

B I N G O

4	19	39	51	66
SACRAMENTO COUNTY ADMINISTRATIVE REGULATIONS				70
8		SACRAMENTO COUNTY SHERIFF'S DEPARTMENT		73
6		CALIFORNIA PENAL CODE SECTION 326.5		SACRAMENTO COUNTY CODE CHAPTERS 4.26, 4.28, 4.29
13	30		60	62

HANDBOOK

TABLE OF CONTENTS

	<u>Page</u>
Who to Contact.....	ii
<i>Introduction</i>	<i>iii</i>
Eligibility for a License to Conduct Bingo Games	1.1
License Application to conduct Bingo Games	1.1
Liability of a Charitable Organization's Officers and Board of Directors.....	1.3
 Sacramento County Administrative Regulations	
100. Organizations Licensed to Conduct Bingo Games	
Application for License to Conduct Bingo Games.....	2.1
Accounting and Financial Records	2.2
Premises and Inspections	2.9
Staffing and Organization.....	2.9
Conduct of Games.....	2.11
Sale of Pulltabs.....	2.11
Prizes	2.12
Expenses.....	2.12
Other.....	2.13
200. Bingo Parlor Licensees	
Definition of a Parlor	3.1
Parlor Licensee Regulations	3.1
300. Bingo Suppliers	
Definition of a Supplier.....	4.1
Bingo Supplier Regulations	4.1
 Sacramento County Code	
Chapter 4.26 – Bingo Games.....	5.1
Chapter 4.28 – Bingo Parlors	6.1
Chapter 4.29 – Bingo Suppliers.....	7.1
California Penal Code, Section 3.26.3.....	8.1
California Penal Code, Section 3.26.4.....	8.10
California Penal Code, Section 3.26.45	8.11
California Penal Code, Section 3.26.5.....	8.12
Application for Sacramento County Bingo License.....	Appendix A
Application for Sacramento County Special Business License for Bingo Parlors and Suppliers	Appendix B

CONTACT REGARDING

Bingo Compliance Unit · Copy of Bingo Handbook
General Information

- Bingo eligibility requirements
- Application for License and update of

Information submitted

- License renewal
- Monthly Bingo Reports

Bingo Compliance Manager · Additional bingo sessions

- Administrative inquiries
- Compliance examinations
- Embezzlement, fraud or theft
- Financial reporting requirements
- Interpretation of Bingo Handbook
- New games
- Promotions
- Shortages
- Enforcement inquiries

FOR ALL INQUIRIES EMAIL SIIB AT SIIB@SACSHERIFF.COM

ATTN: BINGO

Checks MUST be mailed directly to: BINGO

711 G ST. ROOM 405

Sacramento, CA 95814

Applications can be emailed to SIIB@SACSHERIFF.COM or

Mailed to: **Attn: SIIB**

711 G St. Room #304

Sacramento, CA 95814

INTRODUCTION

The Bingo Compliance Unit of the Sacramento County Sheriff's Department (Sheriff) provides this handbook to inform interested parties of the laws governing the conduct of bingo games within the unincorporated area of Sacramento County and to provide forms for use in accounting for bingo proceeds.

Laws and regulations quoted within this handbook devoted to organizations licensed to conduct bingo games are administered by the Sheriff. The Sheriff is authorized and shall enforce these laws upon all organizations licensed to conduct bingo games, as well as bingo parlor operators and bingo suppliers.

Prior to making formal application for a bingo license, the information contained herein will familiarize the reader with such topics as eligibility for licensing, instructions for preparing the application, monthly reporting requirements, operating requirements, along with the current State and County laws governing the operation of bingo games. Also, this handbook serves as a reference source and working directive for all licensees who are currently conducting bingo games. However, the information contained in this handbook may not cover all the questions and situations arising from the conduct of bingo games. It is the bingo licensee's sole responsibility to know and comply with bingo laws cited in the Sacramento County Administrative Regulations, Sacramento County Code, the California Penal Code Section 326.5 and other applicable County and State laws.

Should you have questions or wish to make application for a bingo license, please email us at SIIB@sacsheriff.com. The Bingo Compliance Unit located at the Sheriff's Administration Building, 711 G Street, Room 304, Sacramento, California 95814.

**SACRAMENTO COUNTY SHERIFF'S DEARTMENT
Bingo Compliance Unit:**

SIIB@sacsheriff.com

First Edition (5/86)
Second Edition (2/87)
Third Edition (New 4/89)
Fourth Edition (6/23/95)
Fifth Edition (10/96)
Sixth Edition (6/2000)
Seventh Edition (11/2008)
Eighth Edition (4/2011)
Ninth Edition (8/2012)

COUNTY OF SACRAMENTO

Sheriff's Department (Sheriff)

BINGO HANDBOOK

ELIGIBILITY FOR A LICENSE TO CONDUCT BINGO GAMES

1. Eligible organizations may apply to the County for a License to conduct bingo games in the County Under provisions of Chapter 4.26 of the Sacramento County Code and the provisions of Section 326.5 of the California Penal Code.
2. Only organizations which are exempted from the payment of the bank and corporation tax by Sections 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701w and 2371l of the California State Revenue and Taxation Code, mobile home park associations, and senior citizens organizations shall be eligible to receive a license to conduct bingo games in the unincorporated area of the County; provided that the proceeds of such games are used only for charitable purposes.
3. The applicant organization shall contact the Franchise Tax Board or the appropriate State office for current rules, regulations, and application filing requirements for the exemption status pursued by the organization.
4. The applicant organization shall be eligible to receive a license provided the organization has owned, leased, or occupied donated property within the County that has been used by the applicant for performance of the charitable purposes for which the applicant is organized for the least (12) consecutive months immediately preceding the filing of such application.
5. Licenses will not be issued under more than one chapter of the Sacramento County Code; e.g., an organization licensed under Sacramento County Code 4.26 cannot also be licensed under Sacramento County Code 4.28 or 4.29.

LICENSE APPLICATION TO CONDUCT BINGO GAMES

1. At the time of filing an application for the license to conduct bingo games or upon renewal, a fee of fifty dollars (\$50) shall be paid to defray administrative costs. A bingo license shall be valid for a period of one year.
2. The Sheriff must approve or deny the application for a license within ninety (90) days after receipt of the application. During this 90 day period, extensive background and other review procedures will be performed by the County. Upon approval or denial of the license, the applicant shall be notified in writing.
3. A Bingo License Application may be denied if:
 - a. Any requirements of Section 326.5 of the Penal Code of the State of California are not met;

- b. One or more of the findings prescribed by Section 4.26.055 of the Sacramento County Code are discovered by the Sheriff;
 - c. The applicant made any false, misleading, or fraudulent statement of a material fact in the application or in any record or report required to be submitted with the application'
 - d. The Sheriff finds that the applicant has been convicted of a crime and the time for appeal has elapsed, or when an order granting probation is made suspending the imposition of sentence, has done any act involving dishonesty, fraud or deceit with intent to substantially injure another; and the Sheriff concludes that by reason of the crime or act the applicant would conduct the bingo operation in an unlawful or in a manner which subjects patrons of the bingo game(s) to risk of harm or criminal, deceitful, or otherwise unethical practices; or
 - e. If a member of an eligible organization applying for a license has been convicted of violating Section 326.5 of the California Penal Code, the provisions of Sacramento County Code Chapter 4.26, or the provisions of any ordinance adopted by a county of the State of California pursuant to Section 19 of Article IV of the State Constitution and Section 326.5 of Penal Code, or has been convicted of a crime, the member shall have no control over the operation or participate in the staffing of the bingo games(s) or the disposition of proceeds derived therefrom.
4. If after investigation the Bingo Compliance Unit determines that an application for a bingo license or renewal shall be denied, staff of the Bingo Compliance Unit shall prepare a Notice of Denial of Application setting forth the reasons for denial of application. This Notice shall be sent by United States mail to the applicant's last address provided. An organization which has had an application for a bingo license denied by the Bingo Compliance Unit may appeal the decision in the manner provided in Sections 4.10.115 through 4.10.130 and 4.26.030 of the Sacramento County Code.
5. A license shall not be transferable from one organization to another nor from one location to another. Each organization must obtain its own bingo license.
6. A bingo license authorizes the licensee organization to conduct bingo games only at the times specified on the license. No other bingo games are authorized without prior approval from the Sheriff.
7. After the receipt of a written application from the licensee, the Sheriff may issue a license authorizing the conduct of bingo games for more than one bingo session per week provided the applicant has:
- a. An exemption from the payment of the state bank and corporation tax or is a mobile home park association or senior citizens organization; and has existed within either the incorporated or unincorporated area of Sacramento County for the last two years immediately preceding the filing of an application for additional sessions; and

- b. During the last two years, raised at least \$25,000 each year through public and private solicitations and has expended at least \$16,000 during each year on charitable causes; or has conducted bingo games in the unincorporated area of Sacramento County for the preceding 12 months; and
 - c. Equalled or exceeded, and maintained for at least 6 months, at least 75% of the average percentage Net Profit Available from bingo as established by the licensee community during the previous County fiscal year; and
 - d. Enough volunteers to staff the extra session(s) and
 - e. Been examined by the County and has corrected all compliance examination deficiencies; and
 - f. Shown that the session(s) will not be detrimental to public safety, health or welfare; and
 - g. Complied with all applicable State and County laws.
8. Expenditures for remodeling the premises, purchasing equipment or entering into contracts or leases, or any other action taken in anticipation of conducting bingo games, prior to approval of the license application by the Sheriff, are solely at the applicant's own risk.

LIABILITY OF A CHARITABLE ORGANIZATION'S OFFICERS AND BOARD OF DIRECTORS

- 1. "In general, directors of nonprofit corporations, like directors of business corporations, are usually not personally liable for the debts, liabilities or obligations of the corporations. A director may be held personally liable to repay damages to the public benefit corporation where he has breached a duty of care or loyalty to the corporation."
(Attorney General's Guide for Charities).
- 2. Operating losses sustained by an organization licensed to conduct bingo are subject to review by the State Office of the Attorney General.
- 3. When bingo game winners donate part of their winnings back to the organization, the organization's board of directors should determine how the donations will be used in fulfilling the charitable purposes.

SACRAMENTO COUNTY

**ADMINISTRATIVE
REGULATIONS**

SACRAMENTO COUNTY ADMINISTRATIVE REGULATIONS

100. ORGANIZATIONS LICENSED TO CONDUCT BINGO GAMES

A. Application for License to Conduct Bingo Games

1. No organization shall conduct a bingo game unless it is in possession of a valid bingo license issued by the Bingo Compliance Unit of the Sheriffs Department. For purposes of these Administrative Regulations, Sections 100 through 300 et seq., the Sheriff's Department shall be referred to herein as the Sheriff.
2. An eligible organization desiring to conduct bingo games in the unincorporated area of Sacramento County shall apply to the Bingo Compliance Unit of the Sheriff for a license. The application for a license to conduct bingo games shall be in the form determined by the Sheriff. The Bingo Compliance Unit shall not accept incomplete applications. The application shall include, but not be limited to, the following information:
 - a. The applicant organization shall provide a copy of its constitution, articles, by-laws, or other regulations. One of these official documents shall clearly define the specific charitable use(s) which shall be paid from proceeds derived from charitable sources, i.e., bingo. Also, the official document shall include a provision indicating a charity or other charities which will receive all remaining assets upon dissolution. Furthermore, the document shall set forth the manner in which a person may become a bonafide member of the organization.

In the event that an organization discontinues conducting bingo games, the remaining bingo funds shall be used only for the organization's charitable purposes.

- b. A copy of the Resolution adopted by the organization authorizing the filing of the application for bingo license;
- c. If eligibility is based on an exemption from the payment of California bank and corporation tax, a certificate of tax exemption or a letter of good standing from the State Franchise Board shall accompany the application;
- d. A detailed financial summary, showing all sources and amounts of income and expenditures including the amounts, recipients and the purpose for which the expended funds were used, for a period of not less than one year prior to the date of application;
- e. The name, address, telephone number, and birth date of each officer and director of the eligible organization;
- f. The name, address, telephone number, and birth date of each member of the applicant organization who will staff bingo games;
- g. An application for a license to conduct bingo games shall be supported by a copy of the deed, lease, or other written instrument applicable to the premises where the bingo games will be conducted. Also, the applicant shall attach a description of all uses to-be made of the premises;
- h. A written statement signed by the appropriate local fire department stating the occupancy load capacity of the room in which bingo will be conducted;

- i. Floor plan layout of the room where bingo will be played;
 - j. A detailed description of the accounting record system to account for proceeds, prizes, expenses, and profits;
 - k. The location of the special bingo checking account, name and address of bank, account number, and authorized signatures; and,
 - l. A detailed schedule of bingo games to be played, day(s) and hours of operation, and the rules which apply to the actual operation and performance of the bingo games.
 - m. A detailed statement, describing the accommodations and auxiliary aids and services, which comply with this Chapter and Section 326.5 of the California Penal Code, that will be provided by the applicant during its bingo sessions to enable the play of bingo by those individuals with disabilities.
3. If the organization is a mobile home park association or a senior citizens center which does not have a certificate of tax exemption, it shall provide the Bingo Compliance Unit with a copy of its articles of association, bylaws, or other document setting forth its aims and purposes which is signed by the principal officers or trustees. The document(s) furnished shall be properly notarized. In addition, the organization shall provide the documents identified above under 100.A.2.b) and 100.A.2.d) through 100.A.2.k).
 4. A license to conduct bingo games shall be issued for a period of one year. License Renewal Applications shall be completed annually on the forms provided by the Bingo Compliance Unit. Any change in the information which was submitted with the previous application must be updated within ten days (10) after occurrence. The license may be issued on a temporary basis not to exceed 90 days.

B. Accounting and Financial Records

1. Accounting Requirements

The accounting records for an organization licensed to conduct bingo games shall be kept in conformity with accounting principles prescribed in the Sacramento County Code, these Administrative Regulations, or by the Sheriff. For purposes of these Administrative Regulations, Sections 100 through 300, an organization licensed to conduct bingo games shall be referred to herein as the bingo licensee, these accounting principles shall include the following:

- a. All business transactions shall be supported by documentary evidence that sets forth the precise terms regarding date, customer, vendor, quantities, prices, etc. This accounting principle requires all accounting entries to be based on objective (verifiable) evidence;
- b. Bingo licensees shall not maintain Accounts Payable except as provided in the Sacramento County Code, Sections 4.26.085, 4.28.070, and 4.29.045;

- c. The cash basis of accounting shall be used, whereby bingo receipts are reported when received and expenses are reported when paid; should you prefer to use the accrual basis of accounting instead, you must first get the Sheriff's approval.
- d. Unless otherwise disclosed, accounting entries are to be prepared on a basis consistent with the entries for the preceding period;
- e. At least two (2) members of the licensee organization shall jointly count all bingo proceeds. These proceeds shall be deposited in a special bingo account not later than the next banking day;
- f. All disbursements from the special bingo bank account shall be by consecutively numbered checks signed by two (2) authorized officers of the licensee and shall be payable to a specific individual or organization. All expenses shall be paid by check. Cash proceeds from bingo sessions shall not be used to pay expenses.

Checks shall not be issued to volunteers, bingo managers, or members of the licensed organizations unless the purpose is to replenish petty cash, if there is a petty cash fund, to replenish bingo starting cash, or to pay expenses not exceeding \$150 which are directly related to the organization's charitable purposes;

- g. There shall be written on each check the nature of the expenditure for which the check is drawn;
- h. No check shall be drawn to "cash." A petty cash fund (not to exceed \$150) may be established and maintained for the payment of incidental bingo expenses but the check to establish and maintain the fund shall be payable to the custodian of the fund. A receipt, or other documentation, shall be maintained for each disbursement, indicating the amount of cash disbursed, the individual or organization receiving the cash disbursement, and the purpose for which the disbursement is made. Checks written for bingo sessions starting money shall be paid to the order of the person responsible for the change fund. If the charity needs to have a petty cash fund in excess of \$150, a request for an increased amount must be made in writing to the Bingo Compliance Manager;
- i. The bingo licensee shall maintain a procedure to prove that cash receipts equal cash value of bingo paper and pulltabs withdrawn from inventory. This procedure shall determine the quantity of bingo paper and pulltabs sold from inventory during each session and convert the quantity of bingo paper and pulltabs sold to a calculated cash value. This calculated cash value shall be compared to the actual cash receipts collected for paper and pulltabs. Any difference of \$25 and greater shall be recorded and investigated for the reason(s) why there is a difference. Reasons for differences shall be explained in writing.

Differences between calculated cash value and actual cash receipts shall be documented as shortages and overages. The licensee's governing board should require a reporting of net shortages and overages by session. The amount to be reported should be determined by the board.

When the net shortage for any session exceeds \$150, the Sheriff must be notified. The Sheriff will determine if a more detailed investigation is necessary;

- j. If a bingo licensee suspects embezzlement or fraud or if the bingo licensee experiences theft of any nature, the suspicion or incidence shall be reported to the Bingo Compliance Unit of the Sheriffs Department; and,
- k. The special bingo bank account shall reflect all receipts and expenses related to bingo.

