

CHAPTER 47

RULES OF LEGALIZED GAMES OF CHANCE

Authority

N.J.S.A. 5:8-6, 5:8-21, 5:8-25, 5:8-34, 5:8-51 and 5:8-61.

Source and Effective Date

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

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 47, Rules of Legalized Games of Chance, expires on January 8, 2008. See: 39 N.J.R. 3483(a).

Chapter Historical Note

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

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

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

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

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

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

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

Subchapter 5A, Certification of Permissibility: Electronic Games of Chance Systems, was adopted as new rules by R.2007 d.166, effective May 21, 2007. See: 38 N.J.R. 2024(a), 39 N.J.R. 2125(b).

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SUBCHAPTER 1. DEFINITIONS

Law Review and Journal Commentaries

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

13:47-1.1 Words and phrases defined

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Check sum” or “digital signature” means a method by which data, as in a software application, is expressed in a

calculated number which is used to verify the accuracy of the data or a copy of the data.

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

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

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

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

“Distributor” means any person who sells, offers to sell or otherwise provides to a registered organization, any instant raffle ticket or any equipment or device to be used in, or in connection with, an instant raffle game.

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

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

“Electronic card minding device” or “card minding device” means an electronic device that is used by a bingo player to mark representations of bingo card faces stored in the device.

“Electronic card minding system” means an electronic games of chance system used to conduct bingo games which consists of electronic card minding devices and a site system.

“Electronic device” means that component of an electronic games of chance system consisting of a computerized device that is used by a player to play a game of chance using proprietary software and hardware separately or in conjunction with commonly available software and computers.

“Electronic games of chance system” means any electronic or computerized device and related hardware and software that is interfaced with or connected to equipment used to conduct games of chance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Model number” means a name and/or number designated by the manufacturer that indicates the unique structural design of an electronic games of chance system or system component.

“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.

“Player tracking software” means computer software that may be located on an electronic games of chance system that is used to identify or track certain characteristics of players, including personal data and purchasing habits of players at premises at which games of chance are played.

“Predraw bingo game” means a bingo game played on a non-reusable card which is indelibly marked. A predesignated number of numbers are drawn by the licensee prior to the

purchase of cards by the player(s). The cards used are sealed so that the face of the card is undetectable prior to purchase. The prize is determined by a percentage of the gross receipts derived from the sale of cards to participate in the game. The maximum prize is awarded to the player(s) who achieves bingo with the predrawn numbers. The prize is reduced as additional numbers are called.

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

“Progressive jackpot prize” means 50 percent of the gross receipts derived from the sale of cards to participate in a progressive jackpot bingo game on the occasion it is won and all previous occasions in the particular progression.

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

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

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

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

“Raffle” means a specific kind of game of chance played by drawing for prizes or the allotment of prizes by chance, by the selling of shares or tickets or rights to participate in such game. Nothing contained in this chapter shall be deemed to

authorize as a raffle the playing for money or other valuable thing at any game not specifically authorized by the Control Commission.

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

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

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

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

“Secondary component” means additional software or hardware components, provided by the manufacturer that are part of or are connected to an electronic games of chance system.

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

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

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

“Site system” means the computer hardware, software, and peripheral equipment that is located at the bingo premises, is controlled by the registered organization, and interfaces with,

connects with, controls or defines the operational parameters of card-minding devices and must include, but is not limited to, the following components: point of sale station, a caller station verifier, required printers, dial-up modem, proprietary executable software, report generation software and an accounting system and database.

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

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

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

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

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

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

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

“Terminal number or account number” means the unique identifier containing the name of manufacturer, validation number, the player terminal number, and the date of manufacture.

Amended by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Amended by R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

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

Amended by R.1996, d.280, effective June 17, 1996.
See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).
Amended by R.1996 d.481, effective October 7, 1996.
See: 28 N.J.R. 3711(a), 28 N.J.R. 4486(a).
Amended by R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).
Amended by R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

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

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

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

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

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

Amended by R.2006 d.301, effective August 21, 2006.
See: 37 N.J.R. 3028(a), 38 N.J.R. 3309(b).

