

RULES OF LEGALIZED GAMES OF CHANCE

CHAPTER 47

RULES OF LEGALIZED GAMES OF CHANCE

Authority

N.J.S.A. 5:8-6.

Source and Effective Date

R.1992 d.96, effective January 27, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Executive Order No. 66(1978) Expiration Date

Chapter 47, Rules of Legalized Games of Chance, expires on January 27, 1997.

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 was readopted as R.1992 d.96. See: Source and Effective Date.

See section annotations for specific rulemaking activity.

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SUBCHAPTER 1. DEFINITIONS

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. Such terms do not include the erection, acquisition, improvement, maintenance or repair 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 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 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. The winners are determined by drawing from a container, objects bearing numbers matching the non-repeating numbers on all calendars sold.

“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.

“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.

“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 laydown 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.

“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.

“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.

“Playing board” means a board containing more than one playing card.

“Playing card” means a card bearing 24 numbers or other designations and a free space, upon which “Bingo” is played.

“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 award a consolation prize to the player(s) who completes the full card pattern notwithstanding the number of calls in excess of the pre-designated 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.

“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. If incorporated, is incorporated in New Jersey as a religious corporation or as an association not for pecuniary profit and is empowered by its articles of incorporation to further one or more of the authorized purposes;
2. If unincorporated, is organized in New Jersey as a religious organization or as an organization not for pecuniary profit and is authorized by its written constitution, charter or by-laws, or by the written constitution, charter or by-laws of a parent organization of which it is a part, to further one or more of the authorized purposes;
3. Has a membership of not less than 25 persons;
4. Has actively engaged prior to its initial application for registration in serving one or more of the authorized purposes in this State for a period of not less than one year; and
5. Has received and used and in good faith expects to continue to receive and use funds from sources other than the conducting of games of chance for the furtherance of an authorized purpose.

“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.

“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.

“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.

“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.

“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).

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 subsection (b) below, each organization requesting registration shall remit by check or money order a non-refundable biennial registration fee of \$50.00, 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. A detailed financial summary, showing all sources and amounts of income and expenditures, including the amounts, recipients and the purpose for which the expended funds were used, for a period of not less than one year prior to the date of application;

3. A complete list of the organization's members, including the name, address and age of each member; and

4. If incorporated, a copy of the applicant organization's articles of incorporation which have been filed with the Secretary of State of New Jersey.

(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 \$50.00 together with any additional information requested 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).

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.

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 governing body 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".

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).

13:47-2.6 Assisting organization

Every organization, a member or members of which are to assist a licensed organization in the holding, operating or conducting of bingo or raffles according to law and this Chapter, shall register with the Control Commission and secure an identification number before such assistance is given.

13:47-2.7 Special door prize raffle

Qualified organizations desiring to conduct a special door prize raffle for which no license is required shall, before conducting the same, register with the Control Commission and secure an identification number.

Cross References

See Sections 3.11 (Notice to clerk) and 8.15 (Special door-prize raffle) of this Chapter.

Statutory References

See N.J.S.A. 5:8-51.

13:47-2.8 Duplicate registration certificate

(a) Upon loss of its original registration certificate a registered organization shall obtain a duplicate registration certificate by filing a written request with the Control Commission which is signed by an elected officer of the registered organization. The request shall state the following:

1. The reason the request is being made;
2. The approximate date upon which the original certificate was lost;
3. The name and address of last person known to have possession of the original certificate;
4. The name and address of the person to whom the duplicate registration form is to be sent; and
5. The name, address, signature of and office held by the officer making the request on behalf of the organization.

(b) The signature and statement of the elected officer making the request must be notarized.

(c) The request must be forwarded to the Control Commission together with a non-refundable fee of \$50.00, by check payable to the Legalized Games of Chance Control Commission, together with any additional information requested by the Control Commission.

Repealed by R.1989 d.399, effective August 7, 1989.
See: 21 N.J.R. 698(a), 21 N.J.R. 2396(a).
Section was "Automatic revocation."
New Rule, R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-2.9 License to conduct games of chance

(a) No registered organization shall conduct bingo, any type of raffle, or other forms of games of chance, except a special door prize raffle, without having first obtained a license to conduct the same from the municipality in which the game or games are to be held, operated or conducted.

(b) No registered organization shall conduct any unauthorized bingo, raffle or other game of chance.

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).

13:47-2.10 Suspension; revocation; penalties; other sanctions

(a) Any registered organization that violates any provision of the Legalized Games of Chance Commission Law, N.J.S.A. 5:8-1 et seq., 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 rules and regulations promulgated by the Control Commission shall be subject to suspension or revocation of the identification number or other sanction in the same manner as established under N.J.A.C. 13:47-10.

(b) Only the Control Commission shall conduct proceedings to suspend or to revoke an organization's identification number.

(c) Any person violating any provision of any law or regulation administered by the Control Commission shall in addition to any other sanctions provided in section 7 of P.L. 1954, c.6 (N.J.S.A. 5:8-30) or section 8 of P.L. 1954 c.5 (N.J.S.A. 5:8-57) be liable to a civil penalty of not more than \$7,500 for the first offense and not more than \$15,000 for the second and each subsequent offense.

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

SUBCHAPTER 3. APPLICATIONS

13:47-3.1 Bingo license application form; certificate for rented premises

Applications for bingo licenses shall be made on Form 2B-A, which is hereby adopted. Where premises are to be rented, a certificate of the landlord shall be obtained from the landlord and attached to the application, such certificate to be on Form 10-A which is hereby adopted.

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

Statutory References

See Subchapter 14 (Rentals of Premises for Bingo) of this Chapter and Sections 16.4 (LGCCC 2B-A) and 16.15 (LGCCC 10-A) of this Chapter.

Case Notes

Bingo license applications are to be filed with the appropriate municipal clerk and provide certain information set out on Commission-approved forms; municipal regulation of bingo licensure preempted by 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).

