

## **NYCRR Title 9, Executive**

### **Subtitle T**

#### **New York State Gaming Commission**

##### **Chapter II**

##### **Division of Charitable Gaming**

##### **Subchapter C**

##### **Bingo General Provisions**

##### **Part**

##### **4800 Definitions**

##### **4801 Delegation of Authority—Power to Supersede or Suspend Operation of Rules**

#### **PART 4800**

#### **Definitions**

##### Section

##### 4800.1 Definition of terms

#### **§ 4800.1. Definition of terms.**

As used in this Chapter, the following terms shall have the following meanings:

(a) *Admission card or package* means the card or cards issued to a player upon the payment of an admission fee not to exceed \$5 that entitles the player to at least one opportunity to participate in all regular games of bingo during a single bingo occasion.

(b) *Bingo control law* means article 19-B of the Executive Law.

(c) *Bingo licensing law* means article 14-H of the General Municipal Law.

(d) *Card* or *sheet* means a bingo opportunity comprised of a reusable card or disposable sheet of paper bearing one or more face-cards. The word on describes the number of face-cards printed on a card or sheet, and is preceded by the number of face-cards appearing on that card or sheet. For example, a three-on (or 3-on) is a single card or sheet bearing three face-cards.

(e) *Clerk of the municipality* means the clerk of the town or village duly authorized to issue licenses pursuant to the Bingo Licensing Law. In the case of a city, it shall mean



the clerk of the particular department of the city government duly authorized to issue licenses pursuant to the Bingo Licensing Law.

(f) *Department* means the New York City Department of Consumer Affairs.

(g) *Double-header* means a session of bingo in which two successive licensed bingo occasions are conducted by the same licensed authorized organization, provided that not more than 30 minutes time shall elapse between the calling of the last numbered ball in the first licensed occasion and the calling of the first numbered ball in the second occasion.

(h) *Early bird*, also known as *share the wealth* or *split pots*, means a special game that is conducted no more than twice during any single licensed occasion in which a fixed percentage of the receipts from the sale of early bird opportunities is awarded as a prize. The prize awarded in the conduct of an early bird game, which cannot exceed 75 percent of the sales receipts, is not subject to the prize limitations imposed by subdivisions 5 and 6 of section 479 and paragraph (a) of subdivision 1 of section 481 of the General Municipal Law, or section 4820.25 of this Chapter. The price for a one-on opportunity to participate in any early bird game shall not exceed \$1. Early bird opportunities bearing more than one face-card may be priced at the discretion of the licensed authorized organization, provided one-on early bird cards are offered for sale simultaneously at a price of \$1, or less.

(i) *Electronic bingo aid* means any electronic hardware device or electronic system, whether fixed or portable, or any software used in conjunction with a common computer, designed to assist sight-impaired players and others in the playing of bingo.

(j) *Extra regular card* means a card or sheet that is sold separately from an admission card that provides a player with an additional opportunity to participate in a regular bingo game or games.

(k) *Face-card* means the 25-squared grid comprised of five rows of five equally sized squares that are marked by the player during the conduct of bingo, which may have the letters B, I, N, G and O printed horizontally across the top. Each square, with the exception of the center square which shall be designated as a free space, shall bear a number ranging from one to 75, inclusive, none of which shall be repeated on the same face-card. The free space shall bear the face-card number (also known as the manufacturer's permutation number or perm-number) which identifies the unique configuration of numbers assigned to each face-card by the licensed bingo manufacturer for comparison and verification of winning calls of bingo. The provisions of this subdivision shall not apply to supercards, quick bingo cards or player select cards.

(l) *Governing body* or *municipal governing body* means the board or body in which the powers of a political subdivision as a body corporate, or other, are vested. Where the governing body or municipal governing body has delegated authority, pursuant to



section 498 of the General Municipal Law, to an officer or officers, the words governing body or municipal governing body shall apply to the officer or officers in respect to the powers and duties delegated.

(m) *Gross receipts* means receipts from the sale of all bingo opportunities, including those sold via electronic bingo aids.

(n) *Jackpot game* means the final game of a bingo occasion.