2. Records Available for Inspection or Compliance Examination

- a. Bingo financial records, including all formal books and records of the licensee for purposes of disbursing charitable expenditures of bingo profits, shall be made available by the licensee at all times upon demand for inspection and compliance examination by the Sheriff or authorized representative. Specific records which shall be available for inspection or examination are as follows:
 - (1) Check registers, cancelled checks, deposit slips, and bank statements;
 - (2) Invoices, receipts, and other supporting documents related to all expenses (i.e., bingo paper, pulltabs, supplies, rent, security, advertising, promotional, cleaning, and maintenance);
 - (3) All financial statements;
 - (4) Bingo session summaries and support detail as follows:
 - (a) Detailed information to support individual games of each session (i.e., actual cash receipts for each type of bingo paper sold, and for each pulltab serial number, floor worker tally sheets, payouts, names of winners, etc.); and
 - (b) Names of volunteers staffing each session;
 - (5) Quantity of pulltabs drawn from inventory by serial number and sold by bingo session;
 - (6) Quantity of bingo paper by type drawn from inventory and sold by session;
 - (7) Invoices and other supporting documentation related to the expenditures paid from funds (net proceeds/profit from bingo) disbursed to the charity;

- (8) All information submitted with the license application will be reviewed to determine if it is current and complete. If it is not, updated information will be requested; and,
- (9) All other records pertinent to the compliance examination or inspection.
 - b. If the above referenced examination or inspection of the bingo licensee accounting records indicates the records are not fully maintained as prescribed by the Sheriff or generally accepted principles of accounting, whichever is applicable, the Sheriff may initiate temporary suspension of the license.

3. Disbursements to Charity

- a. The charitable organization shall maintain records that clearly demonstrate that bingo proceeds, and net profits, were disbursed for charitable purposes as stated on the Application for Bingo License and in the Articles of Incorporation or the Bylaws. These proceeds or profits shall not be used for the private gain of any individual. The charitable organization shall not commingle bingo proceeds or net profits with other funds. Lump sum transfers to the general fund from net profits from bingo do not constitute disbursements to charity. When this procedure is used, commingling occurs.
- b. All disbursements to charity shall be clearly traceable to the expense, acquisition, or service related to the charitable purpose. All disbursements to charity shall be supported by invoices or other documentation.

4. Monthly Bingo Report

- a. During the term of the license, each organization issued a license to conduct bingo games shall file a Monthly Bingo Report with the Bingo Compliance Unit. This report shall contain licensee operating activity as required by the Sheriff for use by the Sheriff for statistical and comparative purposes and to calculate the County Fee derived from bingo games. This report shall be signed by two officers of the organization and sent with a check for the County fee to the Bingo Compliance Unit of the Sheriff no later than fifteen (15) days after the end of each month. If no fee is due for a particular month, the licensee shall still file the completed Monthly Bingo Report. Bingo licensees who persistently file late (or not at all) may be subject to temporary suspension or revocation.
- b. A bingo licensee shall notify the Sheriff, in writing, of its intent to cease conducting bingo games 30 days in advance of such cessation or in such time period as agreed upon with the Sheriff.
- c. When the bingo licensee discontinues conducting bingo games, the licensee shall complete a final Monthly Bingo Report. This Report shall be marked "FINAL" at the top of the completed form and returned along with the bingo license and the County fee (when applicable) to the Bingo Compliance Unit within fifteen (15) days after the last session.

- d. Bingo licensees who have discontinued conducting bingo games and have not followed the procedures set forth in Section 100.B.4.b and c of these Administrative Regulations shall be denied a subsequent license to conduct bingo games for 2 years from the last day of bingo game operation.

5. Perpetual Bingo Paper, Pulltab, and Supply Inventories

- a. Prior to conducting bingo games, each organization licensed to conduct bingo games shall complete a physical count of each type of bingo paper, pulltab, and supply in the organization's possession. Once the initial count is performed, the organization shall maintain the inventory by recording all paper and supplies received, returned, or withdrawn from inventory. The organization's records shall reflect a balance on hand. Backup inventory records shall be kept off site.
- b. The bingo licensee shall conduct a physical inventory yearly and the results shall be compared to the paper and supplies inventories. Differences shall be investigated and documented in writing.

6. Record Retention

- a. The bingo licensee shall retain a copy of each Monthly Bingo Report and all supporting records for three (3) years, or until completion of a compliance examination; or until the administrative or judicial appeal process, whichever is applicable, is final, if the examination results in license suspension or revocation proceedings, whichever occurs later.
- b. The names and amounts of all \$50 and greater bingo session game and pulltab winners shall be retained by the bingo licensee. The winners shall print and sign their names for the winnings. The bingo licensee shall make such printed and signed names available to the Sheriff at reasonable times upon demand. Winning pulltabs with a payout of \$50 or more shall also be retained. Winning pulltabs with a payout less than \$50 shall be retained for three (3) months or until the pulltab reconciliation has been completed, whichever occurs later. If storage of pulltab winners creates a significant storage problem, the licensee may submit a written request to the Sheriff for a reduced retention period.

7. Annual Examination

The Sheriff, or any other authorized representative of the County, shall conduct a compliance examination of the bingo licensee's records annually. After completion of the examination, the licensee shall receive a compliance report. On or before thirty (30) days following receipt of the report, the bingo licensee shall report in writing to the Sheriff on the corrective action taken for each of the examination findings or recommendations. These compliance examination reports and responses shall be a matter of public record, and shall be available for public view. Failure to submit corrective action for each examination finding or recommendation within 30 days following receipt of the report, the bingo licensee may be subject to temporary suspension or revocation of their bingo license.

8. Required Accounting Form

The bingo licensee shall submit a Monthly Bingo Report to the Bingo Compliance Unit in the format prescribed by the Sheriff.

The bingo licensee shall use the Monthly Bingo Report to summarize all the bingo activity for the organization licensed to conduct bingo for the month. All information contained in the Monthly Bingo Report shall be supported by Session Summaries and complete documentation.

9. Required Accounting Data

All bingo licensees shall maintain records that reflect the following data as listed in subsections a. through p. herein. This listing is not all inclusive of the data required. The bingo licensee shall keep these records, in addition to any other records which are necessary to determine or establish compliance with the provisions of Chapter 4.26, California Penal Code Section 326.5, or any other applicable State of California, County of Sacramento, or federal law, administrative rule or regulation.

Bingo licensees may use the forms (and the procedures for completion) in the formats developed by the Sheriff for the data reflected in subsections a. through p. herein or they may develop their own forms. The purpose of each form as described in subsections a. through p. hereinafter shall be maintained regardless of the format selected. Forms developed by the Sheriff are available upon request.

a. Session Summary

The Session Summary shall be used to recap the activity of a bingo session. The cumulative total of all session summaries for a month shall equal the Monthly Bingo Report.

b. Perpetual Bingo Paper Inventory

This form shall be used to account for all bingo paper on hand at any point in time.

c. Perpetual Pulltab Inventory

This form shall be used to account for all pulltabs on hand at any point in time.

d. Paper Inventory

The Paper Inventory form shall be used to account for paper withdrawn from and returned to inventory for each session.

e. Cash Sales Compared to Inventory Reduction

This form shall be used to compare the quantity of paper sold per the Cashier's Reconciliation and the Floor Sales Report to the quantity of paper sold per the Paper Inventory.

f. Cashier's Reconciliation

This form shall be used to determine the calculated cash value of paper sold by each cashier and to compare that amount to net cash received.

g. Floor Sales Report

The Floor Sales Report shall be used to summarize paper sales, payouts, and cash turned in by each floor worker.

h. Floor Worker Tally Sheet

This form shall be used to account for the calculated value of paper sold, the money collected, and the payouts made by game for each floor worker.

i. Bingo Game Payout Sheet and Donations Received

This sheet shall be used to account for the signature of each bingo game winner whose prize payout is \$50 or greater. For purposes of good internal control, any donations to the organization made by bingo game winners may be recorded on this form.

j. Miscellaneous Supplies Inventory

This form shall be used to account for supplies on hand at any point in time, i.e., daubers, glue, etc.

k. Miscellaneous Supplies Sold

This form shall be used to calculate the value of miscellaneous supplies sold by type.

l. Pulltab Sales Summary

The Pulltab Sales Summary shall be used to calculate Net Sales by pulltab type.

m. Pulltab Payout Summary

This form shall be used to record total payouts for each session by game by serial number. It shall also be used to record the remaining balance of expected payouts by deal.

n. Pulltab Payout Sheet and Donations Received

This sheet shall be used to account for the signature of each pulltab winner whose prize payout is \$50 or greater. For purposes of good internal control, any donations to the organization made by pulltab winners may be recorded on this form.

o. Pulltab Deal Reconciliation

This form shall be used to determine that actual profit for a pulltab deal is as stated by the pulltab vendor.

p. Session Sign-In Sheet

This sheet shall be used to record the names of all volunteers staffing the bingo session. All volunteers must be members of the organization.

C. Premises and Inspections

1. No person shall interfere with, prevent, or refuse to permit an authorized representative of the Sheriff, Fire Department, Department of Planning, Building Inspection, or any authorized County official to inspect the premises which will be used by an applicant or bingo licensee to conduct bingo games. Inspections may be made at times when the premises are not being used for the conduct or operation of bingo games.
2. Inspections or comments by County representatives other than the Sheriff shall not constitute approval of the Application to conduct bingo games, since such approval may only be given by the Sheriff or his/her authorized representative.
3. An authorized representative of the Sheriff that observes the operation of a bingo game, and determines that the game is being played in violation of California Penal Code Section 326.5, Sacramento County Code, Chapter 4.26, Sacramento County Administrative Regulations adopted pursuant to Chapter 4.26, or any other applicable State of California, County of Sacramento, or federal law, administrative rule or regulation, may issue an order to the bingo licensee to immediately cease and desist such violation. This order shall be served in writing upon the Bingo Manager in charge of the game at the time the violation is observed, and shall set forth the nature of the violation. Failure of the bingo licensee to cease such violation may result in commencement of license revocation or suspension proceedings.
4. The bingo licensee shall not reserve nor shall the bingo licensee allow bingo players to reserve seats or space.
5. An agenda of monthly activities conducted by the bingo licensee at a bingo site shall be maintained by the bingo licensee organization and shall be subject to inspection at reasonable times upon demand by an authorized representative of the Sheriff.

D. Staffing and Organization

1. Bingo games shall be operated and staffed only by members of the licensee organization. Members who staff bingo games are referred to herein as members or volunteers.
2. A member of the licensee organization shall be designated as "Bingo Manager" and shall be responsible for the conduct and operation of the bingo game and for compliance with applicable laws and regulations. The licensee shall designate a member of the organization to act as "Bingo Manager" if the appointed manager is unable to be present at the bingo session. Both the

Bingo Manager and Acting Bingo Manager shall be volunteers of the organization.

3. The Bingo Manager or designee shall be present at all times during the conduct of bingo games.
4. For each session, the Bingo Manager shall maintain a sign-in sheet which contains the names of volunteers who operate and staff the game(s). The Bingo Manager shall retain these sign-in sheets for inspection and for the conduct of a compliance examination by the Sheriff.
5. A member of the licensee organization shall be designated as the "Pulltab Manager." The responsibilities shall be those as delegated by the Bingo Manager and shall include, but not be limited to the following:
 - a. Selection of category, variety, and types of pulltabs;
 - b. Control of the inventory and purchase of pulltabs from outside vendors;
 - c. Accountability for all pulltabs withdrawn from inventory stock and the session cash receipts, payouts, and gross profits; and,
 - d. The Pulltab Manager shall be accountable to the Bingo Manager for overall responsibility of pulltab receipts and disbursements. The Pulltab Manager shall also be responsible to the Head Cashier for the accountability of start cash and actual net cash receipts.
6. Volunteers shall wear organization badges in plain view during the course of a bingo game session indicating the name of the organization, the title and name of the member volunteer.
7. Volunteers shall not play bingo or pulltabs during the course of a bingo session in which they are assisting, except that a volunteer may assist a disabled player in the play of that player's cards as part of an accommodation or auxiliary aid, providing such assistance does not involve the use of any mechanical or electronic device other than a card minder as described in Sacramento County Code section 4.26.167(b).
8. No volunteer shall participate in any phase of bingo if he or she is under 18 years of age, except snack bar, janitorial service, or food service. Participate is defined as including, but not limited to, the handling of bingo supplies or receipts. Underaged employees of the snack bar, janitorial service, or food service are not permitted on the bingo parlor floor except to go to the restroom, and enter or exit the bingo parlor.
9. A volunteer shall receive no compensation or awards from bingo proceeds or profits for services rendered which are associated with the operation of bingo. Compensation includes, but is not limited to, wages, salaries, cash, bingo paper, pulltabs, coupons, redeemable vouchers, discounts, or payment in kind.
10. The names of new volunteers shall be submitted to the Sheriff for approval and background investigation with the Monthly Bingo Report, for the month that they first volunteered.

11. A volunteer, or member, who has been convicted of violating California Penal Code section 326.5, Sacramento County Code Chapter 4.26, or any other applicable State of California, County of Sacramento, or federal law, administrative rule or regulation; or has been convicted of a crime; or has done any act involving dishonesty, fraud, or deceit, shall not be permitted to participate in the staffing of the bingo games if the Sheriff makes a finding pursuant to Sacramento County Code section 4.26.027.

E. Conduct of Games

1. Bingo licensees shall notify the Bingo Compliance Unit of the Sheriff in writing of any special or new games the organization anticipates conducting.
2. Bingo licensees shall not conduct bingo games between the hours of 2:00 a.m. and 10:00 a.m.
3. A bingo session shall not exceed six (6) hours in duration. A session begins when the first game starts.
4. All games shall be completed during each session.
5. Bingo licensees shall not be permitted to operate more than three sessions in one day.
6. Equipment used and the method of playing bingo shall be such that each card or paper shall have an equal opportunity to win each game.
 - a. No more than 144 bingo card faces shall be programmed into any player-operated bingo card minder aid during a bingo game.
 - b. A cash register shall be required for any bingo licensee with average gross receipts of \$5,000 per session. The cash register shall be programmable to record all sales by type. Its features shall include a non-resettable grand total. The cash register tape shall be kept as prescribed by Sacramento County Code, Section 4.26.080.
7. Each winning card or paper shall be verified by all players who can see the card or paper on a monitor screen. If there are no monitor screens, confirmation of the bingo shall be made by taking the winning card or paper to a player at the next table or to a neutral party. The player or neutral person shall observe the card or paper while the floor worker reads the winning numbers to the caller. A built-in verifier may also be used to validate a bingo winner.

F. Sale of Pulltabs

1. It shall be the practice of each bingo licensee to sell all pulltabs from each deal. Licensees shall not discontinue selling the remaining pulltabs in a situation when all winners have been issued from the deal or when the remaining pulltabs include a winner(s) which is valued greater than the total take in of remaining pulltabs.
2. A count by serial number shall be maintained of pulltabs sold during each bingo session.
3. At the end of each bingo session, the calculated gross profit (sales less payouts) from pulltabs sold shall be compared with actual cash on hand less start

money. Any differences in excess of \$25.00 shall be researched and explained in writing.

4. The total gross profit per deal shall agree with the amount stated by the pulltab vendor. Pulltab vendor sheets shall be retained in addition to other support for the pulltab reconciliation.
5. Volunteers who sell pulltabs on the floor during the bingo sessions shall be responsible to the Pulltab Manager.

G. Prizes

1. The prize limit per game is \$500.00 in cash or kind or both. There shall be no variation to the prize limit no matter how many sub-parts there are to each game. A bingo game starts when the first ball is called and ends when the first ball and all succeeding balls are returned to the cage or blower.
2. The names and amounts of all \$50.00 and greater game winners of prize awards related to regular or special bingo paper and \$50 and greater pulltab winners shall be retained by the bingo licensee and shall be made available to the Sheriff at reasonable times upon demand by the Sheriff. The licensee shall not payout any prize over \$50.00 without first verifying the name and identity of the winning player, using a photographic form of identification.
3. The total value of prize(s) awarded for any one bingo game shall not exceed \$500 in cash or kind or both. When the prize(s) is not in cash, the current retail market value of the prize(s) shall be used to ensure that the total value does not exceed \$500.
4. All prizes, including regular paper games, door prizes, pulltabs, or any combination must be claimed by the end of the session. All prize awards which are not claimed by the end of that session shall be void.
5. All lottery drawings are illegal under Section 319 of the California Penal Code. Penal Code Section 319 defines a lottery as any scheme for the disposal or distribution of property by chance, among persons who have paid or promised to pay any valuable consideration for the chance of obtaining such property or a portion of it, or for any share or any interest in such property, upon any agreement, understanding, or expectation that it is to be distributed or disposed of by lot or chance, whether called a lottery, raffle, or gift enterprise, or by whatever name the same may be known.

Requiring a person to pay a fee or to purchase a bingo buy-in in order to receive a chance to win a prize constitutes an illegal lottery.

6. Promotions shall include, but are not limited to, cash, prize giveaways, discounts, and free buy-ins, which are not related to the winning payout of a bingo game. The value of cash and prize giveaways shall not exceed \$2,000 for any session. All promotions shall be fully documented.

H. Expenses

1. For Revenue & Taxation Code Section 23701d organizations, there are no limitations on the amount of bingo proceeds that may be used for rent, security, overhead, and other administrative expenses. For other organizations licensed to conduct bingo, the amount of bingo proceeds to be used for rent, security, overhead, and other administrative expenses shall not exceed twenty percent of

these proceeds before the deduction for prizes or \$2,000 per month, whichever is less.

2. Bingo licensees shall maintain a copy of all bingo advertisements published. The copy of the advertisement shall show the publication date. These advertisements shall be subject to inspection by the Bingo Compliance Unit of the Sheriff during reasonable hours upon demand.
3. No bingo licensee shall pay a salary or wage to a parlor owner or supplier from bingo proceeds or profits.