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

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

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

Added definition “Compensated worker”.

Amended by R.2007 d.166, effective May 21, 2007.

See: 38 N.J.R. 2024(a), 39 N.J.R. 2125(b).

In definition “Bingo card”, inserted “or the electronic representation of a card stored in an electronic card minding device”; in definition “Bingo equipment”, inserted “, including electronic card minding systems”; added definitions “Check sum”, “Electronic card minding device”, “Electronic card minding system”, “Electronic device”, “Electronic games of chance system”, “Model number”, “Player tracking software”, “Secondary component”, “Site system” and “Terminal number or account number”; and rewrote definition “Instant raffle game”.

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 colportering (religious book peddling) at Meadowlands sports complex is protected under the free exercise of religion clause of

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

13:47-2.2 Registration form

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

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

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

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

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

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

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

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

any additional information requested by the Control Commission.

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

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

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

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

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

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

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

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

Provided fee exemption for senior citizen associations.

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

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

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

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

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

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

13:47-2.4 Identification number

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

13:47-2.5 Municipal approval

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

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

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

Old section was "Evidence of eligibility".

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

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

Substituted "issuing authority" for "governing body".

Case Notes

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

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.

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 issuing authority. 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.

Amended by R.2006 d.109, effective March 20, 2006.
See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).
Substituted "issuing authority" for "governing body".

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 Bingo and raffle; separate application and license; special senior citizen bingo 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 raffles offering a merchandise prize;
7. Off-premises calendar raffle offering a merchandise or cash prize;
8. Instant raffle game offering cash or merchandise as a prize; and
9. A Golf Hole-in-One Contest 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.

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

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

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

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

In (c), deleted "or cash" preceding "prize" in 6, and added a new 9.

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 reviewing and determining whether to approve or deny a license application or an amendment to a license, the issuing authority shall record its findings and determination as to each of the conditions established by law.

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

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

Rewrote (a) and (b).

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 issuing authority shall within three days transmit a copy of its findings and determination to the Control Commission. The findings and determination together with the third copy of the application as provided in N.J.A.C. 13:47-3.3 shall be received by the Control Commission prior to the holding of the first game authorized.

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

Rewrote the section.

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 issuing authority, 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) If the Control Commission has not taken action on the application within 15 business days after the municipality has

mailed the application and licensing fee to the Control Commission, the application is deemed approved.

(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 issuing authority to the Control Commission and notify the applicant by regular mail. The notification to the Control Commission and the applicant shall be made within three days of the issuing authority'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).

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

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

Throughout (a) and (c), substituted "issuing authority" for "governing body"; rewrote (b).

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 Commission are:

1. Bingo: \$20.00 for each occasion on which any game or games of bingo are to be conducted under the license;

2. On-premises draw raffle for cash prizes (50/50) in excess of \$400.00 or merchandise prizes where the total combined retail value of prizes awarded is in excess of \$400.00: \$20.00 for each day on which a drawing(s) is to be conducted under the license;

3. On-premises draw raffle for cash prizes (50/50) that do not exceed \$400.00 or merchandise prizes where the total combined retail value of prizes awarded does not exceed \$400.00: no licensing fee. In the event the retail value of the prize(s) offered or awarded exceeds \$400.00 in a raffle in which it was anticipated that the retail value would not exceed \$400.00, the licensee shall submit a check or money order made payable to the Legalized Games of Chance Commission in the amount of \$20.00 at the time of filing the report of operations required by N.J.A.C. 13:47-9 and if required, provide the licensing municipality with any additional fees due, together with a copy of the Report of Raffle Operations;

4. Off-premises draw raffle awarding merchandise as a prize: \$20.00 for each \$1,000 or part thereof of the retail value of the prize(s) to be awarded;

5. Carnival games or wheels: \$20.00 for each game or wheel held on any one day, or any series of consecutive days not exceeding six at one location;

6. Off-premises cash (50/50) raffle: a \$20.00 fee shall be paid at the time the application is filed. In the event the awarded prize exceeds \$1,000, then an additional fee of \$20.00 for each \$1,000 or part thereof in value of the

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

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

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

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

i. \$20.00 for each day on which instant raffle tickets are sold or offered for sale; or

ii. \$750.00 for a one-year license to sell, or to offer for sale, instant raffle tickets during that year.

