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52.01.02 - GAMING RULES OF THE IDAHO STATE LOTTERY COMMISSION

Subchapter A—Introductory Provisions and Definitions

000. LEGAL AUTHORITY (Rule 0).

These rules are adopted by the Idaho State Lottery Commission under the general authority of Title 67, Chapter 77, Idaho Code, and the specific authority of Section 67-7714, Idaho Code. (7-1-97)

001. TITLE AND SCOPE (Rule 1).

01. Title. The title of these rules is Gaming Rules of the Idaho State Lottery Commission. (7-1-97)

02. Scope. The purpose of these rules is to set forth which bingo games and raffles are legal in the state of Idaho and to bring all legal bingo games and raffles in the state of Idaho under the control of the Idaho State Lottery. See Sections 67-7701 and 67-7714, Idaho Code. (7-1-97)

002. WRITTEN INTERPRETATION (Rule 2).

Field manuals and other agency guidance documents, as well as agency policy statements or interpretations not rising to the legal effect of a rule, if any, are available for inspection and copying at the office of the Idaho State Lottery during regular business hours. (7-1-97)

003. ADMINISTRATIVE PROCEDURE AND ADMINISTRATIVE APPEAL (Rule 3).

All administrative procedures and appeals under these rules are governed by the procedures of IDAPA 52.01.01.000 et seq., Rules of the Idaho State Lottery, in particular Sections 000 through 026. (7-1-97)

004. ADMINISTRATIVE ARM OF IDAHO STATE LOTTERY (Rule 4).

The administrative arm of the Idaho State Lottery that will be responsible for licensing, controlling and regulating bingo games and raffles under the jurisdiction of the Idaho State Lottery is the Lottery Security Division of the Idaho State Lottery. The Lottery Security Division shall provide all application forms, reporting forms and other documents necessary for submission to the Idaho State Lottery. See Section 67-7714, Idaho Code. (7-1-97)

005. PUBLIC RECORDS ACT COMPLIANCE (Rule 5).

Documents in the possession of the Idaho State Lottery are subject to the provisions of Sections 9-337 through 9-349, Idaho Code, dealing with documents open to inspection and copying and documents exempt from disclosure. (7-1-97)

006. CITATION (Rule 6).

The official citation of this chapter is IDAPA 52.01.02.000 et seq. For example, this section's official citation is IDAPA 52.01.02.006. In documents submitted to the Idaho State Lottery or issued by the Idaho State Lottery, these Rules may be cited as Gaming Rules or GR. For example, this rule may be cited as Gaming Rule 6 or GR 6. (7-1-97)

007. -- 009. (RESERVED).

010. DEFINITIONS (Rule 10).

As used in these rules, the following words have the following definitions: (7-1-97)

01. Audit. The review of any or all documents pertaining to the operating of bingo or raffles, including, but not limited to ledgers, bank statements, nightly logs recording transactions, receipts, register tapes, computer records, and tax records, by representatives of the Idaho State Lottery, the Attorney General, other law enforcement agencies, or independent auditors. (7-1-97)

02. Bingo. (see Section 67-7702(1), Idaho Code): (7-1-97)

a. Bingo cards, regular. The traditional game of chance played for a prize determined prior to the start

of the game. Bingo includes games using cards (reusable or disposable) containing five (5) rows of five (5) squares, each imprinted with randomly placed numbers, one (1) through seventy-five (75), except for the center squares, which may be a free space, and a set of designators, similarly numbered, that are contained in a selection device. The letters "B-I-N-G-O" must also be imprinted on the card in order above each of the five (5) columns. Upon approval of the Bingo Advisory Board there may be other forms of Bingo games allowed, such as Blackouts, Bonanza, and "U Pick Em" games. (7-1-97)

b. Play Method. Players who have paid consideration for the cards they are holding compete for prizes by covering numbers on their cards when similarly numbered designators are randomly drawn and called. The winner is the first player to cover a predetermined arrangement of numbers on the players cards. The game begins when the first number is called and ends when a player has covered the previously designated arrangement and declares a bingo on the last number called. The winning card shall be independently verified by a floorworker and another player by calling back the winning combination of numbers in the accepted pattern or by entering the serial number printed on the bingo card into an electronic verification system. (7-1-97)

c. Exclusions from Bingo. Bingo shall not include "instant bingo" which is a game of chance played by the selections of one (1) or more prepackaged cards, with the winner determined by the appearance of a preprinted winning designation on the card. (7-1-97)

03. Bingo Advisory Board or Board. A board established in 1995, consisting of six (6) persons chosen by the Governor to make advisory recommendations regarding bingo operations and regulation in Idaho. See Section 67-7702(2), Idaho Code. (7-1-97)

04. Blackout. A game where all numbers are covered on a card. This game is also referred to as coverall. (7-1-97)

05. Bonanza. A game of bingo that is played on a prefolded card. Wherein a designated number of balls are emitted from the machine in the usual manner and displayed. If there is no 'Bingo' called on these numbers the game continues until there is a winner. (7-1-97)

06. Card Minding Machines. Individual computers that allow players to monitor multiple bingo cards through a centralized 'caller' computer. (7-1-97)

07. Charitable Organization. Any organization that meets the criteria established by Section 67-7702(3), Idaho Code. (7-1-97)