I. Other

1. Bingo licensees shall be permitted to pay a food allowance to volunteers staffing the bingo games. This food allowance shall be limited to \$7.50 per volunteer per session and shall be paid only by check to the in-house food vendor.
2. Bingo licensees shall be permitted to reimburse volunteers for reasonable mileage to and from the games. The point of mileage origination shall be from home or work, whichever is closer. The rate per mile shall be limited to the Federal reimbursement rate allowed by the Internal Revenue Service when filing income tax returns. Reimbursement shall be by check only.
3. Bingo licensees shall be permitted to obtain a one-time-only start up loan to begin bingo operations. Financing of start up costs shall be obtained only from the organization which applied for the bingo license or from members within the organization. The bingo licensee shall not allow a parlor licensee or supplier to advance the loan. The amount of such loan shall not exceed \$5,000. The loan shall be obtained prior to the conduct of the first bingo session and complete documentation shall be on file indicating all the details of the loan including repayment.
4. No bingo licensee shall use bingo funds to advance loans to a parlor owner, supplier, another bingo licensee, individual, corporation, partnership, or other entity. No bingo licensee shall receive a loan from a parlor owner, supplier, another bingo licensee, individual, corporation, partnership, or other entity to finance bingo operations except as provided in 100.1.3 above.
5. All amounts owed to a parlor shall be paid prior to the start of the next day of bingo operation. The bingo licensee shall not conduct bingo games until all amounts owed to the parlor have been paid.
6. All amounts owed to a supplier for supplies shall be paid within 30 days from the date of invoice or ten (10) days from the statement date, whichever occurs later. A bingo licensee that has not paid its supplier accounts within the period provided herein shall not purchase additional supplies from any supplier until all accounts are current.
7. No bingo licensee renting or leasing space at a parlor can sublet to another bingo licensee.

SACRAMENTO COUNTY ADMINISTRATIVE REGULATIONS

200. BINGO PARLOR LICENSEES

A. Definition of a Parlor

A bingo parlor is defined in Chapter 4.28 of the Sacramento County Code as "a building, facility or other improvement upon which space is leased, rented or otherwise allocated for monetary consideration to two or more organizations possessing a Special Business License pursuant to Chapter 4.26, within or upon which bingo games sponsored by the licensed organizations are conducted."

B. Parlor Licensee Regulations

1. No parlor licensee shall receive a percentage of profits from bingo proceeds or any other phase of bingo.
2. No parlor licensee shall absorb losses derived from the conduct of bingo.
3. No parlor licensee shall adjust rental fees for a specific charitable organization based on profits, losses, or tax exempt status.
4. No parlor licensee shall dictate or restrict a bingo licensee from choosing a particular vendor for the purchase of bingo supplies and paper products.
5. No parlor licensee shall dictate or restrict a bingo licensee from choosing a particular vendor for the purchase of advertising.
6. No parlor licensee shall prescribe the format or number of bingo games or activities to be conducted in the playing facility; nor shall the parlor licensee impose other restrictions including, but not limited to, the number of volunteers, hours of play, and types of games to be played.
7. No parlor licensee shall advance loans to or receive loans from bingo licensees conducting games in a parlor facility.
8. No parlor licensee shall receive a fee, salary, or wage excluding, but not limited to, rent, food from the snack bar, and security personnel, from the bingo proceeds or profits of a bingo licensee.
9. No rental charge or other fee shall include the salary, fee, or wage of a non-profit charitable organization's bingo manager, staff, or volunteers or the charitable organization's manager, staff, or volunteers.
10. All rent amounts owed to the parlor licensee shall be paid by the bingo licensee before the next day of bingo operation. The parlor licensee shall not lease or rent the parlor to any bingo licensee who has not paid all rent amounts owed. When the parlor licensee maintains a bingo licensee accounts receivable which extends beyond that organization's next day of bingo operation, the parlor has a financial interest in the conduct of the bingo games which is a violation of Sacramento County Code section 4.28.070.

11. Bingo parlor records shall be subject to and available at all reasonable times for inspection or the conduct of a compliance examination by the Sheriff or authorized representative. These records shall be available upon demand. Specific records which shall be available for inspection and compliance examination are as follows:
 - a. Check registers, cancelled checks, deposit slips, and bank statements;
 - b. Invoices and other supporting documents related to all receipts and disbursements;
 - c. Cash receipts and disbursement journals;
 - d. General ledger and accounts payable subsidiary ledger;
 - e. Latest financial statements;
 - f. Articles of incorporation;
 - g. Names and addresses of all stockholders, and percent of interest of each stockholder;
 - h. Board of Directors meeting minutes for the last twelve (12) months and minutes of the annual stockholders meeting;
All written agreements and promissory notes related to loans;
 - j. Lease agreements with organizations licensed to conduct bingo; and,
 - k. All other records pertinent to the compliance examination or inspection.
12. If the inspection or compliance examination of the parlor's accounting records indicates that all the records enumerated in Section 200.B.11 are not maintained or are not maintained as prescribed by the Sheriff or generally accepted principles of accounting, whichever is applicable, the parlor's license may be temporarily suspended.
13. Bingo parlor accounting books and records and supporting detail shall be retained for three (3) years or until completion of a compliance examination, or until the administrative or judicial appeal process, whichever is applicable, is final, if the examination results in license suspension or revocation proceedings, whichever occurs later.
14. The bingo parlor licensee shall ensure that any person who performs the duties of a bingo parlor manager possesses a valid Employee Permit or a Special Business License. A parlor manager is defined as the person who is responsible for the day-to-day operations of the parlor.
15. No bingo parlor licensee shall rent or lease his or her bingo parlor facility to bingo licensees for the conduct of bingo games for more than four sessions in any day.

SACRAMENTO COUNTY ADMINISTRATIVE REGULATIONS

300. BINGO SUPPLIERS

A. Definition of a Bingo Supplier

A bingo supplier is defined in the County Code as a "person or enterprise which, for a consideration, sells, rents, supplies, provides, or furnishes equipment, products, goods, paper, or other items for use in the conduct of bingo games." Bingo suppliers are licensed under Sacramento County Code sections 4.06.005 and 4.29.025.

B. Bingo Supplier Regulations

1. No supplier shall receive a percentage of profits from bingo proceeds or any other phase of bingo.
2. No supplier shall absorb losses derived from the conduct of bingo.
3. No supplier shall adjust bingo paper prices for a bingo licensee based on profits, losses, or tax exempt status.
4. No supplier shall dictate or restrict a bingo licensee from choosing a particular vendor for the purchase of bingo supplies and paper products.
5. No supplier shall prescribe the format, or number of bingo games or activities to be conducted in the playing facility; nor shall the supplier impose other restrictions including, but not limited to, the number of volunteers, hours of play, and types of games to be played.
6. No supplier shall advance loans to or receive loans from a bingo licensee.
7. No supplier shall receive a fee, salary, or wage from bingo proceeds or profits of a bingo licensee except for the purchase of bingo supplies.
8. No charge or other fee by the supplier shall include the salary or wage of a bingo licensee's or a charitable organization's bingo manager, volunteers, or staff.
9. All amounts owed by a bingo licensee to a supplier must be paid within 30 days of the invoice date or ten (10) days of the statement date, whichever occurs later. The supplier shall not allow accounts to accrue beyond this period. When a supplier maintains a bingo licensee accounts receivable beyond the period provided herein, the supplier has a financial interest in the conduct of the bingo games which is a violation of Sacramento County Code section 4.29.045. The supplier shall provide the Sheriff an aging report for all customers in the unincorporated area of Sacramento County within twenty (20) days after the end of each month.

A bingo supplier shall not knowingly sell supplies to a bingo licensee that has not paid supplier account(s) of any supplier within the period provided herein until all accounts of all suppliers are current.

10. Bingo supplier records shall be subject to and available at all reasonable times for the conduct of a compliance examination or inspection by the Sheriff or authorized representative upon demand. Records which shall be available for compliance examination are as follows:
 - a. Check registers, cancelled checks, deposit slips, and bank statements;
 - b. Invoices and other supporting documents related to all receipts and disbursements;
 - c. Cash receipts and disbursement journals;
 - d. General ledger and accounts payable subsidiary ledger;
 - e. Latest financial statements;
 - f. Articles of incorporation;
 - g. Names and addresses of all stockholders, and percent of interest of each stockholder;
 - h. Board of Directors meeting minutes for the last twelve (12) months and minutes of the annual stockholders meeting;
 - i. All written agreements and promissory notes related to loans; and,
 - j. All other records pertinent to the compliance examination or inspection.
11. If the compliance examination or inspection of the bingo supplier's accounting records indicates that all the records enumerated in Section 300.B.10 are not maintained or are not maintained as prescribed by the Sheriff or generally accepted principles of accounting, whichever is applicable, the supplier's license may be temporarily suspended.
12. Bingo supplier accounting books and records and supporting detail shall be retained for three (3) years or until completion of a compliance examination, or until the administrative or judicial process, whichever is applicable, is final, if the examination results in license suspension or revocation proceedings, whichever occurs later.

SACRAMENTO COUNTY CODE

SACRAMENTO COUNTY CODE
BINGO GAMES
CHAPTER 4.26

Sections:

- 4.26.000 Statement of purpose.
- 4.26.005 Bingo prohibition.
- 4.26.010 Definitions.
- 4.26.015 Limitation of bingo game prizes.
- 4.26.025 Membership requirement.
- 4.26.027 Prohibition of member participation in staffing bingo games.
- 4.26.030 Sheriff.
- 4.26.35 Organizations eligible for license.
- 4.26.36 Necessary additional criteria for organizations to be deemed eligible to conduct the game of bingo.
- 4.26.040 Contents of the application.
- 4.26.045 Bingo manager.
- 4.26.050 License fee.
- 4.26.055 Issuance of license.
- 4.26.060 Posting of license.
- 4.26.065 Profits - 23701D organizations.
- 4.26.070 Proceeds - other organizations.
- 4.26.075 Records - compliance examination and inspection.
- 4.26.080 Retention of records.
- 4.26.083 Limitation of involvement in bingo.
- 4.26.085 Prohibition of financial interest in bingo.
- 4.26.090 Exclusive operation by licensee.
- 4.26.095 Staff member identification.
- 4.26.100 Attendance limited to occupancy capacity.
- 4.26.105 Licensing of premises.
- 4.26.110 Operating rules.
- 4.26.115 Location of games.
- 4.26.120 Limitation of bingo hours and sessions.
- 4.26.125 Location restriction.
- 4.26.130 Temporary suspension of license pending opportunity for hearing.
- 4.26.135 Notice of temporary suspension and appeal – Appeal of underlying suspension or revocation.
- 4.26.140 Conducting bingo games after temporary suspension or suspensions.
- 4.26.150 Receiving bingo proceeds during suspension or revocation.
- 4.26.155 Purchases from bingo suppliers.
- 4.26.160 Injunction.
- 4.26.165 Regulation of games and equipment.
- 4.26.167 Card minder equipment.
- 4.26.168 Conduct of bingo games.
- 4.26.170 False or misleading advertising.
- 4.26.175 Receipt of profit by a person and penalty for violation of this chapter.
- 4.26.180 Discontinuance of Bingo Games.

Sacramento County Code**Up Previous Next Main Collapse Search Print No Frames****Title 4 BUSINESS REGULATION****Chapter 4.26 BINGO GAMES****4.26.000 Statement of Purpose.**

In 1977, the County of Sacramento enacted an ordinance enabling qualified charitable organizations to operate bingo for fund raising purposes. Charities provide a valuable service to the various communities within Sacramento County and bingo is one form of charitable fundraising that has a proven successful track record in raising much needed funds for nonprofit entities. Charities that are supported by funds derived from bingo provide good works to effected communities.

The purposes of this chapter are to protect the health, safety and welfare of the citizens within the unincorporated area, to assure that County expenditure is efficiently allocated, and to safeguard legitimate charitable purposes. The purpose for allowing an eligible organization to conduct bingo games in Sacramento County is to provide that organization an additional source of revenue to further the purpose for which that organization was created. A licensee organization conducting bingo games without generating a profit from those games does not fulfill the purpose for which bingo is permitted. Organizations with a proven track record demonstrating that the game can produce a certain level of profits for charitable purposes, as opposed to proceeds going largely to overhead expenses of the game, should be allowed to conduct further games on various days of the week.

The purpose of requiring a separate license for separate functions of bingo operations, such as a bingo parlor license, a bingo supplier license, and a license for the actual conduct of the games, is to ensure that each function is conducted by a separate and independent person or entity. Such regulation aids in assuring the integrity of the game and in minimizing the problems of undue influence being used against an organization that is licensed to conduct bingo. History shows that nonprofit organizations are not beyond exercising undue influence against smaller organizations and channeling some of the monies meant for charitable purposes into the private accounts of dishonest members. Recent history shows that some bingo suppliers are not beyond using financial inducements to manipulate charities to conduct their games in violation of County and State laws. Requiring separation of functions lessens the opportunity for fraud, collusion, and self-dealing.

The purpose of requiring those organizations licensed to conduct bingo games to pay amounts owed to the bingo parlor before the next day of bingo operation and to pay the bingo supplier within thirty (30) days of the invoice date or ten (10) days of the statement date, whichever occurs later, is a direct effort to preclude the parlor or the supplier from acquiring a financial interest in the games. The existence of a debtor-creditor relationship is inimical to the integrity of the bingo games. In the realm of gaming, and bingo is gaming, debts owed to the parlor or supplier by the organization licensed to conduct bingo can be used by the parlor or supplier to exert undue influence on the conduct of the games, and to increase the overhead expenses charged to these organizations. Organizations indebted to the parlor or supplier are thus

placed in a position of sharing profits with the parlor or supplier to the detriment of the charitable purpose.

In 2008, the Legislature of the State of California added and amended various provisions of State law relating to charitable bingo. Included in those changes is the addition of previously nonexistent language defining bingo and proscribing the manner in which it may be played. Electronic or mechanical devices, with the exception of narrowly defined card minder devices, are prohibited by State law.

For all these reasons, it now becomes necessary for the County to adopt a comprehensive ordinance pertaining to the conduct of charitable bingo. (SCC 1403 § 1, 2008; SCC 1353 § 1, 2007; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.005 Bingo Prohibition.

No person shall operate a bingo game in the unincorporated area of the County without possessing a valid, unrevoked and unexpired Special Business License issued pursuant to the provisions of this chapter and title and Sacramento County Administrative Regulations adopted pursuant to this chapter, and except in conformance with Section 326.5 of the California [Penal Code](#), or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be added or amended from time to time. (SCC 1403 § 2, 2008; SCC 1353 § 2, 2007; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12 (Part) 1983.)

4.26.10 Definitions.

As used in this chapter:

A. “Bingo” means a game of chance in which prizes are awarded on the basis of designated numbers or symbols that are marked or covered on a tangible card in a player’s possession that conform to numbers or symbols selected at random and announced by a live caller.

B. Pulltabs. The game of bingo shall include tangible cards (“pulltabs”) having numbers or symbols that are concealed and preprinted in a manner providing for the distribution of prizes. The winning cards shall not be known prior to the game by any person participating in the playing or operation of the bingo game.

C. Cards. Card refers to a cardboard or paper card. It is permissible for a “card” to be a sheet of paper with multiple card faces pre-printed on it. All cards, including pulltabs, shall be preprinted prior to the point of sale and bear the legend as follows: “for sale or use only in a bingo game authorized under California law and pursuant to local ordinance.”

D. Card Minders. The game of bingo includes the use of a bingo card minder in conjunction with bingo cards to assist a bingo player participating in bingo games to identify a winning card, when used under the conditions set forth in California [Penal Code](#) Section 326.5(p) and Section [4.26.167\(B\)](#) of this chapter.

E. Session. A bingo session shall not exceed six hours in duration. A session may consist of only live called games, of which only one may be played at a time, and the sale of pull tabs. A session begins when the first game starts by drawing the first random number and ends when the winning card or cards are identified for the final scheduled game of the session.

F. “Security” means the person(s) who protects bingo players, bingo licensees, and volunteers from exposure to danger. The security person(s) shall be prohibited from the sale or the distribution of bingo materials or otherwise participating in nonsecurity activities before, during, and after the bingo session. However, this provision does not preclude security from accompanying the licensee with the session’s net proceeds to a night depository immediately after the session.

G. Definitions, powers, conditions and restrictions set forth in this chapter are intended to comply with and implement applicable California Constitution and [Penal Code](#) provisions. To the extent that any provision of this chapter is substantially the same as that contained in Section 326.5 of the [Penal Code](#), and violation thereof is a violation of that [Penal Code](#) section and punishable thereunder, such provision of this chapter is explanatory only. (SCC 1403 § 3, 2008; SCC 1353 § 3, 2007; SCC 1155 § 1, 1999; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.015 Limitation of Bingo Game Prizes.

A The total value of prizes awarded during the conduct of any bingo game shall not exceed five hundred dollars (\$500.00) in cash or kind, or both, for each separate game which is held. A bingo game starts when the first ball or number symbol is called and ends when the first ball and all succeeding balls or number symbols are returned to the cage or blower.

B. It is unlawful for any person to establish, provide or authorize the establishment or provision of a prize or prizes in violation of the provisions of this section, and a violation of the provisions of this section shall constitute grounds for revocation of a Special Business License authorizing the operation of bingo games issued pursuant to the provisions of this chapter and Chapter [4.10](#). (SCC 1403 § 4, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.25 Membership Requirement.

A. Each licensee shall have written policies incorporated in its constitution, articles, by-laws, or other regulations setting forth the manner in which a person may become a bona fide member of the organization. Absent any such written policies, it shall be presumed that the organization has no members who may operate or staff bingo games within the meaning of Section 326.5 of the California [Penal Code](#).

B. The licensee shall keep a full and accurate list of its members. The Sheriff or any other authorized representative of the County is entitled to examine and investigate such list at any reasonable time, and the licensee shall cooperate in making such records available upon demand of the Sheriff. (SCC 1403 § 8m, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.27 Prohibition of Member Participation in Staffing Bingo Games.