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

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

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

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

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

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

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

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

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

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

Provided fee exemption for senior citizen associations.

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

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

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

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

In (c), added a new 10.

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

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

Added (c)11.

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

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

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

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

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

In (c), added 12.

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

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

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

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

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

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

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

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

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

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

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

SUBCHAPTER 5. LICENSE AMENDMENT

13:47-5.1 Application form

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

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

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

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

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

Statutory References

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

13:47-5.2 Copies of application

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

13:47-5.3 Approval

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

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

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

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

13:47-5.4 New date

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

SUBCHAPTER 5A. CERTIFICATION OF PERMISSIBILITY: ELECTRONIC GAMES OF CHANCE SYSTEMS

13:47-5A.1 Approval of electronic games of chance systems

(a) An electronic games of chance system shall not be sold, leased, or otherwise furnished to any person in this State for use in conducting games of chance unless an electronic games of chance system having the identical proprietary software and the identical components has first been tested by a testing facility approved by the Control Commission.

(b) A person approved by the Control Commission pursuant to N.J.A.C. 13:47-13.1 through 13.9 desiring to obtain certification of permissibility for an electronic games of chance system shall submit an application for certification to the Control Commission on a form provided by the Control Commission setting forth the name, address, telephone number of a contact person for the manufacturer of the electronic games of chance system proposed for use and such other information as the Control Commission may require, together with the non-refundable application fee of \$1,000 payable by check or money order to the order of the Control Commission.

(c) The Control Commission shall notify the applicant of the facilities authorized for testing. The manufacturer of the electronic games of chance system shall submit the system to one of the authorized facilities for testing. Submissions shall include all associated hardware, software, written operating manuals and technical information in order to allow the testing facility and the Control Commission to determine whether the electronic games of chance system complies with applicable requirements established by the Control Commission. The approved testing facility shall perform such tests as shall be necessary to determine that the system meets applicable requirements.

(d) Upon conclusion of testing, the laboratory shall provide the Control Commission with a report that contains findings, conclusions and a determination whether the electronic games of chance system meets the applicable requirements of the Control Commission set forth in N.J.A.C. 13:47.

(e) The Control Commission shall notify the applicant of its decision to certify or withhold certification of the system.

(f) The Control Commission shall not be liable for any damage or destruction of the electronic games of chance system submitted for testing.

(g) The applicant shall pay directly to the testing laboratory any and all costs associated with testing the electronic games of chance system, including shipping and handling.

(h) If granted, approval extends only to the specific games of chance system or component approved. Any modification must be approved by the Control Commission. Any addition of software applications or modifications by anyone other than a licensed manufacturer or its designated representative to an approved electronic games of chance system is prohibited.

(i) Once an electronic games of chance system or component has been approved, the Control Commission may retain the system or component for further testing and evaluation for as long as the Control Commission deems necessary. The manufacturer shall make provisions to retrieve the system or component if requested by the Control Commission, at the manufacturer's expense. Failure to do so will result in the manufacturer relinquishing its rights to the system or component and the Control Commission shall dispose of the system or component as it deems appropriate.

13:47-5A.2 Requirements for electronic games of chance systems

(a) An electronic games of chance system shall have dial-up capability, so that the Control Commission may remotely verify the operation, compliance and internal accounting systems at any time. The manufacturer shall provide to the Control Commission all current protocols, passwords, and any other required information needed to access the system. Any and all reports maintained or generated by the electronic games of chance system shall be capable of being down-

loaded or otherwise accessed via the modem. A check sum number or digital signature shall be obtained for the proprietary software submitted for testing to be used to verify proprietary software compliance at playing locations.

(b) Except for the release of the information to the Control Commission in accordance with (a) above, the manufacturer shall secure all protocols, passwords, and any other required information needed to access its system and such information shall not be accessible so that it is not able to be altered.