13:47-3.2 Raffles license application form; certificate for leased equipment

Applications for raffles licenses shall be made on Form 2R-A, which is hereby adopted. Where raffles equipment is to be leased, a certificate of the lessor shall be obtained from the raffle equipment supplier and attached to the application, such certificate to be Form 13 which is hereby adopted.

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

Statutory References

See N.J.S.A. 5:8-52.

13:47-3.3 Filing

License applications shall be filed in quadruplicate with the municipal clerk. One copy shall be retained by the municipal clerk, the second copy shall be returned to the applicant after a license has been granted or denied by the governing body. The third copy shall be forwarded to the Control Commission by the municipal clerk and the fourth copy shall be delivered to the Law Enforcement Agency in the municipality.

13:47-3.4 Exhibits required for filing application for municipal license

No application shall be accepted unless the applicant at the time of filing the application exhibits a valid registration certificate issued to it by the Control Commission bearing its identification number which shall be entered on the application.

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

13:47-3.5 Assignment of number

Upon receiving a license application, the municipal clerk shall assign a number thereto and endorse it on all copies of the application. The number shall be composed of the prefix BA for bingo application or the prefix RA for a raffles application and a consecutive serial number. Thus,

the number BA:110 will indicate that the application was filed for Bingo, and that it was the 110th application for a license to conduct games of chance.

13:47-3.6 Special Senior Citizen Bingo; separate application and license

(a) A separate application for a Special Senior Citizen Bingo shall be filed with the clerk of the municipality where the games are to be held, operated or conducted. The license shall be valid for a period of two years.

(b) An application and license to conduct Bingo may include up to 72 occasions, provided the application does not include:

1. More than six occasions in any one calendar month;
2. Dates of occasions for a period of more than one year; or
3. A date of an occasion beyond the date upon which the applicant's registration with the Control Commission expires.

(c) A separate application and license shall be used for each of the following types of raffles and shall, in each instance, specify the particular type of raffle as follows:

1. On-premises draw raffle offering merchandise as a prize;
2. On-premises 50-50 raffle offering a cash or money prize;
3. Off-premises draw raffle offering a merchandise prize;
4. Non-draw raffles (carnival games and wheels);
5. Off-premises 50-50 raffle offering a cash or money prize;
6. Off-premises duck race raffle offering a merchandise or cash prize; and
7. Off-premises calendar raffle offering a merchandise or cash prize.

(d) In the case of a special door prize raffle, see N.J.A.C. 13:47-3.11, Notice to clerk, and N.J.A.C. 13:47-8.15, Special door-prize raffle.

(e) No application for a license to conduct any type of game of chance shall be accepted if the application includes:

1. Dates that exceed a period of one year;
2. Dates in a specific time period in excess of the maximum allowable frequency with which that type of game of chance may be held, operated or conducted as set forth in N.J.A.C. 13:47-6.11;

3. A date beyond the date upon which the applicant's registration with the Control Commission expires; or

4. A date in a period during which the applicant organization's registration has been suspended by the Control Commission.

(f) No application shall be accepted if the applicant organization's registration has been revoked 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).

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 for senior citizen bingo and for off-premises duck race and calendar raffle.

Statutory References

See N.J.S.A. 5:8-62.

13:47-3.7 Register of applications

(a) The municipal clerk shall keep a register or list of all applications filed, containing the following:

1. Date of filing;
2. Name of applicant;
3. Identification number;
4. The designation BA if the application is for bingo, or RA if it is for raffles;
5. The consecutive serial number;
6. Date of issuance of license;
7. Amount of fee paid;
8. Date of denial of license;
9. Date of suspension or revocation of license.

(b) The register shall be substantially in the form designated by Form 3, hereby adopted.

13:47-3.8 Reinstatement of license

When a license has been suspended or revoked, and the suspension or revocation is set aside, or the license is reinstated, the original license shall not be reissued. In such case the applicant shall file a new application, which shall be given a new number, as shall the license issued thereon, as though there had been no prior license, but the number shall be followed by the suffix "X." The licensee shall receive credit for any license fee paid that has not been refunded.

13:47-3.9 Denial of license set aside

When a license has been denied, and the denial is set aside, the applicant shall again submit the application which was returned to him, and the clerk shall endorse a new application number thereon, and on the clerk's copy, and make entry thereof in the register, as though a new application had been filed. The municipal clerk shall immediately notify the Control Commission of the new application number assigned together with the number which it replaces. The license issued thereon shall carry the new number, but the number shall carry the suffix "Y".

13:47-3.10 Docket

(a) The municipal clerk shall also keep and maintain a docket, with a separate sheet for each licensee, on which he shall enter the following:

1. The serial number of all licenses issued to each licensee;
2. The date of issue;
3. The dates for which the license permits games of chance to be played;
4. The retail value of prizes to be awarded by raffles as to raffles subject to an annual limit; and
5. The date when the report is filed.

(b) The dates for which bingo and raffles are licensed shall be entered in separate columns to permit determination of compliance with limits on the number of games per month.

(c) The docket shall be substantially in the form designated by Form 4, hereby adopted.

13:47-3.11 Notice to clerk

(a) Before conducting a special door prize raffle for which no license is required, the qualified organization shall notify the clerk of the municipality in which the door prize will be awarded.

(b) The notice shall be in writing and in duplicate signed by an officer, giving the following:

1. The name and identification number of the organization;
2. The place and date for the special door prize raffle or raffles;
3. A description of the prizes and the retail value thereof;
4. Names of the donors of the prizes.

(c) The notice shall be sent at least one week in advance of the raffle.

(d) The municipal clerk, on receipt of the notice, shall forthwith forward one copy to the Control Commission.

SUBCHAPTER 4. LICENSE ISSUANCE

13:47-4.1 Findings and determination

(a) Upon investigating and passing upon a license application, or an amendment, suspension or revocation of license, the governing body shall record its findings and determination as to each of the conditions established by law.

