

Topic: Gambling

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LOCAL ACTS REGULATING BINGO

by David Tamer

North Carolina deals with a number of different kinds of gambling activities through its gaming statutes, G.S. 14-289 through 14-309. Some of the statutes are drawn fairly broadly. Others are drafted narrowly, dealing with specific kinds of gambling such as lotteries, punchboards, and slot machines. This memorandum does not propose to deal exhaustively with the topic of gambling laws in North Carolina. It will, instead, examine how the gambling statutes have been modified by local acts passed by the General Assembly.

By the terms of G.S. 14-292, any person who plays any game of chance at which any money, property or other thing of value is bet, whether or not that which is bet is at stake, is guilty of a two-year misdemeanor. This statute is written broadly and covers games such as bingo and poker that are not specifically dealt with by other more narrowly drawn statutes. Whether a game is a game of chance depends upon whether the element of chance or the element of skill predominates in determining the results of the game. *State v. Stroupe*, 238 N.C. 34 (1953) (deciding that a type of pool in which players would draw a pill bearing a number from a bottle to decide the shot which they could take is a game of chance.) If superior attention, knowledge, strength, agility, or practice are more important in determining the outcome of the game than chance, it is not covered by the provisions of G.S. 14-292. *Id.* at 37.

G.S. 14-290 prohibits the promotion or operation of a lottery, a lottery being any scheme by which a person gives something of value in order to have an opportunity to win a prize, with the selection of a winner being determined primarily by chance. Violation of the statute is a misdemeanor with a penalty of a fine of not more than \$2,000 or imprisonment of not more than six months, or both. G.S. 14-291 makes it a misdemeanor to sell, barter, or otherwise dispose of any lottery tickets.

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The preceding summary was necessary in order to lay a foundation for a discussion of the local acts passed by the General Assembly relating to gambling. Without exception, the local gaming acts relate to the statutes discussed above. Though there are differences in the acts, there are enough similarities to allow them to be grouped into four broad categories: (1) Unrestricted eligibility, (2) Eligibility limited to nonprofit organizations, (3) Eligibility limited to tax exempt organizations, and (4) Multiple eligibility. Though no attempt has been made to determine the present practice regarding most of the local acts, in situations noted below where the eligibility requirements were unusual, local officials were asked how much bingo is actually permitted.

The constitutionality of these local acts is doubtful. The North Carolina Constitution prohibits the General Assembly from enacting any local act that regulates trade. N.C. Const. Art. II, § 24(1)(j). Chapter 540 of the Public-Local and Private Laws of 1939 provided for an election in Morehead City on the question of establishing a racing commission for the town. The proposition was approved and a racing commission was established. The commission thereafter licensed Carolina Racing Association, Inc. to operate a dog and horse racing track. The Association was allowed to conduct pari-mutual gambling at its track. The local act was declared unconstitutional as a local act regulating trade in Taylor v. Carolina Racing Association, Inc., 241 N.C. 80 (1954).

1. Unrestricted eligibility.

Under the terms of Chapter 940 of the 1949 Session Laws, any person, firm or corporation that applies for and obtains a permit from the board of county commissioners may play or operate the game of bingo in Dare County. The act requires payment of an annual license tax in the amount of \$500, the proceeds of which are to be paid into the general fund of Dare County. The commissioners are empowered to exempt bona fide religious, charitable, or fraternal organizations from the payment of the tax when the proceeds from the game are devoted exclusively to religious, charitable or fraternal purposes. No such permits are presently in force in Dare County.

Pender County also has a local act which allows unrestricted eligibility. The act provides that it is legal to operate or play the game of bingo in the town of Surf City or any other incorporated beach resort town in the county provided that a written permit is first obtained from the town's governing body. No cash prizes may be awarded.

According to local officials, one such permit is presently in force in Surf City. In addition to the permit, the establishment must also have a valid privilege license obtained upon payment of \$25.

Authority: Dare County: Chapter 940, Session Laws of 1949.
Pender County: Chapter 383, Session Laws of 1963.