(c) If an electronic games of chance system includes player tracking software, records generated by the use of the player tracking software are subject to review by the Control Commission. The records shall be maintained by the registered organization for a period of not less than 12 months. Player tracking records shall at all times be the property of the registered organization and neither the manufacturer nor the distributor shall utilize or make available to any person, other than the Control Commission or as otherwise authorized by law, the information contained within the player tracking software without the express written permission of the registered organization.

(d) An electronic games of chance system shall permit the games of chance to be played in accordance with the rules established by the Control Commission.

(e) An electronic games of chance system shall be designed with sufficient security safeguards so as to permit verification that all proprietary software components are authentic copies of the approved software components and all functioning components of the electronic games of chance system are operating with identical copies of approved software programs. The system shall also have sufficient security safeguards so that any restrictions or requirements authorized by the Control Commission or any approved proprietary software are protected from alteration by unauthorized personnel.

13:47-5A.3 Right to restrict specific terms of certification

Any certification of permissibility for an electronic games of chance system may restrict the number of places or the number of specific kinds of games that may be held, operated or conducted by any one licensee, directly or indirectly, and by the imposition of such other controls as the Control Commission shall deem suitable and proper.

13:47-5A.4 Amendments of certifications

Certifications of permissibility for an electronic games of chance system may be granted by the Control Commission in terms applicable to more than one of certain named or described games, all of which are similar in specific kind, and such certifications may be amended from time to time to include additional games differently named or described, but similar in specific kind to those previously certified.

13:47-5A.5 Numbering of certifications

Each certification of permissibility granted by the Control Commission shall bear a serial number. That number shall be included in the description of the game to be licensed in the application for license and in the license certification when issued.

13:47-5A.6 Cancellation of certification

(a) Any certification of permissibility may be cancelled and vacated or modified by the Control Commission in its sound discretion at any time, either specifically as to a particular license or licenses, or generally as to all licenses issued on the basis of the particular certification. Those licenses affected shall, 30 days after the cancellation and vacation, no longer authorize the holding, operation or conduct of the game which was the subject of the certification, or, in the case of the modification of a certification, shall authorize the holding, operating and conduct of the game only in the manner specified in the modified certification.

(b) Before any cancellation and vacation or modification of a certification shall occur, any licensee operating a game under such certification shall be given notice and afforded an opportunity to be heard by the Control Commission.

13:47-5A.7 Games authorized only in respect to particular certification

Any license issued to authorize the holding, operation and conduct of any kind of game of chance shall be deemed to authorize such holding, operation and conduct only in the manner and to the extent certified as permissible by the certification of permissibility granted with respect to such game.

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; capital improvements

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

(b) A bona fide organization or association of veterans of any war in which the United States has been engaged, church or religious congregation or religious organization, charitable, educational or fraternal organization, civic or service club, officially recognized volunteer fire company, or officially recognized volunteer first aid or rescue squad licensed to hold and operate games of chance may use the net proceeds of games of chance for capital improvements to a facility owned by the licensee only if:

1. The facility is devoted full-time to an authorized purpose;

2. A portion of the facility is devoted full-time to an authorized purpose, in which case all of the net proceeds may be used for capital improvements to that portion of the facility so devoted; or

3. All or a portion of the facility is devoted part-time to an authorized purpose, in which case a percentage of the net proceeds may be used for capital improvements to the facility or to that portion of a facility so devoted. The percentage of the net proceeds which may be used for capital improvements under this paragraph shall be equal to the percentage that represents the number of days of the preceding calendar year during which the facility or portion thereof was devoted to an authorized purpose.

(c) In determining the amount of net proceeds a licensee may use for capital improvements pursuant to (b) above, an amount not to exceed 25 percent of the total cost of the capital improvement shall be allowed for facility space used full-time for administrative or operational activities of the licensee, provided the space is located in a facility at least half of which was devoted to an authorized purpose for at least 70 days in the previous calendar year.