(o) *Lawful purposes* means one or more of the following causes, deeds or activities:

(1) those that shall benefit needy or deserving persons indefinite in number by enhancing their opportunity for religious or educational advancement, by relieving them from disease, suffering or distress, or by contributing to their physical well-being, by assisting them in establishing themselves in life as worthy and useful citizens, or by increasing their comprehension of and devotion to the principles upon which this nation was founded and enhancing their loyalty to their governments;

(2) those that shall initiate, perform or foster worthy public works or shall enable or further the erection or maintenance of public structures;

(3) the foregoing shall not, however, be construed as authorizing the erection, acquisition, improvement, maintenance or repair of any property, real or personal, beyond that portion of the use or occupancy thereof that is determined by the commission to be devoted for one or more of the purposes set forth in this subdivision;

(4) those that shall otherwise lessen the burdens borne by government or that are voluntarily undertaken by an authorized organization to augment or supplement services that government would normally render to the people;

(5) those that shall initiate, perform or foster the provisions of services to veterans by encouraging the gathering of such veterans and shall enable or further the erection or maintenance of facilities for use by such veterans that shall be used primarily for charitable or patriotic purposes or the purposes that shall be authorized by a bona fide organization of veterans, provided however that such proceeds are disbursed in accordance with the rules and regulations of the commission.

(p) *Limited period bingo* means the conduct of bingo by a licensed authorized organization, for a period of not more than seven of 12 consecutive days in any one year, at a festival, bazaar, carnival or similar function conducted by such licensed authorized organization. No authorized organization licensed to conduct limited period bingo shall be otherwise eligible to conduct a regular bingo occasion in the same calendar year.



(q) *Occasion* means a single licensed period in which an aggregate of prizes not to exceed \$3,000 is awarded in a series of at least 10 bingo games (or a combination of bingo games and subparts of multiple-part bingo games in which 10 separate prizes are awarded), provided not more than 35 successive bingo games are played. During double header and triple header sessions, at least one of the occasions shall be comprised of 10 bingo games (or a combination of bingo games and subparts of multiple-part bingo games in which 10 or more separate prizes are awarded). A licensed authorized organization may offer fewer than 10 games per occasion during multiple successive occasions if at least one of the session's occasions is comprised of at least 10 bingo games. In the case of limited period bingo, the series of games played during an occasion shall not exceed 60 in number.

(r) *Opportunity* means a reusable card or a disposable sheet of paper bearing at least one face-card entitling a player to participate in a game or games of bingo. For the purposes of this section, a card approved by the commission for use in the game supercard, player select or quick bingo shall be deemed an opportunity to participate in such games. Face-cards shall be printed on only one side of an opportunity and the backside of such opportunities shall be blank. All opportunities other than hard-boards, supercards and opportunities issued for use with electronic bingo aids shall be marked by the players with indelible ink daubers.

(s) *Package* means a group of cards or sheets of bingo face-cards collated to form a package of opportunities. Each of the cards or sheets comprising such package shall be different in appearance from all other cards or sheets comprising such package and shall represent, by color and appearance, an opportunity to participate in a specific bingo game. The word up refers to the number of cards or sheets comprising such a package and is preceded by the number of such cards or sheets. For example, a six-up (or 6-up) is a group of opportunities comprised of six different colored cards or sheets collated to form a single package.

(t) *Player select* means a bingo game in which a player, at least 15 minutes prior to the commencement of that game, purchases a blank player select card and enters the numbers of his or her choice in the blank spaces on such card. Each number shall be between one and 75, inclusive, and no number shall be repeated on the same player select card. Prizes are awarded to those players whose selected numbers match those drawn by the licensed authorized bingo operator during a designated player select game, in accordance with section 4820.49 of this Chapter.

(u) *Pre-drawn bingo* means a bingo game conducted by a licensed authorized organization in accordance with section 4820.51 of this Chapter, in which a pre-determined number of bingo balls are pre-picked at random from the receptacle. Pre-drawn bingo games shall be conducted using only commission-approved disposable, tear-open or sealed bingo opportunities, which shall be constructed in such a manner, and of such material, so as to prevent the viewing of the numbers printed thereon until the purchasing player opens the opportunity by tearing off perforated edges or

otherwise breaking a secured seal enclosing the face-card. All bingo opportunities used in pre-drawn games shall be marked with standard indelible ink daubers. The pre-drawing of the numbers shall begin not more than 45 minutes prior to the start of the game, and shall not begin unless there are a number of players equal to at least 10 percent of the bingo seating capacity present to verify the integrity of the pre-drawing of the numbered balls.

(v) *Prize* means the dollar amount or merchandise awarded as a prize to the player or players obtaining a winning pattern in a particular bingo game. The awarding of alcoholic beverages, opportunities to play bingo, bell jar tickets and/or raffle tickets as a prize in any bingo game is prohibited.