2. Eligibility limited to non-profit organizations.

The largest number of local gaming acts which have been enacted are those which allow charitable, civic, educational, fraternal, patriotic, social, trade, or veteran's organizations to operate or sponsor bingo games and raffles in connection with bazaars, conventions, and fairs which they hold.

Twenty local acts have been passed which allow such groups to sponsor or operate bingo games and raffles. There are some variations in the acts. The acts which cover Carteret and Craven Counties forbid the awarding of cash prizes at such games. The acts for Chowan, Forsyth, and New Hanover counties allow qualifying organizations to play bingo in their clubhouse and meeting rooms in addition to allowing them to operate bingo games and raffles in connection with their bazaars, conventions, and fairs. Two acts cover only certain municipalities. The one for White Lake in Bladen County allows qualifying groups to play bingo in connection with their bazaars, conventions, exhibitions, and fairs after obtaining a permit from the city governing body. The other is for Fontana Village in Graham County and allows qualifying organizations to play bingo in connection with their displays, exhibitions, meetings and social functions in or upon property owned or leased by Government Services Incorporated.

The act which covers Cumberland County requires that not only must an organization be a charitable, civic, fraternal, religious, or war veteran's group to qualify to operate bingo games, it must also have been in continuous existence in North Carolina for at least one year. No other act contains such a provision.

Authority

White Lake: Chapter 1387, Session Laws of 1957.
Carteret County: Chapter 221, Session Laws of 1971.
Chowan County: Chapter 527, Session Laws of 1977.
Cleveland County: Chapter 627, Session Laws of 1971.
Craven County: Chapter 665, Session Laws of 1975.
Cumberland County: Chapter 1188, Session Laws of 1977.
Forsyth County: Chapter 11, Session Laws of 1973.
Franklin County: Chapter 594, Session Laws of 1975.
Fontana Village: Chapter 187, Session Laws of 1951.
Guilford County: Chapter 187, Session Laws of 1971.
Halifax County: Chapter 946, Session Laws of 1949.
Jones County: Chapter 157, Session Laws of 1977.
Lenoir County: Chapter 1175, Session Laws of 1977.
Lincoln County: Chapter 66, Session Laws of 1977.
Nash County: Chapter 751, Session Laws of 1951.
New Hanover County: Chapter 284, Session Laws of 1947.
Pamlico County: Chapter 157, Session Laws of 1977.
Pitt County: Chapter 561, Session Laws of 1949.
Polk County: Chapter 627, Session Laws of 1971.
Rockingham County: Chapter 816, Session Laws of 1977.
Rutherford County: Chapter 627, Session Laws of 1971.
Union County: Chapter 157, Session Laws of 1977.
Wake County: Chapter 730, Session Laws of 1973.

3. Eligibility limited to tax-exempt organizations.

Two different local acts were passed by the 1977 General Assembly, both limiting the eligibility of those persons and organizations that may lawfully play and operate bingo and raffles more particularly than do the acts discussed above. These acts were passed in response to what the General Assembly perceived to be abuse of the already enacted local acts which allowed civic, charitable, religious and other such organizations to operate bingo games and raffles. Sham organizations were being formed to qualify under the acts to operate bingo games and raffles.

The act passed as Chapter 491 of the 1977 Session Laws covered Alamance, Buncombe, McDowell, and Mecklenburg counties originally. By its terms, bingo games and raffles are lawful only when they are sponsored by a person or organization that has received and prominently displays in the specific place or room where the game or raffle is being conducted a determination letter from the North Carolina Secretary of Revenue (or the equivalent from the Internal Revenue Service) that the person or organization has been exempted from payment of franchise and/or income taxes. The proceeds of the game must inure to the organization and no expenses can be paid out of the proceeds except those incurred for prizes. Only one session of bingo of not more than six hours may be sponsored by a qualifying organization each week. Violation of the act is a misdemeanor which is punishable by imprisonment for up to two years, a fine, or both. This act was amended in 1978 to include Edgecombe County.

The other 1977 act applies to Alleghany, Lee, and Wayne counties. Like the one discussed above, to qualify as being legally entitled to play or operate bingo games and raffles, a person or organization must secure a determination letter of tax-exempt status. Also, a sponsoring organization is limited to one six hour session of bingo per week. Violation of the act is a misdemeanor which is punishable by imprisonment for a term not to exceed two years, a fine, or both in the discretion of the court. Unlike the act which applies to Alamance, Buncombe, Edgecombe, McDowell, and Mecklenburg Counties, this act does not require that the determination letter be displayed.

