shall be subject to the limitations set forth in (a) above.

(c) No prize shall be offered or awarded in any bingo game in any manner that is not specifically authorized by this subchapter.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Amended by R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).
Rewrote (b).

Statutory References

See N.J.S.A. 5:8-27.

13:47-7.3 Alcoholic beverage prohibition

No game may be conducted in any room or outdoor area where alcoholic beverages are sold, dispensed or consumed during the period between the commencement of the first and the conclusion of the last bingo game of the occasion.

Statutory References

See N.J.S.A. 5:8-33.

13:47-7.4 Equipment, premises: limitation

(a) No licensee shall use any equipment or premises for the holding, operating or conducting of bingo unless:

1. The equipment or premises is wholly owned by the licensee;
2. The equipment or premises is provided by a person, and at a rate approved by the Control Commission; or
3. The equipment or premises is loaned free of charge to the licensee by another qualified organization that is registered with the Control Commission.

(b) Any premises used for the holding, operating or conducting of bingo shall be used in accordance with the provisions of N.J.A.C. 13:47-14.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Statutory References

See N.J.S.A. 5:8-34.

13:47-7.5 Charge for playing bingo

(a) The fee for admission to a room or place in which bingo is to be held, operated or conducted shall not exceed \$5.00. This fee shall entitle a person to at least one card allowing such person to participate without additional charge in all regular games to be played on that occasion.

(b) No charge in excess of \$1.00 may be made for a single opportunity to participate in any special game to be played on an occasion.

(c) No more than \$1.00 may be charged for any extra card with which a player may participate in all regular games on an occasion.

(d) The charge for admission to the room or place where bingo is to be played and for any card(s) to participate in all games played on the occasion may be accepted in advance of the time and date bingo is to be played, provided a receipt is given to the purchaser upon payment of the charge, containing at least the following information:

1. The name of the registered organization holding, operating and conducting the bingo occasion and the identification number issued to it by the Control Commission;

2. The municipal license number issued for the occasion, and the date, time and place of the occasion; and

3. The price paid and the goods, wares or merchandise to be received for that price.

(e) Legally blind or otherwise disabled players may use their personal bingo card(s) or licensees may provide such players with modified bingo card(s) to participate in any bingo game upon payment of an amount equal to that paid by players using traditional cards.

(f) Legally blind or otherwise disabled players using modified card(s) to participate in a special bingo game shall purchase traditional special cards and keep them as proof of purchase until the game is won, at which time the member in charge of the occasion shall cause the paper special cards to be destroyed.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Amended by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

Rewrote (e) and (f).
Amended by R.2003 d.199, effective May 19, 2003.
See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

Rewrote (a); in (b), substituted “\$ 1.00” for “\$ 0.25” preceding “may be made”; in (c), deleted “and no less than \$ 0.25” preceding “may be charged”; deleted former (d) and recodified former (e) as (d); deleted former (f) and recodified former (g) and (h) as (e) and (f).

Statutory References

See N.J.S.A. 5:8-35.

13:47-7.6 Division of prize

When more than one player is found to be the winner on the call of the same number in the same game, the designated prize shall be divided as equally as possible; and when division is not possible, substitute prizes, whose aggregate value shall not exceed that of the designated prize, shall be awarded; but such substitute prizes shall be of equal value to each other.

13:47-7.7 Notice

(a) The licensee shall conspicuously post a notice in the premises where bingo is played, listing the amounts of the charges for admission and the opportunity to play and for any other service or privilege offered.

(b) The notice shall also describe the nature and amount of prizes to be awarded.

(c) The notice shall also bear the name of the licensee, the name of the member in charge, and the identification and license numbers.

(d) The notice shall also bear the statement “no tipping of bingo workers.”

(e) The notice shall include the statement “Is gambling a problem for you or someone in your family? Dial 1-800-

GAMBLER.” The notice shall be provided by the Control Commission.

Amended by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Added (d).

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-7.8 Person conducting bingo; restriction; minimum age

(a) No licensee shall permit any person to engage in the conduct of bingo for it or in its behalf who has engaged in the conduct of bingo for or on behalf of any unaffiliated licensee during the same calendar year, except as provided in (c) below.

(b) No licensed organization shall permit any person under the age of 18 years to conduct or assist in the conduct of bingo including the sale or distribution of any bingo card, merchandise or service, except for food or beverages, at any time after the room or area where bingo games are to be played is open to the players.

(c) A compensated worker licensed by the Control Commission may render services in connection with holding, operating or conducting or assisting in the holding, operating or conducting games for or on behalf of more than one registered organization in the same calendar year if such person is not a member of the registered organization.

Amended by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
Amended by R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Added a new (b).

Amended by R.2006 d.109, effective March 20, 2006.
See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).

In (b), substituted “except” for “including”.

Amended by R.2007 d.141, effective May 7, 2007.
See: 38 N.J.R. 3141(a), 39 N.J.R. 1763(a).

In (a), inserted “, except as provided in (c) below”; and added (c).

13:47-7.9 Equipment; general operation of bingo

(a) Bingo games shall be held, operated and conducted in the manner prescribed by N.J.S.A. 5:8-25 and by Section 1.1 (Definitions) of this Chapter.

(b) Effective September 20, 2006, all bingo games shall be played on non-reusable cards which are to be indelibly marked when played.

(c) The equipment used in the playing of bingo and the method of play shall be such that each card shall have an equal opportunity to be a winner.

(d) The objects to be drawn shall be essentially equal as to size, shape, weight and balance and as to all other characteristics that may control their selection and all shall be present in the receptacle before each game is begun.

