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**HOUSE BILL NO. 1920**

Offered January 13, 2025

Prefiled January 6, 2025

A *BILL to amend and reenact §§ 18.2-340.34:1 and 18.2-340.33 of the Code of Virginia, relating to charitable gaming; remuneration for bingo callers and bingo managers.*

Patrons—Ward and Glass

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 18.2-340.34:1 and 18.2-340.33 of the Code of Virginia are amended and reenacted as follows:**

**§ 18.2-340.34:1. Bingo managers and callers; remuneration; registration; qualification; suspension, revocation, or refusal to renew certificate; exceptions.**

A. No person shall receive remuneration as a bingo manager or caller from any qualified organization unless and until such person has made application for and has been issued a registration certificate by the Department. Application for registration shall be made on forms prescribed by the Department and shall be accompanied by a fee in the amount of \$75. Each registration certificate shall remain valid for a period of one year from the date of issuance. Application for renewal of a registration certificate shall be accompanied by a fee in the amount of \$75 and shall be made on forms prescribed by the Department.

B. As a condition of registration as a bingo manager, the applicant shall (i) have been a bona fide member of the qualified organization for at least 12 consecutive months prior to making application for registration and (ii) be required to complete a reasonable training course developed and conducted by the Department.

As a condition of registration as a bingo caller, the applicant shall be required to complete a reasonable training course developed and conducted by the Department.

The Department may refuse to register any bingo manager or caller who has (a) been convicted of or pleaded nolo contendere to a felony in any state or federal court or has been convicted of any offense which, if committed in the Commonwealth, would be a felony; (b) been convicted of or pleaded nolo contendere to a crime involving gambling; (c) had any license, permit, certificate, or other authority related to activities defined as charitable gaming in the Commonwealth suspended or revoked in the Commonwealth or in any other jurisdiction; or (d) failed to file or has been delinquent in excess of one year in the filing of any tax returns or the payment of any taxes due the Commonwealth.

C. The Department may suspend, revoke, or refuse to renew the registration certificate of any bingo manager or caller for any conduct described in subsection B or for any violation of this article or Department regulations. Before taking any such action, the Department shall give the bingo manager or caller a written statement of the grounds upon which it proposes to take such action and an opportunity to be heard. Every hearing in a contested case shall be conducted in accordance with the Administrative Process Act (§ 2.2-4000 et seq.).

D. The provisions of subsection A requiring registration for bingo callers with the Department shall not apply to a bingo caller for a volunteer fire department or volunteer emergency medical services agency or auxiliary unit thereof that has been recognized in accordance with § 15.2-955 by an ordinance or resolution of the political subdivision where the volunteer fire department or volunteer emergency medical services agency is located as being a part of the safety program of such political subdivision.

*E. By October 1, 2029, and annually thereafter, the Department shall adjust the dollar amount of \$200 specified in subdivision 5 e of § 18.2-340.33 to reflect the rate of inflation from the previous date that the dollar amount was established, as measured by the Consumer Price Index or other method of measuring the rate of inflation that the Department determines is reliable and generally accepted. The amount of each annual adjustment shall not be less than zero and shall be rounded to the nearest whole dollar.*

**§ 18.2-340.33. Prohibited practices.**

In addition to those other practices prohibited by this article, the following acts or practices are prohibited:

1. No part of the gross receipts or electronic gaming adjusted gross receipts derived by a qualified organization may be used for any purpose other than (i) gaming expenses; (ii) reasonable and proper business expenses; and (iii) those lawful religious, charitable, community, or educational purposes for which the organization is specifically chartered or organized.

2. Except as provided in § 18.2-340.34:1, no qualified organization shall enter into a contract with or otherwise employ for compensation any person for the purpose of organizing, managing, or conducting any charitable games. However, organizations composed of or for deaf or blind persons may use a part of their gross receipts for costs associated with providing clerical assistance in the management and operation but not the conduct of charitable gaming.

59 The provisions of this subdivision shall not prohibit the joint operation of bingo games held in accordance  
 60 with § 18.2-340.29.

61 3. No person shall pay or receive for use of any premises wholly devoted to the conduct of any charitable  
 62 games, any consideration in excess of the current fair market rental value of such property. Fair market rental  
 63 value consideration shall not be based upon or determined by reference to a percentage of the proceeds  
 64 derived from the operation of any charitable games or to the number of people in attendance at such  
 65 charitable games.