A volunteer, or member shall not participate in the staffing of bingo games if the Sheriff makes a finding that such volunteer or member:

- A. Has violated any applicable prohibition or requirement of this chapter or title or applicable administrative regulations adopted pursuant to this chapter or title; or has been convicted of a crime, and the time for appeal has elapsed, or when an order granting probation is made suspending the imposition of sentence, irrespective of the entry of a subsequent order under California [Penal Code](#) Section 1203.4; or
- B. Has done any act involving dishonesty, fraud or deceit with intent to substantially benefit him or herself, or another, or substantially injure another;
- C. And, that by reason of the violation, crime, or act, the member may perform his or her duties of staffing the bingo game in an unlawful manner or in a manner which subjects patrons of the bingo game to risk of harm or criminal, deceitful or otherwise unethical practices;
- D. Is an agent, employee, servant, contractor, subcontractor or consultant of any bingo supplier or bingo parlor operator or has received or accepted any sort of salary, compensation, gratuity, consulting fee or any other thing of value in any form, in any amount, from a bingo supplier or bingo parlor operator in the prior three years. This prohibition extends to all volunteers or members whose immediate family members, including parents, children or siblings, by blood or affinity, have received employment or compensation from any bingo supplier or bingo parlor operator.

Notwithstanding the foregoing, a member shall not be prohibited from staffing a bingo game solely on the basis that a person has been convicted of a felony if the person has obtained a certificate of rehabilitation under California [Penal Code](#) Section 4852.01 et seq., or that the person has been convicted of a misdemeanor if the person has met all applicable requirements of the criteria of rehabilitation developed to evaluate the rehabilitation of a person under California [Penal Code](#) Section 4852.05. (SCC 1403 § 9, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995.)

4.26.030 Sheriff.

The County Sheriff is charged with the responsibility of administering the regulations imposed by this chapter and exercising the authority conferred thereby. Such authority shall include the power and duty to issue Special Business Licenses authorizing bingo games, promulgate and enforce administrative regulations, and otherwise perform the duties and exercise the authorities conferred herein. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.35 Organizations Eligible for License.

Organizations which are exempted from the payment of the bank and corporation tax by Sections 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, and 23701l of the [Revenue and Taxation Code](#), mobile home park associations, school districts and senior citizens organizations

shall be eligible to apply for and receive a Special Business License to conduct bingo games in the unincorporated area of the County pursuant to the provisions of the California Constitution, Section 326.5 of the California [Penal Code](#), and the provisions of this chapter provided that the proceeds of such games are used only for charitable purposes and provided the applicant has owned or leased property or occupied donated property within the unincorporated or incorporated area of the County that has been used by the applicant for the performance of the charitable purposes for which the applicant is organized for at least twelve (12) consecutive months immediately preceding the filing of such application. The required consecutive twelve (12) month period need not be as an organization that is exempt from the payment of bank and corporation tax. With the foregoing exceptions, no other person shall be qualified or eligible to receive such a license. (SCC 1403 § 10, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.36 Necessary Additional Criteria for Organizations to be Deemed Eligible to Conduct the Game of Bingo.

Those organizations that meet the criteria detailed in Section [4.26.035](#) may conduct the game of Bingo provided that:

- A. The total net proceeds or profits arising from the conduct or operation of such bingo games are used solely for the promotion or achievement of the purposes of such organizations;
- B. No part of the net proceeds or profits arising from the conduct of the game inures to the benefit of any private shareholder or individual;
- C. The applicant organization is able to show an established pattern of fund-raising activity for bona fide charitable purposes, with a corresponding established pattern of expending funds raised for charitable purposes;
- D. That the charitable organization was not established primarily for the purpose of conducting bingo games;
- E. That the charitable organization was not established primarily for the purpose of conducting the game to generate expenses associated with the conduct of the bingo game; and
- F. That no charitable organization allows or permits any individual partnership corporation or other entity to utilize the name of the charitable organization for the purpose of conducting or promoting the bingo game. (SCC 1403 § 11, 2008.)

4.26.40 Contents of the Application.

In addition to the matters prescribed by Section [4.10.030](#), an application for a Special Business License to conduct bingo games shall contain the following:

- A. The names and signatures of at least two officers, including the presiding officer of the organization who will be primarily responsible for conducting bingo games. In the event

of any change in persons holding such offices, the licensee shall within ten (10) days of change notify the Sheriff, in writing, of such change, specifying the name, address, date of birth, and telephone number of such officer(s);

B. A description of the property on which bingo games will be conducted, including the street number, whether owned or leased, applicant's current use of the premises, and the occupancy capacity of the property;

C. A copy of the deed, lease or other written instrument by which the applicant will acquire entitlement to occupy the premises where the bingo games will be conducted, and a description of all uses which the applicant will make of the premises;

D. A statement of the specific charitable purpose(s) for which the applicant is organized;

E. Proposed day(s) of the week and hours for conduct of bingo games;

F. Such proof as may be required by the Sheriff that the applicant is eligible and qualified to receive a Special Business License under Section [4.26.035](#). If eligibility is based on an exemption from payment of the bank and corporation tax, the application shall be accompanied by a certificate of determination of exemption under the applicable Section of the [Revenue and Taxation Code](#), or a letter of good standing from the Exemption Division of the Franchise Tax Board showing such exemption;

G. A statement that the applicant agrees to conduct bingo games in strict accordance with the provisions of Section 326.5 of the California [Penal Code](#), this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as may be amended from time to time, and agrees that the license may be revoked by the Sheriff upon violation of any such provisions;

H. A detailed summary, showing all sources and amounts of income and expenditures including the amounts, recipients and the purpose for which the expended funds were used, for a period of not less than one year prior to the dates of the application; and

I. A detailed statement, describing the accommodations and auxiliary aids and services, which comply with this chapter and Section 326.5 of the California [Penal Code](#), that will be provided by the applicant during its bingo sessions to enable the play of bingo by those individuals with disabilities;

J. Said application shall be signed by the applicant under penalty of perjury. (SCC 1403 § 12, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

[4.26.045 Bingo Manager.](#)

Concurrently, with the filing of an application, each applicant shall file a statement specifying the name, address, telephone number and birth date of one or more persons who shall manage, supervise and be responsible for the conduct of all bingo games by said applicant. Said person(s) shall be known as the bingo manager(s), shall sign said statement accepting such responsibility and shall be present on the premises at all times during which bingo games are conducted. In the event any other person is designated as the bingo manager by any licensee, such licensee shall within ten (10) days of such designation file a new statement containing all of the data specified in this section.

No person meeting the definition under Section 4.26.027(D) of this chapter may serve as bingo manager. (SCC 1403 § 13, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.050 License Fee.

Each holder of a Special Business License to conduct bingo games shall, pursuant to the authority conferred by Section 326.5 of the California [Penal Code](#), pay to the Sheriff a fee of fifty dollars (\$50.00) paid upon application for a Special Business License or the application for renewal thereof. An additional fee, prescribed by a Resolution of the Board of Supervisors, for law enforcement and public safety costs incurred by the County that are directly related to bingo activities shall be imposed and shall be collected monthly by the County and such additional fee shall not exceed the actual costs incurred in providing the service. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.55 Issuance of License.

The Sheriff shall issue a Special Business License for bingo games unless one or more of the findings prescribed by Section [4.10.040](#) are made, or the Sheriff makes one or more of the following findings in writing:

- A. The bingo games will be a fraud on the public;
- B. The bingo games will be conducted at a location or in a manner or the proceeds thereof will be accounted for or expended in a manner which violates, or the applicant has violated, Section 326.5 of the California [Penal Code](#), this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time;
- C. The identity of the applicant or proposed method or methods of conducting bingo games are contrary to the provisions of Section 326.5 of the California [Penal Code](#), this chapter, Sacramento County Administrative Regulations adopted under this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation as they may be amended from time to time;
- D. The applicant will be maintaining an inadequate system of record keeping and accounting relating to the conduct of the games and disposition of the proceeds there from;

E. The application does not conform to the requirements, terms, and conditions of this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time; or

F. The applicant or one of its officers, managers or board members holds a current license under Sacramento County Code Chapter [4.28](#) or [4.29](#) or an officer, manager or member of the governing board of the applicant or an immediate family member of a manager, officer or member of the governing board is an employee, agent, contractor, subcontractor or consultant for a bingo supplier or bingo parlor operator or has received a salary, compensation, gratuity or anything of value in any amount from a bingo supplier or bingo parlor operator or any agent thereof within the prior three years. (SCC 1403 § 14, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.060 Posting of License.

The Special Business License shall be conspicuously posted at the location of the bingo games. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 § 12, 1983.)

4.26.065 Profits—23701D Organizations.

With respect to organizations exempt from payment of the bank and corporation tax by Section 23701d of the [Revenue and Taxation Code](#), all profits derived from a bingo game shall be kept in a special fund or account, and shall not be commingled with any other fund or account. Such profits shall be expended only for the charitable purposes stated in the application for bingo license or in the Articles of Incorporation of such organization. These profits shall not be used for the private gain of any individual. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578 12, 1983.)

4.26.70 Proceeds—Other Organizations.

A. With respect to organizations licensed under this chapter which are not exempt from payment of the bank and corporation tax by Section 23701d of the [Revenue and Taxation Code](#), all proceeds derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. These proceeds shall not be used for the private gain of any individual. The proceeds shall be expended only for the charitable purposes stated in the application for bingo license or in the Articles of Incorporation of such organization, except as follows:

1. Such proceeds may be used for prizes;

2. A portion of such proceeds, not to exceed twenty (20) percent of the proceeds before the deduction for prizes, or two thousand dollars (\$2,000.00) per month, whichever is less, may be used for rental of property, overhead, the purchase of bingo equipment, administrative expenses, security equipment and security personnel; and,

3. Such proceeds may be used to pay license fees.

B. A licensee shall be deemed to violate Subdivision (k) (2) of Section 326.5 of the California [Penal Code](#) and subsection (B) of this section if expenses during any particular month exceed two thousand dollars (\$2,000.00). If expenses do not exceed two thousand dollars (\$2,000.00) per month, the twenty (20) percent limitation shall be applied annually at the conclusion of each twelve (12) months of operation. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 0711 § 1, 1988; SCC 578 § 12, 1983.)

4.26.75 Records—Compliance Examination and Inspection.

A. The licensee shall keep full and accurate records of the income received and expenses disbursed in connection with its operation, conduct, promotion, supervision, and any other phase of bingo games. Such records are to include but are not limited to: ledgers and accounts relating to inventory, proceeds, expenditures, and the distribution of all profits derived from bingo games, and any other records as are necessary to determine or establish compliance with the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time. The records shall be of such types and maintained in such manner as may be prescribed by the Sheriff; and when not so prescribed, shall be of such types and maintained according to the requirements of generally accepted principles of accounting.

B. The Sheriff or any other authorized representative of the County shall have the right to inspect, conduct a compliance examination, review, audit, or photocopy, bingo licensee records as described in subsection (A) of this section at any reasonable time and the license holder shall fully cooperate by making such records and photocopies thereof available to the Sheriff upon demand. The licensee shall deliver the records for the purpose of a compliance examination, review, audit, inspection, or for photocopy to the office of the Sheriff during reasonable hours upon demand of the Sheriff.

C. Compliance examinations shall be conducted by the Sheriff of bingo licensee records described in subsection (A) of this section not less frequently than annually, for each twelve (12) months of each licensee's operation.

D. If the organizational structure of the licensee is such that an umbrella organization disburses bingo proceeds to member organizations, the records described in subsection (A) of this section which are subject to examination, review, audit, inspection, or photocopy shall include both the bingo records of the umbrella organization and its member organizations. For purposes of this section, an umbrella organization is defined as a nonprofit, income tax exempt, charitable organization which is organized for the purpose of providing financial support to other nonprofit, income tax exempt, charitable organizations. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 0711 § 3, 1988; SCC 578 § 12, 1983.)

4.26.080 Retention of Records.

The licensee shall keep and preserve the records described in subdivision (a) of Section **4.26.75** of this chapter for the following period of time, whichever occurs later:

- A. Three years;
- B. Until completion of a compliance examination; or
- C. Until the administrative or judicial appeal process, whichever is applicable, is final, if the license has been suspended, revoked, or a renewal denied. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 0711 § 3, 1988; SCC 578 § 12, 1983.)

4.26.083 Limitation of Involvement in Bingo.

The bingo licensee shall not allow another person, sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture or other individual or entity to organize, manage, supervise, conduct, control or otherwise participate in or influence either the operation of its bingo game or the promotion thereof. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995.)

4.26.85 Prohibition of Financial Interest in Bingo.

A. No individual, corporation, partnership, or other entity except the bingo licensee shall hold a financial interest in the conduct of any bingo game. A financial interest includes, but is not limited to, situations in which a bingo licensee maintains accounts payable to a parlor licensee for parlor rents and other costs beyond the next day of bingo operation; or, maintains accounts payable to a bingo supplier beyond thirty (30) days of the invoice date or ten (10) days of the statement date, whichever occurs later. For purposes of this section “invoice date” is defined as the date of delivery of such supplies and “statement date” is defined as the date within thirty (30) days of the delivery of supplies.

B. A licensee that has not paid its supplier account(s) or parlor account(s) within the period provided in subsection (A) of this section shall not purchase additional supplies from any supplier or rent or incur other costs from any parlor until all accounts are brought into compliance with the required payment periods provided in subsection (A) of this section.

C. Financial interest includes any salary, compensation, gratuity; or any payment or gift of any value from any bingo supplier or bingo parlor operator; or any agents thereof to any licensee officer, manager, governing board member; or any member of the licensee organization or its volunteers during the prior three years. (SCC 1403 § 15, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989; SCC 578, 1983.)

4.26.090 Exclusive Operation by Licensee.

Only the bingo licensee shall operate bingo games or participate in the promotion, supervision, or any other phase of the games. Bingo games shall be operated and staffed solely by members of the licensee; except that the licensee may retain or employ security personnel at such bingo games. Such members shall not receive a profit, wage, salary, or compensation from bingo proceeds or bingo profits for services rendered from any bingo game. The term “compensation” as used in this section includes, but is not limited to, cash, bingo paper, pull tabs, coupons, redeemable vouchers, discounts, incentives, prizes, gifts, or payment in kind.

Neither the provisions of subdivisions (b) or (h) of Section 326.5 of the California [Penal Code](#) nor those of this section shall be deemed violated if a bingo licensee reimburses members staffing the games for the actual and necessary costs which they incur in providing services associated with the conduct of the games. (SCC 1403 § 16, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.095 Staff Member Identification.

Any person participating in the operation, conduct or staffing of any bingo game shall wear on his or her outside clothing, in plain view, an identification insignia or badge measuring not less than 2-1/2 inches by 3-1/2 inches in size and specifying the name and title of such person and the name of the licensee organization. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.100 Attendance Limited to Occupancy Capacity.

A. Notwithstanding that bingo games are open to the public, attendance at any bingo game shall be limited to the occupancy capacity of the room in which the game is conducted as determined by the Fire Department or district having jurisdiction in accordance with applicable laws and regulations; and to any occupancy conditions included on any applicable use permit or county issued license authorizing the activity on the property on which the activity is located.

B. It is unlawful for a licensee to knowingly authorize or permit, and unlawful for any person to, reserve seats or space where bingo games are conducted. (SCC 1353 § 5, 2007; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.105 Licensing of Premises.

The license issued under this chapter shall authorize the holder thereof to conduct bingo games only on such property the address of which is stated in the application. In the event the described property ceases to be used for the conduct of bingo games by the licensee, the license shall have no further force or effect. The bingo licensee shall file a new application, and such application shall be processed pursuant to the provisions of this chapter, in order for the eligible organization to conduct bingo games at a new location or address. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.110 Operating Rules.

Each licensee shall formulate, publish and post in a conspicuous place at the location of the bingo games written rules by which the bingo games are conducted and which recite the prohibitions described below. It is unlawful for a licensee to knowingly authorize, permit, and unlawful for any person to do any of the following:

A. Provide or award total prizes for each separate bingo game which exceeds five hundred dollars (\$500.00) in cash or kind, or both;

- B. Limit attendance or participation in such games to members of the licensee or otherwise deny attendance or participation to any member of the general public who complies with the rules of the game and conducts himself or herself in an orderly and law abiding manner;
- C. Participate in a bingo game, if the participant is under the age of eighteen (18);
- D. Participate in a bingo game where alcoholic beverages are consumed in the room where the bingo games are conducted or if the participant is under the influence of alcohol;
- E. Participate in bingo games, unless personally present at the location of the games at the time the games are being conducted.

In this section “participate” is defined as including, but not limited to, the handling of bingo supplies or receipts during any bingo session. (SCC 1403 § 17, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.115 Location of Games.

A licensee shall conduct bingo games only on property owned or leased by it, or property whose use is donated to the licensee, and which property is used by such licensee for performance of the charitable purposes for which the organization is organized. Nothing in this section shall be construed to require that the property be owned or leased exclusively by or donated exclusively to such organization. The requirements of the provisions of subdivision (f) of Section 326.5 of the California [Penal Code](#) and those of this section shall be deemed satisfied if the licensee conducts regular business meetings or other activities consistent with its charitable purposes, in addition to bingo games, upon the property which it owns, leases, or uses as a donee. A licensee need not use the property exclusively for activities which fulfill its charitable purposes or objectives. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.120 Limitation of Bingo Hours and Sessions.

A. No bingo licensee shall conduct bingo games between the hours of 2:00 a.m. and 10:00 a.m. of the same day. No licensee shall conduct bingo outside of the hours of its authorized sessions.