08. Commission. The Idaho State Lottery Commission as defined in Section 67-7404, Idaho Code. See Section 67-7702(4). (7-1-97)

09. Concessions. Food items offered to players at bingo games. (7-1-97)

10. Director. The director of the Idaho State Lottery. See Section 67-7407, Idaho Code. (7-1-97)

11. Distributor. Any person who purchases or otherwise obtains a completed piece of equipment and/or supplies for use in authorized gaming activities, including but not limited to bingo or raffles, from any person or entity, and sells or otherwise furnishes such equipment and/or supplies to any person or entity. (7-1-97)

12. Duck Race. A charitable raffle as defined in Section 67-7704(5), Idaho Code. (7-1-97)

13. Disposable Paper Card. A non-reusable, paper bingo card. Such cards must be manufactured with pre-printed serial numbers and may be assembled in multiple card sheet, single sheet, pad or packet form. A sequential series and serial number must be printed on each individual card. (7-1-97)

14. Electronic Gambling Devices. Gaming or gambling devices electronically operated by inserting a coin or token and then pulling a handle or pushing a button to activate the game. Devices can generate points or payout slips for accumulated wins. (7-1-97)

15. Gaming. Gaming means gambling as defined in Section 18-3801, Idaho Code. (7-1-97)
16. Gross Revenues. All moneys paid by players during a bingo game or session for the playing of bingo and shall not include money paid for concessions. See Section 67-7702(6), Idaho Code. Gross revenues for raffle events (or other gaming) mean the monetary value that would be due to any operator of a gaming activity for any chance taken or other fees for participation. Gross revenues are calculated before any deductions for prizes or other expenses. (7-1-97)
17. Hard Cards. Reusable bingo cards with sliding windows to cover the numbers on the cards. Hard cards are legal in sessions with less than ten thousand dollars (\$10,000) annual gross revenue or for special occasions. (7-1-97)
18. License. A permission issued by the director of the Idaho State Lottery to: (7-1-97)
- a. Game Operator. A person, business, or organization that qualifies as a nonprofit or charitable organization operating bingo games or raffles, or (7-1-97)
- b. Suppliers. Vendors, distributors or manufacturers of gaming supplies. (7-1-97)
19. Manufacturer. Any person who fabricates or assembles, from raw materials or subparts, a completed piece of equipment or pieces of equipment, or supplies for use in authorized gaming activities, including but not limited to bingo and raffles, and who sells or otherwise furnishes the same to any distributor, operator, or retail outlet. (7-1-97)
20. Net Proceeds of a Charitable Raffle. The receipts less the cost of prizes awarded. In the case of a duck race, net proceeds of a duck race mean receipts less the cost of prizes awarded and the rental cost of the ducks used in the race. See Section 67-7710(4), Idaho Code. Donated prizes are considered to have no cost and do not reduce amount of receipts when calculating net proceeds. (7-1-97)
21. Nonprofit Organization. An organization incorporated under Chapter 3, Title 30, Idaho Code, or an unincorporated association recognized under Chapter 7, Title 53, Idaho Code. See Section 67-7702(7), Idaho Code. (7-1-97)
22. Organization. A charitable organization or a nonprofit organization. See Section 67-7702(8), Idaho Code. (7-1-97)
23. Raffle. An event in which prizes are won by random drawings of a name or number of one (1) or more persons purchasing chances. See Section 67-7702(9), Idaho Code. Duck races are forms of raffles. (7-1-97)
24. Reusable Cards. Reusable or hard bingo cards constructed similar to the non-reusable paper cards, by utilizing sliding windows or chips to cover the numbers. (7-1-97)
25. Separate Account. A bank account established strictly for the funds generated from bingo activities. See Section 67-7709(1), Idaho Code. (7-1-97)
26. Sessions. A period of time not to exceed eight (8) hours in any one (1) day in which players are allowed to participate in bingo games operated by a charitable or nonprofit organization. (7-1-97)
27. Special Committee. Persons (including officers and directors, if so designated) listed on an organizations application for a license who will be among the persons authorized to be in attendance at a bingo game or bingo session and supervise the game or session to see that the game or session is run according to the requirements of statute and of these rules. See Section 67-7711(3), Idaho Code. (7-1-97)
28. Tracking. The documentation of sales by sequentially numbered paper in bingo games or numbered tickets in raffles. (7-1-97)
29. U-Pick Ems. A game where players select their own numbers on a two (2) part duplicated card.

One (1) copy is retained by the player and used as a bingo card. Numbers are called until there is a winner. The winner is determined by the first player to cover their numbers. (7-1-97)

30. Vendor. Any manufacturer or distributor as defined in these rules. (7-1-97)

011. - 099. (RESERVED).