66 4. No person shall participate in the management or operation of any charitable game unless such person  
 67 is and, for a period of at least 30 days immediately preceding such participation, has been a bona fide member  
 68 of the organization. For any organization that is not composed of members, a person who is not a bona fide  
 69 member may volunteer in the conduct of a charitable game as long as that person is directly supervised by a  
 70 bona fide official member of the organization.

71 The provisions of this subdivision shall not apply to (i) persons employed as clerical assistants by  
 72 qualified organizations composed of or for deaf or blind persons; (ii) employees of a corporate sponsor of a  
 73 qualified organization, provided such employees' participation is limited to the management, operation, or  
 74 conduct of no more than one raffle per year; (iii) the spouse or family member of any such bona fide member  
 75 of a qualified organization provided at least one bona fide member is present; or (iv) persons employed by a  
 76 qualified organization authorized to sell pull tabs or seal cards in accordance with § 18.2-340.16, provided (a)  
 77 such sales are conducted by no more than two on-duty employees and (b) such employees receive no  
 78 compensation for or based on the sale of the pull tabs or seal cards.

79 5. No person shall receive any remuneration for participating in the management, operation, or conduct of  
 80 any charitable game, except that:

81 a. Persons employed by organizations composed of or for deaf or blind persons may receive remuneration  
 82 not to exceed \$30 per event for providing clerical assistance in the management and operation but not the  
 83 conduct of charitable games only for such organizations;

84 b. Persons under the age of 19 who sell raffle tickets for a qualified organization to raise funds for youth  
 85 activities in which they participate may receive nonmonetary incentive awards or prizes from the  
 86 organization;

87 c. Remuneration may be paid to off-duty law-enforcement officers from the jurisdiction in which such  
 88 bingo games are played for providing uniformed security for such bingo games even if such officer is a  
 89 member of the sponsoring organization, provided the remuneration paid to such member is in accordance  
 90 with off-duty law-enforcement personnel work policies approved by the local law-enforcement official and  
 91 further provided that such member is not otherwise engaged in the management, operation, or conduct of the  
 92 bingo games of that organization, or to private security services businesses licensed pursuant to § 9.1-139  
 93 providing uniformed security for such bingo games, provided that employees of such businesses shall not  
 94 otherwise be involved in the management, operation, or conduct of the bingo games of that organization;

95 d. A member of a qualified organization lawfully participating in the management, operation, or conduct  
 96 of a bingo game may be provided food and nonalcoholic beverages by such organization for on-premises  
 97 consumption during the bingo game provided the food and beverages are provided in accordance with  
 98 Department regulations;

99 e. Remuneration ~~may~~ shall be paid to bingo managers or callers who have a current registration certificate  
 100 issued by the Department in accordance with § 18.2-340.34:1, or who are exempt from such registration  
 101 requirement. ~~Such~~ Except as provided for in subdivision f of this subdivision and subsection E of §  
 102 18.2-340.34:1, such remuneration shall not exceed ~~\$100~~ \$200 per session; ~~and~~

103 f. For services provided on any day designated as a legal holiday pursuant to § 2.2-3300, remuneration  
 104 shall be paid at a rate not less than one and one-half times the remuneration rate paid pursuant to  
 105 subdivision e to bingo managers or callers who have a current registration certificate issued by the  
 106 Department in accordance with § 18.2-340.34:1, or who are exempt from such registration requirement; and

107 g. Volunteers of a qualified organization may be reimbursed for their reasonable and necessary travel  
 108 expenses, not to exceed \$50 per session.

109 6. No landlord shall, at bingo games conducted on the landlord's premises, (i) participate in the conduct,  
 110 management, or operation of any bingo games; (ii) sell, lease, or otherwise provide for consideration any  
 111 bingo supplies, including bingo cards, instant bingo cards, or other game pieces; or (iii) require as a condition  
 112 of the lease or by contract that a particular manufacturer, distributor, or supplier of bingo supplies or  
 113 equipment be used by the organization.

114 The provisions of this subdivision shall not apply to any qualified organization conducting bingo games  
 115 on its own behalf at premises owned by it.

116 7. No qualified organization shall enter into any contract with or otherwise employ or compensate any  
 117 member of the organization on account of the sale of bingo supplies or equipment.

