



WASHINGTON STATE GAMBLING COMMISSION
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BONA FIDE CHARITABLE / NONPROFIT ORGANIZATIONS JOINT FUND-RAISING EVENT – LEAD ORGANIZATION

THIS PACKET CONTAINS:

1. A pamphlet entitled "Gambling License Certification Program".
2. Basic and specific Instructions.
 - Definitions of:
 - Bona Fide Charitable or Nonprofit Organization (RCW 9.46.0209);
 - Fund-Raising Event (RCW 9.46.0233); and
 - Member, Bona Fide Member (RCW 9.46.0261).
3. The basic application (GC4-090j) with attachments and supporting forms including:
 - Joint Fund-Raising Event Agreement (GC4-090a);
 - Fund-Raising Event – Assisting Organization (GC4-090p);
 - Washington Administrative Codes (WACs) pertaining to licensing and / or operation of gambling activities;
 - Letter for Mandatory Prelicensing Training (GC5-158); and
 - Fee Schedule – Bona Fide Charitable / Nonprofit Organization (GC5-055 FS).

GENERAL INFORMATION:

1. You may not conduct a Joint Fund-Raising Event unless licensed to do so.
2. The completed application(s) must be submitted sixty (60) days prior to the event.
3. If you decide to voluntarily withdraw your application, or the commission staff seeks a denial based on non-qualifications, your fees will be refunded minus the amount necessary to process your file. Refunds will not be given after issuance of your license, except as provided in WAC 230-04-260.
4. The lead organization must complete forms *Joint Fund-Raising Event (GC4-090j)* and *Joint Fund-Raising Event Agreement (GC4-090a)*.
5. Assisting organizations must complete form *Fund-Raising Event – Assisting Organization (GC4-090p)*.

APPLICATION INSTRUCTIONS:

I. BASIC

1. Ensure your packet contains all the items listed above.
2. Read the ***Gambling License Certification Program*** pamphlet very carefully.
3. Turn to Pages 3 and 4 and read the RCWs that define Bona Fide Charitable or Nonprofit Organizations, a Fund-Raising Event, and a Bona Fide Member. Does your organization meet all the qualifications set forth? If uncertain, contact the licensing services section.
4. It is very important that you read and understand all instructions. If some areas are unclear, call the licensing services section for help. Actual processing of your application begins only after your complete application is received with all required and requested documents, and the appropriate fee.
5. Assure that the application is complete. Recheck all entries, enclose all needed documents, include any special requirements and sign the application.
6. Enclose a check or money order made payable to the **Washington State Gambling Commission**.

II. SPECIFIC INSTRUCTIONS (Line by Line) (Please place N/A in section that does not apply to your organization.)

Type of Event: Mark the class of license you are applying for. Note the time periods involved in each license class. Remember, once (or if) licensed, you must operate within the allotted period of your license class.

1. General Information:

- a. Enter the lead organization's name and phone number in the space provided. Include any chapter or district number. Example: The Charity Club, Chapter 127.
- b. Provide the organization's complete mailing address. Include Street, P.O. Box, City, State, Zip and County.
- c. Enter the organization's business telephone number and gambling premises telephone number in the space provided. (Include your area code.)
- d. In the space provided, enter the Unified Business Identifier (UBI) number as assigned by the Washington State Department of Revenue (this is a nine (9) digit number, e.g. 600 111 000).
- e. Has your organization been previously licensed with the Washington State Gambling Commission?

2. Event Information:

- a. Fill in the exact "From" and "To" dates, and the exact times you wish to conduct your proposed gambling event. Use "noon" or "midnight" instead of 12 o'clock. Be sure the dates and times are correct. Changes or corrections submitted after-the-fact must follow WAC 230-04-325 and include the current change fee (see attached fee schedule).
- b. Identify where you wish to conduct your proposed gambling event. Include the premises name, street address, and the name of the premises owner. Review attached WAC 230-25-100 and WAC 230-25-120 for limitations and requirements if renting or leasing the site.
- c. Mark whether your proposed gambling event will be inside or outside the city limits. Be very careful, some cities and counties prohibit certain types of gambling activities. Call the Licensing Services section if you are uncertain.
- d. Identify the owner of the gambling equipment. Include both their name and address. Review attached WAC 230-25-110 and WAC 230-25-120 for limitations and requirements if renting or leasing gambling equipment.
- e. Identify the manager of your proposed gambling event. Provide all information requested.

3. Organization Members: In the spaces provided complete the information requested on each individual listed. **Please** provide all the information requested or it may delay processing of your application.

4. Qualification / Certification Information: This section is very important in determining your qualifications to conduct the event as a bona fide charitable or nonprofit organization under the provisions of chapter 9.46 RCW and chapter 230 WAC. Each organization is required to undergo initial certification and / or annual renewal to ensure compliance with the law.