(e) Objects shall not be drawn from the receptacle until the caller is ready to announce the number on the object. Numbers on objects drawn from the receptacle shall not be announced if a player declares bingo prior to the caller starting vocally to make the announcement. Numbers on the objects drawn from the receptacle shall be announced so as to be visible or audible to all players.

(f) When a player achieves bingo, it shall be that player’s responsibility to declare bingo loud enough for the caller to hear and so that the calling of numbers is stopped. If the player fails to do so and another number(s) is called, the player who had bingo and failed to make his or her bingo known to the caller shall share the prize with any player(s) who achieved bingo on the call of the additional number(s). If the last number called is required to win the game, the player who did not make his or her bingo known prior to the call of an additional number shall not be entitled to any portion of the prize.

(g) If a player is required to achieve bingo in a pre-designated number of numbers called and the player fails to make his or her bingo known to the caller until after that number of calls has been exceeded, the player shall not be entitled to the prize offered for achieving bingo in the pre-determined number of calls.

(h) Whenever a player declares bingo, the caller shall not modify the operation of the ball selection device until the card is verified as a winner. In the event the declaration of bingo was made in error the caller shall continue the game by calling the number that was next to be called prior to the erroneous declaration of bingo.

(i) No licensed organization shall reserve or allow to be reserved any specific bingo card for use by players except modified cards for use by legally blind or otherwise disabled players. Nothing in this subsection shall be construed to prohibit the acceptance of the charge for admission to the room or place where bingo is to be played or for cards to participate in any game played on a bingo occasion in advance of the time or date of the occasion provided a receipt in the form prescribed in N.J.A.C. 13:47-7.5(b) is issued to the purchaser.

(j) Modified cards used by legally blind or otherwise disabled players shall be commercially produced by a manufacturer approved by the Control Commission.

(k) A licensed organization shall have and exercise the right to inspect, accept or reject, with due cause, any personal bingo card used by a legally blind or otherwise disabled player.

(l) All cards to participate in any bingo game shall be purchased prior to the call of the first number in the game. A card purchased after the call of the first number in the game shall not be valid in that game and the holder of the card shall not be eligible for any portion of the prize offered in that game.

(m) In a multi-part game, the order in which the parts of the game were announced before the game began is the order in which the game shall be played. Each part of the game shall be played to conclusion and the winner(s) awarded the prize(s) before continuing to the next part of the game. If a player achieves a bingo in a part of the game other than the part being played, which has not been closed, the player shall wait until the caller opens the part of the game in which he or she has achieved bingo and declare bingo prior to the call of the first number in that part of the game.

(n) In a multi-part game, if a player declares bingo when the caller opens a particular part of the game, no additional number shall be called until the bingo is either verified or rejected as erroneous. If the bingo is verified the caller shall proceed to close that part of the game and award the prize. If the bingo is erroneous, the caller shall continue to call numbers until a winner(s) is declared.

Amended by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
Revised (d)-(e); added (f).
Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Amended by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
Rewrote (e) through (h) and (k) through (l); added (m).
Amended by R.2006 d.109, effective March 20, 2006.
See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).
Added (b); recodified former (b)-(m) as (c)-(n).

13:47-7.10 Arrangement of numbers; announcement

The particular arrangement of numbers required to be covered in order to win the game shall be clearly described and announced to the players immediately before each game is begun.

13:47-7.11 Arrangement of numbers; limitations; required notice

(a) The licensee shall describe and illustrate in the application for license the arrangement of numbers required to be covered in order to win each game.

(b) No arrangement of numbers shall require a player to cover fewer than four numbers on any one card.

(c) No arrangement of numbers shall require the use of more than four cards.

(d) An illustration of the arrangement of numbers required to win the game must be clearly visible to all players during the conduct of the game.

Amended by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Case Notes

Commission rules provide for types of arrangements of numbers on bingo cards. *Kendall Park Chapter of Deborah v. New Brunswick*, 159 N.J.Super. 249, 387 A.2d 1214 (App.Div.1978), certification denied 78 N.J. 396, 396 A.2d 583 (1978).

13:47-7.12 Alternate prizes

(a) Within the limits contained in N.J.A.C. 13:47-7.2, alternate prizes may be offered depending upon the number of calls within which bingo is reached, provided the application for bingo license and the license so specify.

(b) If a licensee avails itself of the provisions of this Section, it must announce at the beginning of each game the number of calls within which bingo is to be reached and the amount of the alternate prizes to be awarded.

(c) Within the limits contained in N.J.A.C. 13:47-7.2, the prizes offered may be varied depending upon the number of people who attend the occasion, provided the application for bingo license and the bingo license so specify.

(d) If a licensee avails itself of the provisions of this section, it must announce at the beginning of each game the number of people present and the prizes to be awarded.

Amended by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

In (a), substituted "N.J.A.C. 13:47-7.2" for "Section 7.2 (Amount of prize limitation) of this chapter"; added (c) and (d).

13:47-7.13 Verification of numbers

(a) Prior to the commencement of bingo games on any occasion, the member in charge of the game shall cause to be made a verification of all objects to be placed in the receptacle and shall inspect the objects in the presence of a disinterested person to insure that all objects are present and that there is no duplication of numbers on said objects prior to the commencement of the bingo games.

(b) Any player shall be entitled to call for a verification of all numbers drawn at the time a winner is determined, and for a verification of the objects remaining in the receptacle and not yet drawn. The verification shall be made in the immediate presence of the member designated to be in charge on the occasion, but if such member be also the announcer, then in the immediate presence of an officer of the licensee.