(b) At least seven days shall elapse between the time the application is filed and the time when the governing body makes its findings and determination.

(c) Such record shall be made in duplicate, on Form 5-A, which is hereby adopted, Form 5-A shall be signed by a member of the governing body or the municipal clerk.

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

In (c) permitted municipal clerk to sign record.

Statutory References

As to Bingo, see N.J.S.A. 5:8-27, and as to Raffles, see N.J.S.A. 5:8-53.

13:47-4.2 Transmittal of copies of findings and determination

Upon making its findings and determination, the governing body shall forthwith (within three days) transmit one copy thereof to the Control Commission. Said copy together with the third copy of the application as provided in Section 3.3 (Filing) of this Chapter, must be received by the Control Commission at least seven days prior to the holding of the first game authorized.

13:47-4.3 Duties of municipal clerk; computation of fees; notice of denial; license issuance

(a) Upon receiving the finding and determination of the governing body the municipal clerk shall, if the license is granted, compute the fee payable by law, collect any fee due the municipality or the State from the applicant organization and forward any fee due the State together with the application to the Control Commission.

(b) At least 14 days shall have elapsed between the time the municipality forwards the application and licensing fee

to the Control Commission and the license is issued by the municipality.

(c) If the license is denied, the municipal clerk shall forward a copy of the application marked denied, together with a copy of the findings and determinations of the governing body to the Control Commission and notify the applicant by regular mail. The notification of the Control Commission and the applicant shall be made within three days of the governing body's decision to deny the license.

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

Cross References

See Section 4.9 (Fees payable by law) of this Chapter.

Statutory References

As to Bingo license fee, see N.J.S.A. 5:8-27, and as to Raffles license fee see N.J.S.A. 5:8-53.

13:47-4.4 Form for license issuance

(a) Bingo licenses and Raffles licenses shall be issued on Form 6B/R which is hereby adopted.

(b) In the case of Raffles licenses, the license must show the specific type and number of raffle games or allotment of prizes by chance to be conducted under the license.

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. 5:8-29, and as to Raffles, see N.J.S.A. 5:8-56.

13:47-4.5 Endorsement of license number

Upon the issuance of a license, the municipal clerk shall endorse a license number thereon, which shall be the same as the application number, except that the prefix shall be BL for bingo licenses and RL for raffles licenses.

13:47-4.6 Copies of license

The municipal clerk shall prepare licenses in triplicate, retaining one copy, issuing the original to the licensee and forwarding the second copy to the Law Enforcement Agency of the municipality.

13:47-4.7 Duration of license

No licenses for the holding, operating and conducting of any game of chance shall be effective for a period of more than one year or for a date beyond the date upon which the organization's registration with the Control Commission expires.

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 Control Commission are:

1. Bingo: \$10.00 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: \$10.00 for each day on which a drawing is to be conducted under the license;

3. On-premises draw raffle for cash prizes (50/50) of less than \$400.00 or merchandise prizes where the total combined retail value of prizes awarded is less than \$400.00: no licensing fee. In the event the retail value of the prize 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 \$10.00 at the time of filing the report of operations required by N.J.A.C. 13:47-9;

4. Off-premises draw raffle awarding merchandise as a prize: \$10.00 for each \$1,000 or part thereof of the retail value of the prize(s) to be awarded;

5. Carnival games or wheels: \$10.00 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 \$10.00 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 \$10.00 for each \$1,000 or part thereof in value of the awarded prize in excess of \$1,000 or part thereof 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;

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 8.14.

8. Calendar raffle awarding cash or merchandise as a prize: \$10.00 for each \$1,000 or part thereof of the retail value of the prize(s) to be awarded.

(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.

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

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.

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 governing body approves an amendment of a license, the original license shall be returned and exchanged for the amended license, upon payment of any additional fee required.

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).

13:47-6.3 Use of proceeds

The entire net proceeds of the games of chance must be devoted to authorized purposes.

Statutory References

As to Bingo, see N.J.S.A. 5:8-25, and as to Raffles, see N.J.S.A. 5:8-51.

13:47-6.4 Conduct by active members exclusively

(a) No person shall assist in the holding, operating or conducting of a game of chance except active members of the licensee, active members of its parent organization, active members of an auxiliary organization, active members of an organization of which the licensee is an auxiliary or active members of an organization having a common parent organization, provided that the assisting organization is registered with the Control Commission.

(b) Before members of an affiliated organization assist the licensee in the conduct of a game of chance, the affiliated organization shall register with the Control Commission and secure an identification number.

(c) Bookkeepers and accountants who assist by rendering their professional services need not be within the categories stated in (a) above, provided the professional services of bookkeepers and accountants are limited to making bookkeeping entries for the operation of games of chance on any one day, preparing reports of operations required by this chapter for any game of chance, opening books for a games of chance account, or supervising bookkeeping and accounting systems for the operation of games of chance.

(d) No bookkeeper or accountant shall receive or handle any of the proceeds of a game of chance during the conduct of the game of chance or be present in the money room or other place on the licensed premises where the proceeds of the game of chance are received by the member of the licensee designated to be in charge of and primarily responsible for the proceeds.

(e) No bookkeeper or accountant shall assist in the holding, operating or conducting of a game of chance except as specified in (c) above.

(f) No person who has participated as a player in any game of chance held, operated or conducted concurrently with the holding, operating or conducting of bingo, including, but not limited to, participating in the playing of bingo shall hold, operate or conduct or assist in the holding, operating or conducting of any game of chance conducted on that occasion.

(g) No person who has held, operated or conducted or assisted in the holding, operating or conducting of any game of chance held, operated or conducted concurrently with the holding, operating or conducting of bingo shall participate as a player in any game of chance held, operated or conducted on that occasion including, but not limited to, the playing of bingo.

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

13:47-6.5 Compensation

(a) No commission, salary, compensation, reward or recompense may be paid to any person for holding, operating or conducting, or assisting in the holding, operating or conducting of a game of chance, except for bookkeepers or accountants who assist by rendering their professional services for an amount within the schedule of fees fixed by these rules.

