

BAO 2005-0719-0051	Date Issued: 09/16/2005	View Request RQ 2005-0719-0051
Summary:	There is no basis for concluding that there was a violation of the regulations governing pull-tab bingo. See Occupations Code § 2001.408 (authorizing pull-tab bingo subject to Lottery Commission rules); 16 T.A.C. § 402.300 (bull-tab bingo rule).	

CERTIFIED MAIL NO. 7001 2510 0001 4202 4142

BAO # 2005-0719-0051

September 16, 2005

Mario P. Sifuentes
5230 Stormy Skies
San Antonio, TX 78247

Re: Bingo Activities

Dear Mr. Sifuentes:

This advisory opinion responds to your request which was received by the Texas Lottery Commission on July 19, 2005, regarding bingo activities. You requested an opinion about the manner in which the winner of a pull-tab bingo game was determined on a particular occasion. You are concerned that the manner in which the winner was determined was inconsistent with the instructions provided with the game.

Our office has reviewed the information you provided with your request; the instructions provided by the manufacturer of the pull-tab bingo tickets in question, and the "flare" for the game (a placard that displays information about the game).

SUMMARY

There is no basis for concluding that there was a violation of the regulations governing pull-tab bingo. See Occupations Code § 2001.408 (authorizing pull-tab bingo subject to Lottery Commission rules); 16 T.A.C. § 402.300 (bull-tab bingo rule).

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