

**Illinois Department of Revenue  
Regulations**

**Title 86 Part 432 Section 432.110 Regular Licenses**

**TITLE 86: REVENUE**

**PART 432  
PULL TABS AND JAR GAMES ACT**

**Section 432.110 Regular Licenses**

- a) Eligibility. To be eligible for a regular license, an organization must have been organized in Illinois. It must have been in existence continuously during the entire five-year period preceding application, and during that period must have had a bona fide membership engaged in carrying out its stated objectives on a regular basis. *The five year requirement shall be reduced to two years, as applied to a local organization which is affiliated with and chartered by a national organization which meets the five year requirement* (Section 2 of the Act). To be "chartered" by a national organization, an Illinois organization must have a document issued by the national organization formally authorizing the establishment of the Illinois organization. The organization must be conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation, and must fall within one of the following categories:
- 1) *Charitable Organization: an organization organized and operated to benefit an indefinite number of the public* (Section 1.1 of the Act);
  - 2) *Educational Organization: an organization organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools* (Section 1.1 of the Act). Public schools and school districts are not eligible for regular licenses. Organizations affiliated with public schools, such as booster clubs, may be eligible if they fall within any of the other categories listed in this Section;
  - 3) *Religious Organization: any church, congregation, society or organization founded for the purpose of religious worship* (Section 1.1 of the Act);
  - 4) *Fraternal Organization: an organization of persons, including but not limited to ethnic organizations, having a common interest, organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis* (Section 1.1 of the Act);
  - 5) *Veterans' Organization: an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit* (Section 1.1 of the Act);

- 6) *Labor Organization: an organization composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations (Section 1.1 of the Act);*
  - 7) *Youth Athletic Organization: an organization having as its exclusive purpose the promotion and provision of athletic activities for youth aged 18 and under (Section 1.1 of the Act). Marching bands and drum and bugle corps are considered to promote and provide athletic activities. A youth athletic organization otherwise eligible for a regular license does not lose its eligibility because youths served by the organization become nineteen while participating in an athletic activity with a season of definite duration;*
  - 8) *Senior Citizens Organization: an organization or association comprised of members of which substantially all are individuals who are 55 years of age or older, or who are nearing the age of 55 and for whom opportunities for employment and participation in community life are unavailable or severely limited and who, as a result thereof, have difficulty in maintaining self-sufficiency and contributing to the life of the community. The primary purpose of the organization must be the promotion of the welfare of its members (Section 1.1 of the Act; Section 3.05 of the Illinois Act on the Aging [20 ILCS 105/1]).*
- b) Applications. Application for a regular license must be made on the form prescribed by the Department, and must be accompanied by a license fee of \$500 in the form of a check or money order payable to the Illinois Department of Revenue, and by the following documents and information:
- 1) Documentary evidence sufficient to show that the organization meets the eligibility requirements of subsection (a) above. Such documentation should include, when applicable, a copy of the organization's bylaws, constitution, charter, minutes of past meetings, promotional materials, and Articles of Incorporation;
  - 2) The names of the members of the organization who will participate in the sale of pull tabs. The presiding officer of the organization must certify that the persons listed are eligible to sell pull tabs, and have been members of the organization for at least 30 days before participating in the organization's sale of pull tabs;
  - 3) For license renewal applications, a report, on a form provided by the Department, accounting for the disposition of the gross proceeds derived from the sale of pull tabs during the period covered by the report (see Section 432.180);
  - 4) Any other information requested by the Department which is necessary to establish the eligibility of the organization for a regular license;
  - 5) If, during a license year, any of the information provided to the Department by the licensee changes, the licensee must notify the Department within 20 days, in writing, of any such changes;
  - 6) The application form shall include the following information:

- A) Name of organization
- B) Address
- C) Mailing Address
- D) Name and address of person responsible for filing tax returns
- E) Type of organization
- F) Address(es) of place where pull tabs are to be sold
- G) Does applicant own or lease premises?
- H) In what municipality will the applicant be making the most pull tab sales in terms of gross receipts? If you are outside any municipality, in what county?
- I) Tax registration or license number (if registered with the Illinois Department of Revenue under any Illinois tax Act)
- J) Number of members in good standing
- K) How long has organization had a bona fide membership engaged in carrying out its objectives?
- L) Place and date of incorporation of organization
- M) If not a corporation, state how and when organized
- N) Estimated amount of pull tabs and jar games tax per calendar quarter
- O) For president of organization: name, address, home and business phone numbers, social security number, date of birth and race
- P) For secretary of organization: name, address, home and business phone numbers, social security number, date of birth and race
- Q) For person in charge of and primarily responsible for selling of the pull tabs: name, address, home and business phone numbers, social security number, date of birth and race
- R) Are criteria for membership in the organization included with the application?
- S) Is documentary evidence verifying the claimed status of the applicant as a bona fide, nonprofit religious, charitable, labor, fraternal, educational,

veteran's, youth athletic, or senior citizen's organization included with the application?

- T) Is the documentary evidence verifying that the location(s) where you will be selling pull tabs is owned or occupied by your organization and used for your general activities or is the location where you conduct bingo included with the application?
- U) Is a description of the activities and programs which qualify for support from pull tabs proceeds included with the application?
- V) Is a list of your organization's members who will be selling pull tabs included with the application?
- W) Is a completed Form PT-12, Expenditures of Funds Earned Through Pull Tabs and Jar Games, for the past license year included with the application?
- X) Signatures of officers and person primarily responsible for the sale of the pull tabs

c) Licenses. Within 30 days after the receipt of a completed application, the Department will attempt to approve or deny the application. If the Department determines that an organization meets all of the eligibility requirements of this Section, and is not ineligible for any of the reasons stated in Section 432.150, the Department will issue a regular license to the organization. If the Department does not respond prior to expiration of the current license, the licensee is no longer authorized to conduct pull tab sales until such time as an authorization is received. A regular license authorizes the licensee to sell pull tabs only at the locations stated on the license. Such locations must be owned or occupied by the regular licensee and used by its members for general activities, or must be used by the regular licensee for conducting bingo (see Section 432.160(b)).

- 1) No organization may begin to sell pull tabs without having a valid license in its possession.
- 2) Each license expires at midnight, June 30, following its date of issuance, except that, beginning with applicants whose licenses expire on June 30, 1990, the following license expiration dates and license fees will apply:
  - A) Licenses in Group 1 will expire December 31, 1990. The license fee is \$250;
  - B) Licenses in Group 2 will expire March 31, 1991. The license fee is \$375;
  - C) Licenses in Group 3 will expire June 30, 1991. The license fee is \$500;
  - D) Licenses in Group 4 will expire September 30, 1991. The license fee is \$625.

- 3) Each license shall be in effect for one year from its date of issuance unless suspended or revoked by the Department before that date. After June 30, 1990, every new license shall expire one year from the date of issuance unless suspended or revoked. The Department cannot prorate the \$500 license fee when a license is issued for less than a full year.
  - 4) It is the Department's policy to mail a renewal application to each regular licensee at least 30 days prior to the expiration of the license. However, failure to receive a renewal application does not excuse an organization of its obligation to submit a renewal application prior to the expiration of its current license. If the licensee fails to file a substantially complete renewal application prior to the expiration of a license, the organization may continue to sell pull tabs until the Department takes action on the renewal application. If the Department receives a renewal application more than seven days after the expiration of a license, the organization must immediately discontinue the sale of pull tabs until it receives a renewed license from the Department. It must discontinue the sale of pull tabs until a renewal license is issued.
- d) Special permits. Once during each license year a regular licensee may obtain a special permit to sell pull tabs at a different, additional location for a period of up to ten consecutive days. To apply for a special permit, a regular licensee must submit a written request to the Illinois Department of Revenue, Office of Bingo and Charitable Games, P.O. Box 19480, Springfield, Illinois 62794-9480. The request must be received at least fourteen days before the first day of the scheduled pull tab event, and must include a statement of the specific dates and exact location for which the permit is requested, and the name and address of the person or organization which owns or controls the site at which pull tabs will be sold.

(Source: Amended at 18 Ill. Reg. 11636, effective July 7, 1994)