(d) The use of a facility or a portion thereof for an authorized purpose for at least three hours in any one day shall be sufficient to substantiate that the facility or portion thereof was devoted that day to an authorized purpose.

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

Section was "Use of proceeds"; designated former section as (a); added (b) through (d).

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 and compensated non-members

(a) No person shall assist in the holding, operating or conducting of a game of chance except:

1. Active members of the registered organization, active members of its parent organization, active members of

an auxiliary organization, active members of an organization of which the registered organization 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; and

2. A person who is not a member of the registered organization, an auxiliary or affiliated organization as described in this subsection, and who has been approved by the Control Commission in accordance with the provisions of N.J.A.C. 13:47-6A and who will be compensated for holding, operating or conducting or assisting in the holding, operating or conducting of the game.

(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).

Amended by R.2001 d.343, effective September 17, 2001.
See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

Added (a)2.

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

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

In (a)1, substituted "registered organization" for "licensee" twice; and in (a)2, substituted "registered" for "licensed" and "N.J.A.C. 13:47-6A" for "this chapter".

13:47-6.5 Compensation

(a) No commission, salary, compensation, reward or recompense may be paid to any member of the licensed organization or a member of an organization which is auxiliary to or affiliated with the licensed organization 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, or a person approved by the Control Commission as a game operator who is not a member of the licensed organization or a member of an organization which is auxiliary to or affiliated with the licensed organization.

(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.

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

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

Rewrote the section.

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) Except for the serving or selling of food and beverages, 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 rules set forth in this chapter.

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

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

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

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

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

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

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

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

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

13:47-6.21 Conduct by unaffiliated organizations

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

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

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

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

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

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

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

13:47-6.22 Time limit for devoting of proceeds

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

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

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

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

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

13:47-6.23 Unreasonable proceeds

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

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

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

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

13:47-6.24 (Reserved)

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

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

Section was "Payment for equipment".

13:47-6.25 Cheating: notification; liability

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

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

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

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

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

SUBCHAPTER 6A. COMPENSATED WORKERS

13:47-6A.1 Application procedure

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13:47-6A.6 Compensation

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

13:47-6A.7 Fees

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

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

SUBCHAPTER 7. CONDUCT OF BINGO

13:47-7.1 (Reserved)

Amended by R.1989 d.431, effective August 21, 1989.
See: 21 N.J.R. 698(b), 21 N.J.R. 2526(a).
Added (e) and (f).
Repealed by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Formerly "Personnel".

13:47-7.2 Amount of prize limitation

(a) No prize may be offered or awarded in excess of the sum or value of \$1,000 for a single game, nor may the aggregate of all prizes offered and awarded in all games held on one occasion exceed \$3,000, except as provided in (b) below.

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

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

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Amended by R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).
Rewrote (b).
Amended by R.2007 d.166, effective May 21, 2007.
See: 38 N.J.R. 2024(a), 39 N.J.R. 2125(b).
In (a), substituted "\$1,000" for "\$250.00" and "\$3,000" for "\$1,000".

Statutory References

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

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

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

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

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

13:47-8.9 Form of ticket; approval

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

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

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

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

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

13:47-8.10 Printer of tickets; certificate

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

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

4. A sample of the ticket.

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

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

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

13:47-8.11 Presence of ticket holder

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

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

13:47-8.12 One day time limit

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

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

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

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

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

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

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

13:47-8.14 Equipment

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

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

1. The equipment is leased from persons approved by the Control Commission at rentals conforming to the schedules fixed by these rules; or
2. The equipment is wholly owned by the organization; or
3. The equipment is being purchased by the organization on conditional sale or other installment purchase arrangement in accordance with N.J.A.C. 13:47-6.17, Price of supplies; interest; 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.

Amended by R.2007 d.166, effective May 21, 2007.

See: 38 N.J.R. 2024(a), 39 N.J.R. 2125(b).

Rewrote (b)3.

13:47-8.15 Special door-prize raffle

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

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

Recodified with amendments from 13:47-8.14 by R.1992 d.96, effective March 2, 1992.

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

Old section 13:47-8.15 "Separate price for combined activities" recodified to 13:47-8.16.