The act which covers Onslow County contains another unusual feature. Like most other acts, to qualify to operate or sponsor bingo games, it requires an organization to be a civic, charitable, religious, nonprofit, or war veteran's group. However, the Onslow County act requires that there can be no cash prizes unless the group has qualified under IRS regulations as a tax exempt organization for at least five years before any such prize is awarded.

Authority

Alamance County: Chapter 491, Session Laws of 1977.

Alleghany County: Chapter 365, Session Laws of 1977.

Buncombe County: Chapter 491, Session Laws of 1977.

Edgecombe County: Chapter 1188, Session Laws of 1977.

Lee County: Chapter 365, Session Laws of 1977.

McDowell County: Chapter 491, Session Laws of 1977.

Mecklenburg County: Chapter 491, Session Laws of 1977.

Onslow County: Chapter 1169, Session Laws of 1977.

Wayne County: Chapter 365, Session Laws of 1977.

4. Multiple eligibility.

The local act for New Hanover County is a hybrid. On the one hand, it is lawful for civic, charitable, fraternal, patriotic, social, and trade associations of the county to play and operate the game of bingo in connection with bazaars, conventions, exhibitions, and fairs that such groups sponsor. But, then, the act also allows any person who secures a permit from the governing body of an incorporated beach resort town in New Hanover County to play and operate bingo games.

Under the authority of this act, both Wrightsville Beach and Carolina Beach have licensed bingo parlors. Wrightsville Beach has two licensed bingo parlors. In addition to an annual privilege license fee, the two halls are subject to a special license fee of \$200. Carolina Beach has five licensed bingo parlors. They are subject to an annual privilege license fee of ten dollars. Carolina Beach also requires the bingo parlors to post a \$200 bond.

In 1967, an additional local act was passed which applied to New Hanover County. This act allows fraternal or patriotic clubs or associations to play bingo in their clubhouse or meeting rooms.

Authority

Chapter 284, Session Laws of 1947.

Chapter 86, Session Laws of 1967.

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
Alamance	Yes	Raffles	<p>Lawful only when sponsored by a person or organization that has been exempted from franchise and/or income taxes. Such organizations and persons must prominently display in the place or room where the game or raffle is being conducted a determination letter from the North Carolina Secretary of Revenue or the equivalent from the Internal Revenue Service which indicates the tax exemption status.</p> <p>All proceeds from such games inure to the named nonprofit organization and no proceeds shall be deducted for administration, management or any operating expenses other than prizes. A nonprofit organization may not contract with or compensate any individual or corporation for conducting any "bingo" game.</p> <p>The number of sessions where a game of bingo is sponsored or conducted by a person or organization shall be limited to one session per week. No session shall exceed a period of six consecutive hours per week.</p> <p>Violation shall be punished by fine, by imprisonment for a term not exceeding two years, or by both, in the discretion of the court. G.S. 14-3(a).</p>	1977 c. 491
Alexander	No	None		
Alleghany	Yes	Raffles	<p>Lawful only when operated by a person or organization that has been exempted from franchise and/or income taxes.</p> <p>The number of sessions where a game of bingo is conducted or sponsored by such persons and organizations shall be limited to not more than one session per week and shall not exceed a total time period of six hours in any one week.</p> <p>Violation shall be punished by fine, by imprisonment for a term not exceeding two years, or by both, in the discretion of the court. G.S. 14-3(a).</p>	1977 c. 365
Anson	No	None		
Ashe	No	None		