Items (a) through (d) are based primarily on your previous fiscal year's activities and accomplishments. Be very specific regarding the type(s) of services you may provide to the public and / or your membership.

5. Required Attachments: Attach all required supporting documents and information. Boxes are provided so you may mark each document attached.

6. Oath of the Elected Chief Officer Only: Read the oath carefully prior to signing this application. Note that you are committing your organization to a highly regulated activity and you must comply with, and fulfill all obligations contained therein.

III. EVENT REQUIREMENTS / OTHER INFORMATION:

1. Commission rules are included with this packet. Read and become familiar with these rules. You must also post these rules, along with your event license, at the place and time of your event.
2. Based on a survey of licensed fund-raising events (Casino / Reno Nites), an organization should plan to utilize a minimum of 30-40 or more bona fide members to effectively operate a 10-station activity. It is essential to remember that careful planning may make the difference between success or failure. Remember, only bona fide members that are 18 years of age or older may participate in the operation or management of a fund-raising event.
3. In accordance with WAC 230-25-020 you must notify your local law enforcement agency in writing at least ten (10) days prior to the fund-raising event and the gambling equipment must be available and set-up at least two (2) hours prior to the event for possible inspection. Any changes in time, date, or location must be approved by the commission and notice given to your local law enforcement agency.
4. If you do not own all gambling equipment needed, you have two options. You may either construct your own equipment or purchase, lease, or borrow the equipment from a licensed distributor or a licensed bona fide charitable or nonprofit organization (who has held a fund-raising event within the past twelve months). Rental of equipment (or the rental of the premises) must not exceed the maximum amounts allowed by WAC 230-25-120.

NOTE: Any charitable or nonprofit organization who rents or leases out fund-raising event equipment more than five (5) times per year must first obtain a Fund-Raising Event Equipment Distributor's license. A *Charitable / Nonprofit Organization – Lower Volume Activities* (GC4-004) application may be obtained from the Gambling Commission at the phone numbers listed below.

5. You must have a predetermined plan for awarding (as prizes) any money in excess of \$10,000 annual net receipts. The predetermined plan must be known to all event participants, and is subject to verification by law enforcement personnel during the event. Attached WAC 230-25-030 explains this requirement.
6. The organization's event manager must attend the mandatory training offered by the gambling commission. See attached WAC 230-04-020 and *Mandatory Training* (GC5-158) letter regarding this requirement.

Before mailing, recheck entire application – **have you missed anything?**

Enclose the correct fee and mail or deliver to the address shown on page 1.

For assistance, contact the licensing section at (360) 486-3440 or toll-free number at 1-800-345-2529.

YOUR APPLICATION AND THE PUBLIC RECORDS ACT

From the moment we receive your application, it becomes a public document subject to the Public Records Act (RCW 42.56) and other Washington laws. Per WAC 230-04-020 (4), the Commission may disclose to the public or discuss at a public meeting, all information set forth in this application and all supplemental information submitted. The Commission responds to public document requests through a Public Disclosure Request process. In the unlikely event that the Commission receives a public disclosure request regarding this application or the license file established, you may request in writing, that the Commission notify you of such request as provided in RCW 42.56.540.

RCW 9.46.0209 BONA FIDE CHARITABLE OR NONPROFIT ORGANIZATION. (1)(a) "Bona fide charitable or nonprofit organization," as used in this chapter, means:

(i) Any organization duly existing under the provisions of chapter 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or

(ii) Any corporation which has been incorporated under Title 36 U.S.C. and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same.

(b) An organization defined under (a) of this subsection must:

(i) Have been organized and continuously operating for at least twelve calendar months immediately preceding making application for any license to operate a gambling activity, or the operation of any gambling activity authorized by this chapter for which no license is required;

(ii) Have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, or board members, if any, who determine the policies of the organization in order to receive a gambling license; and

(iii) Demonstrate to the commission that it has made significant progress toward the accomplishment of the purposes of the organization during the twelve consecutive month period preceding the date of application for a license or license renewal. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the internal revenue code of 1954, as amended, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section.

(c) Any person, association or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(2) For the purposes of RCW 9.46.0315 and 9.46.110, a bona fide nonprofit organization also includes:

(a) A credit union organized and operating under state or federal law. All revenue less prizes and expenses received from raffles conducted by credit unions must be devoted to purposes authorized under this section for charitable and nonprofit organizations; and

(b) A group of executive branch state employees that:

(i) Has requested and received revocable approval from the agency's chief executive official, or such official's designee, to conduct one or more raffles in compliance with this section;

(ii) Conducts a raffle solely to raise funds for either the state combined fund drive, created under RCW 41.04.033; an entity approved to receive funds from the state combined fund drive; or a charitable or benevolent entity, including but not limited to a person or family in need, as determined by a majority vote of the approved group of employees. No person or other entity may receive compensation in any form from the group for services rendered in support of this purpose;

(iii) Promptly provides such information about the group's receipts, expenditures, and other activities as the agency's chief executive official or designee may periodically require, and otherwise complies with this section and RCW 9.46.0315; and

(iv) Limits the participation in the raffle such that raffle tickets are sold only to, and winners are determined only from, the employees of the agency.