13:47-8.16 Separate price for combined activities

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

(b) For failure to comply with (a) above, or if no separate price is paid for the privilege or right to participating in the raffle, then such other lawful activity shall be deemed to be merely auxiliary to the conduct of the raffle, and the entire proceeds of such combined activity shall be reported on Form 8R-A, and the entire net proceeds may be used only for those authorized purposes provided by the Raffles Licensing Law, and only the actual cost of conducting the raffle may be deducted as expenses.

Recodified from 13:47-8.15 by R.1992 d.96, effective March 2, 1992.

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Upon the service of any papers on the Executive Officer of the Control Commission as agent for an armchair race projectionist or cashier, or a casino night class "A" or class "B" operator, the Executive Officer shall forward the papers by registered or certified mail, return receipt requested, to the person named and who is a defendant in the proceeding at the last known address on file with the Control Commission.

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

13:47-19.3 Authorized events; armchair races and casino nights

(a) A person who has been approved as an armchair race projectionist or cashier by the Control Commission shall not work at an armchair race event unless the event has been authorized by the Control Commission and licensed by the municipality in which the race(s) are to be held or at which the equipment to be used was not provided by an approved provider in accordance with this chapter.

(b) A person who has been approved as a casino night class "A" or class "B" operator by the Control Commission shall not work at a casino night event or operate a casino night game(s) unless the event and the game(s) have been authorized by the Control Commission and the event has been licensed by the municipality in which the event is to be held. The operator shall not work at a casino night event at which the equipment to be used was not provided by an approved provider in accordance with this chapter.

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

Designated existing paragraph as (a), substituted "shall not work" for "shall only work" following "Control Commission", "unless" for "if" preceding "the event", "or at which" for "and" preceding "the equipment" and "provider" for "supplier" preceding "in accordance with"; added (b).

13:47-19.4 License approval and renewal

(a) Upon notification of approval by the Control Commission, each armchair race projectionist or cashier or casino night class "A" or class "B" operator shall forward a license fee of \$125.00 by certified check or money order made payable to the Legalized Games of Chance Control Commission. The license shall be valid for one year unless modified, suspended or revoked by the Control Commission.

(b) Upon notification of approval by the Control Commission, each armchair race projectionist or cashier, or casino night class "A" or class "B" operator, who is employed by a licensed equipment provider, shall forward a license fee of \$25.00 by certified check or money order made payable to the Legalized Games of Chance Control Commission. The license shall be valid for one year unless modified, suspended or revoked by the Control Commission.

(c) Prior to the expiration of the annual license period, each licensed armchair race projectionist or cashier, or each

licensed casino night class "A" or class "B" operator shall submit an application for license renewal together with an annual license renewal fee of \$125.00.

(d) Prior to the expiration of the annual license period, each licensed armchair race projectionist or cashier, or a class "A" or class "B" casino night game operator, who is employed by a licensed equipment provider shall submit an application for license renewal together with an annual license renewal fee of \$25.00.

(e) The Control Commission may suspend or revoke the license of an armchair race projectionist or cashier or a casino night class "A" or class "B" operator, after an opportunity to be heard for any violation of the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., the Raffle Licensing Law, N.J.S.A. 5:8-50 et seq., the Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq., this chapter or any other applicable statute or rule of the Commission.

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

In (b), deleted "applicant" preceding "cashier"; inserted references to casino night class "A" or class "B" operators throughout.

SUBCHAPTER 20. CONDUCT OF CASINO NIGHTS

Authority

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

Source and Effective Date

R.2003 d.199, effective May 19, 2003.
See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

13:47-20.1 Purpose and scope

(a) The purpose of the rules in this subchapter is to implement P.L. 1999, c.17 concerning the conduct of casino nights.

(b) This subchapter shall apply to all persons who conduct a casino night event.

13:47-20.2 Definitions

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

"All-in" means a player who has no funds remaining on the poker table to continue betting in a round of play but who still retains the right to contend for that portion of the pot in which the player has already placed a bet.