Case Notes

Commission rules provide for the manner in which winning numbers shall be determined and declared. *Kendall Park Chapter of Deborah v. New Brunswick*, 159 N.J.Super. 249, 387 A.2d 1214 (App.Div.1978), certification denied 78 N.J. 396, 396 A.2d 583 (1978).

13:47-7.14 Determination of winner

(a) When a caller has started vocally to announce a call, he shall complete the call of that number.

(b) After the caller has started vocally to announce a call, if any person shall have gone bingo based upon the previous number called, such person shall share the designated prize with any other person or persons who may have gone bingo on the completed call.

(c) When a player declares “bingo,” the usher shall announce the serial number and color of the card and the numbers on the card which confirm it as a winner of the game. The caller shall repeat the numbers announced by the usher and verify or reject the card presented as a winner. In the event an electronic verifier is used, which contains the identical permutations as those on the cards in play, it is permissible for the usher to substitute the permutation number of the card for the numbers contained in the arrangement of numbers required to win the game, provided a screen displaying a reproduction of the card presented as a winner is visible to the players.

(d) When a winner of a bingo game is determined, the caller shall announce to the players present, “Are there any other winners?” If there are no other winners, the caller shall then state, “I declare this game closed,” and shall proceed to award the prize.

(e) No person shall be entitled to share the designated prize unless he or she shall have declared bingo and his or her card determined to be a winner prior to the announcement that the game has been closed.

(f) If it is determined that a player(s) has won a bingo game on two or more identical bingo cards containing the

identical arrangement of numbers (duplicate cards), the licensed organizations shall pay each winning duplicate card the full amount of the offered prize. If another winning card(s) is presented, which is not a duplicate card, when calculating the prize amount to be awarded to each winner the duplicate cards shall be counted as one winner. For example, if there are four winning cards and two of those cards are duplicate cards, the licensed organization shall divide the prize amount offered by three and award one-third of the prize amount to each of the four winners. In this case, the licensed organization shall pay out one and one-third of the amount of the prize offered.

Amended by R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).
Added a new (e).
Amended by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
Rewrote (c) through (e); added (f).

Case Notes

Commission rules provide for the manner in which winning numbers shall be determined and declared. *Kendall Park Chapter of Deborah v. New Brunswick*, 159 N.J.Super. 249, 387 A.2d 1214 (App.Div.1978), certification denied 78 N.J. 396, 396 A.2d 583 (1978).

13:47-7.15 Prize availability

(a) All prizes shall be awarded immediately upon verification of a winner.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Amended by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
Deleted former (a); recodified former (b) Section was "One day time limit" (a).

Case Notes

Commission rules provide for the manner in which winning numbers shall be determined and declared. *Kendall Park Chapter of Deborah v. New Brunswick*, 159 N.J.Super. 249, 387 A.2d 1214 (App.Div.1978), certification denied 78 N.J. 396, 396 A.2d 583 (1978).

13:47-7.16 Number of games per occasion

No licensee shall conduct more than 35 bingo games on a single occasion.

Case Notes

Commission rules provide for the maximum number of games on one occasion. *Kandall Park Chapter of Deborah v. New Brunswick*, 159 N.J.Super. 249, 387 A.2d 1214 (App.Div.1978), certification denied 78 N.J. 396, 396 A.2d 583 (1978).

13:47-7.17 Exclusion of other games

No licensee shall allow or permit the playing for money or other valuable thing of any game not licensed and held, operated and conducted pursuant to the provisions of the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq., or the provisions of this chapter during or in connection with the holding, operating or conducting of any licensed bingo game.

Amended by R.1988 d.184, effective April 18, 1988.
See: 20 N.J.R. 249(a), 20 N.J.R. 912(b).
Changed to unlicensed game of chance.
Repeal and New Rule, R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).
Section was "Exclusion of other games".

13:47-7.18 Physical presence

(a) In the playing of bingo, no person who is not physically present on the premises where the game is actually conducted shall be allowed to participate as a player in the game.

(b) No seat or place shall be reserved in any room or area where bingo is held, operated or conducted for any person who is not physically present in that room or area.

(c) No persons shall be admitted to the room or area where bingo is held, operated or conducted, except a person who has paid the charge for admission, a person authorized to conduct or assist in the conduct of the game or a person approved to provide a service in or in connection with the game.

(d) No person under the age of 18 years shall be physically present in any room or area where bingo is held, operated or conducted, except for a person between the ages of 13 and 18 years of age who has the express written permission of his or her parent or legal guardian to serve or sell food and beverages.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Amended by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
Rewrote (c).
Amended by R.2006 d.109, effective March 20, 2006.
See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).
In (d), added ", except for a person between the ages of 13 and 18 years of age who has the express written permission of his or her parent or legal guardian to serve or sell food and beverages".

13:47-7.19 Scope

All games falling within the definition of "bingo" or "lotto" contained in Article IV, Section VII, paragraph 2 of the Constitution of the State of New Jersey, as amended November 3, 1953, shall be subject to the rules and regulations of this Chapter regardless of the name by which the game is called, and regardless of variations in the mode of play not specified by said Constitution.

13:47-7.20 (Reserved)

Repealed by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
Section was "Varied prizes".

13:47-7.21 Notice of rules; posting

(a) The licensee shall post a notice on the premises where Bingo is played containing the rules governing the conduct of Bingo.

(b) The notice shall be in the form prescribed and provided by the Control Commission.