B. Except as provided in this subsection, no bingo licensee shall conduct more than one bingo session per week. Organizations with a proven track record demonstrating that the game can produce a certain level of profits for charitable purposes as opposed to proceeds going largely to overhead expenses of the game may be allowed to conduct additional games on various days of the week. To conduct more than one bingo session per week a licensee shall secure the permission of the Sheriff. The licensee shall have a valid, unrevoked, and unexpired license to conduct such bingo games and shall submit a written application with information therein as required by the Sheriff. The Sheriff shall authorize the bingo licensee to conduct more than one session per week unless the Sheriff makes one or more of the following findings in writing:

1. The bingo licensee is not an organization exempt from the payment of the bank and corporation tax as provided by Sections 23701(a), 23701(b), 23701(d), 23701(e), 23701(f), 23701(g), and 23701(l) of the [Revenue and Taxation Code](#), or is not a mobile home park association, or a senior citizens organization; and, for at least two continuous years immediately preceding filing of the application for additional sessions, has not existed and operated within either the incorporated or unincorporated area of the County. The two year consecutive period of existence and operation provided for herein, need not include exemption from payment of the bank and corporation tax;

2. The bingo licensee has failed to expend at least the average amount of gross receipts that the other licensed bingo charities expend during each of said preceding two years on charitable causes; or, the bingo licensee has not conducted bingo games in the unincorporated area of Sacramento County for the preceding twelve (12) months;

3. The bingo licensee has failed to equal or exceed, and has failed to maintain for at least six consecutive months, at least the average percentage net profit available from bingo in the unincorporated area of Sacramento County as determined and defined by the Sheriff from, but not limited to, bingo records of the licensee community during the previous County fiscal year;

4. The bingo licensee does not have enough volunteers to staff the extra sessions;

5. The bingo licensee's accounting records have never undergone a compliance examination by the Sheriff or there exist uncorrected deficiencies from a compliance examination conducted by the Sheriff;

6. The additional sessions will be detrimental to public safety, health or welfare; or

7. The licensee has failed to comply with other provisions of this chapter, the Sacramento County Administrative Regulations adopted pursuant to this chapter, the California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time.

C. The Sheriff shall notify the bingo licensee in writing of the denial of a licensee's application to conduct more than one bingo session per week and shall in such notice state the reason(s) for the denial and that the licensee has fifteen (15) calendar days from the date of service of such written notice of denial to file an appeal of such denial. Upon timely request by the licensee, the appeal hearing process and related procedures shall proceed pursuant to the provisions of Sections [4.10.115](#) through [4.10.130](#) of Chapter [4.10](#) of this title.

D. The Sheriff may limit or reduce the number of additional sessions authorized per week based on findings described in subsection (B) of this section.

E. With the exception of live called bingo, and the sale of pulltabs, as authorized by this chapter, any other form of bingo or gaming for cash, prize or award is prohibited during a bingo session. This prohibition includes, but is not limited to, sweepstakes activities, lotteries

and raffles. (SCC 1403 § 18, 2008; SCC 1353 § 6, 2007; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.125 Location Restriction.

A. Notwithstanding the permission contained in a Special Business License pursuant to Section 4.26.105, and notwithstanding any provision of this chapter or Chapter 4.10 to the contrary, it shall be unlawful for any person who holds a Special Business License authorizing the operation of bingo games to conduct bingo games at a place which is or would by virtue of the conduct of such games be or become a bingo parlor, as defined by Section 4.28.010 contained in Chapter 4.28, unless the bingo parlor has been authorized by a valid unexpired, unrevoked Special Business License issued pursuant to the provisions of Section 4.28.030 and Chapter 4.28.

B. Notwithstanding any other provision of this chapter or Chapter 4.10 to the contrary, violation of the provisions of subsection A of this section shall constitute grounds for revocation of a Special Business License authorizing the operation of bingo games issued pursuant to the provisions of this chapter and Chapter 4.10. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.130 Temporary Suspension of License Pending Opportunity for Hearing.

The Sheriff shall have the authority to temporarily suspend the bingo license by ordering in writing that the licensee immediately cease and desist any further operations of any bingo game pending expiration of the time for appeal or exhaustion of an appeal pursuant to the provisions and notice procedure of Section 4.10.145 of Chapter 4.10 if the Sheriff finds that such temporary suspension is necessary in order to protect against a serious and immediate threat to the health or safety of the public caused by exercise of the license, and one of the following occurs:

A. The bingo licensee is conducting a bingo game in violation of any of the provisions of this chapter, California [Penal Code](#) Section 326.5, the Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be added or amended from time to time;

B. The bingo licensee has not made available for the conduct of a compliance examination, audit, review, inspection, or for photocopying, at any reasonable time upon the demand of the Sheriff all records necessary to determine or establish compliance with the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be added or amended from time to time; or

C. The bingo licensee has not kept records as required by the Sheriff, this chapter, [Penal Code](#) Section 326.5, Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento or Federal law,

administrative rule or regulation, as they may be amended from time to time; or, has not kept records necessary to determine compliance with applicable laws and administrative rules and regulations pursuant to generally accepted principles of accounting when such records are not prescribed to be kept in any specific manner or type by the Sheriff, this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulations, as they may be added or amended from time to time. (SCC 1403 § 19, 2008; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.135 Notice of Temporary Suspension and Appeal—Appeal of Underlying Suspension or Revocation.

A. The temporary suspension shall be effective no sooner than twenty-four (24) hours following the time and date of delivery of the notice thereof as is provided in Section [4.10.145](#) of Chapter [4.10](#) and the procedures for appeal and notice of temporary suspension shall be as prescribed in Section [4.10.145](#).

B. Upon timely request by the licensee, the appeal hearing process and related procedures of a revocation or suspension of its license pursuant to Section [4.10.135](#) of Chapter [4.10](#) shall proceed pursuant to the provisions of Sections [4.10.115](#) through [4.10.155](#) of Chapter [4.10](#) of this title. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.140 Conducting Bingo Games After Temporary Suspension or Suspension.

Any person who continues to conduct a bingo game after temporary suspension pursuant to Section [4.26.130](#), or suspension pursuant to Section [4.10.135](#), is guilty of a misdemeanor. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.150 Receiving Bingo Proceeds During Suspension or Revocation.

Notwithstanding the provisions of Section [4.10.145](#) of Chapter [4.10](#), an organization whose license has been temporarily suspended, suspended, or revoked cannot receive bingo proceeds from any source during the period of temporary suspension, suspension, or revocation. A violation of this section shall result in a permanent license revocation to the organization involved. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.155 Purchases From Bingo Suppliers.

It is prohibited for bingo licensees to use bingo paper and pull tabs purchased from suppliers that are not licensed to conduct a bingo supply business by the County of Sacramento pursuant to Chapter [4.29](#). (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.160 Injunction.

The County of Sacramento may bring an action in a court of competent jurisdiction to enjoin a violation of Section 326.5 of the California [Penal Code](#), of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable

State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.165 Regulation of Games and Equipment.

The Sheriff may prescribe such regulations with respect to the conduct of the games and the equipment used by the licensee as deemed necessary to ensure the fairness and integrity of the games, and the accountability of the funds collected. Violation of such regulations shall constitute grounds for revocation of the Special Business License, as set forth in this chapter and Chapter 4.10. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.167 Card Minder Equipment.

A. Except as provided in subsection B of this section, it is unlawful for organizations licensed under this chapter to:

1. Permit the use of player-operated machines, devices, or equipment that is computerized, electronic, mechanical or which employs a video display, in a bingo game;

2. Store, maintain or display on the premises the organization uses for its bingo activities, any computerized, electronic or mechanical device or any device which utilizes or employs a video display, which is used for the play of bingo or any other gaming device, including, but not limited to, those used to conduct, sweepstakes, raffles or lotteries.

B. Card Minders.

1. Purpose. The purpose of this subsection is not to permit the use of all electronic bingo aids in bingo. The purpose is to permit the bingo licensee to use a bingo card minder on the conditions and specifications set forth in California [Penal Code](#) Section 326.5(p), regulations established by the California Gambling Control Commission and this subsection.

2. Prohibition on Electronic Devices. Electronic or video displays shall not be used in connection with the game of bingo, including card minders, except in connection with the caller's drawing of numbers or symbols and the public display of that drawing, and except as provided in [Penal Code](#) Section 326.5(p), the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5 generally, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be added or amended from time to time.

3. Players utilizing card minders must be physically present at a live called bingo game.

4. Description. Card minders are hand held portable devices used to assist players in monitoring the numbers or symbols announced by a live caller as those numbers are called in a live game.

5. Requirements. A card minder shall do all of the following:

a. Be capable of storing in the memory of the device bingo faces from tangible cards purchased by a player;

b. Provide a means for bingo players to input manually each individual number or symbol announced by a live caller;

c. Compare the numbers or symbols entered by the player to the bingo faces previously stored in memory for the device;

d. Identify winning bingo patterns that exist on the stored bingo faces.

6. Prohibitions. A card minder shall neither perform a function involving the play of the game other than those described in subsection (B)(5) of this section, nor do any of the following:

a. Be capable of accepting or dispensing any coins, currency or other representative of value or on which value has been encoded;

b. Be capable of monitoring any bingo card face other than the faces of the tangible card or cards purchased by the player for that game;

c. Display or represent the game result through any means including, but not limited to, video or mechanical reels or other slot machine or casino game themes, other than highlighting the winning numbers or symbols marked or covered on the tangible bingo cards or giving an audio alert that the player's card has a prize winning pattern;

d. Determine the outcome of any game or be physically or electronically connected to any other bingo equipment, including, but not limited to, the ball call station, or to any card other card minding device. No other player-operated or player-activated electronic or electromechanical device or equipment is permitted to be used in connection with a bingo game.

7. Requirement of Sheriff's Approval. No card minder device may be used or operated by any bingo licensee without prior approval of the device by the Sacramento County Sheriff's Department.

8. Notwithstanding any other provision of this chapter, no card minder device may be approved by the Sacramento County Sheriff, or operated by any licensee or player unless said card minding device has received prior approval from the California Gambling Control Commission, as described in [Penal Code](#) Section 326.5(p)(3)(A). Any proposed material change to the device, including change to the software used by the device, must be approved by the commission prior to its implementation.

9. All card minders must be operated and played in compliance with any and all regulations adopted for the use of the devices by the Commission on Gambling Control as

described in **Business and Professions Code** Section 19850.6 and any other applicable provisions of law.

10. The costs for any testing, certification, license or determination shall be borne by the person or entity seeking it.

11. The bingo card minder is not to alter the bingo cards.

12. The player shall have in their possession the pre-printed bingo cards with configurations that were sold to the player by the bingo licensee for use with the bingo card minder that correspond exactly to such bingo card configurations loaded into the bingo card minder.

13. Players shall manually input or daub numbers called by the bingo licensee into the individual player operated units or components of the bingo card minder; automatic daubing shall not be permitted.

14. Verification by the bingo licensee of a winning combination shall not be made solely on the bingo card minder, but may be verified by using the paper or cardboard card. Players shall notify the game operator or caller of a winning pattern of bingo.

15. The bingo card minder, including the individual player operated units or components of the bingo card minder, shall be enabled for play solely by the bingo licensee; and, only on the premises where the games are conducted. The bingo card minder shall be loaded by the bingo licensee. All individual player operated units or components of the bingo card minder shall be rented or otherwise provided to a player solely by the bingo licensee.

16. Prior to giving physical possession of the individual player operated unit or component of the electronic bingo card minder to the player, the bingo licensee shall receive payment from the player for the number of games requested by the player that are loaded into the bingo card minder.

17. The bingo licensee shall at the time of payment issue to the player: an individual player operated unit or component of the bingo card minder and a receipt indicating, the amount paid, the number of cards and games sold to the player and activated in the bingo card minder.

18. The Sheriff shall by administrative regulation determine the maximum number of bingo cards that may be loaded into a player operated unit or component of a bingo card minder during a bingo game, but such number shall in no event exceed one hundred forty-four (144) bingo card faces.

19. Only one player operated unit or component of an electronic bingo card minder may be used by a bingo player during a bingo game.

20. Each player electing to use the bingo card minder shall have an equal opportunity to do so. The bingo licensee shall distribute each player operated unit or component of the

electronic bingo card minder for play on a random basis; first come, first served. No particular player operated unit or component of the bingo card minder shall be reserved for any player.

21. Only a bingo supplier licensed by Chapter 4.29 of this title may remove the bingo card minder from the premises where the games are conducted. Removal may be for repair or for use by another organization licensed by Chapter 4.26 to conduct bingo. A record shall be maintained by the bingo licensee of: all bingo card minders removed from such premises; the name of the person, and business if any, who has taken the device from such premises; the site address where taken; the return date if any; and, disposition of the bingo card minder.

22. Accounting records pertaining to bingo card minders, including the internal accounting system of the bingo card minder, shall be retained as prescribed by Section 4.26.080 of this chapter.

23. The bingo licensee shall not conduct bingo games where a player is required to use a bingo card minder. During all games, the use of a bingo card minder shall be at the option of the bingo player. The bingo licensee shall permit all players to play in all bingo games without the use of a bingo card minder.

24. The bingo licensee shall require a player electing to use a bingo card minder to purchase no less than the licensee's minimum number buy-in of bingo cards for use without a bingo card minder.

25. The player operated units or components of the bingo card minder in possession of the players shall not have the capability to print and shall not print configurations of the bingo cards.

26. The bingo card minder including related circuitry shall be sealed and secured in order to prevent unauthorized removal, additions, changes, or other alterations to the data within such bingo card minder.

27. The Sheriff may, upon demand, examine and inspect the bingo card minder, or any player operated unit or component of the bingo card minder, during the conduct of the games if the Sheriff detects or discovers any problem with such equipment that affects the integrity of the bingo game or such equipment. The bingo licensee shall immediately cooperate and comply upon the Sheriff's demand for such examination and inspection. Such examination and inspection shall include immediate access to the bingo card minder, player operated units or components of the bingo card minder, and inspection of all associated parts and systems, as applicable; and, may involve the immediate removal of the bingo card minder, player operated units or components of the bingo card minder, or related system or parts, as applicable, from the game premises for further testing.

28. If, at any time, the Sheriff detects or discovers any malfunction with a bingo card minder, or any player operated unit or component of the electronic bingo card minder, that affects the integrity of such equipment or the bingo game, the Sheriff may order the bingo licensee to cease the use of the bingo card minder or a player operated unit or component of the

bingo card minder, as applicable, immediately. The bingo licensee shall comply immediately with such Sheriff's order.

29. If the bingo licensee detects or discovers any malfunction or any problem or occurrence with the bingo card minder, or the player operated unit or component of the bingo card minder, that affects the security or the integrity of the bingo game or such equipment, the bingo licensee shall cease immediately the use of the bingo card minder or affected player operated unit or component of the bingo card minder, as applicable. (SCC 1487 § 1, 2011; SCC 1403 § 20, 2008; SCC 1353 § 7, 2007; SCC 1155 § 2, 1999; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995.)

4.26.168 Conduct of Bingo Games.

The Sacramento County Sheriff's Bingo Compliance Unit has determined that bingo conducted in the unincorporated areas of Sacramento County must meet all the following criteria:

A. With the exception of the sale of individual pull tabs, only one bingo game, which must be a live called game, may be in progress at any one time.

B. A minimum of two players is required.

C. The winning pattern or arrangement must be known and announced before the game begins.

D. Players must obtain a card before numbers for an individual game are drawn.

E. A game begins when the first number is drawn. A game ends when a winning card or cards is identified and verified.

F. The numbers used in the game must be randomly drawn or determined from a nonreplaceable pool of seventy-five (75) numbers. Each game will permit the random draw and release of all numbers in the pool. Numbers drawn must be random as to the entire pool. Numbers cannot be drawn as random to a subset of the entire pool (i.e., numbers cannot be drawn because they correspond to a letter).

G. The numbers randomly drawn must be used in real time and not stored for later use.

H. Selected numbers are used in the sequence in which they are drawn.

I. Players must cover or daub after each release in order to achieve any winning pattern, except that a player may later cover or daub numbers or symbols slept (as defined in subsection (M) of this section) following a previous release ("catch up") for use in obtaining the game-ending pattern. The game winning pattern cannot be achieved in a single ball release, thus requiring that players participate in the contest to be the first to cover the winning pattern.

J. All players must have the same opportunity to cover or daub to reflect their participation in a common game. To cover or daub a player in a game must take overt action after numbers are released. Bingo card minders may not include a feature whereby covering or daubing after a release occurs automatically or without overt action taken by the player following the release.

K. The random number draw for each game must continue until a winner is determined. Each game must have a winning player and a game-winning prize must be awarded in every game. All prizes in a game must be awarded based on the outcome of the game of bingo and may not be based on events outside the selection and covering of numbers or symbols used to determine the winner in the game and the action of the competing players to cover the pre-designated winning patterns.

L. The game must be won by the first player or group of players who obtain a pre-designated winning pattern and who covers or daubs the numbers yielding that winning pattern.

M. If a player sleeps the game-ending pattern, the game must continue until a player subsequently obtains and covers or daubs and claims the game-ending prize. To “sleep” or to “sleep a bingo” means that a player fails, within a certain time allowed by the game: (1) to cover or daub the previously released numbers or other symbols on that player’s card(s) constituting a game-winning or game-ending pattern or other pre-designated winning pattern, or (2) to claim the prize to which the player is entitled; having covered or daubed a previously designated winning pattern thereby resulting in the forfeiture of the prize to which the player would otherwise be entitled.

N. Consolation, secondary or interim prizes are permissible if the award of the prize is made on the basis of designated numbers or symbols on a tangible card that conforms to numbers or symbols selected at random and the award of these prizes is based on the play of bingo in the same manner as for the game ending pattern. For purposes of this provision, a consolation, secondary, interim prize pattern shall constitute a separate game as that term is used in California [Penal Code](#) Section 326.5(n). Interim prizes cannot exceed the statutory maximum for a single prize.

O. Regardless of the buy-in level, all players must play for the same game ending patterns.

P. Prizes for any game cannot exceed a total of five hundred dollars (\$500.00).

Q. Players utilizing card minders must have in their possession paper cards that have been loaded into the card minder.

R. Bingo card minders may not receive or disperse cash or coin. Player buy-ins and prize amounts must be received and dispersed at a common point of sale(s).

S. A hardcopy of bingo patterns and prize amounts must be available to all players.

T. At the conclusion of each game, the numbers drawn must be returned to the pool for re-use in the next game. Drawn numbers cannot be stored for use in a later game.