"Ante" means a predetermined wager which each player is required to make in some poker games prior to any cards being dealt in order to participate in the round of play.

“Assistant” means a person who may be used to assist a qualified casino night operator in the operation of a casino night game.

“Baccarat” means a card game in which a player places a bet that either the bank or the player will attain a score of or closest to nine, or that the bank and player will be dealt cards of equal card point value. Originally, four cards are dealt to the player and the bank. If the point value of either original hand is eight or nine, it is called a “natural” and no additional cards are dealt. Additional cards are dealt if appropriate according to a set schedule. Up to 14 players can be accommodated at a single table.

“Banker” means a person who converts cash or money into imitation money at the posted exchange rate.

“Beat the dealer” means a dice game played using two dice tumbled in a cage or chute by the dealer and then the player. A point count is calculated based upon the numbers showing on the top side of the dice. To win, a player must get a higher point count than the dealer.

“Bet” means an action by which a player places imitation money into the pot on any betting round.

“Betting round” means a complete wagering cycle in a hand of poker after all players have called, folded or gone all-in.

“Blackjack” means a card game in which a player attempts to draw cards that total 21 or that come closer to 21 than the dealer.

“Blind bet” means a mandatory wager in some poker games which only players sitting in specific betting positions at the poker table shall be required to place prior to looking at any cards.

“Burning a card” or “burnt card” means the dealer removes the first card from the deck and discards it by placing it to the side, face-down, without showing its value.

“Button” means an object which is moved clockwise around the table to denote an imaginary dealer and thereby determine the betting and dealing sequence.

“Call” means a wager made in an amount equal to the immediately preceding wager.

“Caribbean stud poker” means a card game similar to five card stud, except that the players bet against the house rather than each other. Players make an “ante” bet to receive a hand of five cards. After reviewing the cards dealt, each player makes a decision whether or not to continue in the game. If the player decides to continue with the hand dealt, the player must place an additional wager known as a “bet” wager.

“Casino night” means an event at which players use imitation money purchased from the licensee to wager in games of chance known as baccarat, beat the dealer,

blackjack, caribbean stud poker, chuck-a-luck, craps, joker seven, let it ride, mini-baccarat, money wheel, multi-action blackjack, red dog, roulette, skill stop reel or skill stop video games, token pushers or under/over, at which the imitation money is redeemable for merchandise prizes or raffle tickets only and not for cash or money. Nothing in this definition shall be construed to prohibit the conduct of any other legalized game of chance authorized to award cash or money as a prize on the occasion of a casino night.

“Casino night equipment provider” means a person approved by the Control Commission to provide casino night equipment or personnel in connection with the holding of a casino night in accordance with this subchapter.

“Casino night holder” means the registered organization in whose name a casino night license is issued from the municipality.

“Check” means that a player waives the right to initiate the betting in a betting round but retains the right to act if another player initiates the betting.

“Chuck-a-luck” means a dice game using three dice, a cage or chute and a table layout bearing the numbers one through six. The players place a bet on one or more of the layout numbers. The dice are tumbled in the cage, cup or chute. Winners are determined by comparing the wagers placed on the layout and the numbers showing on the top side of the dice.

“Class A casino night operator” means a person, whether compensated or not, approved by the Control Commission to operate all casino night games authorized by this subchapter, to instruct personnel in the proper operation of casino night games and to supervise the operation of casino night games and the personnel necessary to operate such games.

“Class B casino night operator” means a person who is approved by the Control Commission to operate all casino night games except craps and roulette and who has received instruction from and is supervised by a “class A” casino night operator in the operation of casino night games.

“Common card” means, in any game of stud poker, a card which is dealt face upward if there are insufficient cards left in the deck to deal each player a card individually and which can be used by all players at the showdown.

“Community card” means any card which is dealt face upward and which can be used by all players to form their best hand.

“Cover card” means a yellow or green plastic card used during the cut process and then to conceal the bottom card of the deck.

“Craps” means a game played with two dice and a table with a craps wagering layout. Players place wagers indicated on the layout. A player tosses the dice. The point value shown