118 8. No organization shall award any bingo prize money or any merchandise valued in excess of the  
 119 following amounts:

120 a. No bingo door prize shall exceed \$250 for a single door prize or \$500 in cumulative door prizes in any

121 one session;

122 b. No regular bingo or special bingo game prize shall exceed \$100. However, up to 10 games per bingo  
123 session may feature a regular bingo or special bingo game prize of up to \$200;

124 c. No instant bingo, pull tab, or seal card prize for a single card shall exceed \$2,000;

125 d. Except as provided in this subdivision 8, no bingo jackpot of any nature whatsoever shall exceed  
126 \$1,000, nor shall the total amount of bingo jackpot prizes awarded in any one session exceed \$1,000.  
127 Proceeds from the sale of bingo cards and the sheets used for bingo jackpot games shall be accounted for  
128 separately from the bingo cards or sheets used for any other bingo games; and

129 e. No single network bingo prize shall exceed \$25,000. Proceeds from the sale of network bingo cards  
130 shall be accounted for separately from bingo cards and sheets used for any other bingo game.

131 9. The provisions of subdivision 8 shall not apply to: ~~Any~~ any progressive bingo game; in which (i) a  
132 regular or special prize, not to exceed \$100, is awarded on the basis of predetermined numbers or patterns  
133 selected at random and (ii) a progressive prize, not to exceed \$500 for the initial progressive prize and \$5,000  
134 for the maximum progressive prize, is awarded if the predetermined numbers or patterns are covered when a  
135 certain number of numbers is called, provided that (a) there are no more than six such games per session per  
136 organization, (b) the amount of increase of the progressive prize per session is no more than \$200, (c) the  
137 bingo cards or sheets used in such games are sold separately from the bingo cards or sheets used for any other  
138 bingo games, (d) the organization separately accounts for the proceeds from such sale, and (e) such games are  
139 otherwise operated in accordance with the Department's rules of play.

140 10. No organization shall award any raffle prize valued at more than \$100,000.

141 The provisions of this subdivision shall not apply to a raffle conducted no more than three times per  
142 calendar year by a qualified organization qualified as a tax-exempt organization pursuant to § 501(c) of the  
143 Internal Revenue Code for a prize consisting of a lot improved by a residential dwelling where 100 percent of  
144 the moneys received from such a raffle, less deductions for the fair market value for the cost of acquisition of  
145 the land and materials, are donated to lawful religious, charitable, community, or educational organizations  
146 specifically chartered or organized under the laws of the Commonwealth and qualified as a § 501(c) tax-  
147 exempt organization. No more than one such raffle shall be conducted in any one geographical region of the  
148 Commonwealth.

149 11. No qualified organization composed of or for deaf or blind persons ~~which~~ that employs a person not a  
150 member to provide clerical assistance in the management and operation but not the conduct of any charitable  
151 games shall conduct such games unless it has in force fidelity insurance, as defined in § 38.2-120, written by  
152 an insurer licensed to do business in the Commonwealth.

153 12. No person shall participate in the management or operation of any charitable game if he has ever been  
154 convicted of any felony or if he has been convicted of any misdemeanor involving fraud, theft, or financial  
155 crimes within the preceding five years. No person shall participate in the conduct of any charitable game if,  
156 within the preceding 10 years, he has been convicted of any felony or if, within the preceding five years he  
157 has been convicted of any misdemeanor involving fraud, theft, or financial crimes. In addition, no person  
158 shall participate in the management, operation, or conduct of any charitable game if that person, within the  
159 preceding five years, has participated in the management, operation, or conduct of any charitable game ~~which~~  
160 that was found by the Department or a court of competent jurisdiction to have been operated in violation of  
161 state law, local ordinance, or Department regulation.

162 13. Qualified organizations jointly conducting bingo games pursuant to § 18.2-340.29 shall not  
163 circumvent any restrictions and prohibitions ~~which~~ that would otherwise apply if a single organization were  
164 conducting such games. These restrictions and prohibitions shall include the frequency with which bingo  
165 games may be held, the value of merchandise or money awarded as prizes, or any other practice prohibited  
166 under this section.

167 14. A qualified organization shall not purchase any charitable gaming supplies for use in the  
168 Commonwealth from any person who is not currently registered with the Department as a supplier pursuant  
169 to § 18.2-340.34.

170 15. Unless otherwise permitted in this article, no part of an organization's charitable gaming gross receipts  
171 shall be used for an organization's social or recreational activities.

172 16. No organization qualified to conduct Texas Hold'em poker tournaments pursuant to § 18.2-340.28:2  
173 shall conduct any Texas Hold'em poker games where the game has no predetermined end time and the  
174 players wager actual money or poker chips that have cash value.