U. There is to be no co-mingling of bingo with other forms of gaming or with any activity which involves the award of prizes or payouts, such as lotteries, sweepstakes or raffles. The only activities which may take place during a bingo session are live called games, and the sale of pulltabs, which may start one half hour prior to the first draw of the first number of the first live called game. Pulltab sales must cease upon the determination of the winning player(s) in the final scheduled game of a session.

V. No bingo manager, security employee or volunteer for that session shall participate as a player in the play of any bingo game, except that a licensee manager or volunteer may assist a player in the play of that player's cards, or in the use of a card minder, as described in Section 4.26.167(b) of this chapter, as part of an accommodation or auxiliary aid, provided that assistance does not involve or require the use of a computerized, mechanical or electronic device other than a card minder as authorized by Section 4.26.167(B).

W. Prior to providing the prize or payout for any winning bingo card or pulltab, valued at fifty dollars (\$50.00) or more, the licensee shall document the identity of the winning player and verify that player's identity with a photographic identification. No payout of fifty dollars (\$50.00) is to be provided unless that player provides the required identification and the payout is documented. The licensee is to record the identification of the winning player, the amount(s) paid out and the session date and time of the payout. All records of payouts are to be maintained and submitted at the time of any and all audits or examinations as required or authorized by this chapter or any Sacramento County Bingo Regulations. (SCC 1403 § 21, 2008.)

4.26.170 False or Misleading Advertising.

It is unlawful for any licensee to make or disseminate or cause to be made or disseminated before the public in this County, in any newspaper or other publication, or any advertising device, or any other manner or means whatsoever, any statement concerning any such bingo game including, but not limited to, the amount of prizes to be awarded or distributed in any game, which is untrue or misleading, and which is known or which, by the exercise of reasonable care, should be known to be untrue or misleading. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

4.26.175 Receipt of Profit by a Person and Penalty for Violation of This Chapter.

A. It is a misdemeanor under Section 326.5 subdivision (b) of the [Penal Code](#) of the State of California for any person to receive or pay a profit, wage, or salary from any bingo game authorized under this chapter for activities related to bingo or the bingo operation. The expenditure of any revenues or proceeds derived from bingo to pay employees, members, or contractors of licensed organizations for services associated with the planning, organization, management, operation or staffing of bingo games, or related to bookkeeping, accounting, auditing or technical advice concerning the handling or disposition of such revenues or proceeds is prohibited. A violation of this prohibition is punishable by a fine not to exceed ten thousand

dollars (\$10,000.00), which fine shall be deposited in the general fund of the County of Sacramento.

B. In addition to other applicable provisions of this title, a violation of any of the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California[Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time, shall be grounds for the Sheriff to suspend, revoke, or deny the renewal of a Special Business License to conduct bingo games issued pursuant to the provisions of this chapter and Chapter [4.10](#). (SCC 1155 § 3, 1999; SCC 1061 § 1, 1996; SCC 0992 § 5, 1995; SCC 0758 § 2, 1989.)

[4.26.180 Discontinuance of Bingo Games.](#)

Bingo licensees who discontinue conducting bingo games shall follow the accounting requirements prescribed by the Sheriff in the Sacramento County Administrative Regulations adopted pursuant to this chapter. Their failure to do so shall result in denial of a subsequent license to conduct bingo games for two (2) years from the last day a bingo game was conducted. (SCC 1061 § 1, 1996; SCC 0992 § 5, 1995.)

Sacramento County Code**Up Previous Next Main Collapse Search Print No Frames**

Title 4 BUSINESS REGULATION

Chapter 4.28 BINGO PARLORS**4.28.000 Purpose.**

The regulatory provisions of this chapter are necessary to ensure that bingo parlors are operated subject to reasonable conditions for the protection of the public health, safety and welfare. A system of regulating bingo parlors, in conjunction with the existing regulations of organizations licensed to conduct bingo in accordance with Chapter 4.26, encourages the maximum use of bingo proceeds and profits for charitable purposes, but also limits the commercialization of bingo, particularly by criminal or otherwise undesirable elements.

The licensing regulations for bingo parlors further clarify and define the relationship between the bingo parlor and the licensed charitable organizations with respect to the operation and management of bingo games in the unincorporated area. (SCC 1403 § 22, 2008; SCC 1353 § 8, 2007; SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.005 Definitions.

As used in this chapter, the terms identified by Sections 4.28.010 through 4.28.017 shall be ascribed the meanings indicated. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.010 Definitions—Bingo Parlor.

A “bingo parlor” means a building, facility, or other improvement upon which space is leased, rented or otherwise allocated for monetary consideration to two or more organizations possessing a Special Business License pursuant to Chapter 4.26, within or upon which bingo games sponsored by the licensed organizations are conducted. A bingo parlor shall not be deemed to mean or include a building, facility, or other improvement which is owned by a public agency, within or upon which space is rented, leased or otherwise allocated for the operation of bingo games by two or more licensed organizations. (SCC 1061 § 2, 1996; SCC 0992 § , 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.015 Definitions—Bingo.

As used in this chapter, the term “bingo” shall be deemed to mean a game of chance as specifically defined in Chapter 4.26, Section 4.26.010. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.017 Definitions—Bingo Session.

As used in this chapter, the term “bingo session” shall be deemed to mean the same as specifically defined in Chapter 4.26, Section 4.26.010. (SCC 1403 § 23, 2008; SCC 1061 § 2, 1996; SCC 0992 § 7, 1995.)

4.28.020 License Required.

No person shall, unless under and by authority of a valid, unrevoked and unexpired Special Business License issued pursuant to the provisions of this chapter, operate a bingo parlor in the unincorporated area of the County, whether singularly or in connection with another type of enterprise. A person shall be deemed to operate or conduct a bingo parlor and violate this section if the person, without a Special Business License supervises, directs, organizes, controls or is in any way responsible for or in charge of a bingo parlor for which a Special Business License is required. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.25 Contents of the Application.

In addition to the matters prescribed by Chapter 4.10, Section 4.10.030, an application for a Special Business License to operate a bingo parlor shall contain the following:

- A. A copy of all leases, contracts or other agreements regarding the use or occupancy of the bingo parlor by and between the licensee and any organization licensed to conduct bingo games pursuant to Chapter 4.26;
- B. A description of all uses which any organization licensed pursuant to Chapter 4.26 shall make of the bingo parlor premises; and
- C. A detailed description of the facility, services, resources and security personnel which the licensee shall provide to each organization licensed pursuant to Chapter 4.26 which shall operate or conduct a bingo game at the bingo parlor. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.30 Issuance.

The Sheriff shall issue a Special Business License unless:

- A. One or more of the findings prescribed by Section 4.10.040 subsection (A), (B), (C) or (D) is made;
- B. The bingo parlor has violated, or will be conducted, operated or managed in a manner which violates, California [Penal Code](#) Section 326.5, this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time; or
- C. The applicant holds a current license under Sacramento County Code Chapter 4.26 or 4.29 or any officer, manager, representative, employee, consultant, contractor,

subcontractor or consultant or any immediate family member, defined as parent, child, or sibling by blood or affinity, is presently serving, or in the prior three years has served as a manager, officer, member of a governing board or volunteer for any bingo licensee or bingo supplier or received any salary, compensation, gratuity, gift or any thing of value in any amount from any bingo licensee or bingo supplier. (SCC 1403 § 24, 2008; SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.035 Employee Permits.

No person shall work in a bingo parlor as a bingo parlor manager and no person who holds a Special Business License authorizing operation of a bingo parlor shall employ any person as a bingo parlor manager unless such person possesses a valid Employee Permit or a Special Business License issued pursuant to the provisions of Chapter 4.10 and this chapter. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.040 Application for Permits.

In addition to the matters prescribed by Section 4.10.080, an application for an Employee Permit to serve as a bingo parlor manager shall contain a list of each arrest resulting in either a conviction, a plea of guilty or a plea of nolo contendere. This list shall, for each such conviction, plea of guilty or plea of nolo contendere, set forth the date of arrest, the offense charged and the offense for which the applicant was convicted, or entered a plea of guilty or plea of nolo contendere. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.45 Issuance of Permit.

Upon receipt of an application for an employee permit to serve as a bingo parlor manager, the Sheriff shall conduct such investigation pursuant to Section 4.10.085 as is deemed necessary. The Sheriff shall issue the permit pursuant to Section 4.10.090 unless he or she finds any of the following:

- A. That the application fails to contain information required by the Sheriff or Section 4.28.040, or is otherwise incomplete;
- B. That information contained in the application is false or otherwise inaccurate;
- C. That the applicant has been convicted of a crime and the time for appeal has elapsed, or when an order granting probation is made suspending the imposition of sentence, irrespective of the entry of a subsequent order under California [Penal Code](#) Section 1203.4; or, has done any act involving dishonesty, fraud or deceit with intent to substantially benefit him or herself, or another, or substantially injure another; and the Sheriff concludes that by reason of the crime or act the applicant may not perform his or her duties as a bingo parlor manager in a law-abiding manner or in a manner which does not subject patrons of the bingo parlor to risk of harm or criminal, deceitful or otherwise unethical practices.

Notwithstanding the foregoing, an application shall not be denied solely on the basis that a person has been convicted of a felony if the person has obtained a certificate of rehabilitation under California [Penal Code](#) Section 4852.01 et seq., or that the person has been convicted of a misdemeanor if the person has met all applicable requirements of the criteria of rehabilitation developed to evaluate the rehabilitation of a person when considering the denial of a license under California [Penal Code](#) Section 4852.05; or

D. That the applicant has violated or is in noncompliance with any of the provisions of this chapter, California [Penal Code](#) Section 326.5, Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, and as they may be amended from time to time.

E. That the applicant or any member of the applicant's immediate family defined as parent, child, spouse, or sibling by blood or affinity is affiliated with any person or entity which holds a current license under Sacramento County Code Chapter [4.26](#) or [4.29](#) or is presently, or in the prior five years has served as a manager, officer, member of a governing Board or volunteer for any bingo licensee or bingo supplier or received any salary, compensation, gratuity, gift or any thing of value in any amount from any bingo licensee or bingo supplier. (SCC 1403 § 25, 2008; SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.50 Revocation of Permits.

An employee permit may be revoked or suspended pursuant to Section [4.10.140](#) upon any of the following grounds:

A. Violation of any of the duties, terms, conditions, requirements or prohibitions contained in this chapter, in the Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time;

B. Violation of any duties, terms, conditions requirements or prohibitions imposed by Chapter [4.02](#) or Chapter [4.10](#);

C. Misrepresentation of a material fact contained in the application for the permit; or

D. The Sheriff has acquired information supporting a finding as described by subsection (C) of Section [4.28.045](#) in relation to the holder of the permit. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.55 Records—Compliance Examination and Inspection.

A. The parlor licensee shall keep full and accurate records of the income received and expenses disbursed in connection with its operation and conduct of a bingo parlor, and as necessary to determine or establish compliance with the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#)

Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they made be amended from time to time. The records shall be of such types and maintained in such manner as may be prescribed by the Sheriff and when not so prescribed, shall be of such types and maintained according to the requirements of generally accepted principles of accounting.

B. The Sheriff or any other authorized representative of the County shall have the right to inspect, conduct a compliance examination, review, audit, or photocopy, parlor licensee records as described in subsection (A) of this section at any reasonable time and the license holder shall fully cooperate by making such records and photocopies thereof available to the Sheriff upon demand. The licensee shall deliver the records for the purpose of a compliance examination, review, audit, inspection, or for photocopy to the office of the Sheriff during reasonable hours upon demand of the Sheriff.

C. Compliance examinations shall be conducted by the Sheriff of parlor licensee records described in subsection (A) of this section not less frequently than annually, for each twelve (12) months of each licensee's operation.

D. Records described in subsection (A) of this section shall be subject to disclosure only pursuant to:

1. Any suspension, revocation or other proceeding conducted under this chapter or the Sacramento County Administrative Regulations adopted pursuant to this chapter; or

2. Any civil or criminal investigation conducted by the Sheriff, the District Attorney, the Grand Jury or the County Counsel. For all other purposes, the records shall be kept confidential by the Sheriff, as custodian of those records. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.57 Retention of Records.

The parlor licensee shall keep and preserve the records described in subsection (A) of Section [4.28.055](#) of this chapter, for the following period of time, whichever occurs later:

A. Three years;

B. Until completion of a compliance examination; or

C. Until the administrative or judicial appeal process, whichever is applicable, is final, if the license has been suspended, revoked, or a renewal denied. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995.)

4.28.60 Operation Limitations.

A. It is unlawful for any bingo parlor to operate or remain open for purposes of conducting bingo games between the hours of 2:00 a.m. and 10:00 a.m. of the same day.

B. A bingo parlor may only be open for bingo activities during the period of time which coincides with a scheduled session of a charitable organization licensed pursuant to Chapter 4.26.

C. No gaming activity, other than bingo, as authorized and described in Chapter 4.26 and California [Penal Code](#) Section 326.5 may be conducted at any time in any building or structure licensed as a bingo parlor. This prohibition includes, but is not limited to sweepstakes, raffles and lotteries.

D. No computerized, electronic or mechanical gaming or bingo devices, or any device utilizing a video display screen, other than card minding devices authorized under Section 4.26.167(b) of this chapter and [Penal Code](#) Section 326.5(p) may be stored, maintained, or displayed in any building or structure licensed as a bingo parlor or in any room or structure adjacent to the bingo parlor which is immediately accessible to the bingo parlor. (SCC 1403 § 26, 2008; SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.065 Limitation on Parlor Owner Involvement in Bingo.

The licensee shall not organize, manage, supervise, conduct, control or otherwise participate in or influence either the operation of any bingo game conducted at the bingo parlor or the promotion thereof. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.70 Prohibition of Financial Interest in Bingo.

With the exception of revenue generated by any business or enterprise for which a Special Business License is required pursuant to this chapter no licensee shall have a financial interest in the conduct of a bingo game operated in the unincorporated area of the County. A licensee shall be deemed to have a financial interest in the conduct of a bingo game including, but not limited to, the following situations:

A. Rent or other costs for the bingo parlor is adjusted based on the profits, losses or tax exempt status of any organization licensed under Chapter 4.26;

B. The licensee absorbs, assumes, shares or otherwise participates in the losses or profits of any bingo game conducted by any organization licensed under Chapter 4.26; or

C. The licensee maintains an accounts receivable for an organization licensed under Chapter 4.26 for rent amounts or other costs owed to the bingo parlor; except, for amounts owed by such organization from a previous day of bingo operation which are paid before the next day of bingo operation.

D. The licensee provides, or in the prior five years has provided, a salary, compensation, gratuity, consulting fee, gift or anything of value in any amount, except for the usage of the bingo parlor pursuant to a contract for consideration approved by the Sheriff pursuant to Section 4.28.025(a) of this chapter to any officer, manager, volunteer or member of the governing board of any charitable organization licensed to conduct bingo pursuant to Chapter

4.26. (SCC 1403 § 28, 2008; SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.80 Temporary Suspension of License Pending Opportunity for Hearing.

The Sheriff shall have the authority to temporarily suspend the parlor's license by ordering in writing that the licensee immediately cease and desist any further operations of the parlor pending expiration of the time for appeal or exhaustion of an appeal pursuant to the provisions and notice procedure of Section **4.10.145** of Chapter **4.10** if the Sheriff finds that such temporary suspension is necessary in order to protect against a serious and immediate threat to the health or safety of the public caused by exercise of the license, and one of the following occurs:

A. The parlor licensee is conducting its operation in violation of any of the provisions of this chapter, California **Penal Code** Section 326.5, the Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended or added from time to time;

B. The parlor licensee has not made available for the conduct of a compliance examination, audit, review, inspection, or for photocopying, at any reasonable time upon the demand of the Sheriff all records necessary to determine or establish compliance with the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California **Penal Code** Section 326.5, any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time; or

C. The parlor licensee has not kept records as prescribed by the Sheriff, this chapter, California **Penal Code** Section 326.5, Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, and as they may be amended from time to time; or, has not kept records necessary to determine compliance with applicable laws and administrative rules and regulations pursuant to generally accepted principles of accounting when such records are not prescribed to be kept in any specific manner or type by the Sheriff, this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California **Penal Code** Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time. (SCC 1403 § 28, 2008; SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

4.28.85 Notice of Temporary Suspension and Appeal—Appeal of Underlying Suspension or Revocation.

A. The temporary suspension shall be effective no sooner than twenty-four (24) hours following the time and date of delivery of the notice thereof as is provided in Section **4.10.145** of Chapter **4.10** and the procedures for appeal and notice of temporary suspension shall be as prescribed in Section **4.10.145**.

B. Upon timely request by the licensee, the appeal hearing process and related procedures of the revocation or suspension of its license pursuant to Section [4.10.135](#) of Chapter [4.10](#) shall proceed pursuant to the provisions of Sections [4.10.115](#) through [4.10.155](#) of Chapter [4.10](#) of this title. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

[4.28.090 Operating and Conducting Business at the Bingo Parlor After Temporary Suspension or Suspension.](#)

Any person(s) who continues to operate and conduct the business of a bingo parlor after temporary suspension pursuant to Section [4.28.080](#), or suspension pursuant to Section [4.10.135](#), is guilty of a misdemeanor. (SCC 1061 § 2, 1996; SCC 0992 § 7, 1995; SCC 0759 § 2, 1989; SCC 661 § 1, 1986.)

[4.28.100 Receipt of Profit by a Person and Penalty for Violation of This Chapter.](#)

A. It is a misdemeanor under Section 326.5 subdivision (b) of the [Penal Code](#) of the State of California for any person to receive or pay a profit, wage or salary from any bingo game authorized under this chapter. Payment received by a parlor licensee for rent or lease of a parlor facility or other costs of the parlor related to bingo from a bingo licensee licensed pursuant to Chapter [4.26](#) and [4.10](#) of this County Code shall not be deemed a violation of this section. A violation of this prohibition is punishable by a fine not to exceed ten thousand dollars (\$10,000.00), which fine shall be deposited in the general fund of the County of Sacramento.