(b) No person holding, operating or conducting, or assisting in the holding, operating or conducting of a game of chance may receive or accept any reward, compensation, gratuity or recompense, directly or indirectly, from any patron or participant in such game of chance.

Cross References

See Section 16.2 (Schedule of Fees "B") of this Chapter.

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.

13:47-6.6 Display of license; other notice

(a) Each license issued for the conduct of a game of chance shall be conspicuously displayed at the place where the game of chance is being conducted at all times during the conduct of the game.

(b) Whenever an organization shall conduct a game of chance it shall display, adjacent to the wheel or the place of the allotment of prize(s) by chance, a sign as follows: "Is gambling a problem for you or someone in your family? Dial 1-800-GAMBLER." The sign shall be provided 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).

Statutory References

As to Bingo, see N.J.S.A. 5:8-28, and as to Raffles, see N.J.S.A. 5:8-56.

13:47-6.7 Inspection

(a) The premises where any game of chance is being held, operated or conducted, or where it is intended that any game of chance shall be held, operated or conducted, or where it is intended that any equipment be used, shall at all times be open to inspection by the officers and agents of the municipality in which the premises are situated and to the Control Commission and its agents and employees.

(b) If, in the course of such inspection, a violation of the rules and regulations of this Chapter or the Bingo Licensing Law or the Raffles Licensing Law shall be observed, said officers and agents of the municipality in which the premises are situated or said agents and employees of the Control Commission shall have the right to suspend the continued operation of any and all games of chance being held, operated or conducted on the premises until such time as said violation is corrected and all games of chance are held, operated and conducted in accord with the license therefor, the Rules and Regulations promulgated by the Control Commission and the Bingo or Raffles Licensing Law.

Statutory References

As to Bingo, see N.J.S.A. 5:8-30, and as to Raffles, see N.J.S.A. 5:8-57.

13:47-6.8 Authorization by municipality for games on Sunday

No municipality may authorize the holding, operating or conducting of a game of chance on Sunday, unless specifically so authorized by an ordinance duly adopted by the municipality.

Statutory References

As to Bingo, see N.J.S.A. 5:8-31, and as to Raffles, see N.J.S.A. 5:8-58.

13:47-6.9 Provision in license for games on Sunday

No game of chance shall be conducted under any license on Sunday, unless the license specifically so provides.

Statutory References

As to Bingo, see N.J.S.A. 5:8-31, and as to Raffles, see N.J.S.A. 5:8-58.

13:47-6.10 Player age limitation

(a) No person under the age of 18 years shall be permitted to participate as a player in any game of bingo.

(b) No person under the age of 18 years shall be permitted to participate in any draw raffle or in any non-draw raffle offering and awarding cash or money as a prize.

(c) No person under the age of 18 years shall hold, operate or conduct or assist in the holding, operating or conducting of any game of chance held, operated or conducted under any license issued 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., and the rule set forth in this chapter.

(d) Whenever an organization shall conduct any draw raffle, or non-draw raffle which offers cash or money as a prize, it shall cause a sign to be displayed adjacent to the place of the allotment of prize(s) by chance as follows: "Persons under the age of 18 years are not permitted to participate in this game of chance (N.J.S.A. 5:8-59)." The sign shall not be smaller than 288 square inches and shall be posted in such a location as to be in view of all persons who shall desire to participate.

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

Statutory References

As to Bingo, see N.J.S.A. 5:8-32, and as to Raffles, see N.J.S.A. 5:8-59.

13:47-6.11 Frequency of games

(a) No organization shall conduct any game(s) of chance more often than as set forth in this section:

1. Bingo shall not be conducted more often than six days in any calendar month.
2. On-premises draw raffles awarding either cash or merchandise as prizes shall not be conducted more often than six days in any calendar month.

3. Off-premises draw raffles awarding merchandise prizes shall not be conducted more often than six days in any calendar month.

4. Non-draw raffles (wheels and games) shall not be conducted more often than six days in any calendar month.

5. Off-premises 50/50 cash draw raffles shall not be conducted more often than once in any calendar month.

6. A Duck Race raffle shall not be conducted more often than once in any calendar month.

7. A calendar raffle shall not be conducted more often than twice in any calendar year.

(b) Only the day upon which a drawing or allotment of prizes takes place shall be considered when determining the frequency of games prescribed by this section.

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

Old section was "Time limitation".

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 duck race and calendar raffle.

Statutory References

As to Bingo, see N.J.S.A. 5:8-33, and as to Raffles, see N.J.S.A. 5:8-60.

13:47-6.12 Expenses: payment requirements

(a) No item of expense shall be incurred or paid in connection with the holding, operating, or conducting of a game of chance, except such expenses as are bona fide items of reasonable amount for goods, wares and merchandise furnished or services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating or conducting of the game of chance.

(b) No item of expense shall be incurred or paid for any goods, wares, merchandise, service, equipment or premises provided for use in or in connection with the holding, operating, or conducting of any game of chance that is not provided by a person approved by the Control Commission.

(c) No expense other than cash prizes, incurred in the holding, operating or conducting of any game of chance shall be paid from any source other than the account required by N.J.A.C. 13:47-6.2.

(d) Payment for prizes in a draw raffle shall be made prior to the date of the drawing.

(e) Payment for prizes in a non-draw raffle shall either be made prior to the date of the allotment of prizes or be available to the winner through the licensed organization which holds the prize on consignment basis through a contract agreement between the licensed organization and a person approved 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).

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

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

Added (d) and (e).

Statutory References

As to Bingo, see N.J.S.A. 5:8-34 and as to Raffles, see N.J.S.A. 5:8-61.