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
Avery	No	None	This is a local act for Avery County that imposes a penalty of imprisonment of ten days to two years or a fine of \$50 for violation of G.S. 14-292.	PL 1919 c. 105 PL 1921 c. 156
Beaufort	No	None		
Bertie	No	None		
Bladen	No	None		
--White Lake	Yes	None	<p>Lawful only in connection with fairs, conventions, bazaars, or exhibitions sponsored by civic, charitable, social, patriotic, fraternal, or trade associations of the county.</p> <p>Such organizations must obtain a permit from the governing body of the Town of White Lake.</p> <p>No prize or gift shall be awarded the winner in any game of bingo played in the Town of White Lake which exceeds the value of \$10.</p>	1957 c. 1387 amending 1947 c. 284 to include the Town of White Lake. (This was an amendment to the act passed for New Hanover County.)
Brunswick	No	None		
Curry	Yes	Raffles	<p>Lawful only when sponsored by a person or organization that has been exempted from franchise and/or income taxes. Such organizations and persons must prominently display in the place or room where the game or raffle is being conducted a determination letter from the North Carolina Secretary of Revenue or the equivalent from the Internal Revenue Service which indicates the exemption status.</p> <p>All proceeds from such games inure to the named nonprofit organization and no proceeds shall be deducted for administration, management or any operating expenses other than prizes. A non-profit organization may not contract with or compensate any individual or corporation for conducting any "bingo" game.</p> <p>The number of sessions where a game of bingo is sponsored or conducted by a person or organization shall be limited to one session per week. No sessions shall exceed a period of six consecutive hours per week.</p> <p>Violation shall be punished by fine, by imprisonment for a term not exceeding two years, or by both, in the discretion of the court. G.S. 14-3(a).</p>	1977 c. 491

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
Burke	No	None		
Cabarrus	No	None		
Caldwell	No	None		
Camden	No	None		
Carteret	Yes	None	Lawful only when operated or sponsored by civic, charitable, religious, non-profit or war veteran's groups. There can be no cash prizes.	1971 c. 221
Caswell	No	None		
Catawba	No	None		
Chatham	No	None		
Cherokee	No	None		
Chowan	Yes	Raffles	Lawful only in connection with fairs, conventions, dinners, bazaars or exhibitions sponsored by church, religious, civic, charitable, social, patriotic, fraternal or trade associations or by public or private schools of the county. May also be played by such groups in their clubhouse or meeting rooms.	1977 c. 527
Clay	No	None		
Cleveland	Yes	None	Lawful for civic or charitable organizations to play or operate bingo games provided that the only charge to play shall be an admission charged before play begins.	1971 c. 627
Columbus	No	None		
Craven	Yes	None	Identical to the act passed for Carteret County as 1971 c. 221.	1975 c. 665
Cumberland	Yes	None	Lawful only when operated by charitable, civic, fraternal, religious, and veteran organizations which have been in continuous existence for one year in North Carolina. The proceeds must go into the treasury of the operating organization. No salaries or commissions may be paid to persons operating bingo games. An organization may operate the game of bingo only one day per week for no longer than six hours. No prize may exceed \$500.	1977 c. 1188

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
Currituck	No	None		
Dare	Yes	None	Any person, firm, or corporation desiring to play or operate the game of bingo must first apply for and obtain from the Dare County Board of Commissioners a permit. The annual license tax is \$500. The County Commissioners may exempt bona fide religious, charitable, or trade associations of the county from the license tax.	1949 c. 940
Davidson	No	None		
Davie	No	None		
Duplin	No	None		
Edgecombe	Yes	None	Lawful only when sponsored by a person or organization that has been exempted from franchise and/or income taxes. Such organizations and persons must prominently display in the place or room where the game or raffle is being conducted a determination letter from the North Carolina Secretary of Revenue or the equivalent from the Internal Revenue Service which indicates the tax exemption status. All proceeds from such games inure to the named non-profit organization and no proceeds shall be deducted for administration, management or any operating expenses other than prizes. A non-profit organization may not contract with or compensate any individual or corporation for conducting any "bingo" game. The number of sessions where a game of bingo is sponsored or conducted by a person or organization shall be limited to one session per week. No session shall exceed a period of six consecutive hours per week. Violation shall be punished by fine, by imprisonment for a term not exceeding two years, or both, in the discretion of the court. G.S. 14-3(a).	1977 c. 1188, amending 1977 c. 491 (Alamance County's local act) .
Franklin	Yes	None	Lawful only in connection with fairs, or exhibitions sponsored by civic, charitable, or trade associations of the county.	1975 c. 594