B. A violation of any of the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time, shall be grounds for the Sheriff to suspend, revoke, or deny the renewal of a Special Business License to conduct a bingo parlor issued pursuant to the provisions of this chapter. (SCC 1155 § 4, 1999; SCC 1061 § 2, 1996; SCC 0992 § 7, 1995.)

Sacramento County Code**Up Previous Next Main Collapse Search Print No Frames**

Title 4 BUSINESS REGULATION

Chapter 4.29 BINGO SUPPLIERS**4.29.000 Purpose.**

A system of regulating bingo suppliers in conjunction with the regulation of organizations authorized to conduct bingo games pursuant to California [Penal Code](#) Section 326.5 and of bingo parlors is necessary to ensure the maximum use of bingo proceeds and profits for charitable purposes and to limit the abuses stemming from increased commercialization of bingo in the unincorporated area. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.010 Definitions.

As used in this chapter, the terms identified by Sections [4.29.015](#) through [4.29.020](#) shall be ascribed the meanings indicated. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.015 Definitions—Bingo Supplier.

A “bingo supplier”means any person or enterprise which, for a consideration, sells, rents, supplies, provides or furnishes equipment, products, goods, paper or other items for use in the conduct of bingo games. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.020 Definitions—Bingo.

As used in this chapter, the term “bingo” shall be deemed to mean a game of chance as specifically defined in Chapter [4.26](#), Section [4.26.010](#). (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.025 License Required.

No person shall, unless under and by authority of a valid, unrevoked and unexpired Special Business License, sell, rent, supply, provide or furnish for a consideration, any equipment, products, goods, paper or other items for use in the conduct of bingo games. A bingo supplier shall be deemed to operate or conduct business within the unincorporated area of the County if the bingo supplier or representatives thereof sell, rent, supply, provide or furnish for a consideration, within the unincorporated area of the County, any equipment, products, goods, paper or other items for use in the conduct of bingo games, whether or not the bingo supplier operates from a fixed location within another jurisdiction. (SCC 1403 § 29, 2008; SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.30 Issuance.

The Sheriff shall issue a Special Business License unless:

- A. One or more of the findings prescribed by Section [4.10.040](#) subsections (A), (B), (C) or (D) is made;
- B. The bingo supplier sells, rents, supplies, provides or furnishes any equipment, products, goods, paper or other items for use in conjunction with or in the conduct of bingo games in a manner which violates California [Penal Code](#) Section 326.5, this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time;
- C. The applicant has a current license under Sacramento County Code Chapter [4.26](#) or [4.28](#) or any officer, manager, representative, employee, consultant, contractor, subcontractor, or consultant of the applicant, or any immediate family member thereof, defined as parent, child, or sibling by blood or affinity, is presently serving, or in the past five years has served as a manager, officer, member of a governing board or volunteer for any bingo licensee or bingo parlor operator or received any salary, compensation, gratuity, gift or any thing of value in any amount from any bingo licensee or bingo parlor operator; or
- D. The applicant has violated or is not in compliance with this chapter, California Section 326.5 of the [Penal Code](#), or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time. (SCC 1403 § 30, 2008; SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.35 Records—Compliance Examination and Inspection.

A. The bingo supplier licensee shall keep full and accurate records of all inventory, income received and expenses disbursed in connection with the sale, rental, supply, provision or furnishing of any equipment, products, goods, paper or other items for use in the conduct of bingo games, and as necessary to determine or establish compliance with the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or rule or administrative regulation, as they may be amended from time to time. The records shall be of such types and maintained in such manner as may be prescribed by the Sheriff; and when not so prescribed, shall be of such types and maintained according to the requirements of generally accepted principles of accounting.

B. The Sheriff or any other authorized representative of the County shall have the right to inspect, conduct a compliance examination, review, audit, or photocopy, supplier licensee records as described in subsection (A) of this section at any reasonable time and the license holder shall fully cooperate by making such records and photocopies thereof available to the Sheriff upon demand. The licensee shall deliver the records for the purpose of a compliance examination, review, audit, inspection, or for photocopy to the office of the Sheriff during reasonable hours upon demand of the Sheriff.

C. Compliance examinations shall be conducted by the Sheriff of supplier licensee records described in subsection (A) of this section not less frequently than annually, for each twelve (12) months of each licensee's operation.

D. Such records shall be subject to disclosure only pursuant to:

1. Any suspension, revocation or other proceeding conducted under this chapter or the Sacramento County Administrative Regulations adopted pursuant to this chapter; or

2. Any civil or criminal investigation conducted by the Sheriff, the District Attorney, the Grand Jury or the County Counsel. For all other purposes, the records shall be kept confidential by the Sheriff, as custodian of those records. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.37 Retention of Records.

The supplier licensee shall keep and preserve the records described in subsection (A) Section [4.29.035](#) of this chapter, for the following period of time, whichever occurs later:

A. Three years;

B. Until completion of a compliance examination; or

C. Until the administrative or judicial appeal process, whichever is applicable, is final, if the license has been suspended, revoked, or a renewal denied. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995.)

4.29.040 Limitation on Involvement in Bingo.

The licensee shall not organize, manage, supervise, conduct, control or otherwise participate in or influence either the operation of any bingo game conducted in the unincorporated area of the County or the promotion thereof. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.45 Prohibition of Financial Interest in Bingo.

A. With the exception of revenue generated by any business or enterprise for which a Special Business License is required pursuant to this chapter, no bingo supplier shall have a financial interest in the conduct of a bingo game operated in the unincorporated area of the County. A licensee shall be deemed to have a financial interest in the conduct of a bingo game including, but not limited, to the following situations:

1. The price or cost of bingo supplies is adjusted by the licensee based on the profits, losses or tax exempt status of any organization licensed under Chapter [4.26](#);

2. The licensee absorbs, assumes, shares or otherwise participates in the losses, or profits of any bingo game conducted by any organization licensed under Chapter [4.26](#); or

3. The licensee maintains an accounts receivable for an organization licensed to conduct bingo games pursuant to Chapter 4.26 for amounts owed to the bingo supplier for a period that exceeds thirty (30) days from the invoice date or ten (10) days from the statement date, whichever occurs later. For purposes of this subsection “invoice date” is defined as the date of delivery of such supplies and “statement date” is defined as the date within thirty (30) days of the delivery of supplies.

B. The licensee with knowledge that a bingo licensee licensed pursuant to Chapter 4.26 has not paid its supplier account(s) to any supplier within the required period as provided in subsection (A)(3) of this section shall not sell or rent supplies to such a bingo licensee until all the bingo licensee’s account(s) are brought within the time period provided for within subsection (A)(3) of this section.

C. The licensee provides, or in the prior three years has provided, a salary, compensation, gratuity, consulting fee, gift or anything of value in any amount, except for bingo supplies pursuant to a transaction for consideration made in compliance with this chapter, California [Penal Code](#) Section 326.5, any regulations adopted by the Sacramento County Sheriff or the State of California and any applicable State and Federal laws, rules and regulations, to any officer, manager, volunteer or member of the governing board of any charitable organization licensed to conduct bingo pursuant to Chapter 4.26, or to any immediate family member thereof. (SCC 1403 § 31, 2008; SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.50 Required Records.

Licensed bingo suppliers shall maintain a complete set of records which includes detail of all activities. These records shall include, but are not be limited to the following:

A. Pre-printed sales invoices which reflect the following information:

1. Date of sale;
2. The customer name, and complete business address;
3. A description and stock number of each line item sold; and,
4. Quantity and sales price of each line item.

B. The original and two (2) copies of the pre-printed sales invoice shall be prepared and maintained as follows:

1. Original issued to the customer;
2. A copy retained in a file by customer name; and
3. A copy file in (invoice number) numerical sequence.

C. Credit memos for returned items shall be prepared in the same detail as items described in subsection (A) of this section. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989; SCC 661 § 2, 1986.)

4.29.55 Card Minder Equipment.

A. Except as provided in subsection (B) of this section, it is unlawful for bingo suppliers licensed under this chapter to:

1. Sell, rent, supply, provide or furnish player-operated machines, devices, or equipment that is computerized, electronic, mechanical, or which utilizes a video display to an organization licensed to conduct bingo pursuant to Chapter 4.26 herein, for use in a bingo game; or

2. Sell, rent, supply, provide, or furnish equipment for use in a bingo game in which the numbers to be called are selected by electronic means rather than by random selection of numbered balls from a pool of game balls.

B. Bingo Card Minder.

1. Purpose. The purpose of this subsection is not to permit a licensed bingo supplier to sell, rent, supply, provide or furnish to organizations licensed to conduct bingo pursuant to Chapter 4.26 herein all card minders for use in bingo. The purpose is to permit the licensed supplier to sell, rent, supply, provide or furnish to such organizations the use of bingo card minders on the conditions set forth herein and in California [Penal Code](#) Section 326.5(p) and any regulations adopted by the California Gambling Control Commission pursuant thereto.

2. Prohibition on Electronic Devices. Electronic or video displays shall not be used in connection with the game of bingo, including card minders, except in connection with the caller's drawing of numbers or symbols and the public display of that drawing, and as except as provided in [Penal Code](#) Section 326.5(p) the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5 generally, or any other applicable State of California, County of Sacramento, Federal law, or Administrative rule or regulation, as they may be added or amended from time to time.

3. Description. Card minders are hand held portable devices used to assist players in monitoring the numbers or symbols announced by a live caller as those numbers are called in a live game. Card minders may only be used in a live caller game.

4. Requirements. A card minder shall do all of the following:

a. Be capable of storing in the memory of the device bingo faces from tangible cards purchased by a player;

b. Provide a means for bingo players to input manually each individual number or symbol announced by a live caller;

- c. Compare the numbers or symbols entered by the player to the bingo faces previously stored in memory for the device;
- d. Identify winning bingo patterns that exist on the stored bingo faces;
- e. Comply with all requirements applicable to card minders established in regulation by the California Gambling Control Commission.

5. Prohibitions. A card minder shall perform no function involving the play of the game other than those described in subsection (4), nor shall they do any of the following:

- a. Be capable of accepting or dispensing any coins, currency or other representative of value or on which value has been encoded;
- b. Be capable of monitoring any bingo card face other than the faces of the tangible card or cards purchased by the player for that game;
- c. Display or represent the game result through any means, including, but not limited to, video or mechanical reels or other slot machine or casino game themes, other than highlighting the winning numbers or symbols marked or covered on the tangible bingo cards or giving an audio alert that the player's card has a prize winning pattern;
- d. Determine the outcome of any game or be physically or electronically connected to any other bingo equipment, including, but not limited to, the ball call station, or to any card other card minding device. No other player-operated or player-activated electronic or electromechanical device or equipment is permitted to be used in connection with a bingo game.

6. Requirement of Sheriff's Approval. No card minder device may be used or operated by any bingo licensee without prior approval of the device by the Sacramento County Sheriff's Department.

7. Notwithstanding any other provision of this chapter, no card minder device may be approved by the Sacramento County Sheriff, or operated by any licensee or player unless said card minding device has received prior approval from the California Gambling Control Commission as described in Section 326.5(p)(3)(A). Any proposed material change to the device, including change to the software used by the device must be approved by the commission prior to its implementation.

8. All card minders must be operated and played in compliance with any and all regulations adopted for the use of the devices by the California Gambling Control Commission as described in Section 19850.6 of the [Business and Professions Code](#) and any other applicable provisions of law.

9. The costs for any testing, certification, license or determination shall be born by the person or entity seeking it.

10. A bingo card minder is not to alter the bingo cards.

11. A bingo card minder is to be used in conjunction with tangible bingo cards in order to assist the player identify a winning card. The bingo card minder is not to be used as an electronic or computerized game of bingo, or as a substitute for required bingo cards, or as a substitute for any other requirements of bingo as provided in Chapter 4.26 or in [Penal Code](#) Section 326.5.

12. A bingo card minder shall be loaded by the organization licensed to conduct bingo.

13. Prior to being permitted to operate by any Sacramento County charitable organization or any bingo parlor, bingo card minders, including all related system hardware and software, must be approved in advance by the California Gambling Control Commission.

14. The bingo card minder shall not interfere or interact with the element of chance in the game.

15. The bingo card minder shall permit a player to use a player operated unit or component of the bingo card minder to manually input or daub numbers called in a bingo game into the bingo card minder. Automatic daubing shall be allowed.

16. A bingo card minder may be removed from the place where the games are conducted solely by the supplier licensee for repair or to transfer to another organization licensed to conduct bingo pursuant to Chapter 4.26 for the conduct of bingo. The supplier licensee shall keep a record of the bingo card minder received; the date received; the repairs made, if any; the particular malfunction, if any; the name of the licensed organization that the bingo card minder or part thereof was removed; and, the date the card minder or part thereof is returned to an organization if returned, or notation of what action taken if not returned.

17. The bingo supplier licensee's accounting records pertaining to bingo card minders shall be retained as prescribed by Section 4.29.050 of this chapter. A bingo card minder shall work with an accounting system that records, and retains for a retention period of not less than that found in Section 4.26.080 of Chapter 4.26, Title 4, hereof, the serial number of each bingo card or face sold, the price of each card sold, and the total amount of the bingo card minder proceeds from each session. A bingo card minder's capabilities and information must not be lost through power failure or other disruption during the session.

18. The individual player operated units or components shall not have this capacity to print or pre-print the configuration of bingo cards.

19. The bingo card minder including related circuitry shall be sealed and secured in order to prevent unauthorized removal, additions, changes, or other alterations or tampering with the data within such bingo card minder.

20. If the Sheriff detects or discovers any problem with a bingo card minder, including the player operated electronic bingo aid unit or component, or any related system or parts, that affects the integrity of the bingo game, or such equipment, the Sheriff may, upon demand, examine and inspect such equipment, as applicable, if it is in possession of the supplier licensee after removal from the place where the game of bingo is conducted. The Sheriff may upon demand examine and inspect any bingo card minder, player operated unit or component of an bingo card minder, or related system or parts, for sale, rent, supply, or to be provided or furnished by the supplier licensee to an organization licensed to conduct bingo. Such examinations and inspections shall include immediate access to the bingo card minder, including the player operated unit or component of an bingo card minder, and unlimited inspection of all parts and associated systems, as applicable; and, may involve the removal of such equipment, as applicable, from the supplier licensee's premises or possession for further testing. Upon the Sheriff's demand, the supplier licensee shall immediately comply and cooperate with the Sheriff for such examinations, inspections, or removals.

21. If at any time the Sheriff detects or discovers any problem with an bingo card minder, or with a player operated bingo unit or component of the bingo card minder, or with any related system or parts, that affects the security or the integrity of a bingo game or such equipment, the Sheriff may order the supplier licensee to cease the sale, rental, supply, or provision or furnishing of such bingo card minder or player operated unit or component, as applicable, to an organization licensed to conduct bingo, and the supplier licensee shall comply immediately with such Sheriff's order.

22. If at any time the supplier licensee detects or discovers any problem with a bingo card minder, or with a player operated unit or component of the bingo card minder, or any related system or parts, that affects the security or the integrity of a bingo game or such equipment, the supplier licensee shall cease immediately to sell, rent, supply, provide, or furnish the electronic bingo card minder or player operated unit or component, as applicable, to an organization licensed to conduct bingo, and shall notify the Sheriff, and/organizations licensed to conduct bingo who have secured possession of such bingo card minder from such bingo supplier, of such malfunction, problem or occurrence. (SCC 1403 § 32, 2008; SCC 1353 § 9, 2007; SCC 1155 § 5, 1999; SCC 1061 § 3, 1996; SCC 0992 § 9, 1995; SCC 0760 § 2, 1989.)

4.29.60 Temporary Suspension of License Pending Opportunity for Hearing.

The Sheriff shall have the authority to temporarily suspend the supplier's license by ordering in writing that the licensee immediately cease and desist any further operations of the bingo supply business pending expiration of the time for appeal or exhaustion of an appeal pursuant to the provisions and notice procedure of Section 4.10.145 of Chapter 4.10 if the Sheriff finds that such temporary suspension is necessary in order to protect against a serious and immediate threat to the health or safety of the public caused by exercise of the license, and one of the following occurs:

A. The supplier licensee is conducting its operation in violation of any of the provisions of this chapter, California [Penal Code](#) Section 326.5, the Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of

California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time;

B. The supplier licensee has not made available for the conduct of a compliance examination, audit, review, inspection, or for photocopying, at any reasonable time upon the demand of the Sheriff all records necessary to determine or establish compliance with the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time; or,

C. The supplier licensee has not kept records as prescribed by the Sheriff, this chapter, California [Penal Code](#) Section 326.5, Sacramento County Administrative Regulations adopted pursuant to this chapter, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation,

as they may be amended from time to time; or, has not kept records necessary to determine compliance with applicable laws and administrative rules and regulations pursuant to generally accepted principles of accounting when such records are not prescribed to be kept in any specific manner or type by the Sheriff, this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995.)

4.29.65 Notice of Temporary Suspension and Appeal—Appeal of Underlying Suspension and Revocation.

A. The temporary suspension shall be effective no sooner than twenty-four (24) hours following the time and date of delivery of the notice thereof as is provided in Section [4.10.145](#) of Chapter [4.10](#) and the procedures for appeal and notice of temporary suspension shall be as prescribed in Section [4.10.145](#).

B. Upon timely request by the licensee, the appeal hearing process and related procedures of the revocation or suspension of its license pursuant to Section [4.10.135](#) of Chapter [4.10](#) shall proceed pursuant to the provisions of Sections [4.10.115](#) through [4.10.155](#) of Chapter [4.10](#) of this title. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995.)