13:47-6.13 Advertisement

(a) No game of chance shall be advertised by means of newspapers, radio, television or sound truck, or by means of billboards, posters or handbills, or any other means addressed to the general public; provided, however, that signs not exceeding 60 square feet, each, in area may be displayed as follows:

1. One sign on or adjacent to the premises where the game is to be held; and

2. One sign on or adjacent to the premises where the prize or prizes are exhibited; the prize may be exhibited only in the municipality in which the game of chance is to be held and in the municipality in which the licensee has its headquarters; except as provided in paragraphs 3 and 4 of this subsection; and

3. By a volunteer fire company holding the license for the game, on any fire-fighting equipment belonging to it, in and throughout any community which it serves; and

4. By a first-aid or rescue squad holding the license for the game, on any first-aid or rescue squad equipment belonging to it, in and throughout any community which it serves.

Statutory References

As to Bingo, see N.J.S.A. 5:8-36, and as to Raffles, see N.J.S.A. 5:8-63.

13:47-6.14 Examination of licensee

The governing body of a municipality where a game of chance is to be held and its duly authorized agents and employees, and the Control Commission and its duly authorized agents and employees, may examine the books and records of any licensee, so far as those books and records relate to any transaction connected with the holding, operating and conducting of a game of chance, and may examine any manager, officer, director, agent, member, employee or assistant of the licensee under oath in relation to the conduct of a game of chance.

Statutory References

As to Bingo, see N.J.S.A. 5:8-38, and as to Raffles, see N.J.S.A. 5:8-65.

13:47-6.15 Value of merchandise prize

When any merchandise prize is awarded in a game of chance, its value for the purpose of the Bingo Licensing Law, the Raffles Licensing Law, and the rules and regulations of this chapter shall be its current retail price. No merchandise prize shall be redeemable or convertible into cash directly or indirectly.

13:47-6.16 Price of supplies; interest

Equipment, prizes and supplies for games of chance shall not be purchased or sold at prices in excess of the usual cash price thereof and when purchased on conditional sale or on any other installment purchase arrangement shall be purchased only at the usual cash price with interest not to exceed six percent per annum on the unpaid balance.

13:47-6.17 Transportation of patrons

No licensee shall provide by contract or other arrangement transportation of patrons to or from the place where any game of chance is played. The providing of such transportation by another to the knowledge of a licensee shall be presumed to be the act of the licensee and shall constitute a violation of the rules and regulations of this chapter.

13:47-6.18 Gifts other than prizes

No licensee shall offer, distribute or give any service or thing of value without charge, other than the prizes awarded in the conduct of a game of chance.

13:47-6.19 Prohibited prizes

(a) No licensee shall offer or award any prize consisting of real estate or an interest therein, bonds, shares of stock, securities or evidences of indebtedness, weapons, live animals, personal or professional services, alcoholic beverages, foreign or domestic coins, tobacco products, motor vehicle leases or any merchandise refundable in any of the foregoing or in money or cash.

(b) No prize consisting of cash or money shall be offered or awarded except in the case of:

1. A raffle conducted by a drawing the prize(s) equally 50 percent of the amount received for all tickets or right to participate, a calendar raffle within the units set in N.J.A.C. 13:47-8.22;
2. Any bingo game(s) conducted in accordance with the provisions of this chapter and the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq.; or
3. Big six wheels and horse race wheels conducted in accordance with the provisions set forth in N.J.A.C. 13:47-8.

Amended by R.1987 d.82, effective February 2, 1987.
See: 18 N.J.R. 1180(a), 19 N.J.R. 298(b).

Added "weapons, live animals, personal services" and deleted "gift certificates".

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

In (a) added tobacco products and motor vehicle leases.
Amended by R.1996 d.280, effective June 17, 1996.
See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).

13:47-6.20 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).

13:47-6.21 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.

13:47-6.22 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.

13:47-6.23 Payment for equipment

The registered organization shall pay for all equipment used in or in connection with the holding, operating or conducting of bingo or raffle games no later than 60 days from the date upon which it is delivered or provided to the licensed organization.

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

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 progressive jackpot bingo game or a 50/50 bingo game 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).

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) A charge shall be made for the playing of bingo. No more than \$1.00 and no less than \$0.50 shall be charged for admission to a room or place in which bingo is to be held, operated or conducted. This fee shall entitle a person to one card allowing him to participate without additional charge in all regular games to be played on that occasion.

(b) No charge in excess of \$0.25 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 and no less than \$0.25 may be charged for any extra card with which a player may participate in all regular games on an occasion.

(d) All charges to participate in a bingo game shall be paid in cash. No check shall be accepted or extension of credit allowed as payment of a charge to participate in a bingo game. Extension of credit shall include, but not be limited to, purchases on account or through the use of a credit card or a bank card.

(e) No charge to participate in a bingo game shall be made to or accepted from any person under the age of 18 years.

(f) All cards shall be sold for a uniform unit price without any discount or allowance for the purchase of more than one card.

(g) 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.

(h) 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).

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.

New Rule, R.1996 d.481, effective October 7, 1996.
See: 28 N.J.R. 3711(a), 28 N.J.R. 4486(a).

13:47-7.50 Multi-color bingo game: verification prior to award of prize

(a) Any card presented as a winner of a prize in a multi-color bingo game shall contain the last number called in the game prior to the player declaring "bingo."

(b) When a player claims to be a winner of a multi-color bingo game, prior to awarding the prize, the member in charge of the occasion shall make a verification of all of the numbers on all of the objects drawn from the receptacle and shall inspect the objects in the presence of at least one player other than a player claiming to be the winner of a prize and determine that:

1. The numbers appearing on the card presented as a winner correspond with the numbers on the objects drawn from the receptacle;
2. The numbers drawn from the receptacle were announced correctly; and
3. The color of the playing board and the serial number printed on the playing board containing the playing card presented as a winner are identical to the color of the playing boards and the serial number of the series of playing boards sold for the multi-color bingo game on that occasion.

(c) No multi-color bingo game prize shall be awarded unless a verification of the card presented as a winner and the numbers on the objects drawn from the receptacle is made in accordance with the provisions of (a) and (b) above.