Subchapter B--Conduct of Bingo Games

100. BINGO BY CHARITABLE OR NONPROFIT ORGANIZATIONS (Rule 100).

All organizations operating bingo games, whether licensed or unlicensed, must abide by these rules. It is unlawful to conduct bingo sessions or bingo games in violation of Chapter 77, Title 67, Idaho Code, or in violation of these rules, and persons doing so may be subject to administrative, civil or criminal penalties. See Section 67-7707, Idaho Code. (7-1-97)

101. NUMBER OF SESSIONS PER WEEK (Rule 101).

Licensed operators of bingo games are limited to a maximum of three (3) bingo sessions per any calendar week (Sunday-Saturday). None of these sessions may exceed eight (8) hours in any one (1) day. A session is determined by the start and end of games offered for a predetermined period of time. See Section 67-7708, Idaho Code. For special sessions it is permissible to extend the hours past midnight, but all hours past midnight and before 2:00 a.m. on the following day will count as hours for the day during which the session started, which may not exceed a total of eight (8) hours. (7-1-97)

102. POSTING OF LICENSE AND HOURS (Rule 102).

The organizations current Idaho State Lottery License must be displayed during bingo games and bingo sessions in plain view for all players and interested persons. Idaho Lottery Gaming Rules must be kept on site and available during all sessions. Days/hours of operation must be posted in plain view for all players and interested persons. If days or times change, it is the responsibility of the organization to provide written notice to the State Lottery. House rules pertaining to bingo must be posted in plain view for all players and interested persons. (7-1-97)

103. MEMBERS OF SPECIAL COMMITTEE IN ATTENDANCE--TRAINING OF EMPLOYEES (Rule 103).

At least one (1) member or representative of the licensed organization must be in attendance at each session of bingo to supervise all bingo-related activities of a licensed organization. See Section 67-7711(3). All bingo game employees, volunteers, and managers of all organizations, whether licensed or unlicensed, must be trained in the proper conduct of the game and the control of funds. (7-1-97)

104. EMPLOYEES INELIGIBLE TO PLAY (Rule 104).

All bingo game employees, and managers are prohibited from playing in any game or in any session for which the employee, or manager takes part as employee, or manager. There should be no conflict of interest perceived by the public. (7-1-97)

105. MINORS (Rule 105).

Persons under the age of eighteen (18) years are prohibited from playing bingo during a licensed session for a cash prize, for merchandise exceeding twenty-five dollars (\$25) in value, or in a game operated by a licensed charitable or non-profit organization. Minors may play in games operated by an unlicensed charitable or non-profit organization that offer a merchandise prize with a value under twenty-five dollars (\$25). See Section 67-7707(2), Idaho Code. Bingo operators may allow minors to work in a bingo game or session as per local house rules. (7-1-97)

106. TRACKING REQUIREMENTS (Rule 106).

01. Bingo Paper--For Whom Required. All licensed organizations operating bingo sessions and all non-licensed organizations with an annual gross revenue from bingo exceeding ten thousand dollars (\$10,000) must track their bingo sales per session by using sequentially numbered/colored bingo paper. The non-reusable colored paper cards must have a series and serial number on each card. (7-1-97)

02. Tracking By Game. The tracking will vary according to games sold at each session (packets,

specials, singles, six (6) ons, three (3) ons, etc.) and may be designated by game name or color of paper. (7-1-97)

03. Tracking By Packet. If sales are completed by packet, then those packets must not be separated to be sold as singles. Individual games or packets sold must be recorded sequentially for effective tracking. The tracking records need only be retained with permanent records; tracking records are not submitted with the Annual Bingo Report form. (7-1-97)

04. Late Players. Packets sold to late players must have the previously played games sheets removed and voided. (7-1-97)

05. Designation of Color for Games. Each game is assigned a particular color of paper card. Other colors will not be accepted. (7-1-97)

06. Documentation. All paper must be tracked as either sold, damaged, donated, or omitted from the original distributor or manufacturer. Invoices from the distributor or manufacturer and other documentation of transactions involving bingo funds must be kept with the permanent records for that bingo operation. (7-1-97)

107. DUTIES OF BINGO CALLER AND EMPLOYEES OR VOLUNTEERS (Rule 107).

01. Pre-Game Duties. Before selecting or calling the first number in any game, the bingo caller must check the machine and balls for defects. This can be accomplished by running all of the numbered balls through the machine and placing them in their assigned slots. The caller will draw numbers for the Bonanza, Progressive or Hot Ball games if used and verified by a player. The Caller must announce the color of paper card assigned to each game, the pattern or arrangement of squares to be covered to win the game, and the prize amount. (7-1-97)

02. During Play. After selecting each number the bingo caller shall: (7-1-97)

a. Display and Removal. Display the ball or other designator in a receptacle so as to prevent it from being placed back into the selection pool. If electronic display boards are used the placement of the selected ball shall activate the number or if not, the operator shall manually activate each number on the board. (7-1-97)

b. End of Game. After each winner has been verified the caller will ask for additional winners, if they exist. If none, the game will be declared ended and the ball machine will be cleared for the next game. (7-1-97)

108. DETERMINING WINNERS (Rule 108).

01. Winning Cards. Winners are determined when the announced pattern of squares is covered on a player(s)' card. (7-1-97)

02. Players Responsibility. It is the players responsibility to notify the game operator or caller that the player has a winning bingo combination before the next number is called or the bingo win may not be honored. The player(s) must yell "Bingo" loud enough for the caller to hear them. (7-1-97)

03. Game Stops to Verify Winner. When a player declares a winning card, the winner verification should includes stopping the game before the next number is selected. The game shall be secured so that it can be continued if the bingo be invalid. (7-1-97)

