

BAO 2006-1011-0001	Date Issued: 12/05/2005	View Request RQ 2006-1011-0001
Summary:	In a regular bingo game, prize money should be divided by the number of winning bingo cards.	

CERTIFIED MAIL NO. 7001 2510 0001 4202 4135

BAO # 2006-1011-0001

December 5, 2005

Joseph J. Bonomo
4919 Carya
San Antonio, Texas 78222

Re: Bingo Activities

Dear Mr. Bonomo:

This advisory opinion responds to your request which was received by the Texas Lottery Commission on October 11, 2005, regarding bingo activities. You requested an opinion about the manner in which the winners of a bingo game were determined on a particular occasion. You are concerned that the manner in which the winners were determined was incorrect. Our office has reviewed the information you provided with your request. Below is your question followed by the Commission's answer.

Should the prize money be divided by the number of winning bingo cards or by the number of winning players?

ANSWER:

In the event that there is more than one winning card in a regular bingo game, prize money should be divided by the number of winning bingo cards. Players purchase the opportunity to play bingo on a per card basis. A player may purchase one card or may choose to purchase multiple cards for a single game in order to increase the odds of winning.

Bingo Administrative Rule, §402.200(i) addresses verification of winning cards and requires the posting of "each winning disposable paper card or an electronic representation of the card . . . where it may be viewed in detail by the players . . ." By requiring verification and posting of "each" winning card, the rule clearly envisions that a prize will be awarded based on the individual winning cards. If a prize were to be awarded based on the number of players holding winning cards, it would not always be necessary to verify all winning cards. It would only be necessary to verify one winning card per player. Therefore, awarding a prize based on the number of winning bingo

cards rather than the number of winning players is consistent with the requirements of §402.200(i).

SUMMARY

In a regular bingo game, prize money should be divided by the number of winning bingo cards.

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
Kimberly L. Kiplin, General Counsel