New Rule, R.1996 d.481, effective October 7, 1996.
See: 28 N.J.R. 3711(a), 28 N.J.R. 4486(a).

13:47-7.51 Multi-color bingo game: method of determining winner; method of awarding prize; method of awarding prize to multiple winners

(a) The prize pool in a multi-color bingo game shall be a percentage of the gross receipts derived from the sale of cards to participate in the game. The percentage of the prize pool to which a winner is entitled shall be determined by the color of the card upon which the player achieves bingo.

(b) Based upon a single winner the prize shall be awarded as follows:

1. When 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. Formula: Gross receipts from the sale of cards multiplied by .25 equals the dollar amount to be awarded in the 25 percent category.
2. When a player achieves bingo on one of the two cards of the same color, that player wins 50 percent of the

prize pool. Formula: Gross receipts from the sale of cards multiplied by .50 equals the dollar amount to be awarded in the 50 percent category.

3. When a player achieves bingo on one of the single cards having the third color, that player wins 75 percent of the prize pool. Formula: Gross receipts from the sale of cards multiplied by .75 equals the dollar amount to be awarded in the 75 percent category.

(c) In the case of multiple winners, the prize amount available in each prize pool category shall be divided by the total number of winners of the game as follows:

1. Example: There are six winners of a multi-color bingo game.
 - i. There are three of the winners who have achieved bingo on one of the cards in the group of three cards of the same color, the 25 percent category. That amount, 25 percent of the prize pool, is divided by six to determine the amount to be awarded to each of those three winners. Formula: Gross receipts from the sale of cards multiplied by .25 equals the dollar amount available in the 25 percent category. That dollar amount is then divided by the total number of winners of the game which equals the dollar amount to be awarded to each winner in the 25 percent category.
 - ii. There are two winners who have achieved bingo on one of the cards in the group of two cards having the same color, the 50 percent category. That amount, 50 percent of the prize pool, is divided by six to determine the amount to be awarded to each winner in the 50 percent category. Formula: Gross receipts from the sale of cards multiplied by .50 equals the dollar amount available in the 50 percent category. That dollar amount divided by the total number of winners of the game equals the total dollar amount to be awarded to each winner in the 50 percent category.
 - iii. There is one winner who has achieved bingo on the single card having a third color, the 75 percent category. That amount, 75 percent of the prize pool, is divided by six to determine the amount to be awarded to the winner in that category. Formula: Gross receipts from the sale of cards multiplied by .75 equals the dollar amount available in the 75 percent category. That dollar amount divided by the total number of winners of the game equals the dollar amount to be awarded to each winner in the 75 percent category.

New Rule, R.1996 d.481, effective October 7, 1996.
See: 28 N.J.R. 3711(a), 28 N.J.R. 4486(a).

SUBCHAPTER 8. CONDUCT OF RAFFLES

Cross References

See Subchapter 6 (General Conduct of Games of Chance) of this Chapter.

13:47-8.1 (Reserved)

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".

13:47-8.2 Adoption of statute prerequisite

No shares or tickets or rights to participate in raffles may be sold in any municipality which has not adopted the Raffles Licensing Law.

Statutory References

See N.J.S.A. 5:8-51.

13:47-8.3 Amount of prize limitation

(a) No prize having a retail value greater than that set forth in this section shall be offered or awarded in any raffle.

(b) The aggregate retail value of all prizes to be offered or awarded by a licensee in any one calendar year shall not exceed \$500,000 except that no licensee shall offer or award a prize or prizes of a sum or value greater than \$100,000, in any one raffle conducted by drawing.

(c) The limit of the aggregate retail value of the prizes which may be awarded in any one calendar year shall not apply to on-premise raffles or where all of the prizes are wholly donated.

(d) No prize having a retail value greater than \$500.00 shall be offered or awarded in any raffle not conducted by drawing.

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).

Statutory References

See: N.J.S.A. 5:8-62.

13:47-8.4 Method of play

The equipment used in the conduct of raffles, and the method of play, shall be such that each ticket, share or right to participate shall have an equal opportunity to be a winner. In a draw raffle, all the counterparts of the tickets sold, and no others, shall be present in the container before each drawing, except for those already drawn.

13:47-8.5 Method of determining winners; announcement

The particular method of determining winners shall be clearly described and announced immediately before the drawing begins.

13:47-8.6 Open drawing

(a) Every drawing and every allotment by chance shall be conducted openly and in plain view of all players present.

(b) All counterparts drawn shall be immediately exhibited and shall be held open for inspection until the end of the occasion.

13:47-8.7 Contents of ticket; off-premises raffle awarding merchandise as a prize

(a) When tickets are sold for an off-premise raffle awarding merchandise as a prize, each ticket shall contain at least the following information:

1. Name and identification number of the qualified organization and number of the license issued for the occasion;
2. Place where the occasion will be held and the date and time thereof;
3. A list of the prizes and the retail value of each;
4. The number of the ticket;
5. Price of the ticket;
6. The purpose to which the entire net proceeds will be devoted;
7. The statement: "No substitution of the offered prize may be made and no cash will be given in lieu of the prize."

(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.

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).

13:47-8.8 Contents of ticket; off-premises raffle awarding cash or money as a prize

(a) When tickets are sold for an off-premise raffle awarding cash or money as a prize, each ticket shall contain at least the following information:

1. Name and identification number of the qualified organization and number of the license issued for the occasion;
2. Place where the occasion will be held and the date and time thereof;
3. The statement: "This is a 50/50 cash raffle and the winner will receive 50 percent of the amount received for all tickets or rights to participate";
4. If the prize pool is to be divided among multiple winners, the ticket must indicate the percentage of the prize pool that each winner will receive;
5. The number of the ticket;
6. Price of the ticket;
7. The purpose to which the entire net proceeds will be devoted; and
8. The statement: "No substitution of the offered prize may be made."

(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.

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.