13:47-7.22 Rentals; payment

Where premises are rented for the conduct of bingo, rentals must be paid to the rentor within 48 hours after the holding of the bingo occasion.

Cross References

See Subchapter 14 (Rental of Premises for Bingo) of this Chapter.

13:47-7.23 Selection of cards

(a) Each player shall have the right to select his or her own card or cards for regular games from the deck, group or series of cards and shall be entitled to select any card in the deck, group or series of cards that has not already been selected by a player.

(b) A specific card shall not be reserved for any player except for legally blind or otherwise disabled players.

Amended by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

Deleted former (a); rewrote former (b) and (c) and recodified them as new (a) and (b).

13:47-7.24 Progressive jackpot game; authorization

In addition to the schedule of regular and special games played within the prize limits set forth in N.J.A.C. 13:47-7.2(a), it shall be lawful for a licensee to hold, operate and conduct a progressive jackpot bingo game as defined in this chapter, in the manner described in N.J.A.C. 13:47-7.25 through 7.36.

New Rule, R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-7.25 Progressive jackpot game; arrangement of numbers

No arrangement of numbers other than a full card pattern shall be required to win a progressive jackpot prize or a consolation prize.

New Rule, R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-7.26 Progressive jackpot game; schedule of play

The progressive jackpot game shall not be played as the last game of an occasion.

New Rule, R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-7.27 Progressive jackpot game; use of disposable cards; indelible marking

No progressive jackpot game shall be played on other than a non-reusable card which shall be indelibly marked by the player who purchased the card.

New Rule, R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-7.28 Progressive jackpot game; sale of cards

(a) No charge in excess of \$1.00 shall be made for each card with which a player participates in a progressive jackpot game.

(b) All cards shall be sold prior to the drawing of the first number in the game.

New Rule, R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Amended by R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

In (a), substituted "\$ 1.00" for "or less than \$ 0.25" preceding "shall be made"; deleted former (b) and recodified former (c) as (b).

13:47-7.29 Progressive jackpot game; notice to be posted at game

(a) Whenever a progressive jackpot game is conducted the licensee shall conspicuously post a notice stating:

1. The date of each potential successive occasion in the particular progression being conducted;
2. The maximum number of calls in which a player must complete a full card pattern in order to win the jackpot prize on each occasion; and
3. The prize amount offered to the winner of the progressive jackpot and the consolation prize on that occasion.

New Rule, R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-7.30 Progressive jackpot game; announcement; amount of prize; number of calls

(a) On each occasion, prior to the drawing of the first number of the progressive jackpot game the caller shall announce to all players:

1. The maximum number of numbers to be called within which a player must achieve bingo in order to win the jackpot prize on that occasion; and
2. The dollar amount to be awarded to the winner of the jackpot game prize and the consolation prize on that occasion.

New Rule, R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-7.31 Progressive jackpot game; amount of prize; number of calls

(a) On the first occasion of a progressive jackpot bingo game, a player shall not be required to attain bingo in less than 50 numbers called in order to win the progressive jackpot prize.

(b) The number of allowable calls required in order to win the progressive jackpot prize shall be increased by one number on each successive occasion in a particular progression.

(b) The presence of the holder of a ticket shall not be required in order to win unless the ticket bears the statement "NOT VALID UNLESS HOLDER IS PRESENT AT THE DRAWING."

(c) The stub of each ticket shall bear the name and address of the holder, the number of the ticket, the raffle license issued for the occasion and the identification of the licensed organization.

(d) All information required by (a), (b) and (c) above shall be clearly and conspicuously set forth on the face of the ticket.

New Rule, R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.8 "Form of ticket; approval" recodified to 13:47-8.9.
 Amended by R.1995 d.41, effective January 17, 1995.
 See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
 Amended by R.1996 d.177, effective April 1, 1996.
 See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.9 Form of ticket; approval

(a) Whenever a licensee shall submit an application for a raffles license to the municipal clerk, two sample raffle tickets shall accompany the application.

(b) A copy of the application for a license, together with one sample ticket, shall be forwarded to the Control Commission by the municipal clerk.

(c) No raffle tickets may be sold under any license until the municipal clerk has approved the form of the ticket and has so advised the licensee. At least 14 days shall have elapsed between the time the municipal clerk forwards the application and licensing fee to the Control Commission and approval of the form of the ticket is given.

(d) The approval procedure set forth in (a) through (c) above shall not apply to instant raffle games. No instant raffle game shall be sold in this State unless it complies with the standards set forth in this chapter.

Recodified from 13:47-8.8 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.9 "Printer of tickets; certificate", recodified to 13:47-8.10.
 Amended by R.1996 d.538, effective November 18, 1996.
 See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).
 Amended by R.2002 d.258, effective August 5, 2002.
 See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
 Rewrote (c).

13:47-8.10 Printer of tickets; certificate

(a) Every licensee shall secure from the printer of tickets a certificate showing:

1. The number of tickets printed;
2. The first and last numbers used;
3. That the tickets were consecutively numbered; and

4. A sample of the ticket.

(b) One such certificate shall be attached to each copy of Form 8R-A, Report of Raffles Operations.

(c) The licensee shall retain for two years after the date of the drawing all unsold tickets as part of its records.

Recodified from 13:47-8.9 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.10 "Presence of ticket holder" was recodified to 13:47-8.11.

13:47-8.11 Presence of ticket holder

If the presence of the holder of a ticket for an off-premise raffle is required in order to win, he shall be entitled to be present at the drawing without additional charge.

Recodified from 13:47-8.10 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.11 "One day time limit" was recodified to 13:47-8.12.