04. Verification of Winner. To verify a win, a game employee or volunteer must call back the winning combination of numbers in the assigned pattern and color of paper card. The caller must verify the call back. Electronic verifying devices may be used by entering the serial number of the winning card. A monitor must reveal the card and the winning pattern to verify its status as a valid bingo or an invalid bingo. If it is invalid, the game proceeds until a winner is declared. Once a winner is declared the caller must announce "one (1) good winner" or "two (2)" or more if it applies to the game. (7-1-97)

05. Prizes for Multiple Winners. If more than one (1) winner is declared, cash prizes must be divided equally and merchandise prizes of equal value must be awarded. (7-1-97)

109. CARDS (Rule 109).

01. Hard Cards. Charitable or nonprofit organizations with an annual gross bingo revenue of ten thousand dollars (\$10,000) or less may use hard cards. This rule will generally apply to small religious and other charitable or nonprofit organizations that usually provide bingo as entertainment to their members. A licensed organization may request a special one (1) time use of hard cards for community fund-raising projects that it is sponsoring. No hard cards shall be reserved for any players, with the exception of Braille cards. (7-1-97)

02. Braille Cards. Braille cards are allowed in any bingo game by individuals who need them. (7-1-97)

03. Two (2) Part Disposable Cards. Two (2) part disposable cards may be used in 'U-Pick-Em games, if: (7-1-97)

a. Original and Duplicate Copies. The cards are printed on two (2) part, self-duplicating paper that provides for an original and duplicate copy; (7-1-97)

b. Operating Controls. Players mark their numbers on each card in a distinct, clear and legible manner before separation of the duplicate and original card, and operators establish and set forth in plain view house rules setting out any conditions by which an entry may be added, deleted or changed before separation, and changes are verified by a worker authorized by the bingo manager; and (7-1-97)

c. Retention and Play of Duplicate Copy. The player retains and plays the duplicate copy, and all winning cards and their duplicate copies are retained by the operator as part of the operators daily bingo records. (7-1-97)

110. LIMITS ON PRIZE PAYOUT RATIOS AND ADMINISTRATIVE EXPENSES (Rule 110).

01. Applicability. All organizations conducting bingo games, whether licensed or unlicensed, must adhere to the required limits of this rule in dedicating their gross revenues from bingo operations. These limits and/or percentages pertain to annual gross revenues during a twelve (12) month period or license year. (7-1-97)

02. Maximum Payout Ratio. A maximum payout ratio of sixty-five percent (65%) of annual gross revenue is allowed as prize payouts. If agreed by the board of directors of the organization, the ratio of prizes to annual gross revenue may be increased to seventy percent (70%), but any increase in payout ratios above sixty-five percent (65%) must be made up by an equal reduction from the maximum percentage of fifteen percent (15%) that can be allocated to expenses under Subsection 310.05. For example, if the board of directors of an organization decides to increase the maximum prize payout ratio by three percent (3%) from sixty-five percent (65%) to sixty-eight percent (68%), then the maximum amount of annual gross revenues that can be allocated to expenses must be reduced by three percent (3%) from fifteen percent (15%) to twelve percent (12%). See Section 67-7709(1), Idaho Code. (7-1-97)

03. Donated Merchandise. Donated merchandise offered as prizes is not included in the prize amounts paid out when calculating the prize payout ratio. The organization conducting the bingo game must document the value of the donated items, describe the donated items, and list the donated items on the daily reports as prizes. (7-1-97)

04. Donated Cash Funds Prohibited. Donated cash may not be offered as prizes in bingo games nor deposited into the separate bingo account. (7-1-97)

111. PAYMENT OF EXPENSES, WINNINGS, AND CHARITABLE CONTRIBUTIONS (Rule 111).

All charitable donations must be paid by check from the separate bingo account and recorded in the bingo ledger. See Section 67-7709(1), Idaho Code. (7-1-97)

112. MINIMUM CHARITABLE OR NONPROFIT DONATION (Rule 112).

A minimum of twenty percent (20%) of annual gross revenues must be paid to a charitable or nonprofit organization. See Section 67-7709(1), Idaho Code. Organizations are permitted and encouraged to donate more than twenty percent (20%) of their gross revenues to charitable or nonprofit organizations. (7-1-97)

113. MAXIMUM PRIZES (Rule 113).

Maximum prizes are defined in Section 67-7708, Idaho Code.

(7-1-97)

114. -- 119. (RESERVED).

120. ACCOUNTING AND REPORTING REQUIRED (Rule 120).

Every organization conducting bingo games, whether licensed or unlicensed, must comply with the accounting requirements of Sections 121 through 126.

(7-1-97)

121. SEPARATE BANK ACCOUNT AND LIMITATIONS ON USE (Rule 121).

01. Establishment. All funds received in connection with a bingo game required to be licensed under Chapter 77, Title 67, Idaho Code, and by these rules must be placed in a separate bank account. See Section 67-7709(1), Idaho Code. Only bingo funds generated from bingo games may be distributed as prizes, administrative expenses, or charitable/nonprofit donations.

(7-1-97)

02. Disbursements Use of Funds. All disbursements must be documented as defined in Section 67-7709(1), Idaho Code, and by these rules.