RCW 9.46.0233 "FUND RAISING EVENT" (1) "Fund raising event," as used in this chapter, means a fund raising event conducted during any seventy-two consecutive hours but exceeding twenty-four consecutive hours and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than twenty-four consecutive hours each time by a bona fide charitable or nonprofit organization as defined in RCW 9.46.0209 other than any agricultural fair referred to

thereunder, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries, and raffles. However: (a) Gross wagers and bets or revenue generated from participants under subsection (2) of this section received by the organization less the amount of money paid by the organization as winnings, or as payment for services or equipment rental under subsection (2) of this section, and for the purchase cost of prizes given as winnings do not exceed ten thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) only bona fide members of the organization who are not paid for such service or persons licensed or approved by the commission under subsection (2) of this section shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; and (d) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

(2) Bona fide charitable or nonprofit organizations may hire a person or vendor, who is licensed or approved by the commission, to organize and conduct a fund raising event on behalf of the sponsoring organization subject to the following restrictions:

(a) The person or vendor may not provide the facility for the event;

(b) The person or vendor may use paid personnel and may be compensated by a fixed fee determined prior to the event, but may not share in the proceeds of the event;

(c) All wagers must be made with scrip or chips having no cash value. At the end of the event, participants may be given the opportunity to purchase or otherwise redeem their scrip or chips for merchandise prizes;

(d) The value of all purchased prizes must not exceed ten percent of the gross revenue from the event; and

(e) Only members and guests of the sponsoring organization may participate in the event.

(3) Bona fide charitable or nonprofit organizations holding a license to conduct a fund raising event may join together to jointly conduct a fund raising event if:

(a) Approval to do so is received from the commission; and

(b) The method of dividing the income and expenditures and the method of recording and handling of funds are disclosed to the commission in the application for approval of the joint fund raising event and are approved by the commission.

The gross wagers and bets or revenue generated from participants under subsection (2) of this section received by the organizations less the amount of money paid by the organizations as winnings, or as payment for services or

equipment rental under subsection (2) of this section, and for the purchase costs of prizes given as winnings may not exceed ten thousand dollars during the total calendar days of such event. The net receipts each organization receives shall count against the organization's annual limit stated in this subsection.

A joint fund raising event shall count against only the lead organization or organizations receiving fifty percent or more of the net receipts for the purposes of the number of such events an organization may conduct each year.

The commission may issue a joint license for a joint fund raising event and charge a license fee for such license according to a schedule of fees adopted by the commission which reflects the added cost to the commission of licensing more than one licensee for the event.

RCW 9.46.0261 "MEMBER," "BONA FIDE MEMBER." "Member" and "bona fide member," as used in this chapter, mean a person accepted for membership in an organization eligible to be licensed by the commission under this chapter upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to participating in the management or operation of any gambling activity. Such membership must in no way be dependent upon, or in any way related to, the payment of consideration to participate in any gambling activity.

Member or bona fide member shall include only members of an organization's specific chapter or unit

licensed by the commission or otherwise actively conducting the gambling activity: provided, that:

(1) Members of chapters or local units of a state, regional or national organization may be considered members of the parent organization for the purpose of a gambling activity conducted by the parent organization, if the rules of the parent organization so permit;

(2) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a gambling activity conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a gambling activity conducted by the auxiliary; and

(3) Members of any chapter or local unit within the jurisdiction of the next higher level of the parent organization, and members of a bona fide auxiliary to that chapter or unit, may assist any other chapter or local unit of that same organization licensed by the commission in the conduct of gambling activities.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

2. EVENT INFORMATION: (Continued)

e. Proposed Event Manager: _____
Last First Middle

Home Address: _____

_____ City State Zip County

Date of Birth: _____ Social Security Number: _____

Home Phone: (_____) _____ - _____ Work Phone: (_____) _____ - _____

3. ORGANIZATION MEMBERS: (Complete as required.)

a. President: _____
(or Equivalent) Last First Middle

Home Address: _____

_____ City State Zip County

Date of Birth: _____ Social Security Number: _____

Home Phone: (_____) _____ - _____ Work Phone: (_____) _____ - _____

b. Treasurer: _____
(or Equivalent) Last First Middle

Home Address: _____

_____ City State Zip County

Date of Birth: _____ Social Security Number: _____

Home Phone: (_____) _____ - _____ Work Phone: (_____) _____ - _____

c. Chairman of the Board: _____
(or Equivalent) Last First Middle

Home Address: _____

_____ City State Zip County

Date of Birth: _____ Social Security Number: _____

Home Phone: (_____) _____ - _____ Work Phone: (_____) _____ - _____

4. QUALIFICATION / CERTIFICATION INFORMATION:

a. Historical Information:

(1) When was your organization formed or incorporated? _____ / _____ / _____
Month Day Year

(2) When does your accounting fiscal year end? _____ / _____
Month Day

(3) Mark all the purposes for which your organization is formed and operated. **Circle the primary purpose:**

- | | | | | | |
|---------------------------------------|-------------------------------------|--------------------------------------|------------------------------------|------------------------------------|---------------------------------|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Charitable | <input type="checkbox"/> Educational | <input type="checkbox"/> Patriotic | <input type="checkbox"/> Religious | <input type="checkbox"/> Others |
| <input type="checkbox"/> Athletic | <input type="checkbox"/> Civic | <input type="checkbox"/> Fraternal | <input type="checkbox"/> Political | <input type="checkbox"/> Social | |

4. QUALIFICATION / CERTIFICATION INFORMATION: (Continued)

a. Historical Information: (Continued)

(4) Is your organization exempt from the payment of federal income taxes? No Yes

If Yes, what is your Internal Revenue Service (IRS) exemption code section? 501(c)(_____) [Examples: 501(c)(3) / 501(c)(4)]. **Call us if you are confused about your particular IRS code.**

(5) Is your organization a branch, chapter, or auxiliary of another charitable or nonprofit organization?

No Yes **If Yes**, what is the name of organization? _____

Relationship? _____

(6) Are gambling funds being used (or plan to be used) to benefit the affiliated organization?

No Yes **If Yes**, which affiliated organization? _____

Relationship? _____

b. Membership Information: (All Applicants)

(1) How many regular membership meetings has your organization held during your last fiscal year? _____

(2) How many active members are in your organization as of the date of this application? _____

(3) Are all members allowed to vote in elections for officers and board members?

Yes No **If No**, how many voting members? _____

c. Briefly describe how, over the past fiscal year, your organization has met the purpose(s) checked and circled in #4.a.(3). (Attach additional sheets of paper if needed.)

d. Briefly describe the type(s) of charitable or nonprofit services provided by your organization to the public and / or your members. (Attach additional sheets if needed.)

To the public:

To your members:

5. REQUIRED ATTACHMENTS

a. New Applicants Only: This information is used to determine the qualifications of your organization. Management, members, premises, and employees are all considered. Please mark each listed area for which material is being submitted. Applicants previously licensed by the commission need not submit these items unless specifically requested to do so.

- (1) IRS Exempt Status Letter – enclose a copy of your IRS letter declaring your organization is exempt from the payment of federal income taxes. If you do not have a letter declaring exemption for your particular branch or chapter, you must obtain a letter from the IRS prior to submitting this application.
- (2) A copy of your current bylaws and articles of incorporation.
- (3) One set of minutes from any meeting of your organization from as far back as you can find.
- (4) Copies of the minutes from your two most recent meetings.

b. All Applicants: Submit the following documents / information and mark each listed area for which material has been submitted.

- (1) Written lease or rental agreement for use of the premises. (If you own the premises, so note.)
- (2) Written lease or rental agreement for use of equipment. (If you own the equipment, so note.)
- (3) Other. All other attachments required either due to lack of space or by option.

List: _____

**** STOP ****

Please review the entire application again. Complete all questions. Attach all required documents. This will facilitate the processing of your application and prevent delays due to missing or incorrect information. If you need our help, please ask.

OATH OF APPLICATION

I declare under penalty of perjury, under the laws of the state of Washington, that all information provided on this application is true and complete to the best of my knowledge. I understand that untruthful, misleading, or incomplete answers whether through misrepresentation, concealment, inadvertence, or mistake, are cause for administrative closure or denial of an initial application or revocation of any gambling license(s) currently held. I further understand that if I voluntarily withdraw or if the commission administratively closes my application, the remainder of my fee, minus the commission's processing and investigative costs, will be refunded. I agree to notify the Washington State Gambling Commission should any information required on this application and / or on my Personal / Criminal History Statement change or become inaccurate in any way. I understand that if I fail to make such notification, it may constitute grounds for denial, suspension or revocation of my license. I further understand that if any criminal or civil actions are filed against me, I must inform the commission. (See WACs 230-04-022, 230-12-305, and 230-12-310.)

Signature of the Elected Chief Executive Officer: _____

Print Name: _____

Title: _____ Date: _____

Application Prepared By:

_____	_____	_____
Name	Title	Date
_____	(_____) - _____	_____
Address	Telephone	
_____	(_____) - _____	_____
City	State	Zip
		Fax