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
Gaston	No	None		
Gates	No	None		
Graham	No	None		
--Fontana Village	Yes	None	Lawful only in Fontana Village in or upon property owned or leased by Government Services Incorporated in connection with exhibitions, displays, meetings or social functions sponsored by civic, charitable, or trade associations.	1951 c. 928
Granville	No	None		
Greene	No	None		
Guilford	Yes	None	Lawful to play or operate the game of bingo when sponsored by religious, civic, veterans, charitable or trade associations of the county.	1971 c. 187
Halifax	Yes	None	Lawful to play or operate the game of bingo in connection with fairs or exhibitions sponsored by civic, charitable, or trade associations of the county or by volunteer fire departments of the county. (This act is identical to the local act passed for Mecklenburg County in 1945, except for the reference to volunteer fire departments.)	1949 c. 946
Harnett	No	None		
Haywood	No	None		
Henderson	No	None		
Hertford	No	None		
Hoke	No	None		
Hyde	No	None		
Iredell	No	None		
Jackson	No	None		
Johnston	No	None		
Jones	Yes	None	Lawful for civic or charitable organizations to play or operate bingo games provided that the only charge to play shall be an admission charged before play begins.	1977 c. 157, amending 1971 c. 62 (Polk County's local act.)

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
Lee	Yes	Raffles	<p>Lawful only when operated by a person or organization that has been exempted from franchise and/or income taxes.</p> <p>The number of sessions where a game of bingo is conducted or sponsored by such persons and organizations shall be limited to not more than one session per week and shall not exceed a total time period of six hours in any one week.</p> <p>Violation shall be punished by fine, by imprisonment for a term not exceeding two years, or by both, in the discretion of the court. G.S. 14-3 (a) .</p>	1977 c. 365
Lenoir	Yes	None	<p>Lawful only when operated or sponsored by civic, charitable, religious, nonprofit, or war veteran's organizations. There can be no cash prizes.</p>	1977 c. 1175
Lincoln	Yes	None	<p>Lawful for civic or charitable organizations to sponsor or operate bingo games provided that the only charge to play is an admission which is charged before play begins.</p>	1977 c. 66, amending 1971 c. 627
McDowell	Yes	Raffles	<p>Lawful only when sponsored by a person or organization that has been exempted from franchise and/or income taxes. Such organizations and persons must prominently display in the place or room where the game or raffle is being conducted a determination letter from the North Carolina Secretary of Revenue or the equivalent from the Internal Revenue Service which indicates the tax exemption status.</p> <p>All proceeds from such games inure to the named nonprofit organization and no proceeds shall be deducted for administration, management or any operating expenses other than prizes. A nonprofit organization may not contract with or compensate any individual or corporation for conducting any "bingo" game.</p> <p>The number of sessions where a game of bingo is sponsored or conducted by a person or organization shall be limited to one session per week. No session shall exceed a period of six consecutive hours per week.</p> <p>Violation shall be punished by fine, by imprisonment for a term not exceeding two years, or by both, in the discretion of the court. G.S. 14-3 (a) .</p>	1977 c. 491

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
Macon	No	None		
Madison	No	None		
Martin	No	None		
Mecklenburg	Yes	Raffles	<p>Lawful only when sponsored by a person or organization that has been exempted from franchise and/or income taxes. Such organizations and persons must prominently display in the place or room where the game or raffle is being conducted a determination letter from the North Carolina Secretary of Revenue or the equivalent from the Internal Revenue Service which indicates the tax exemption status.</p> <p>All proceeds from such games inure to the named non-profit organization and no proceeds shall be deducted for administration, management or any operating expenses other than prizes. A non-profit organization may not contract with or compensate any individual or corporation for conducting any "bingo" game.</p> <p>The number of sessions where a game of bingo is sponsored or conducted by a person or organization shall be limited to one session per week. No session shall exceed a period of six consecutive hours per week.</p> <p>Violation shall be punished by fine, by imprisonment for a term not exceeding two years, or by both, in the discretion of the court. G.S. 14-3(a).</p>	1977 c. 491
Mitchell	No	None		
Montgomery	No	None		
Moore	No	None		
Nash	Yes	None	<p>Lawful only in connection with fairs or exhibitions sponsored by civic, charitable, social, fraternal, or trade associations of the county. (This act brings Nash County within the coverage of 1945 c. 650 which was passed for Mecklenburg County. Note that 1945 c. 650 was repealed by 1975 c. 628.)</p>	1951 c. 751
New Hanover	Yes	None	<p>Lawful only in connection with fairs, conventions, bazaars or exhibitions sponsored by civic, charitable, social, fraternal, or trade associations of the county.</p>	1947 c. 284