(7-1-97)

122. GENERAL LEDGER (Rule 122).

01. Establishment. A general ledger must be established to account separately for the bingo operation. Ledgers must track all cash and check transactions for the funds generated from bingo.

(7-1-97)

02. Documentation. The accounting of revenues from sales of bingo cards or other entry fees and all disbursements must be documented. The accounting should include, but not be limited to total prize payouts per session, and bingo related expenses per session, charitable contributions per session, wages, date and purpose or payee for each entry.

(7-1-97)

03. Annual Report. Copies of general ledgers must accompany the Annual Bingo Report filed with the Idaho State Lottery. If all disbursements are recorded in the general ledger, no other documents need to be submitted with the Annual Bingo Report.

(7-1-97)

04. Retention of Records. An accounting of all gross revenues and disbursements required by statute and these rules must be retained in permanent records with the organization, including the date of each transaction and the name and address of each payee for all prize payments exceeding one hundred dollars (\$100).

(7-1-97)

123. ANNUAL REPORT (Rule 123).

01. When Due. Every charitable or nonprofit organization conducting bingo games shall prepare an annual report within thirty (30) days after the close of its license year and shall file the annual report with the Idaho State Lottery. See Section 67-7709(2), Idaho Code.

(7-1-97)

02. Information Required by Forms. The nightly reports, receipts, winner records, and payouts must be documented and kept with the organization's permanent records for three (3) years. Any further information required by the forms prescribed by the State Lottery pursuant to statute and rule.

(7-1-97)

03. Independent Audit. Organizations that exceed one hundred fifty thousand dollars (\$150,000) in annual gross revenue from bingo games, raffle events, or bingo games and raffles combined must submit an independent audit from a public accountant or accounting firm. This independent audit must be submitted within ninety (90) days of the end of the licensed organizations license year.

(7-1-97)

124. RECORDS OF PRIZE DISBURSEMENTS (Rule 124).

Organizations conducting bingo games must record names and addresses of winners for prize disbursements exceeding one hundred dollars (\$100). Any prizes exceeding one thousand one hundred ninety-nine dollars (\$1,199) must have a W-2-G on file for A gaming income for these amounts as required by the Internal Revenue Service. See

26 United States Code Section 6041 and 26 Code of Federal Regulations Sections 7.6041-1 and 35a.9999-3 (question and answer 19). (7-1-97)

125. ACCOUNTING OF REVENUES AND EXPENSES (Rule 125).

01. Deposit of Receipts. Bingo funds received in check form must be payable to the organization. All funds must be deposited in a separate bank account for bingo funds. (7-1-97)

02. Ledger Entries and Receipts for Expenses. All ledger entries must track disbursements of cash and checks. Expenses must be documented with receipts. The receipts shall include the payees name and address, date, and an authorized signature from the licensed organization. (7-1-97)

03. Recording of Wages. Wages paid must be recorded on expense records as gross amounts before withholding of taxes or other withholding and net amount paid, with each item of withholding shown. Wages paid must be documented with copies of pay stubs, or other records showing gross wages and withholding. (7-1-97)

04. Submission with Annual Report. Copies of ledgers containing the documentation of all transactions must be submitted with the Annual Bingo Report. Inventory tracking of sequentially numbered paper must be retained in permanent records and kept available for examination. Do not submit these records with the annual bingo report. All documents must be legible and compiled in an orderly manner. (7-1-97)

126. INSPECTION OF BOOKS (Rule 126).

All financial books, papers, records and documents of an organization shall be kept as required by these rules and shall be open to inspection by the county sheriff of the county where the bingo games were held, or the chief of police of the city where the bingo games were held, or the prosecuting attorney of the county where the bingo games were held, or the attorney general or the state lottery, or any of their agents, at reasonable times and during reasonable hours. All records must be kept for three (3) years. (7-1-97)

127. -- 199. (RESERVED).

Subchapter C--Conduct of Raffles

200. REQUIREMENTS FOR ORGANIZATIONS CONDUCTING RAFFLES (Rule 200).

All organizations conducting raffles, whether licensed or unlicensed, must abide by these rules. It is unlawful to conduct raffles in violation of Chapter 77, Title 67, Idaho Code, or in violation of these rules, and persons doing so may be subject to administrative, civil or criminal penalties. See Section 67-7710, Idaho Code. (7-1-97)

201. LIMITATION ON ANNUAL NUMBER OF RAFFLES (Rule 201).

Charitable or non-profit organizations are limited to conducting twelve (12) raffle events per year. See Section 67-7710(2), Idaho Code. (7-1-97)

202. MAXIMUM PRIZES (Rule 202).

The maximum cash prize that may be offered or paid for any single raffle event is one thousand dollars (\$1,000). There is no limit on the maximum value of merchandise that may be offered as a raffle prize so long as the merchandise is not redeemable for cash. See Section 67-7710(3), Idaho Code. (7-1-97)

203. REQUIREMENTS FOR DONATION TO CHARITY--LIMITATION ON EXPENSES (Rule 203).

At least ninety percent (90%) of the net proceeds from sales of raffle tickets or chances must be donated to a charitable or nonprofit organization. (Net proceeds are defined in Subsection 010.21) The name and address of the charitable or nonprofit organizations awarded these funds must be listed on the annual raffle report submitted to the Idaho Lottery. A maximum of ten percent (10%) of net proceeds is allowed for expenses. (7-1-97)