13:47-8.12 One day time limit

On any occasion when raffles are conducted all winners shall be determined and all prizes awarded within the same day except in the case of a calendar raffle conducted pursuant to this chapter; and the event that determines a winner shall be one that occurs at the time and place of the occasion.

Recodified from 13:47-8.11 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.12 "Uniform price; compensation prohibition" was recodified to 13:47-8.13.
 Amended by R.1996 d.280, effective June 17, 1996.
 See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).

13:47-8.13 Uniform price; posting price to participate in non-draw raffles; compensation prohibition

(a) All tickets or other forms of shares or rights to participate in a raffle shall be sold at a uniform unit price for each ticket, share or right, without any discount or allowance for the purchase of more than one such ticket, share or right.

(b) Whenever an organization shall conduct a non-draw raffle it shall display adjacent to the wheel or the place of the allotment of prizes by chance, a sign indicating the price to play.

(c) No commission, salary, compensation, reward or recompense shall be paid or given to a seller of tickets.

Recodified from 13:47-8.12 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.13 "Equipment" has been recodified to 13:47-8.14.
 Amended by R.1996 d.280, effective June 17, 1996.
 See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).

13:47-8.14 Equipment

(a) Equipment for the conducting of a raffle may be leased but only from persons approved by the Control Commission and at rentals conforming to the schedules fixed by this Chapter.

(b) An organization shall not use equipment for the conducting of a raffle unless:

1. The equipment is leased from persons approved by the Control Commission at rentals conforming to the schedules fixed by these rules; or
2. The equipment is wholly owned by the organization; or
3. The equipment is being purchased by the organization on conditional sale or other installment purchase arrangement in accordance with Section 6.16 (Price of supplies; interest) of this Chapter; or
4. The equipment is loaned free of charge by another qualified organization registered with the Control Commission.

Recodified with amendments from 13:47-8.13 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.14 "Special door-prize raffle" has been recodified to 13:47-8.15.

13:47-8.15 Special door-prize raffle

(a) A "special door-prize raffle" is one which may be conducted without a license under the following conditions:

1. The organization conducting the raffle must be a qualified organization having an identification number;
2. No extra charge may be made for the raffle;
3. Only merchandise prizes may be given;
4. All prizes must be wholly donated;
5. The total retail value of all prizes must be less than \$50.00;
6. No game of chance other than the special door prize raffle may be held or conducted on the occasion;
7. All net proceeds of the occasion must be devoted to authorized purposes;
8. Notice of the special door prize raffle has been given to the municipal clerk.

Recodified with amendments from 13:47-8.14 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.15 "Separate price for combined activities" recodified to 13:47-8.16.

13:47-8.16 Separate price for combined activities

(a) If a raffle is conducted on the occasion of, or in conjunction with some other lawful activity, such as a dinner, dance, entertainment, fashion show, or the like, the price of the ticket or right to participate in the raffle, shall be separately set forth, and the funds derived from the raffle shall be segregated and reported on Form 8R-A, and used only for the authorized purposes provided by the Raffles Licensing Law.

(b) For failure to comply with (a) above, or if no separate price is paid for the privilege or right to participating in the

raffle, then such other lawful activity shall be deemed to be merely auxiliary to the conduct of the raffle, and the entire proceeds of such combined activity shall be reported on Form 8R-A, and the entire net proceeds may be used only for those authorized purposes provided by the Raffles Licensing Law, and only the actual cost of conducting the raffle may be deducted as expenses.

Recodified from 13:47-8.15 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Amended by R.1998 d.428, effective August 17, 1998.
 See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

In (b), substituted a reference to (a) for a reference to this section, and substituted "raffle" for "combined activity" following "conducting the".

13:47-8.17 Conduct of "duck race" raffle

(a) Equipment for the conduct of a duck race raffle must be used in accordance with N.J.A.C. 13:47-8.13.

(b) Each player must be provided with a ticket printed in accordance with N.J.A.C. 13:47-8.7. Tickets may be represented by the actual duck shaped objects used for the conduct of the race.

(c) Each object used for the conduct of the race shall be equal as to size, weight, shape and balance and as to all other characteristics that may control its selection.

(d) Each object used for the conduct of the race shall bear the name and identification number of the licensee and the license number issued for the occasion.

(e) Live animals may not be used in the conduct of the race.

(f) In the event a race for which tickets have been sold cannot be conducted, the winner(s) shall be determined by drawing from a container having in it the stub or counterpart of all tickets sold, and prize(s) shall be awarded at the time and place indicated on the license.

New Rule, R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

13:47-8.18 Calendar raffle; contents of ticket

(a) Each player shall be provided with a ticket printed in a calendar format which shall clearly and conspicuously contain at least the following information:

1. The name and identification number of the qualified organization and number of the license issued for the occasion;
2. The place where the drawings will be held and the dates and times thereof;
3. The date upon which prizes will be awarded and the retail value of each;
4. The non-repeating consecutive number of the ticket;

5. The aggregate retail value of all prizes to be awarded;
6. The price of the ticket;
7. The purpose to which the entire net proceeds will be devoted;
8. The statement: "No substitution of the offered prize may be made."; and
9. The statement: "If gambling is a problem for you or someone in your family, Dial 1-800-GAMBLER."

(b) The presence of the holder of the ticket shall not be required in order to win unless the ticket bears the statement "NOT VALID UNLESS HOLDER IS PRESENT AT THE DRAWING."

(c) The stub of each ticket shall bear the name and address of the holder, the number of the ticket, the raffle license issued for the occasion and the identification number of the licensed organization.

