



Small Games of Chance License Frequently Asked Questions

This list of frequently asked questions is meant to address only the most common questions asked about small games of chance. The list is in no way intended to address all the rules and regulations that govern the conduct of small games of chance, nor does it constitute legal advice.

What law governs the conduct of small games of chance?

The Pennsylvania Local Option Small Games of Chance Act, 1988 P.L. 1262, No. 156 as amended. The Act allows certain nonprofit organizations, known as "eligible organizations", to conduct specific small games of chance for the purpose of raising funds for the promotion of "public interest purposes".

Does a Local Option Small Games of Chance License permit all forms of gambling?

No, most definitely not! The Pennsylvania Crimes Code provides that all forms of gambling are illegal unless the activity is specifically authorized by the Pennsylvania Legislature. Only those specific types of small games of chance as defined by the Act are permitted by virtue of being licensed under the Act. Currently permitted by the Act are:

- Punchboards
- Pull-Tabs
- Raffles
- Daily Drawings
- Weekly Drawings
- 50/50 Drawings (Major League Sports Drawings)
- Race Night Games
- Pools (Excluding Sports Pools)

Unless otherwise authorized by law all other forms of gambling are prohibited criminal offenses under the Pennsylvania Crimes Code.

Who can apply for and be granted a Local Option Small Games of Chance License?

A license cannot be granted to an individual. Only an "eligible organization" as defined in Pennsylvania Local Option Small Games of Chance Act (the Act), 1988 P.L 1262, No. 156 as amended, can apply.

What is the fee for the various licenses?

The fee for a regular license is \$125.00. The fee for a monthly license is \$25.00. The fee for a special raffle permit is \$25.00.

How long is a license valid?

A regular license is valid for one year from date of issue. A special raffle permit is valid only for the specific raffle it applies to, and a monthly license is valid for 30 consecutive days.

Can an eligible organization permit its license to be used by another organization to play small games of chance?

No. Only the organization in whose name the license is issued may conduct small games of chance.

Can an auxiliary to an eligible organization use the license of the eligible organization to conduct small games of chance?

Yes. Auxiliary groups within eligible organizations shall be eligible to conduct small games of chance using the license issued to the eligible organization provided that the auxiliary group or groups are listed on the application for license and the license of the eligible organization. Auxiliary groups shall not include branches of lodges or chapters of a Statewide organization.

Can an auxiliary to an eligible organization apply for and obtain its own license to conduct small games of chance?

No. While this was previously an issue in question; the amendments made to the Act in 2012 now specifically prohibit an auxiliary to an eligible organization from applying for and being issued its own license.

How does an organization establish that it is an eligible organization?

The organization must meet the definition of an eligible organization found in §103 of the Act. The organization must be able to prove that it has been in existence for one year prior to making application for a license. Upon making application for a Local Option Small Games of Chance License, the organization's Articles of Incorporation and/or bylaws must accompany the application. If the organization is not incorporated, it must provide it bylaws and any other documentation that sets forth the organization's executive structure

and purpose, most importantly providing for a President and Secretary. The documentation that must accompany the license application can be found at the bottom of page 2 of the application.

Are school districts eligible for licensing under the Act?

No, public school districts, nor any political subdivision are eligible for licensing. Parochial schools are eligible for licensing if they otherwise meet the requirements for an eligible organization.

Are political parties eligible for licensing under the Act?

No. An organization, whose purpose is non-partisan such as devoted to non-partisan voter registration efforts, would be eligible if they otherwise meet the requirements for an eligible organization.

Who investigates violations of the Local Options Small Games of Chance Act?

The district attorney is charged with investigating violations of the Act, however, any State, county or local law enforcement official is empowered to investigate violations of the Act.

Do some municipalities prohibit small games of chance?

Yes. Small games of chance may only be played and eligible organizations licensed in those municipalities that have approved the licensing and conduct of small games of chance by voter referendum.

Where can small games of chance be played?

Small games of chance, with certain exceptions, may only be played at the eligible organization's "licensed premises" (regular place of business, or other location specifically listed on the eligible organization's application for license). Each eligible organization must list its "licensed premises" on its license application. Members of the eligible organization may sell raffle tickets in any municipality that has approved Small Games of Chance by voter referendum. An eligible organization may also conduct small games of chance off its licensed premises at an annual carnival, fair, picnic or banquet held by the organization on an historic basis, but it is required to provide written notice to the District Attorney and Treasurer of its intent to do so.

Are there age restrictions on who can play small games of chance?

Yes. No one under 18 years of age may play small games of chance.

Can an eligible organization sell raffle tickets in another county?

Yes. An eligible organization may sell tickets in a county other than the county in which they are licensed, but must give written notice to the District Attorney and Treasurer of each county in which they intend to sell tickets of their intent to do so. The notice must clearly set forth the location(s) and date(s) sales will take place. It is also suggested that the notice contain the eligible organization's license number. Remember, the Act applies to all counties, so sales of raffle tickets can only take place in municipalities that have approved the small games of chance question by voter referendum.

Can anyone conduct small games of chance for an eligible organization?

No! Only a "Bona fide member" of the eligible organization who is at least 18 years of age as defined by the Act may conduct small games of chance on behalf of the eligible organization.

Are there limitations on what an eligible organization may use the proceeds of small games of chance for?

Yes. The Act permits the proceeds to be used for only "Public interest purposes" as defined in §103 of the Act.

Are there limits on prizes?

Yes. There are very specific prize limits. Prize limits can be found in §302 of the Act. Members of eligible organizations should review the Act.