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;

13:47-8.28 Wheels offering and awarding cash or money as a prize: authorization; type of wheel; minimum and maximum wagers and payoff odds

(a) Cash prizes may be offered and awarded in a non-draw raffle where the winner is determined by the spin of a wheel only if the following conditions are met:

1. No wheel other than the big six and horse race as defined in N.J.A.C. 13:47-1.1 shall be used to determine the winner;
2. No less than \$1.00 and no more than \$2.00 shall be wagered by any one player or accepted by any licensed organization from any one player on any one number or figure in any single spin of a wheel; and
3. The payoff odds offered and awarded on any wheel authorized by this chapter shall not be less than 1 to 1 nor more than 7 to 1 for the horse race wheel and not less than 1 to 1 nor more than 3 to 1 for the big six wheel.

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

13:47-8.29 Wheels offering and awarding cash or money as a prize: alteration; adjustment

(a) All wheels shall be rented or purchased from a licensed raffle equipment supplier.

(b) A registered organization may use its own wheel or lend the wheel to another organization, free of charge, if the wheel conforms to the provisions of this subchapter.

(c) No wheel shall be altered in any way including, but not limited to, the alteration of any number or symbol in any section or subsection or adjusting the balance of the wheel.

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

13:47-8.30 Wheels awarding cash or money as a prize: other non-draw raffles required

(a) No wheel offering and awarding cash or money as a prize shall be allowed unless there are at least eight additional licensed non-draw raffles, as defined in N.J.A.C. 13:47-1.1, offering and awarding merchandise as prizes being conducted concurrently, except that on one day in each calendar year a qualified organization may be issued a license to conduct a non-draw raffle which offers and awards cash or money as a prize without the additional eight non-draw raffle games.

(b) Additional wheels offering and awarding cash or money as a prize may be operated at any one location, but only when a ratio of eight non-draw raffles, as defined in N.J.A.C. 13:47-1.1, offering and awarding merchandise as prizes for each wheel offering or awarding cash or money as

a prize is maintained. No more than two wheels shall be operated by any one licensee at any one location.

(c) When determining the ratio required by (a) and (b) above, only non-draw raffle games licensed by the same licensee which operates the wheel offering and awarding cash or money as a prize or an affiliated organization as defined in N.J.A.C. 13:47-6.4(a) shall be considered.

(d) All non-draw raffles offering and awarding merchandise as prizes required by (a) and (b) above shall be fully operational at all times when any wheel offering and awarding cash or money as a prize is operated.

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

13:47-8.31 Big six wheel: authorization; description

(a) Any big six wheel used to determine a winner of a non-draw raffle shall:

1. Have a 60-inch diameter;
2. Be divided into 60 equal subsections;
3. Show one side of three dice in each subsection as follows:
 - i. Twenty subsections shall show one side of three dice bearing the same number;
 - ii. Twenty subsections shall show one side of two dice bearing the same number and one side of a die bearing a different number;
 - iii. Twenty subsections shall show one side of three dice bearing three different numbers; and
 - iv. Not show repetitive dice number patterns in adjacent subsections;
4. Have a laydown with six divided sections showing one each of the numbers 1 through 6; and
5. Be balanced.

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

13:47-8.32 Big six wheel: method of play; determining winner and odds to be paid

(a) A big six wheel shall be played in the following manner:

1. Players place a separate wager of no less than \$1.00 and no more than \$2.00, pursuant to N.J.A.C. 13:47-8.28(a)2, on one or more of the six numbers on the laydown;
2. Only a person authorized to conduct or assist in the conduct of the non-draw raffle shall spin the wheel;
3. The number or numbers showing on the one side of the three dice in the section of the wheel in which the

indicator arm rests when the wheel stops determines the winning number or numbers; and

4. The odds at which a player is to be paid are determined by how many times the number upon which the player placed a wager appears on the face of the dice in the section in which the indicator arm rests when the wheel stops.

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

13:47-8.33 Horse race wheel: authorization; manufacture; maintenance; laydown

(a) Any horse race wheel used to determine a winner of a non-draw raffle shall:

1. Have a 60-inch diameter;
2. Have 10 sections containing six subsections each on the face;
3. Show one each of the numbers 1 through 10 together with a picture of a horse on each section;
4. Have six subsections located along the outer rim of the wheel in each section which shall be numbered 3-4-5-6-7-3, which shall indicate the odds to be used to determine the amount to be paid to a winner;
5. Have a laydown with 10 divided sections showing one each of the numbers 1 through 10; and
6. Be balanced.

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

13:47-8.34 Horse race wheel: method of play; determining winner, odds and amount to be paid

(a) A horse race wheel shall be played in the following manner:

1. Players place a separate wager on one or more of the 10 numbers on the laydown;
2. Only a person authorized to conduct or assist in the conduct of the non-draw raffle shall spin the wheel; and
3. The winner and the odds used to determine the amount to be paid shall be determined by where the indicator arm rests when the wheel stops. The number in the section of the wheel containing the subsection in which the indicator arm rests when the wheel stops indicates the winning number. The number in the subsection of a particular section in which the indicator arm rests when the wheel stops indicates the odds to be paid.

New Rule, R.1996 d.280, effective June 17, 1996.

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

SUBCHAPTER 9. REPORT OF OPERATIONS

13:47-9.1 Form; time

(a) The report of operation shall be on the form provided by the Control Commission. The report shall contain the following information:

1. Gross receipts derived from each game;
2. Expenses incurred or paid, to whom paid and a description of the merchandise purchased or the services rendered therefor;
3. Net profit from each game and the uses to which the net profit has been or will be applied; and
4. A list of prizes offered or given and their respective values.

(b) The licensee shall file one copy of the report with the Control Commission no later than the 15th day of the calendar month immediately following the calendar month in which the licensed activity was held, operated or conducted.

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. 5:8-37, and as to Raffles, see N.J.S.A. 5:8-64.

13:47-9.2 Supply of forms

Forms for the Report of Operations shall be supplied upon request to a licensee by the municipal clerk.

