

# DIRECTORY and GENERAL INFORMATION

This chapter lists state and federal agencies that can assist an organization with questions on lawful gambling and provides information about the Gambling Control Board.

Also included are helpful hints on locating lawful gambling statutes and rules.



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<b>Minnesota Gambling Control Board</b> <a href="http://www.mn.gov/gcb">www.mn.gov/gcb</a>		
<b>Mailing address, phone numbers, and hours</b>	Gambling Control Board Suite 300 South 1711 West County Road B Roseville, MN 55113 <b>651-539-1900</b>	Gambling Control Board West Park Office Building 1415 College Way Fergus Falls, MN 56537 <b>218-332-3024</b> <b>218-332-3028</b>
	Gambling Control Board Suite 208 522 East Howard Street Hibbing, MN 55746 <b>218-231-0532</b> <b>218-231-0534</b>	Gambling Control Board Suite 110 430 South Broad Street Mankato, MN 56001 <b>507-344-7033</b> <b>507-344-7036</b>
Roseville office hours: 8:00 a.m. - 4:30 p.m., Monday through Friday. Regional office hours may vary. Please call to schedule an appointment.		
<b>Gambling Control Board meetings and committees</b>	The Minnesota Gambling Control Board conducts monthly meetings. Meetings begin at 10:00 a.m., and are free and open to the public. A portion of each meeting is devoted to public comment. No registration is required to attend. Meeting dates and the location are published at <a href="http://www.mn.gov/gcb">www.mn.gov/gcb</a> and in the <i>Gaming News</i> .	
	The Gambling Control Board has the following committees: <ul style="list-style-type: none"> <li>• The Compliance Review Group (CRG) meets with licensees to conduct informal inquiries into alleged violations of lawful gambling statutes and rules.</li> <li>• The Rules Committee works with Board staff and Public Advisory Committees (PACs) to develop rules that make the lawful gambling laws more specific.</li> <li>• The Legislative Committee considers legislative proposals regarding lawful gambling.</li> <li>• The Executive Committee hears appeals of denied license or permit applications.</li> </ul>	
<b>Licensing and permits</b> (Roseville office only)	<ul style="list-style-type: none"> <li>• Organizations, gambling managers, premises permits.</li> <li>• Linked bingo game providers.</li> <li>• Distributors and distributor salespersons.</li> <li>• Manufacturers.</li> </ul>	
<b>Education and outreach</b>	<ul style="list-style-type: none"> <li>• Compliance Specialist and Licensing Specialist assigned to each organization.</li> <li>• Compliance review of organization records and operations.</li> <li>• Gambling manager seminars.</li> <li>• Continuing education classes.</li> <li>• Speaking engagements.</li> <li>• Technical assistance provided regarding gambling statutes and rules.</li> <li>• Mentoring (one-on-one assistance for licensed organizations).</li> <li>• Lawful Gambling Manual.</li> <li>• <i>Gaming News</i> newsletter.</li> </ul>	

**Minnesota Department of Revenue**  
[www.revenue.state.mn.us/gambling-taxes](http://www.revenue.state.mn.us/gambling-taxes)

State taxes are imposed on the receipts from lawful gambling in Minnesota.  
 For more detailed information, contact the Department of Revenue.

**Mailing address, phone number, and hours** Minnesota Department of Revenue  
 Lawful Gambling Tax Unit  
 Mail Station 3350  
 St. Paul, MN 55146-3350  
  
**651-297-1772**

Office hours: 8:00 a.m. - 4:30 p.m., Monday through Friday

**Location** 600 North Robert Street  
 St. Paul, MN

**Email** Email questions to [lawfulgambling.taxes@state.mn.us](mailto:lawfulgambling.taxes@state.mn.us)

- Services provided**
- Lawful gambling tax forms and instructions.
  - Auditing of tax returns.
  - Annual audit information.
  - Annual certified inventory and cash count.
  - UBIT (M4NP).

**Minnesota Department of Public Safety**  
[www.dps.mn.gov](http://www.dps.mn.gov)

**Mailing address, phone number, and hours** Department of Public Safety  
 Alcohol and Gambling Enforcement Division  
 445 Minnesota Street (Skyway level)  
 St. Paul, MN 55101  
  
**651-201-7500, ext. 3**

Office hours: 8:00 a.m. - 4:30 p.m., Monday through Friday

- Services provided**
- Investigate illegal gambling activities.
  - Answer questions on possible illegal gambling.
  - Conduct criminal investigations.
  - Provide background investigations for individuals involved in lawful gambling.

**Internal Revenue Service**  
[www.irs.gov/forms-instructions](http://www.irs.gov/forms-instructions)

Certain federal forms are required, and taxes are imposed on the net receipts of lawful gambling in Minnesota. For more detailed information, contact the Internal Revenue Service.

**Information and phone numbers** For general information regarding forms 940, 941, W-2, 1099 W2-G, and I-9, call 1-800-829-1040.