(d) All information required by (a), (b) and (c) above shall be clearly and conspicuously set forth on the face of the calendar.

New Rule, R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.19 Calendar raffle; maintenance of records; posting winners; providing list of winners

(a) A licensee shall maintain a master list that records each purchaser's name, address and calendar number for a period of not less than two years from the last date on the calendar.

(b) A licensee shall maintain and conspicuously post at the site of the drawings, a master calendar which shall indicate the winning numbers, the winners' names, and prize won for each prize awarded in the raffle.

(c) A licensee shall not refuse to provide a list of the names of winners and the prize won to any participant in the raffle.

New Rule, R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.20 Calendar raffle; objects drawn to determine winner

(a) All objects drawn from the container bearing numbers matching the non-repeating consecutive numbers of all tickets sold shall:

1. Be present in the container prior to each drawing; and
2. Be equal as to size, weight, shape and balance and as to all other characteristics that may control their selection.

New Rule, R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.21 Calendar raffle; sale of tickets: restrictions

(a) All tickets, rights or shares to participate in a calendar raffle shall be sold prior to any drawing for prizes.

(b) A calendar raffle shall be conducted so as to award prizes for a period of at least three months.

(c) All drawings shall be held on or prior to the dates for which prizes are to be awarded.

(d) A licensee shall not hold a drawing for prizes more often than once in any calendar week.

New Rule, R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.22 Calendar raffle; maximum prize value

A licensee shall not conduct a calendar raffle that offers prize(s) of cash or merchandise with an aggregate retail value greater than \$25,000.

New Rule, R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.23 Calendar raffle; awarding of prizes; time limit

(a) Prizes shall be awarded to winners present at the drawing at the time of drawing.

(b) Prizes won by persons not present at the drawing shall be awarded within five business days following the date of the drawing.

New Rule, R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.24 Calendar raffle; verification prior to drawing

(a) Prior to each drawing the member in charge shall verify that all objects bearing numbers matching the non-repeating consecutive numbers of all tickets sold are present in the receptacle.

(b) The verification required by (a) above shall be made in the presence of at least one other member of the licensed organization.

(c) Any holder of a ticket in the raffle desirous of witnessing the verification shall be permitted to be present.

New Rule, R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.25 Wheels used as non-draw raffles: positioning

Any wheel used to determine the winner of a non-draw raffle shall be operated in a vertical position.

New Rule, R.1996 d.280, effective June 17, 1996.
See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).

3. A narrative of any additional facts, not presented to the governing body, which it is requested be considered on the appeal;

4. Argument on the facts and law.

(b) On or before the filing thereof, a copy of the Counterstatement of Appeal shall be served upon the party aggrieved.

13:47-11.8 Counterstatement of appeal; annexations

(a) The Counterstatement of Appeal shall have annexed, in the form of affidavits and exhibits, proofs in support of any disputed facts, any additional facts not presented to the governing body.

(b) There shall also be affixed a copy of the Report of Findings and Determination of the Governing Body.

13:47-11.9 Filing with Control Commission

Filing with the Control Commission may be by registered or certified mail, return receipt requested, and shall be complete on mailing.

SUBCHAPTER 12. APPEALS: HEARINGS AND DISPOSITION

13:47-12.1 Date and place

Upon receipt of the Counterstatement of Appeal, the matter shall be transmitted to the Office of Administrative Law or scheduled for hearing before the Control Commission. Such hearing shall be conducted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq. and Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

Amended by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
Administrative correction.
See: 31 N.J.R. 886(a).

13:47-12.2 (Reserved)

Repealed by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
Old section was "Duty to produce witness".

13:47-12.3 (Reserved)

Repealed by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
Section was "Additional witnesses".

13:47-12.4 (Reserved)

Repealed by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
Section was "Subpoenas".

13:47-12.5 Stenographic record

(a) Whenever oral argument, or the oral testimony of witnesses, or both, is presented at the hearing of an appeal, any party may, at his own expense, have a certified shorthand reporter present to take a stenographic record of the proceedings.

(b) If such record is made, the party shall file the original transcript with the Control Commission.

(c) Any other party shall be entitled to secure a copy from the reporter at his own expense.

13:47-12.6 Adjournment

Hearings may be adjourned by the Control Commission from time to time at the request of any party, but only for good cause shown, but hearings shall be held and concluded with reasonable dispatch and without unnecessary delay.

13:47-12.7 Quorum

(a) Three members of the Control Commission shall constitute a quorum for the hearing of an appeal.

(b) The Control Commission shall decide the appeal within 15 days of the hearing.

(c) The concurring vote of at least three members of the Control Commission shall be required for the determination of any appeal.

13:47-12.8 Findings

(a) Upon the determination of an appeal, the Control Commission shall state its findings and record the vote of the members participating therein.

(b) All parties shall be notified by the Secretary of the action of the Control Commission and shall be furnished a copy of the findings.

SUBCHAPTER 13. RAFFLES AND BINGO EQUIPMENT PROVIDERS; INSTANT RAFFLE EQUIPMENT PROVIDERS; ARMCHAIR RACE AND CASINO NIGHT EQUIPMENT AND PERSONNEL PROVIDERS; FEES; NOTIFICATIONS; QUALIFICATIONS

13:47-13.1 Application

(a) An applicant desiring to provide or supply equipment or personnel for an armchair race, bingo, casino night, raffle or instant raffle for use in, or in connection with, holding, operating or conducting an armchair race, bingo, casino night, raffle or instant raffle game shall first be approved by the Control Commission.