13:47-9.3 Separate report form; Special door prize

(a) In the case of raffles, a separate report form shall be used for each type of raffle for which a license is issued.

(b) A monthly report need not be submitted for a special door prize raffle. An organization conducting any special door prize raffle shall submit annually in writing to the Control Commission a report containing the following information:

1. Name, address and identification number of the organization conducting the special door prize raffle;
2. Date and place that each special door prize raffle was held during the preceding 12 months;

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. 52:14-1 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).

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; FEES NOTIFICATIONS; QUALIFICATIONS

13:47-13.1 Application

(a) Persons desiring to provide equipment for use in or in connection with the holding, operating or conducting raffles or bingo 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 shall forward together with Form 11, a non-refundable application fee of \$100.00 and an annual licensing fee of \$500.00 by 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).

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) The approval, when granted, shall be valid for one year and may be renewed by making additional applications and forwarding together with such additional applications an annual non-refundable licensing fee of \$500.00 by check or money order made payable to the order of the Legalized Games of Chance Control Commission.

(b) The approval may be withdrawn, revoked or suspended by the Control Commission for any ground that would have caused the refusal of the approval in the first instance.

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.

13:47-13.7 Certification

(a) Within 48 hours after agreeing to supply raffles equipment to a licensee, whether or not a charge is made by the supplier, the raffles equipment supplier 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.

13:47-13.8 Providing bingo or raffle equipment; restriction

No person approved by the Control Commission to provide equipment for use in or in connection with the conduct of bingo or raffle games shall provide such equipment to any person not registered with the Control Commission and licensed by the municipality in which the activity is held, operated or conducted.

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

13:47-13.9 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 member who has been notified of the delinquency.

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

“Rental”—The amount paid or payable by an organization to a renter for the use of premises including janitorial services, utilities, tables and chairs rented, furnished or supplied to said organization for the purpose of holding, operating or conducting games of chance under the Bingo Licensing Law. No additional charge may be made for any service.

“Rentor”—The owner, lessor, and supplier of premises furnished or supplied to, or used by, an organization for the purpose of holding, operating or conducting games of chance under the Bingo Licensing Law.

13:47-14.2 Applications and licensing

(a) Applications for licenses as an approved rentor shall be made on Form 15 which is hereby adopted (See Section 16.21 (LGCCC15) of this Chapter). The application with supporting material as set forth below shall be filed with the Secretary of the Control Commission in duplicate.

(b) Each application shall be accompanied by a rental statement on Form 16 which is hereby adopted.

(c) Where the owner is an individual, the application shall be accompanied by identification statement for individuals on Form 19 which is hereby adopted. (See Section 16.25 (LGCCC19) of this Chapter). Where the owner is a partnership, association, joint venture, or other business entity, except a corporation, it shall be accompanied by the identification statement on Form 17 which is hereby adopted (See Section 16.23 (LGCCC17) of this Chapter). Each person referred to in Form 17 shall file an identification statement for an individual on Form 19.

(d) If the owner is a corporation, it shall be accompanied by the identification statement for a corporation on Form 18 which is hereby adopted (See Section 16.24 (LGCCC18) of this Chapter). Each stockholder shall file an identification statement for an individual on Form 19.

(e) No license as an approved rentor shall be granted:

1. If any person whose signature or name appears in the application is not the real party in interest or if the person so signing or named in the application is an undisclosed agent or trustee for any such real party in interest; and

2. Unless the Commission shall determine that the applicant and, if the applicant is not the owner, the owners of said premises, and if said applicant or the owner is a corporation, all of its officers and each of its stockholders who own ten per cent or more of its issued and outstanding stock, are of good moral character and have not been convicted of a crime.

(f) The Commission will, among other things, and without limitation, consider a violation of N.J.S.A. 5:8-1 *et seq.* or any amendment of or supplement to said Act as evidence of lack of good moral character.

(g) The Commission in its inquiry and investigation of an application may hold a hearing at which the applicant or if the applicant is a corporation its officers, directors and stockholders shall appear and testify under oath respecting the contents of the application.

(h) When the Commission is satisfied that the applicant possesses the qualifications to receive a license, the Secretary shall issue and deliver a license to an applicant as an approved rentor of specified premises upon the payment by the applicant of an annual license fee in the amount of \$500.00. Such payment shall be made by certified check payable to the order of the Legalized Games of Chance Control Commission.

(i) Any license as an approved rentor issued pursuant to this Chapter may be revoked or suspended for such period as the Commission deems in the public interest for any of the following offenses on the part of the licensee, its agent or employees, or any person required by this Chapter to sign or be identified in an original application for a license:

1. Any cause which would permit or require disqualification of the licensee from receiving a license upon original application;

2. Fraud, deceit or misrepresentation in securing the license or in the conduct of the licensed activity or in connection with any application submitted to, or any interview, hearing or proceeding conducted by, the Commission;

3. Failure by the licensee to maintain a complete set of books and records containing a true and accurate account of the licensee's receipts and disbursements arising out of his activities;

4. Failure to keep said books and records available during business hours for inspection by the Commission and its duly designated representatives until the expiration of the second calendar year following the calendar year during which the transactions recorded therein occurred;

5. Violation of any provisions of this Chapter, the Bingo Licensing Law or the rules and regulations adopted by the Commission.

(j) A license as an approved rentor shall be valid until revoked, suspended or modified by the Commission.

(k) The Commission may issue a temporary permit to an applicant pending final action on the application. Any such temporary permit shall be valid for a period not in excess of 180 days.

(l) Licenses for approved rentors shall be issued on Form 20 which is hereby adopted.

(m) Qualified organizations registered with the Control Commission who file with the Secretary a declaration of trust on Form 21 which is hereby adopted that they will devote all of the rentals received to authorized purposes are hereby automatically approved and licenses shall issue upon the filing of such declaration. Form 21 shall be supplied and prepared by the organization.

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