204. GENERAL LEDGER AND RECORDKEEPING (Rule 204).

Every organization conducting a raffle event must establish a general ledger for the raffle. The organization must keep records that show the total number of tickets or chances sold, the revenues from tickets or chances sold, the expenses of conducting the raffle, and the prizes for each raffle. (7-1-97)

205. ANNUAL RAFFLE REPORT (Rule 205).

Every licensed organization conducting a raffle shall prepare an annual raffle report and shall file the annual raffle report with the Idaho State Lottery within thirty (30) days after the close of its license year. See Section 67-7710(5), Idaho Code. Further information required by the forms prescribed by the State Lottery pursuant to statute and rule. (7-1-97)

206. INDEPENDENT AUDIT OF LARGE RAFFLES (Rule 206).

Every charitable or non-profit organization whose gross annual revenues exceed one hundred fifty thousand dollars (\$150,000) from the operation of raffles shall provide the State Lottery Commission with a copy of an annual report of raffle events. The audit shall be performed by an independent public accountant and submitted within ninety (90) days after the end of the organizations license year. (7-1-97)

207. -- 299. (RESERVED).

Subchapter D--Licensing and License Fees for Organizations Conducting Bingo Games and/or Raffles

300. APPLICATION (Rule 300).

All persons required by statute and by these rules to obtain a license before operating a bingo game or conducting a raffle must pay the license fees and apply for and receive a license under the rules in this subchapter. See Section 67-7711(1), Idaho Code. (7-1-97)

301. LICENSE FEES (Rule 301).

Each organization that applies to the State Lottery for a license under these rules shall pay annually to the State Lottery a nonrefundable license fee that shall be due upon submission of the application. An application approved by the Idaho State Lottery, complete with all required information, must be submitted along with the appropriate fee to the Idaho State Lottery Security Division. See Section 67-7712(1), Idaho Code. These non-refundable fees are based on flat initial fee for applicants without a license and a fee based on annual gross revenues from bingo sessions or raffle events for applicants with a license as follows: (7-1-97)

\$100 fee	initial application
\$100 fee	up to \$25,000 annual gross revenues
\$200 fee	up to \$75,000 annual gross revenues
\$300 fee	over \$75,000 annual gross revenues

(7-1-97)

302. INFORMATION TO BE PROVIDED IN APPLICATION (Rule 302).

01. Background Check of Applicants. The application for an initial license and for a renewal license will be reviewed and relevant background investigations will be conducted on all persons listed on the application as officers, directors or members of the special committee. The members of the governing board shall be considered the de facto special committee if the governing board has not designated a special committee in its application. See Section 67-7711(3), Idaho Code. The signature from the organizations representative (on the second page) gives authority to the Idaho State Lottery to conduct investigations of members of the special committee. The persons listed on the application must be officers or directors of the organization or members of the special committee applying for a license. (7-1-97)

02. Proper Identification. The application must list the name, address, date of birth, drivers license number and social security or tax identification number of the applicant, if applicable. If the applicant is a corporation, association or similar legal entity, the application must also list the full name, current home address and phone number, date of birth, social security number, drivers license number and state of issuance, of each listed officer, director or member of the special committee in order to conduct background investigations. See Section 67-7711(2)(a) and (b), Idaho Code. (7-1-97)

03. Charitable Organizations. The application of a charitable organization must include a copy of the application for recognition of exemptions and a determination letter from the Internal Revenue Service and the State Tax Commission that indicates that the organization is a charitable organization and stating the section of the tax code under which the exemption is granted, except that if the organization is a state or local branch, lodge, post or chapter or a national organization, a copy of the determination letter of the national organization shall satisfy this requirement. See Section 67-7711(2)(c)(i), Idaho Code. (7-1-97)

04. Incorporated Nonprofit Organizations. The application of an incorporated nonprofit organization must include a copy of the certificate of existence issued by the Secretary of State pursuant to Chapter 3, Title 30, Idaho Code, establishing the organizations good corporate standing in the state. See Section 67-7711(2)(c)(ii), Idaho Code. (7-1-97)

05. Unincorporated Nonprofit Associations. The application of an unincorporated nonprofit association operating pursuant to Chapter 7, Title 53, Idaho Code, must include a statement meeting the requirements of Section 53-710, Idaho Code, for appointing an agent for service of process. See Section 67-7711(2)(c)(iii), Idaho Code. (7-1-97)

06. Locations. The application must list the location or locations at which the applicant will conduct bingo games or bingo sessions or drawings for raffles. See Section 67-7711(2)(d), Idaho Code. (7-1-97)

07. License Year and Fiscal Year. Organizations may apply for the license to coincide with the organization's fiscal year. (7-1-97)

08. Failure to Provide Information. Failure to provide all required information will result in a delay in granting, denial or dismissal of an application for a bingo/raffle license. See Section 67-7711(1), Idaho Code. (7-1-97)