(b) Any person desiring such approval shall apply to the Control Commission, in writing and in duplicate, on Form 11 which is hereby adopted, and shall provide the Control Commission with any additional information requested.

(c) The application shall be signed under oath.

(d) Where such applicant is a natural person, partnership or other association of natural persons, the application shall be signed and sworn to by all of them.

(e) Where such applicant is a corporation, or association in the nature thereof, it shall be signed and sworn to by all of its officers and by all holders of ten per cent or more of its capital stock issued and outstanding, of all classes.

(f) If any such stockholder shall itself be a corporation or association in the nature thereof, the application shall also be signed and sworn to by all of the officers, and by all of the stockholders holding ten per cent or more of the capital stock issued and outstanding, of all classes, of such corporate stockholder.

(g) Each applicant desiring to provide equipment or personnel to be used in or in connection with an armchair race, a bingo, a casino night, or a raffle shall forward together with Form 11, a non-refundable application fee of \$100.00 by check or money order made payable to the order of the Legalized Games of Chance Control Commission.

(h) Each applicant desiring to supply instant raffle equipment shall forward, together with a completed Form 22, a non-refundable application fee of \$100.00 by certified check or money order made payable to the order of the Legalized Games of Chance Control Commission.

Amended by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Amended by R.1996 d.177, effective April 1, 1996.

See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

Added (g).

Amended by R.1996 d.538, effective November 18, 1996.

See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Amended by R.2001 d.343, effective September 17, 2001.

See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

Rewrote (a) and (g).

Amended by R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

In (a) and (g), inserted references to casino night following references to bingo.

13:47-13.2 Agent for service of process

(a) All applicants before receiving approval shall appoint the Executive Officer of the Control Commission as agent for the Service of process.

(b) Such appointment shall be made on Form 12 or 12A which are hereby adopted.

(c) Upon the service of any papers upon the Executive Officer of the Control Commission as such agent, the Executive Officer shall forthwith forward the papers by

registered or certified mail, return receipt requested, to the person named in such power of Attorney and who is a defendant in such proceeding at the address that appears in the latest application filed with the Commission or at any new address subsequently furnished to the Control Commission by such applicant in writing.

13:47-13.3 Approval

(a) If, upon considering such application the Control Commission shall be satisfied that the applicant (or its officers and stockholders of 10 percent or more of its stock when the applicant is a corporation) is of good moral character and has not been convicted of crime, it shall enter its approval in its records, shall notify the applicant accordingly, and shall issue its certificate with an identifying number.

(b) No person approved by the Control Commission to provide equipment for use in or in connection with any game licensable pursuant to the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., or the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq., shall provide any such equipment to a person not registered with the Control Commission.

Amended by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-13.4 Application hearing

(a) If, on considering such application, the Control Commission shall not be so satisfied, it shall notify the applicant, by registered or certified mail, return receipt requested, setting out the date and place of hearing on the application, to be held at least one week after the date of the notice.

(b) At the hearing, the burden of proof shall be on the applicant, and the Control Commission shall not enter an approval unless it is satisfied by the proofs of the existence of the conditions fixed by law.

13:47-13.5 Procedures

(a) The rules governing subpoenas, stenographic record, adjournments, quorum, vote and findings, applicable to appeals to the Control Commission, shall also apply to hearings on applications for approval.

(b) The Control Commission may, on its own initiative, issue subpoenas for the attendance of witnesses and the production of books, records, and other documents.

13:47-13.6 Approval; time limitations; renewal

(a) Upon notification of approval by the Control Commission, each armchair race, bingo, casino night and raffle equipment provider shall forward an annual licensing fee of \$1,000 by certified check or money order made payable to the order of the Legalized Games of Chance Control Commission. The approval to supply armchair race, bingo, casino night and raffle equipment, when granted, shall be valid for one year.

(b) Prior to the expiration of the current annual license period, each licensed armchair race, bingo, casino night and raffle equipment provider shall submit an application for license renewal together with the annual license renewal fee of \$1,000.

(c) Upon notification of approval by the Commission, each manufacturer of instant raffle equipment shall forward an annual licensing fee of \$3,000 by certified check or money order made payable to the order of the Legalized Games of Chance Control Commission. The approval to supply instant raffle equipment when granted shall be valid for one year.

(d) Prior to the expiration of the current annual license period, each licensed manufacturer of instant raffle equipment shall submit an application for license renewal together with the annual license renewal fee.

(e) Upon notification of approval by the Commission, each distributor of instant raffle equipment shall forward an annual licensing fee of \$3,000 by certified check or money order made payable to the order of the Legalized Games of Chance Control Commission. The approval to supply instant raffle equipment when granted shall be valid for one year.

(f) Prior to the expiration of the current annual license period, each licensed distributor of instant raffle equipment shall submit an application for license renewal together with the annual license renewal fee.

(g) The Control Commission may suspend or revoke the license of armchair race, bingo, casino night and raffle equipment providers or manufacturers and distributors of instant raffle equipment issued by the Commission, after an opportunity for a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, for any violation of the Bingo Licensing Law, the Raffle Licensing Law, the Amusement Games Licensing Law, this chapter or any other relevant law.

Amended by R.1996 d.177, effective April 1, 1996.

See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

In (a) provided for an annual fee.

Amended by R.1996 d.538, effective November 18, 1996.

See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Amended by R.2001 d.343, effective September 17, 2001.

See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

In (a) and (b), inserted references to armchair races; in (g), inserted "armchair race," following "license of" and "the Amusement Games Licensing Law," following "Raffle Licensing Law,".

