

BAO 2005-0207-0042	Date Issued: 04/04/2005	View Request RQ 2005-0207-0042
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Summary:	Neither the Bingo Enabling Act (Tex. Occ. Code Chapter 2001) nor the Charitable Bingo Administrative Rules (16 TAC Chapter 402) prohibits a worker from purchasing bingo paper on behalf of a patron during an intermission or between games. A registered bingo worker who has taken the operator training class and received a certificate of completion, but who is not a member of the organization licensed to conduct bingo may not hold a position of operator.
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CERTIFIED MAIL NO. 7001 2510 0001 4202 4531

BAO # 2005-0207-0042

April 4, 2005

Mr. Leon J. Brandt
VFW Post 3903
826 Strange Drive
Richmond, Texas 77469-3933

Re: Bingo Workers

Dear Mr. Brandt:

On February 7, 2005, the Texas Lottery Commission (Commission) received your e-mail requesting an advisory opinion related to bingo equipment. Below are your questions followed by the Commission's response.

1. Can a worker, during intermission or between games, take money from a customer and buy additional bingo paper for them?
2. It appears that any person who is a registered bingo worker (with badge) can work at any bingo halls. My question;(sic) can a person who is a registered bingo worker and has taken the class and received a certificate of completion and is not a member of the organization licensed to conduct bingo, hold a position of operator?

ANSWER:

In response to question one, neither the Bingo Enabling Act (Tex. Occ. Code Chapter 2001) nor the Charitable Bingo Administrative Rules (16 TAC Chapter 402) prohibits a registered worker from purchasing bingo paper on behalf of a patron during an intermission or between games.

In response to question two, a registered bingo worker who has taken the operator training class and received a certificate of completion, but who is not a member of the organization licensed to conduct bingo, may not hold a position of operator. An operator must be a member of the organization.^{[\[1\]](#)}

SUMMARY

Neither the Bingo Enabling Act (Tex. Occ. Code Chapter 2001) nor the Charitable Bingo Administrative Rules (16 TAC Chapter 402) prohibits a worker from purchasing bingo paper on behalf of a patron during an intermission or between games. A registered bingo worker who has taken the operator training class and received a certificate of completion, but who is not a member of the organization licensed to conduct bingo may not hold a position of operator.

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

[\[1\]](#) See Tex. Occ. Code §2001.411.