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
			Also lawful when a written permit is obtained from the governing body of a beach resort in the county.	
			Lawful also for patriotic or fraternal clubs or associations to play or operate bingo games in their clubhouse or meeting rooms.	1967 c. 86
Northhampton	No	None		
Onslow	Yes	None	Lawful only when operated or sponsored by civic, charitable, religious, non-profit, or war veteran organizations. There can be cash prizes only when the sponsoring organization has qualified for tax exempt status under IRS rules for at least five years before the prize is awarded. All proceeds must be returned to the sponsoring organization.	1977 c. 1169
Orange	No	None		
Pamlico	Yes	None	Lawful for civic or charitable organizations to play or operate bingo games provided that the only charge to play shall be an admission charged before play begins.	1977 c. 157, amending 1971 c. 627 (Polk County's local act.)
Pender	Yes	None	Lawful to play or operate the game of bingo in the Town of Surf City or any other incorporated resort town in Pender County provided that a written permit is first obtained from the governing body of the town. No cash prizes may be offered.	1965 c. 383
Perquimans	No	None		
Pitt	Yes	None	Lawful only in connection with fairs or exhibitions sponsored by civic, charitable, or trade associations of the county.	1949 c. 561 amending 19--45 c. 650 (Mecklenburg County's local act.)
Polk	Yes	None	Lawful for civic or charitable organizations to sponsor or operate bingo games provided that the only charge is an admission charged before the play begins.	1971 c. 627
Randolph	No	None		
Richmond	No	None		
Robeson	Yes	None		

<u>County</u>	<u>Bingo Allowed</u>	<u>Other Gaming</u>	<u>Provisions</u>	<u>Citation</u>
Rockingham	Yes	Raffles	Lawful only in connection with fairs, conventions, dinners, bazaars or exhibitions sponsored by church, religious, civic, charitable, social, patriotic, fraternal or trade associations of the county.	1977 c. 816 amending 1977 c. 527 (Chowan's County's local act.)
Rowan	No	None		
Rutherford	Yes	None	Lawful for civic or charitable organizations to sponsor or operate bingo games provided that the only charge is an admission charged before the play begins.	1971 c. 627
Sampson	No	None		
Scotland	No	None		
Stanly	No	None		
Stokes	No	None		
Surry	No	None		
Swain	No	None		
Transylvania	No	None		
Tyrell	No	None		
Union	Yes	None	Lawful for civic or charitable organizations to play or operate bingo games provided that the only charge to play shall be an admission charged before the play begins.	1977 c. 157, amending 1971 c. 627 (Polk County's local act.)
Vance	No	None	No gaming devices allowed to operate or open for business in the county.	PL 1925, c. 523
Wake	Yes	Skilo, Raffles	Lawful only in connection with fairs, conventions, bazaars, or exhibitions sponsored by church, religious, civic, charitable, social, patriotic, fraternal, or trade associations of the county.	1973 c. 730
Warren	No	None		
Washington	No	None		
Watauga	No	None		

County

Bingo Allowed Other Gaming

Provisions

Citation

Wayne

Yes Raffles

Lawful only when operated by a person or organization that has been exempted from franchise and/or income taxes.

1977 c. 365

The number of sessions where a game of bingo is conducted or sponsored by such persons and organizations shall be limited to not more than one session per week and shall not exceed a total time period of six hours in any one week.

Violation shall be punished by fine, by imprisonment for a term not exceeding two years, or by both, in the discretion of the court. G.S. 14-3(a).

Wilkes No None

Wilson No None

Yadkin No None

Yancey No None