For information regarding forms 11-C, 730, 990, and 990-T, call 1-877-829-5500.

**Minnesota’s Bookstore**  
[www.mnbookstore.com](http://www.mnbookstore.com)

**Address and phone numbers** Minnesota’s Bookstore  
 660 Olive Street  
 St. Paul, MN 55155

Toll-free: 1-800-657-3757  
 Metro: 651-297-3000  
 Fax: 651-215-5733

**Publications available**

- Lawful Gambling Manual
- Statutes
- Rules
- Lists of licensed organizations with addresses

**Other Important Telephone Numbers & Websites**

**Problem Gambling Helpline** 1-800-333-HOPE Minnesota Department of Human Services  
[www.getgamblinghelp.com](http://www.getgamblinghelp.com)

**Department of Employment and Economic Development** **Unemployment insurance**—An organization may be liable for the payment of unemployment taxes for its employees. Contact the local office of the Minnesota Department of Employment and Economic Development for more information.  
[www.mn.gov/deed](http://www.mn.gov/deed)

**Department of Labor and Industry** **Workers compensation**—For information regarding workers compensation requirements, visit their website or call 651-284-5005 or 1-800-342-5354.  
[www.dli.mn.gov](http://www.dli.mn.gov)

**Secretary of State** 651-296-2803 or 1-877-551-6767  
[www.sos.state.mn.us](http://www.sos.state.mn.us) (for nonprofit status)

## Local Unit of Government

### Authority of City or County

Minnesota Statutes, Section 349.213, addresses the extent that a city or county has authority over lawful gambling in its jurisdiction.

A city or county has the authority to adopt more stringent regulations pertaining to lawful gambling within its jurisdiction. However, there are limitations on that authority.

- A city or county may require an investigation fee, or a tax (up to 3%) for costs incurred in regulating lawful gambling in its jurisdiction, and/or contribution to a 10% lawful gambling contribution fund.
- The city or county may not require an organization to make a contribution to the city or county as a condition to operate within that city or county.
- The city or county may not require a gambling license or permit or impose a license or permit fee for licensed organizations to conduct gambling, or sales by a distributor or linked bingo game provider licensed by the Gambling Control Board.

The Gambling Control Board may not issue a premises permit unless the city council or county board has signed the premises permit application acknowledging approval by resolution of the premises permit within 90 days of the date of application for the new premises permit.

### Local Investigation Fee or Local Gambling Tax (Up To 3%)

**Investigation fee**

A city or county may charge an annual local investigation fee on organizations applying for an initial premises permit or conducting lawful gambling at a site within their jurisdiction (Minn. Stat. § 349.16, subd. 8). The local investigation fee may not exceed these limits, based on the class of city that is determined by population (Minnesota Statutes, Section 410.01):

- \$500 for cities of the first class
- \$250 for cities of the second class
- \$100 for all other cities
- \$375 for counties

The local investigation fee must be used for regulation of lawful gambling in that jurisdiction.

**Report**

The city or county is not required to report to the Gambling Control Board the amounts collected for a local investigation fee. The local investigation fee is an allowable expense reported by the organization on the LG100A, line 13.

**Local gambling tax, up to 3%**

A city or county may impose a local gambling tax, only if they do not charge an investigation fee or other local taxes on lawful gambling. The tax, up to 3% of gross profit, may be imposed only if the amount is necessary to cover costs incurred regulating gambling in their jurisdiction. If a city does not use the tax collected each year, it means that it did not incur costs to regulate lawful gambling, and the tax should be returned to your organization.

Cities or counties that impose a local gambling tax on licensed organizations within its jurisdiction must share with the Minnesota Gambling Control Board all documents pertaining to site inspections, fines, penalties, or other corrective action involving local lawful gambling regulation. The documents must be provided to the Board within 30 days of filing at the city or county of jurisdiction.

**Tax report by city or county**

The city or county is required to report by March 15 each year to the Gambling Control Board the amount collected, amount spent, and how the tax was spent. Reporting form LG500 is available at [www.mn.gov/gcb](http://www.mn.gov/gcb).

## Local Unit of Government

### 10% Lawful Gambling Contribution Fund

As established by ordinance, a city or county (not a township) may require an organization to contribute up to 10% per year of net profits less taxes on lawful gambling receipts to a fund that the city or county administers.

- The 10% requirement may only be applied to net profits derived from lawful gambling conducted at premises within the city’s or county’s jurisdiction.
- The 10% fund is considered lawful purpose and is reported by the organization on the LG100C as code 10.
- A licensed organization that contributes to the 10% fund may not be a beneficiary of that fund.
- An organization that contributes to a 10% fund must write the check only to the city, and not to any other payee.
- The funds may only be spent by the city or county for lawful purposes, including police, fire, and other emergency or public safety-related services, equipment, and training. However, the fund may not be used for its government functions or services, or for the payment of pension obligations. Once spent, a city may not retain control of the funds.

