

238.545 Restrictions on frequency, prizes, and participants for various types of charitable gaming -- Limitations on charitable organizations that conduct charity fundraising events -- Affirmative defense. (Effective July 15, 2026)

- (1) A licensed charitable organization shall be limited by the following:
 - (a) In the conduct of bingo, to one (1) session per day, three (3) sessions per week, for a period not to exceed five (5) consecutive hours in any day and not to exceed fifteen (15) total hours per week:
 1. A licensed charitable organization shall not conduct bingo at more than one (1) location during the same twenty-four (24) hour period;
 2. A licensed charitable organization shall not award prizes for bingo that exceed five thousand dollars (\$5,000) in fair market value per twenty-four (24) hour period, including the value of door prizes; and
 3. A person under the age of eighteen (18) shall not be permitted to purchase bingo supplies or play bingo unless he or she is playing for noncash prizes and is accompanied by a parent or legal guardian and only if the value of any noncash prize awarded does not exceed ten dollars (\$10);
 - (b)
 1. A licensed charitable organization may provide card-minding devices for use by players of bingo games.
 2. If a licensed charitable organization offers card-minding devices for use by players, the devices shall be capable of being used in conjunction with bingo cards or paper sheets at all times.
 3. Subject to the authority of the corporation, the office shall have broad authority to define and regulate the use of card-minding devices and the corporation may promulgate an administrative regulation concerning use and control of them;
 - (c) Charity game tickets shall be sold only at the address of the location designated on the license to conduct charitable gaming;
 - (d) Charity game tickets may be sold, with prior approval of the office:
 1. At any authorized special charity fundraising event conducted by a licensed charitable organization at any off-site location; or
 2. By a licensed charitable organization possessing a special limited charitable gaming license at any off-site location; and
 - (e) An automated charity game ticket dispenser may be utilized by a licensed charitable organization, with the prior approval of the office, only at the address of the location designated on the license to conduct charitable gaming. The corporation may promulgate administrative regulations regulating the use and control of approved automated charity game ticket dispensers.
- (2)
 - (a) A prize for an individual charity game ticket shall not exceed one thousand four hundred ninety-nine dollars (\$1,499) in value, not including the value of cumulative or carryover prizes awarded in seal card games.
 - (b) Cumulative or carryover prizes in seal card games shall not exceed two

thousand four hundred dollars (\$2,400).

- (c) Information concerning rules of the particular game and prizes that are to be awarded in excess of fifty dollars (\$50) in each separate package or series of packages with the same serial number and all rules governing the handling of cumulative or carryover prizes in seal card games shall be posted prominently in an area where charity game tickets are sold. A legible poster that lists prizes to be awarded, and on which prizes actually awarded are posted at the completion of the sale of each separate package shall satisfy this requirement.
 - (d) Any unclaimed money or prize shall return to the charitable organization.
 - (e) A paper charity game ticket shall not be sold in the Commonwealth of Kentucky that does not conform to the standards for opacity, randomization, minimum information, winner protection, color, and cutting established by the office.
 - (f) An electronic pulltab device representation of a charity game ticket shall not be sold in the Commonwealth of Kentucky that does not conform to the construction standards set forth in an administrative regulation promulgated by the corporation. Electronic pulltab devices shall only be used for charitable gaming.
 - (g) A person under the age of eighteen (18) shall not be permitted to purchase, or open in any manner, a charity game ticket.
- (3) (a) Tickets for a raffle shall be sold separately, and each ticket shall constitute a separate and equal chance to win.
- (b) All raffle tickets shall be sold for the price stated on the ticket, and a person shall not be required to purchase more than one (1) ticket or to pay for anything other than a ticket to enter a raffle.
- (c) Raffle tickets and tickets for charity fundraising raffle games approved by the office which are offered exclusively at charity fundraising events and special limited charity fundraising events are not required to be sold separately and may be sold at discounted package rates.
- (d) Raffle tickets shall have a unique identifier on each ticket.
- (e) Winners shall be drawn at random at a date, time, and place announced in advance or printed on the ticket.
- (f) All prizes for a raffle shall be identified in advance of the drawing and all prizes identified shall be awarded.
- (4) With respect to charity fundraising events, a licensed charitable organization shall be limited as follows:
- (a) A licensed charitable organization shall not conduct a charity fundraising event or a special limited charity fundraising event unless they have a license for the respective event issued by the office;
 - (b) Notwithstanding any other provision of this chapter to the contrary, a special license shall not be required, nor shall any age restriction apply, for any wheel game or game of chance, such as a cake wheel, that awards only noncash prizes the value of which does not exceed one hundred dollars (\$100);