4.29.075 Operating and Conducting Business After Temporary Suspension or Suspension.

Any person(s) who continues to operate and conduct the business of a bingo supplier after temporary suspension pursuant to Section [4.29.065](#), or suspension pursuant to Section [4.10.135](#), is guilty of a misdemeanor. (SCC 1061 § 3, 1996; SCC 0992 § 9, 1995.)

4.29.80 Receipt of Profit by a Person and Penalty for Violation of This Chapter.

A. It is a misdemeanor under Section 326.5 subdivision (b) of the [Penal Code](#) of the State of California for any person to receive or pay a profit, wage or salary from any bingo game

authorized under this chapter. Payment received by a bingo supplier for supplies purchased by a bingo licensee licensed pursuant to Chapter [4.26](#) of this code shall not be deemed a violation of this section. A violation of this prohibition is punishable by a fine not to exceed ten thousand dollars (\$10,000.00), which fine shall be deposited in the general fund of the County of Sacramento.

B. A violation of any of the provisions of this chapter, Sacramento County Administrative Regulations adopted pursuant to this chapter, California [Penal Code](#) Section 326.5, or any other applicable State of California, County of Sacramento, Federal law, or administrative rule or regulation, as they may be amended from time to time, shall be grounds for the Sheriff to suspend, revoke, or deny the renewal of a special business license for a bingo supplier issued pursuant to the provisions of this chapter. (SCC 1155 § 6, 1999; SCC 1061 § 3, 1996; SCC 0992 § 9, 1995.)

CALIFORNIA PENAL CODE

SECTIONS 326.3 THRU 326.5

CALIFORNIA PENAL CODE

326.5. (a) Neither the prohibition on gambling in this chapter nor in Chapter 10 (commencing with Section 330) applies to any bingo game that is conducted in a city, county, or city and county pursuant to an ordinance enacted under Section 19 of Article IV of the State Constitution, if the ordinance allows games to be conducted only in accordance with this section and only by organizations exempted from the payment of the bank and corporation tax by Sections 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701w, and 23701l of the Revenue and Taxation Code and by mobilehome park associations, senior citizens organizations, and charitable organizations affiliated with a school district; and if the receipts of those games are used only for charitable purposes.

(b) It is a misdemeanor for any person to receive or pay a profit, wage, or salary from any bingo game authorized by Section 19 of Article IV of the State Constitution. Security personnel employed by the organization conducting the bingo game may be paid from the revenues of bingo games, as provided in subdivisions (j) and (k).

(c) A violation of subdivision (b) shall be punishable by a fine not to exceed ten thousand dollars (\$10,000), which fine is deposited in the general fund of the city, county, or city and county that enacted the ordinance authorizing the bingo game. A violation of any provision of this section, other than subdivision (b), is a misdemeanor.

(d) The city, county, or city and county that enacted the ordinance authorizing the bingo game may bring an action to enjoin a violation of this section.

(e) Minors shall not be allowed to participate in any bingo game.

(f) An organization authorized to conduct bingo games pursuant to subdivision (a) shall conduct a bingo game only on property owned or leased by it, or property whose use is donated to the organization, and which property is used by that organization for an office or for performance of the purposes for which the organization is organized. Nothing in this subdivision shall be construed to require that the property owned or leased by, or whose use is donated to, the organization be used or leased exclusively by, or donated exclusively to, that organization.

(g) All bingo games shall be open to the public, not just to the members of the authorized organization.

(h) A bingo game shall be operated and staffed only by members of the authorized organization that organized it. Those members shall not receive a profit, wage, or salary from any bingo game. Only the organization authorized to conduct a bingo game shall operate such a game, or participate in the promotion, supervision, or any other phase of a bingo game. This subdivision does not preclude the employment of security personnel who are not members of the authorized organization at a bingo game by the organization conducting the game.

(i) Any individual, corporation, partnership, or other legal entity, except the organization authorized to conduct a bingo game, shall not hold a financial interest in the conduct of a bingo game.

(j) With respect to organizations exempt from payment of the bank and corporation tax by Section 23701d of the Revenue and Taxation Code, all profits derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Those profits shall be used only for charitable

purposes.

(k) With respect to other organizations authorized to conduct bingo games pursuant to this section, all proceeds derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Proceeds are the receipts of bingo games conducted by organizations not within subdivision (j). Those proceeds shall be used only for charitable purposes, except as follows:

(1) The proceeds may be used for prizes.

(2) (A) Except as provided in subparagraph (B), a portion of the proceeds, not to exceed 20 percent of the proceeds before the deduction for prizes, or two thousand dollars (\$2,000) per month, whichever is less, may be used for the rental of property and for overhead, including the purchase of bingo equipment, administrative expenses, security equipment, and security personnel.

(B) For the purposes of bingo games conducted by the Lake Elsinore Elks Lodge, a portion of the proceeds, not to exceed 20 percent of the proceeds before the deduction for prizes, or three thousand dollars (\$3,000) per month, whichever is less, may be used for the rental of property and for overhead, including the purchase of bingo equipment, administrative expenses, security equipment, and security personnel. Any amount of the proceeds that is additional to that permitted under subparagraph (A), up to one thousand dollars (\$1,000), shall be used for the purpose of financing the rebuilding of the facility and the replacement of equipment that was destroyed by fire in 2007. The exception to subparagraph (A) that is provided by this subparagraph shall remain in effect only until the cost of rebuilding the facility is repaid, or January 1, 2019, whichever occurs first.

(3) The proceeds may be used to pay license fees.

(4) A city, county, or city and county that enacts an ordinance permitting bingo games may specify in the ordinance that if the monthly gross receipts from bingo games of an organization within this subdivision exceed five thousand dollars (\$5,000), a minimum percentage of the proceeds shall be used only for charitable purposes not relating to the conducting of bingo games and that the balance shall be used for prizes, rental of property, overhead, administrative expenses, and payment of license fees. The amount of proceeds used for rental of property, overhead, and administrative expenses is subject to the limitations specified in paragraph (2).

(1) (1) A city, county, or city and county may impose a license fee on each organization that it authorizes to conduct bingo games. The fee, whether for the initial license or renewal, shall not exceed fifty dollars (\$50) annually, except as provided in paragraph (2). If an application for a license is denied, one-half of any license fee paid shall be refunded to the organization.

(2) In lieu of the license fee permitted under paragraph (1), a city, county, or city and county may impose a license fee of fifty dollars (\$50) paid upon application. If an application for a license is denied, one-half of the application fee shall be refunded to the organization. An additional fee for law enforcement and public safety costs incurred by the city, county, or city and county that are directly related to bingo activities may be imposed and shall be collected monthly by the city, county, or city and county issuing the license; however, the fee shall not exceed the actual costs incurred in providing the service.

(m) A person shall not be allowed to participate in a bingo game,

unless the person is physically present at the time and place where the bingo game is being conducted.

(n) The total value of prizes available to be awarded during the conduct of any bingo games shall not exceed five hundred dollars (\$500) in cash or kind, or both, for each separate game which is held.

(o) As used in this section, "bingo" means a game of chance in which prizes are awarded on the basis of designated numbers or symbols that are marked or covered by the player on a tangible card in the player's possession and that conform to numbers or symbols, selected at random and announced by a live caller. Notwithstanding Section 330c, as used in this section, the game of bingo includes tangible cards having numbers or symbols that are concealed and preprinted in a manner providing for distribution of prizes. Electronics or video displays shall not be used in connection with the game of bingo, except in connection with the caller's drawing of numbers or symbols and the public display of that drawing, and except as provided in subdivision (p). The winning cards shall not be known prior to the game by any person participating in the playing or operation of the bingo game. All preprinted cards shall bear the legend, "for sale or use only in a bingo game authorized under California law and pursuant to local ordinance." Only a covered or marked tangible card possessed by a player and presented to an attendant may be used to claim a prize. It is the intention of the Legislature that bingo as defined in this subdivision applies exclusively to this section and shall not be applied in the construction or enforcement of any other provision of law.

(p) (1) Players who are physically present at a bingo game may use hand-held, portable card-minding devices, as described in this subdivision, to assist in monitoring the numbers or symbols announced by a live caller as those numbers or symbols are called in a live game. Card-minding devices may not be used in connection with any game where a bingo card may be sold or distributed after the start of the ball draw for that game. A card-minding device shall do all of the following:

(A) Be capable of storing in the memory of the device bingo faces of tangible cards purchased by a player.

(B) Provide a means for bingo players to input manually each individual number or symbol announced by a live caller.

(C) Compare the numbers or symbols entered by the player to the bingo faces previously stored in the memory of the device.

(D) Identify winning bingo patterns that exist on the stored bingo faces.

(2) A card-minding device shall perform no functions involving the play of the game other than those described in paragraph (1).

Card-minding devices shall not do any of the following:

(A) Be capable of accepting or dispensing any coins, currency, or other representative of value or on which value has been encoded.

(B) Be capable of monitoring any bingo card face other than the faces of the tangible bingo card or cards purchased by the player for that game.

(C) Display or represent the game result through any means, including, but not limited to, video or mechanical reels or other slot machine or casino game themes, other than highlighting the winning numbers or symbols marked or covered on the tangible bingo cards or giving an audio alert that the player's card has a prize-winning pattern.

(D) Determine the outcome of any game or be physically or electronically connected to any component that determines the outcome of a game or to any other bingo equipment, including, but not limited to, the ball call station, or to any other card-minding device. No other player-operated or player-activated electronic or electromechanical device or equipment is permitted to be used in connection with a bingo game.

(3) (A) A card-minding device shall be approved in advance by the department as meeting the requirements of this section and any additional requirements stated in regulations adopted by the department. Any proposed material change to the device, including any change to the software used by the device, shall be submitted to the department and approved by the department prior to implementation.

(B) In accordance with Chapter 5 (commencing with Section 19800) of Division 8 of the Business and Professions Code, the commission shall establish reasonable criteria for, and require the licensure of, any person that directly or indirectly manufactures, distributes, supplies, vends, leases, or otherwise provides card-minding devices or other supplies, equipment, or services related to card-minding devices designed for use in the playing of bingo games by any nonprofit organization.

(C) A person or entity that supplies or services any card-minding device shall meet all licensing requirements established by the commission in regulations.

(4) The costs of any testing, certification, license, or determination required by this subdivision shall be borne by the person or entity seeking it.

(5) On and after January 1, 2010, the Department of Justice may inspect all card-minding devices at any time without notice, and may immediately prohibit the use of any device that does not comply with the requirements established by the department in regulations. The Department of Justice may at any time, without notice, impound any device the use of which has been prohibited by the commission.

(6) The Department of Justice shall issue regulations to implement the requirements of this subdivision, and the California Gambling Control Commission may issue regulations regarding the means by which the operator of a bingo game, as required by applicable law, may offer assistance to a player with disabilities in order to enable that player to participate in a bingo game, provided that the means of providing that assistance shall not be through any electronic, electromechanical, or other device or equipment that accepts the insertion of any coin, currency, token, credit card, or other means of transmitting value, and does not constitute or is not a part of a system that constitutes a video lottery terminal, slot machine, or device prohibited by Chapter 10 (commencing with Section 330).

(7) The following definitions apply for purposes of this subdivision:

(A) "Commission" means the California Gambling Control Commission.

(B) "Department" means the Department of Justice.

(C) "Person" includes a natural person, corporation, limited liability company, partnership, trust, joint venture, association, or any other business organization.

APPENDIX A

APPLICATION FOR SACRAMENTO COUNTY BINGO LICENSE



**APPLICATION FOR SACRAMENTO COUNTY BINGO LICENSE
LICENSE FEE • \$50.00**

SACRAMENTO COUNTY SHERIFF'S DEPARTMENT
711 G Street, Room 304, Sacramento, CA 95814
SIIB@SACSHERRIFF.COM

LICENSE NUMBER _____

EXPIRATION DATE _____

COMPLIANCE OFFICER APPROVAL _____

PLEASE DO NOT WRITE ABOVE THIS LINE

Organization

Telephone Number

State Tax Exempt Number

State Tax Exemption Type

Organization Address (Street, City, State, Zip Code)

Mailing Address (Street, City, State, Zip Code)

Address of Bingo Premises (Street, City, State, Zip Code)

Bingo Premises

Owned _____ Leased/Rented _____ Donated _____ Occupancy Capacity _____

If leased/rented, period of agreement: From _____ To _____

Proposed Game Schedule - Days and Hours of Play

Organization's current use of bingo premises

Specific Charitable purpose(s) which bingo proceeds will benefit

NAME AND SIGNATURE OF MEMBER OF ORGANIZATION WHO WILL BE PRIMARILY RESPONSIBLE FOR CONDUCTING BINGO GAMES:

Name _____ Date of Birth _____ Driver's License Number _____

Address (Street, City, State, Zip Code) _____ Telephone Number _____

Home _____
Work _____

Signature _____ Date _____

**PLEASE COMPLETE REVERSE SIDE
IMPORTANT INSTRUCTIONS ON REVERSE SIDE**

SACRAMENTO COUNTY BINGO LICENSE APPLICATION

I DECLARE UNDER PENALTY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

1. I have received the Bingo Handbook (9th edition) and understand the bingo regulations issued by the Sheriff. The most recent edition of the Bingo Handbook can be found online at <http://www.sacsheriff.com/Pages/Organization/Fiscal/Bingo.aspx>
2. The applicant organization will conduct all bingo games in strict accordance with the provisions of Section 326.5 of the California State Penal Code, the provisions of Chapter 4.26 of the Sacramento County Code and any rules or regulations promulgated thereunder and consents to inspection of the bingo premises and of the accounting records, bank account, and other documents relating to financial transactions and/or arrangements of the applicant or licensee with respect to the conducting, operating, or staffing of any bingo game(s) by authorized Sheriff representative(s).

Signatures of two current officers of the organization (including presiding officer) authorized to execute this application.

Print Name	Title	Telephone Number
------------	-------	------------------

Signature	Date
-----------	------

Print Name	Title	Telephone Number
------------	-------	------------------

Signature	Date
-----------	------

THE FOLLOWING INFORMATION SHALL BE SUBMITTED WITH THE APPLICATION

1. Copy of articles of incorporation, constitution, and other rules of operation.
2. Copy of resolution adopted by the organization authorizing the filing of application for bingo license.
3. Copy of State Franchise Tax Exemption.
4. Roster of current officers and directors (name, title, address, telephone number, and date of birth).
5. Name, address, telephone number, and date of birth of each applicant organization member who will staff bingo.
6. If premises where bingo is to be played are not owned, a copy of the lease must be submitted.
7. Written statement from the local Fire District indicating the occupancy capacity of the room in which bingo is to be played.
8. Floor plan layout of room where bingo will be played.
9. Detailed description of record system to account for proceeds, prizes, expenses, and profits.
10. Special Bank Account information (persons responsible for check book, name and address of bank, account number, and persons authorized to sign checks).
11. Copy of the rules of the bingo game(s) which applicant intends to use.
12. A detailed schedule of bingo games to be played.
13. A statement of your plan to meet the American Disability Act (ADA) requirements; be specific as it pertains to live caller bingo and the sale of pulltabs.

IN ADDITION TO THE ABOVE, upon issuance of any license pursuant to this application, the licensee shall submit to the Sheriff any change in the information submitted on or with this application immediately upon its occurrence.

APPENDIX B

APPLICATION FOR SACRAMENTO COUNTY SPECIAL BINGO LICENSE FOR BINGO PARLORS AND SUPPLIERS

**APPLICATION FOR SACRAMENTO COUNTY
SPECIAL BUSINESS LICENSE FOR BINGO PARLORS AND SUPPLIERS**

	YES	NO
1. Will your business be equipped with an alarm system?	<hr/>	<hr/>
2. Will your business provide security personnel during hours of operation?	<hr/>	<hr/>

THE FOLLOWING INFORMATION SHALL BE SUBMITTED WITH THE APPLICATION

1. Copy of Articles of Incorporation.
2. Roster of current officers or directors (name, title, address, telephone number, and date of birth).
3. Name, address, telephone number, and date of birth of each employee involved with bingo related activities.

IN ADDITION TO THE ABOVE, upon issuance of any license pursuant to this application, the licensee shall submit to the Sheriff any change in the information submitted on or with this application immediately upon its occurrence.

NOTE: ANY LEASES/AGREEMENTS BETWEEN THE PARLOR AND BINGO LICENSEES MUST BE MADE AVAILABLE TO THE SHERIFF UPON REQUEST.

***** IMPORTANT --- PLEASE READ THE INFORMATION BELOW *****

The special business license is not transferable to a new owner or new type of business activity. Special business licenses for bingo parlors and suppliers are issued subject in part to the information provided by applicants. Any change in the information provided may invalidate the business license.

It is the responsibility of all special business license applicants to identify and obtain all special permits and approvals required by federal, state, or county regulation. It is also the responsibility of the applicants to comply with all county building and zoning regulations and ordinances. Failure to do so may invalidate your right to do business in this county and may subject you to penalties and legal sanctions.

Section 9.20.010 states that it is unlawful for any person to knowingly falsify or conceal any fact or make any false or fraudulent statement in any matter within the jurisdiction of any department of the county.

1. I have received the Bingo Handbook (9th edition) and understand the bingo regulations issued by the Sheriff. The most recent edition of the Bingo Handbook can be found online at <https://www.sacsheriff.com/Pages/Organization/SIIB/Bingo.aspx>
2. The business or corporation will conduct all business in Sacramento County in strict accordance with the provisions of Chapters 4.28 and 4.29 of the Sacramento County Code and any rules or regulations promulgated thereunder. The Sheriff's Department reserves the right to inspect the premises at any time.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Signature of Applicant

Date

City and State

IN THE EVENT OF DENIAL, NO REFUND WILL BE ISSUED.

THIS APPLICATION IS PUBLIC RECORD.