Amended by R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

In (a), inserted "Control" following "approval by the"; in (b), inserted "of \$ 500.00" following "annual license renewal fee"; in (g), inserted "Control" preceding "Commission may suspend"; inserted references to casino night following references to bingo throughout.

Amended by R.2006 d.294, effective August 21, 2006.

See: 38 N.J.R. 1535(a), 38 N.J.R. 3310(a).

In (a) and (b), substituted "\$1,000" for "\$500.00"; in (c), substituted "\$3,000" for "\$1,500"; and in (e), substituted "\$3,000" for "\$1,000".

13:47-13.7 Certification

(a) Within 48 hours after agreeing to provide armchair race, casino night or raffle equipment or personnel to a licensee, except when provided in compliance with N.J.A.C. 13:47-8.14(b)4, and whether or not a charge is made by the supplier, the armchair race, casino night or raffle equipment provider shall send to the Control Commission a certification as to the following:

1. Name and address of the licensee to whom the equipment was supplied;
2. Address of the place where the equipment was installed or is to be used;
3. Exact description of all equipment supplied;
4. Date upon which the equipment is to be used.
5. Total amount of charge made.

(b) Such certification shall be made by the supplier in letter form.

(c) In the case of a corporate supplier, it shall be signed by an authorized officer.

Amended by R.2001 d.343, effective September 17, 2001.

See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

In (a), rewrote the introductory paragraph.

Amended by R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

In (a), substituted "provide" for "supply" following "after agreeing to", substituted "provider" for "supplier" preceding "shall send" and inserted references to casino night following references to armchair race throughout the introductory paragraph.

13:47-13.8 Providing armchair race, bingo, casino night or raffle equipment and personnel; restriction

(a) No person approved by the Control Commission to provide equipment or personnel for use in or in connection with the conduct of an armchair race, bingo, or casino night or raffle game shall provide such equipment or personnel to any person not registered with the Control Commission and licensed by the municipality in which the activity is held, operated or conducted.

(b) An equipment provider who provides equipment or personnel for use in or in connection with the conduct of an armchair race, bingo, or casino night event or raffle game shall be responsible for the proper operation of the equipment provided and the actions of any personnel provided, whether or not the licensed provider is present at the event or raffle game.

New Rule, R.1996 d.177, effective April 1, 1996.

See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

Amended by R.2001 d.343, effective September 17, 2001.

See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

Inserted "an armchair race," following "the conduct of".

Amended by R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

Designated existing paragraph as (a), inserted "or personnel" following "equipment" throughout and inserted ", or casino night" following "bingo"; added (b).

13:47-13.9 Reporting requirements

(a) On the 15th day of each month, each person approved by the Control Commission to provide equipment for use in or in connection with the conduct of bingo games shall file a report with the Control Commission containing the following information:

1. The name, address and license number issued by the Control Commission to the provider;
2. The name, address and identification number issued by the Control Commission to each organization to which bingo equipment was provided in the preceding month;
3. A complete description of the equipment provided including the type of product, quantity, series number serial numbers, cut and color of paper;
4. The date the equipment was delivered to the licensed organization;
5. The amount charged for each item and the total amount of each invoice;
6. The date upon which payment was received by the provider; and
7. Any outstanding balances owed to the provider.

(b) Any person approved by the Control Commission to provide equipment in or in connection with the holding, operating or conducting of bingo or raffle games shall notify the Control Commission in writing of any organization that has not paid in full the amount charged for all bingo or raffle equipment delivered or provided within 60 days.

1. Such notification shall be made no later than 10 days after the date upon which the account becomes delinquent.
2. A copy of the notification shall be sent to the delinquent organization.
3. The notification of a delinquent account shall contain the following:
 - i. The name, address and identification number of the delinquent organization;
 - ii. A description of the equipment for which payment has not been received;
 - iii. The amount past due;
 - iv. A copy of the invoice indicating the items for which payment has not been received; and
 - v. The name, address and telephone number of the member of the organization who has been notified of the delinquency.

(c) On the 15th day of each month, each person approved by the Control Commission to supply equipment for use in, or in connection with, the conduct of instant raffle games shall file a report with the Control Commission containing the following information:

1. The name, address and license number issued by the Control Commission to the supplier;
2. The name, address and identification number or license number issued by the Control Commission to each organization or supplier to which instant raffle equipment was supplied in the preceding month;
3. A complete description of the instant raffle equipment supplied including the type and quantity of the equipment and the form and serial number of each instant raffle game;
4. The date the instant raffle equipment was delivered to the licensed organization or distributor;
5. The amount charged for each item and the total amount of each invoice;
6. The date upon which payment was received by the supplier;
7. In the case of distributors, any outstanding balances owed to the supplier; and
8. Any returned instant raffle equipment.

New Rule, R.1996 d.177, effective April 1, 1996.

See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

Amended by R.1996 d.538, effective November 18, 1996.

See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Administrative correction.

See: 31 N.J.R. 886(a).

SUBCHAPTER 14. RENTAL OF PREMISES FOR BINGO

13:47-14.1 Definitions

The following words and terms, when used in this Subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Commercial renter"—A renter who is not a qualified organization registered with the Control Commission.

"Organization"—Any organization licensed to hold, operate or conduct games of chance under the Bingo Licensing Law.

"Person"—Not only a natural person but also any partnership, joint venture, association, corporation or any other legal entity.

"Premises"—Any land, building, enclosure or part thereof used for the purpose of operating or conducting games of chance under the Bingo Licensing Law.