Any city or county requiring a 10% fund contribution is required to report by March 15 each year to the Minnesota Gambling Control Board how much money was collected, the amount spent, and on what lawful purposes the money was spent. Reporting form LG510 is available at [www.mn.gov/gcb](http://www.mn.gov/gcb).

### Trade Area

By ordinance, a city or county may require that a licensed organization conducting lawful gambling within its jurisdiction spend all (up to 100%) or a portion of its lawful purpose donations on lawful purposes conducted or located within the city’s or county’s trade area.

The ordinance is limited to the following:

- Lawful purpose expenditures are limited to gross profits derived from lawful gambling conducted at premises within the city’s or county’s jurisdiction.
- The ordinance must define the city’s or county’s trade area. A trade area defined by a city must include each city and township contiguous to the defining city.
- The ordinance must specify the percentage of lawful purpose donations that must be expended within the trade area.

The city or county does not have authority to specify lawful purpose expenditures that must be made by the organization. That authority rests with the organization and its membership.

### Additional Information

For further information, review Minnesota Statutes, Section 349.213, Local Authority.

# Lawful Gambling Statutes and Rules

## Statutes

A statute is a law passed by the Minnesota State Legislature.

The law related to lawful gambling are located in Minnesota Statutes:

- Chapter 349
- Section 297E.02
- Section 297E.06

## Rules

A rule is a statement adopted by the Gambling Control Board to make the law more specific. All rules passed by the Gambling Control Board are based on statute. If there is a conflict between statute and rule language, statute language supersedes rule language.

**Organizations**—The rules on lawful gambling pertaining to organizations authorized to conduct lawful gambling are located in Minnesota Rules:

- Part 7861.0210 Definitions
- Part 7861.0220 Licensed Organizations
- Part 7861.0230 Gambling Manager
- Part 7861.0240 Premises Permits
- Part 7861.0260 Conduct of Lawful Gambling
- Part 7861.0270 Bingo
- Part 7861.0280 Paper Pull-Tabs
- Part 7861.0285 Electronic Pull-Tabs
- Part 7861.0290 Tipboards
- Part 7861.0295 Sports Tipboards
- Part 7861.0300 Paddlewheels
- Part 7861.0310 Raffles
- Part 7861.0320 Organization Operations, Accounts, & Reports
- Part 7861.0330 Excluded Bingo
- Part 7861.0340 Exempted Lawful Gambling

**Distributors**—Distributor rules are contained in Minnesota Rules, Parts 7863.0210 through 7863.0220.

**Linked Bingo Game Providers**—Linked bingo game provider rules are contained in Minnesota Rules, Parts 7863.0250 through 7863.0260.

**Electronic Linked Bingo Game System Standards and Requirements** are contained in Minnesota Rules, Parts 7863.0250 through 7863.0270.

**Manufacturers**—Manufacturer rules are contained in Minnesota Rules, Parts 7864.0210 through 7864.0240.

**Compliance**—Rules on sanctions imposed by the Gambling Control Board are contained in:

- Part 7865.0210 Compliance Review Group
- Part 7865.0220 Suspensions or revocations of licenses or permits
- Part 7865.0225 Reimbursements to gambling bank account
- Part 7865.0230 Fines and other sanctions
- Part 7865.0240 Stays of imposition for suspension, revocation, or civil fine
- Part 7865.0250 Variances to Board rules
- Part 7865.0260 Hearings and appeals of incomplete or denied license and permit applications

## Lawful Gambling Statutes and Rules (continued)

### Numbering system—statutes and rules

Statute numbering example:

- 349.168
- 349.169
- 349.17
- 349.171
- 349.1711
- 349.172
- 349.1721
- 349.173
- 349.174
- 349.18
- 349.181
- 349.19
- 349.191

Statutes and rules use a decimal numbering system.

Statutes or rules with lower numbers appear first, higher numbers appear later.

**Hint**—Because the decimal numbering system for statutes and rules can sometimes be confusing, it helps to add a zero to the end of a decimal number to make a four-decimal number.

**EXAMPLE:** The number 349.1711 has four digits after the decimal point, and 349.172 has only three. Add a zero to the end of 349.172 to make it 349.1720.

Now it is easier to see that 349.1711 is lower than 349.1720 and would therefore be located before 349.1720.

### Statutes and Rules on the Web

1. You can locate the statutes and rules by using the links provided on the Board’s website at [www.mn.gov/gcb](http://www.mn.gov/gcb).
2. Statutes and rules can also be found on the State Revisor’s website at [www.revisor.mn.gov](http://www.revisor.mn.gov).
  - To find a specific statute, enter 349 (which is the entire chapter) or the specific statute.
  - To find a specific rule, enter 7861, 7863, 7864, 7865, or the specific rule.