303. MULTIPLE CHAPTERS LICENSED TOGETHER (Rule 303).

Different chapters of an organization may apply for and share one (1) raffle license so long as the information required in Subsections 302.01 through 302.06 is provided to the State Lottery before the issuance of the license. See Section 67-7711(4), Idaho Code. When two (2) or more chapters share a license, in aggregate they are subject to the limitations of a single organization with a license, multiple chapters sharing a license are not entitled to multiples of the event or prize limits for a license. (7-1-97)

304. COMPENSATION OF CERTAIN PERSONS AND CONTRACTS WITH CERTAIN PERSONS PROHIBITED (Rule 304).

Persons listed on the application as officers or directors and their relatives and members of their household are prohibited from being compensated for their participation in the organizations bingo operation. No organization shall contract with any person not employed by, or a volunteer for, the organization for the purpose of conducting a bingo game or raffle on the organizations behalf. See Section 67-7711(3), Idaho Code. (7-1-97)

305. APPROVAL, DENIAL OR DISMISSAL OF APPLICATION FOR LICENSE (Rule 305).

The Idaho State Lottery has fifteen (15) days to approve, deny or dismiss an application for a license, provided that at the request of the applicant the Idaho State Lottery may defer decision for a longer time. See Section 67-7712(2)(j), Idaho Code. The application will be approved, denied or dismissed in writing. If an application is not received fifteen (15) days in advance of a proposed event, a license may not be granted and the event will not be allowed to proceed. (7-1-97)

306. SUSPENSION OR REVOCATION OF LICENSE--CIVIL AND CRIMINAL PENALTIES (Rule 306).

Any licensed organization found in violation of statute or these bingo/raffle rules or any conditions of its license may face administrative, civil or criminal action. This includes but is not limited to suspension of operations, license revocation, penalties, and/or fines. See Section 67-7707, Idaho Code. See also Section 700 through 704. (7-1-97)

307. EXEMPTION FROM LICENSING AND LICENSING FEES (Rule 307).

See Section 67-7713, Idaho Code. (7-1-97)

01. Low-Stakes Bingo. A charitable or nonprofit organization conducting a bingo game does not need to obtain a license or pay a license fee where the maximum prize offered or paid for any one game of bingo does not exceed two hundred fifty dollars (\$250) cash and the maximum amount of prizes, in cash and/or merchandise, at fair market value, offered in one (1) session of bingo does not exceed one thousand dollars (\$1,000). (7-1-97)

02. Low-Stakes Raffle. A charitable or nonprofit organization does not need to obtain a license or pay a license fee for a raffle, if the aggregate cash prize does not exceed one thousand dollars (\$1,000) and the aggregate fair market value of merchandise does not exceed five thousand dollars (\$5,000). (7-1-97)

03. Exemption From Licensing Not Exemption From Rules. Organizations exempt from licensing under this rule must still comply with applicable requirements of statute and bingo/raffle rules. This information is available by contacting the Idaho Lottery. (7-1-97)

308. RULES AND FORMS (Rule 308).

The Idaho State Lottery will provide forms and reports necessary in regulating the charitable or nonprofit bingo and raffle events. The Lottery Commission is authorized to promulgate rules consistent with and in compliance with Chapter 52, Title 67, Idaho Code. (7-1-97)

309. -- 399. (RESERVED).

Subchapter E--Vendors and Vendors* Licenses and Fees

400. VENDOR'S LICENSE REQUIRED (Rule 400).

All businesses or persons who manufacture, sell, distribute, furnish, or supply to any person or organization any gaming devices, equipment, or materials in this state shall first obtain a vendors license from the Idaho State Lottery. See Section 67-7715, Idaho Code. Vendors must file an application and submit all required forms for background investigations. (7-1-97)

401. LICENSE FEES (Rule 401).

Each initial application for a vendors license must be accompanied by a two hundred dollar (\$200) non-refundable annual license fee that shall be due upon submission of the application. An application approved by the Idaho State Lottery, complete with all required information, must be submitted along with the appropriate fee to the Idaho State Lottery Security Division. See Section 67-7715(3)-(4), Idaho Code. (7-1-97)

402. INFORMATION TO BE PROVIDED IN APPLICATION (Rule 402).

01. Identification of Applicants. The application for initial license and for renewal of a license shall list the name, address, date of birth, drivers license number and social security number of the applicant, and if the applicant is a corporation, proprietorship, association, partnership or other similar legal entity, the name, home address, date of birth, drivers license number and social security number of each of the officers of the corporation and their spouses, as well as the name and address of the directors and their spouses, or other persons similarly situated. (7-1-97)

02. Locations. The locations or persons with which the applicant will provide any gaming devices, equipment or material in this state or for use in this state. (7-1-97)

03. Financial Reports. Financial reports submitted with the license application shall be reviewed as part of the background investigation. All requested data must be included on the application to avoid any delay. The application may be dismissed if it is incomplete. (7-1-97)

403. APPROVAL, DENIAL OR DISMISSAL OF APPLICATION FOR ISSUANCE OF LICENSE (Rule 403).

The Idaho State Lottery has fifteen (15) days to approve, deny or dismiss an application for a vendors license, provided that at the request of the applicant the Idaho State Lottery may defer decision for a longer time. The application will be approved, denied or dismissed in writing. The Idaho State Lottery will issue Vendor Licenses to businesses or persons successful applicants who manufacture, furnish or sell gaming devices, equipment, or materials

designed and permitted to be used in connection with charitable or nonprofit bingo or raffles. See Section 67-7715, Idaho Code. (7-1-97)