(w) *Quick bingo game* means a special game conducted in conjunction with a scheduled regular or special bingo game pursuant to section 4820.52 of this Chapter, in which specially constructed quick bingo cards are sold and marked by the players with standard indelible ink daubers. Quick bingo cards are sealed by the manufacturer and, when opened by the player, reveal a grid comprised of either nine spaces formed by three rows of three spaces, or 16 spaces formed by four rows of four spaces, each space bearing a bingo number ranging from one to 75, provided no number is repeated on the same quick bingo face-card and the type-face of each number is sufficiently large to mark with a standard indelible ink dauber.

(x) *Regular bingo game* means:

(1) a game, regardless of the pattern required to win, that is played on a card or cards issued to a player upon payment of an admission fee not to exceed \$5; and

(2) a bingo game conducted during a licensed occasion other than a limited period bingo occasion.

(y) *Series* means a progression of face-cards in which no two face-cards are identical, each of which bears a consecutive face-card number printed thereon by the licensed bingo manufacturer. A series of opportunities is identified by the first and last face-card number assigned to that progression. For example, a one to 9,000 series refers to an intermixed group of face-cards bearing face-card numbers ranging from number one to 9,000, inclusive.

(z) *Special bingo game* means a bingo game that cannot be played using either an admission card or an extra regular card, where the opportunities to participate in a special game (known as specials) must be purchased separately from admission cards and extra regular cards. The purchase of an opportunity to participate in a special game is optional. If a player wants to participate in a special game, such player must purchase a special for each game.



(aa) *Session* means a single gathering in which one, two, or three licensed bingo occasions are conducted consecutively by the same authorized organization, provided not more than 30 minutes' time shall elapse between the first and second occasions, nor between the second and third occasions.

(ab) *Supercard* means a bingo card selected by a player that contains five designated numbers corresponding with the letters B, I, N, G and O displayed on the bingo display board and that is played concurrently with other bingo cards or opportunities during a bingo game, pursuant to section 4820.48 of this Chapter.

(ac) *Tri-color bingo* means a game using disposable bingo opportunities comprised of three different colored face-cards, wherein a different dollar amount is offered as a prize for each of the three colors, conducted pursuant to section 4820.56 of this Chapter.

(ad) *Triple-header* means a session of bingo in which three successive licensed bingo occasions are conducted by the same licensed authorized organization, provided not more than 30 minutes' time shall elapse between the first and second occasions, nor between the second and third occasions.

(ae) *Wild number game* means a speed-up game in which players mark those numbers appearing on their face-cards whose second digits match the wild number's single digit number (or its second digit if the wild number is a two-digit number) so designated by the licensed authorized organization prior to the start of the occasion by drawing a bingo ball and announcing such ball to be the wild number ball and returning such ball to the receptacle prior to the start of the game. Wild number games are permitted only when the bingo system utilized has a wild number function that automatically causes the bingo display board to illuminate the wild number ball and all numbers corresponding with such ball.

(af) *Bonus ball* means a special bingo game conducted in accordance with section 4820.57 of this Chapter that is played in conjunction with one or more regular and/or special bingo games that have been designated by the licensed authorized organization on its application for bingo license and on the bingo program required by section 4820.39 of this Chapter as "Bonus Ball Games" and in which a "Bonus Ball Prize" is awarded to the player acquiring the designated winning bingo pattern when the last number called and marked by that player is identical to the "Bonus Ball Number."

**PART 4801**

**Delegation of Authority—Power to Supersede or Suspend Operation of Rules**

Section	
4801.1	Notification to commission
4801.2	Time for filing
4801.3	Power to supersede or suspend operation of the rules



**§ 4801.1. Notification to commission.**

Where the governing body of a municipality delegates to an officer or officers the responsibility and authority granted to it pursuant to the Bingo Licensing Law, the governing body shall give the commission notice of the following on form BC-110 as prescribed by the commission: the name or names of the officer or officers and their successor and successors, the effective date of the appointment or appointments, the duration of the appointment or appointments, immediate notice if the designation or designations are revoked or modified, the nature of the responsibility and authority delegated in detail and any subsequent modification or revocation of such responsibility and authority, and such other information as may be required by the commission.

**§ 4801.2. Time for filing.**

Notice of such delegation of responsibility and authority, modifications or revocations thereof, must be filed with the commission within three days after the date of such delegation.

**§ 4801.3. Power to supersede or suspend operation of the rules.**

The commission may, by written order or directive, supersede or suspend the operation of any of the commission's rules or regulations when, in its judgment, such action is necessary to insure the public interest, convenience or necessity or the best interest of the conduct of bingo.