- (c) The office may grant approval for a licensed charitable organization to play bingo games at a charity fundraising event. Cash prizes for bingo games played during a charity fundraising event may not exceed five thousand dollars (\$5,000) for the entire event. A person under the age of eighteen (18) shall not be permitted to play bingo at a charity fundraising event unless accompanied by a parent or legal guardian;
 - (d) The office may grant approval for a licensed charitable organization to play special limited charitable games at a charity fundraising event authorized under this section. The office shall not grant approval for the playing of special limited charitable games under the provisions of a charity fundraising event license unless the proposed event meets the definition of a charity fundraising event held for community, social, or entertainment purposes apart from charitable gaming in accordance with KRS 238.505(11);
 - (e) Except for state, county, city fairs, and special limited charity fundraising events, a charity fundraising event license issued under this section shall not exceed seventy-two (72) consecutive hours. A licensed charitable organization shall not be eligible for more than eight (8) total charity fundraising event licenses per year, including two (2) special limited charity fundraising event licenses. A person under eighteen (18) years of age shall not be allowed to play or conduct any special limited charitable game. Subject to the authority of the corporation, the office shall have broad authority to regulate the conduct of special limited charity fundraising events in accordance with the provisions of KRS 238.547; and
 - (f) Charity fundraising events may be held:
 - 1. On or in the premises of a licensed charitable organization;
 - 2. In a licensed charitable gaming facility, subject to restrictions contained in KRS 238.555(7); or
 - 3. At an unlicensed facility which shall be subject to the requirements stipulated in KRS 238.555(3), and subject to the restrictions contained in KRS 238.547(2).
- (5) In any prosecution for selling charitable gaming supplies to a minor, it shall be an affirmative defense that the sale was induced by the use of false, fraudulent, or altered identification papers or other documents and that the appearance and character of the purchaser were such that the purchaser's age could not have been ascertained by any other means and that the purchaser's appearance and character indicated strongly that the purchaser was of legal age to purchase charitable gaming supplies. This evidence may be introduced either in mitigation of the charge or as a defense to the charge itself.

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History: Amended 2026 Ky. Acts ch. 184, sec. 31, effective July 15, 2026. -- Amended 2025 Ky. Acts ch. 28, sec. 2, effective July 1, 2025; and ch. 124, sec. 29, effective July 1, 2025. -- Amended 2024 Ky. Acts ch. 171, sec. 23, effective July 1, 2025. -- Amended 2019 Ky. Acts ch. 62, sec. 1, effective June 27, 2019. -- Amended 2015 Ky. Acts ch. 45, sec. 3, effective June 24, 2015; and ch. 59, sec. 4, effective June 24, 2015. -- Amended 2010 Ky. Acts ch. 24, sec. 543, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 374, sec. 11, effective July 14, 2000. -- Amended 1998

Ky. Acts ch. 232, sec. 9, effective April 1, 1998. -- Amended 1996 Ky. Acts ch. 331, sec. 9, effective April 10, 1996. -- Created 1994 Ky. Acts ch. 66, sec. 10, effective March 16, 1994.

Legislative Research Commission Note (7/1/2025). Under the authority of KRS 7.136, the reviser of statutes has corrected a reference in subsection (4) of this statute after the definitions in KRS 238.505 were placed in alphabetical order during codification.