404. SUSPENSION OR REVOCATION OF LICENSE (Rule 404).

Any licensed vendor found in violation of statute or these vendors' rules or any conditions of its license may face suspension of the vendors license and activities taken pursuant to the vendors license or license revocation. (7-1-97)

405. GAMING DEVICES, EQUIPMENT OR MATERIALS (Rule 405).

Gaming devices, equipment, and materials include but are not limited to: (7-1-97)

01. Number Selectors. Number selection machines, manual mixing drums, or computerized random selectors. (7-1-97)

02. Bingo Cards. Numbered paper cards and hard cards designed with five (5) columns of random numbers ranging between one (1) and seventy-five (75) corresponding to the appropriate B-I-N-G-O columns. This may also include Bonanza cards and "U-Pick-Ems". (7-1-97)

03. Miscellaneous. Daubers, raffle tickets, record keeping materials and other items used in the operation of bingo and/or raffles. (7-1-97)

406. CARD MANUFACTURERS STANDARDS (Rule 406).

Card manufacturers shall follow these recommended standards for paper cards: (7-1-97)

01. Quality of Paper. The paper shall be of sufficient weight and quality to allow for clearly readable numbers and to prevent ink from spreading or bleeding through a packet thereby obscuring other numbers or cards. (7-1-97)

02. Free Space. Manufacturer's perm numbers shall be displayed in the free space square. (7-1-97)

03. Random Assignment of Numbers. Numbers printed on the card should shall be randomly assigned. (7-1-97)

04. Serial Numbers. Each set of cards shall be comprised of cards bearing the same serial number. No serial number shall be duplicated by a manufacturer in a given year. (7-1-97)

05. Packet Assembly. Cards assembled in books or packets shall be glued, not stapled. (7-1-97)

06. Labeling. A label shall be placed on the exterior of each carton of bingo paper listing the type of product, number of packets or loose sheets, serial numbers, per (series) numbers, number of cases, cut of paper, and color of paper. (7-1-97)

07. Packing Slips. A packing slip inside each case shall list the same information as listed on the label. (7-1-97)

407. NUMBER SELECTORS (Rule 407).

All number selectors must conform with manufacturers standards. Electronic random selectors must interact with players. Auto daubing systems are prohibited. (7-1-97)

408. -- 499. (RESERVED).

Subchapter F--Suspension, Revocation or Denial of a License

500. SUSPENSION, REVOCATION OR DENIAL OF LICENSE (Rule 500).

Any person, business, vendor, or organization found to be in violation of any statutes or rules governing the operating, participating, or establishing of charitable or nonprofit gaming in the State of Idaho may be subject to suspension, revocation or denial of its license. See Section 67-7712 and 67-7715, Idaho Code. (7-1-97)

501. GROUNDS FOR SUSPENSION, REVOCATION OR DENIAL OF LICENSE (Rule 501).

The Idaho State Lottery may suspend, revoke or deny a license if it finds that the licensee or applicant for a license has violated any provision of Chapter 77, Title 67, Idaho Code, any of these rules, or any county ordinance adopted pursuant to Chapter 77, Title 67, Idaho Code. (See Section 67-7712(2), Idaho Code). (7-1-97)

502. COMPLAINT AGAINST AND INVESTIGATION OF LICENSEES (Rule 502).

The State Lottery may, upon its own motion, or upon a written verified complaint of any other person, investigate the operation of any gaming purportedly authorized by Chapter 77, Title 67, Idaho Code, or by these rules. If the State Lottery has reasonable cause to believe that any gaming described in Chapter 77, Title 67, Idaho Code, or in these rules, violates the provisions of the Idaho Code or these rules, it may in its discretion revoke, cancel, rescind or suspend any license for a period not to exceed one (1) year, or it may refuse to grant a renewal of the license, or it may take other action as may be appropriate under Idaho Code or these rules. See Section 67-7712(3), Idaho Code. (7-1-97)

503. PROCEDURE UPON FINDING OF REASONABLE CAUSE (Rule 503).

If the State Lottery shall refuse to grant a license or refuse to grant a renewal of a license or revoke, cancel, rescind or suspend a license, it shall give the applicant or licensee fifteen (15) calendar days* written notice of its intended action stating generally the basis for its action. Within the fifteen (15) calendar days* notice period, the applicant or licensee shall indicate its acceptance of the decision of the State Lottery or shall request a hearing to be held in the same manner as hearings in contested cases pursuant to Chapter 52, Title 67, Idaho Code. See Section 67-7712(3), Idaho Code. (7-1-97)

504. CONDUCT OF HEARING IN CONTESTED CASE (Rule 504).

The hearing in a contested case shall be conducted within twenty-one (21) days of the request. The applicant or licensee may appeal the decisions of the State Lottery after the hearing pursuant to Chapter 52, Title 67, Idaho Code. Failure to make the request for hearing as provided in these rules shall render the decision of the State Lottery final and not subject to further appeal. See Section 67-7712(3), Idaho Code. (7-1-97)

505. -- 999. (RESERVED).