

BAO 2005-0128-0041	Date Issued: 03/29/2005	View Request RQ 2005-0128-0041
Summary:	Neither the Bingo Enabling Act (Texas Occupations Code Chapter 2001) nor the Charitable Bingo Administrative Rules (16 TAC Chapter 402) prohibit a charity from limiting the number of electronic units that a person can play at a single session of bingo.	

CERTIFIED MAIL NO. 7001 2510 0001 4202 4487

BAO # 2005-0128-0041

March 29, 2005

Ms. Patricia Greenfield
Greenfield Bingo Services
220 Rob Lane
Hudson Oaks, Texas 78087

Re: Bingo Equipment

Dear Ms. Greenfield:

On January 28, 2005, the Texas Lottery Commission (the "Commission") received your e-mail requesting an advisory opinion related to bingo equipment. Below is your question followed by the Commission's response.

Please advise me if it is legal for a charity to place a per person limit on the number of electronic units that a person can play at a single session of bingo.

ANSWER:

Neither the Bingo Enabling Act (Texas Occupations Code Chapter 2001) nor the Charitable Bingo Administrative Rules (16 TAC Chapter 402) prohibit a charity from limiting the number of electronic units that a person can play at a single session of bingo.

SUMMARY

Neither the Bingo Enabling Act (Texas Occupations Code Chapter 2001) nor the Charitable Bingo Administrative Rules (16 TAC Chapter 402) prohibit a charity from

limiting the number of electronic units that a person can play at a single session of bingo.

This advisory opinion cannot be construed as a tax ruling or otherwise interpretive of the Internal Revenue Code. The information provided is completely limited to the context of the Bingo Enabling Act and the Charitable Bingo Administrative Rules.

This advisory opinion is based on the laws, rules and regulations in effect at the time of its issuance. All of the information provided herein is subject to change in law.

This opinion is purely advisory in nature and is limited to the particular questions at issue and to the facts presented in the request. Therefore, this opinion must not be relied upon as a previous determination regarding any conduct which is not substantially consistent with the opinions and facts stated in the request.

Yours truly,

William L. Atkins, Director
Charitable Bingo Operations Division

cc: C. Tom Clowe, Jr., Chairman
James A. Cox, Jr., Commissioner
Rolando Olvera, Commissioner
Kimberly L. Kiplin, General Counsel