

481—103.3(99B) Bingo occasion. A qualified organization may conduct only three bingo occasions per week, but not more than 14 occasions per month, under a two-year qualified organization license. A week starts on Sunday and ends on Saturday. An occasion begins when the first ball is called and shall end no more than four hours later.

103.3(1) No admission fee may be charged. However, a person may be required to purchase one game for \$1 or less to enter the room where bingo is being played.

103.3(2) At the end of each occasion, the person conducting the games shall announce both the gross receipts and the use to which the net receipts will be dedicated and distributed.

103.3(3) Senior citizen organizations named and defined in this subrule may request the following exceptions:

- More than 14 occasions may be held in one month.
- More than three occasions may be held in one week.
- Occasions may last longer than four hours.

a. A senior citizen is a person who is 60 years of age or older.

b. A senior citizen center is a facility which maintains a contract with the local area agency on aging. It is a multipurpose or activity center, provides a broad range of services designed for senior citizens and is open to all senior citizens without financial restrictions. A qualified organization which is a senior citizen center shall be controlled by the senior citizens served by the center.

c. A senior citizen housing project is a facility of at least ten residential units acquired or constructed by a governmental entity or a charitable organization to provide housing to senior citizens. A qualified organization which is a senior citizen housing project shall be controlled by a resident council which consists of at least five members selected in a democratic manner by the residents.

d. A senior citizen group home is a facility built or acquired by a governmental entity or a charitable organization. It must be exempt under Section 501(c) of the Internal Revenue Code, have one or more buildings, consist of at least ten private rooms or apartments, and be 75 percent occupied by senior citizens. Other units may be occupied by handicapped persons without respect to age. A qualified organization which is a senior citizen group home shall be controlled by a residents council which has at least five members selected in a democratic manner by the residents.

e. To conduct bingo occasions under the exceptions allowed to senior citizen organizations, a qualified organization must satisfy the department that it qualifies for the exception. The organization must:

(1) Be recognized as a senior citizens' center, a senior citizens' housing project, or a senior citizens' group home;

(2) Conduct bingo occasions for at least one month within the limitations on hours and number of occasions required by this rule and Iowa Code section 99B.7(1) "c" prior to requesting the exception;

(3) Submit, upon request, records of daily activities referred to in paragraphs "f" and "g"; and

(4) Verify that the majority of patrons at the organization's bingo occasions also participate in other activities of the senior citizens' center or are residents of the housing project or group home.

f. A qualified organization which is a senior citizens' center shall maintain, for each bingo occasion conducted, a record showing:

(1) The total number of players; and

(2) A list of all senior citizen players who participate in activities of the senior citizens' center other than bingo, including specific activities and dates of participation.

g. A qualified organization which is a senior citizens' housing project or group home shall maintain, for each bingo occasion conducted, a record showing:

(1) The total number of players; and

(2) A list of all players who are residents of the housing project or group home.

h. An organization qualifying for the exception shall review its daily records of participation on a monthly basis. If the majority of the patrons during the previous calendar month do not meet the participation or residence requirement, the organization shall no longer qualify for the exception.

i. A senior citizen organization which no longer qualifies for the exception shall adhere to the limits on hours and number of occasions required of other organizations until it can reestablish eligibility

for the exception. Within seven days after becoming aware of its disqualification, the organization shall notify the department in writing that it no longer qualifies for the exception.

103.3(4) Bingo exceptions. An organization that is exempt from federal income taxes under Section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code as defined in Iowa Code section 422.3 shall be authorized to conduct a bingo occasion without a license as otherwise required by this chapter if all of the following requirements are met:

a. Participants in the bingo occasion are not charged to enter the premises where bingo is conducted.

b. Participants in the bingo occasion are not charged to play.

c. Any prize awarded at the bingo occasion shall be donated.

d. The bingo occasion is conducted as an activity and not for fundraising purposes.

This rule is intended to implement Iowa Code section 99B.7(1) "c."