



## Charity Bingo Guidelines

Until 1980, bingo was an illegal form of gambling in the State of Georgia and because of this, the Archdiocese of Atlanta prohibited parishes, schools, agencies and institutions from participating in bingo. After its legalization, the Archdiocese discouraged the use of bingo as a fundraising opportunity, and instead, encouraged the promotion of stewardship as a way of life for all in the Archdiocese. Today, we are seeing the fruits of active stewardship in parishes throughout north and central Georgia. *Stewardship is a way of life.*

Please be assured, that as an Archdiocese we are not moving away from stewardship. However, as a fundraiser, bingo may be appropriate in some situations. The decision that a Pastor makes to pursue bingo should not be taken lightly, given the severe consequences that can be derived from unlawful bingo management.

**Under Georgia law, any person who operates, conducts, advertises, sets-up, or promotes a bingo game without a valid license commits the offense of commercial gambling. A person who commits the offense of commercial gambling shall be guilty of a felony and shall be punished by imprisonment for not less than one nor more than five years or by a fine not to exceed \$20,000.00, or both. (O.C.G.A. § 16-12-62 and O.C.G.A. § 16-12-22)**

On May 2021, the Georgia General Assembly passed legislation stating that the Secretary of State's Office would now have the authority to enforce and regulate bingo; thus, removing the responsibility from the Director of the Georgia Bureau of Investigation (GBI). <https://www.legis.ga.gov/legislation/59572> Each parish that chooses to operate a bingo game must now abide by the applicable Georgia Code and the rules of the Division of Charity Bingo under the Licensing Division of the Georgia Secretary of State's Office. **It is the responsibility of the Pastor to ensure that the parish is in compliance with ALL the regulations and requirements detailed by the Georgia Secretary of State.**

Parishes wishing to explore bingo as a fundraising activity must carefully review the following information and requirements as explained by the Georgia Secretary of State's website:

- 1) Read the Rules and Regulations of Charity Bingo. It is important to be attentive to the minutiae, which can include for example that the Bingo sessions cannot exceed 5 hours in length, and that no person under the age of 18 is permitted to play unless accompanied by an adult.
- 2) Complete the Georgia Pre-license Bingo Checklist.
- 3) Understand the reporting and record retention requirements mandated by the Georgia Secretary of State, which include an annual compliance form and annual bingo financials that must be prepared by a Certified Public Accountant (CPA).
- 4) Be cognizant that every officer, director, board member and person associated with operations, advertising or promotion of a bingo operation is required to pass a background check and fingerprinting conducted by the State, as well as obtain a bingo license. [Charity Bingo – Georgia Secretary of State](#) This is applicable to all prospective Bingo workers (no exceptions noted).

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The parish must also understand the IRS requirements for bingo sessions as defined by [Publication 3079 \(Rev. 10-2018\) \(irs.gov\)](#) *Gaming Publication for Tax-Exempt Organizations*. For example:

- The IRS considers a reportable winning when the parish pays a winner or winners of a bingo game more than \$1,200. A W-2G must be generated, with copy A filed with the IRS and copies B and C given to the person receiving the winnings.
- The payee (winner) should provide the parish with their name, address, and social security number. The parish must verify the information using the person's driver's license, Social Security card, voter registration card, or other proper identification. When the payee is one of a group of two or more winners, or is not the actual winner, he must complete and sign Form 5754 and provide it to the parish.
- The parish may also be required to withhold 24% as backup withholdings of bingo winnings for federal income tax **if** the winner does not provide a correct tax identification number (TIN) and winnings are above \$1,200. There are different withholding requirements for Nonresident Aliens, therefore it is important to review IRS guidelines in detail and contact a CPA for help if needed.
- Taxes withheld from gaming winnings must be reported by the parish using Form 945. Follow IRS guidelines on how to pay the backup withholdings that have been collected.

After reading and understanding the State and Federal legal requirements, if the parish still wishes to pursue bingo, then the Pastor should submit a letter to the Archbishop requesting approval. In granting the request, the Archbishop will require the following:

### **Federal and State Requirements:**

1. All requirements of the State of Georgia and IRS must be followed.
2. No exceptions to the State and Federal regulations can be made.

### **Archdiocesan Requirements:**

1. The bingo license must be in the name of the parish. No other non-profit entity can operate bingo on parish grounds.
2. Annually, the Pastor will submit a certification letter to the CFO of the Archdiocese stating dates on which the bingo session(s) operated and stating that, on each of those dates, all the regulations were carefully followed.
3. Annually, the CFO of the Archdiocese will contact the Division of Charity Bingo from the Georgia Secretary of State to ensure that parishes engaging in bingo have complied with reporting and other requirements.
4. The proceeds from bingo (receipts less prizes) are an assessable form of income for the parish.

For more information, contact Patrick Warner [PWarnar@archatl.com](mailto:PWarnar@archatl.com), and reference the following websites:

- Georgia Secretary of State: Charity Bingo - <https://sos.ga.gov/how-to-guide/how-guide-charity-bingo>
- IRS Publication 3079: <https://www.irs.gov/pub/irs-pdf/p3079.pdf>