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# BINGO

## **Section 1. Scope**

This Title shall apply to all games of Bingo conducted within the territorial jurisdiction of the Kickapoo Nation in which a prize is offered or awarded to any participant or in which a participant is required or requested to provide any legal consideration in order to participate, whether in person or by agent. Provided however, that the provisions of this Title shall not apply to any tribally owned or operated Bingo game or operation.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

## **Section 2. Purpose**

This Title is intended to promote the peace, safety and welfare of all persons coming within the jurisdiction of the Kickapoo Nation by insuring that any game of Bingo conducted within the tribal jurisdiction is conducted in a fair and reasonable manner and that the public order, peace, and safety be maintained and this Title shall be liberally construed to promote such purpose.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

## **Section 3. Definitions**

As used in the Title, unless the context clearly indicates that a different meaning is intended, the term:

(a) “Bingo” means a game in which each participant receives one of more cards each of which is marked off into twenty-five (25) squares arranged in five (5) horizontal rows of five (5) squares each, and five (5) vertical rows of five (5) squares each, or a similar arrangement of squares or spaces with each square being designated by number, letter, symbol, or combination of numbers, letters and symbols, and the center square designated with the word “free”, with no two (2) cards being identical. The game is played by players covering squares as the operator of such game announces a number, letter or combination of numbers and letters appearing on an object selected by chance, either manually or mechanically from a receptacle in which have been placed objects bearing numbers, letters or combinations of number and letters corresponding to the system used for designating the squares, with the winner of each game being the player or players first properly covering a card being used by him or them. The term “Bingo” also includes a game of chance with comparable characteristics whether or not the card used in such game contains twenty-five spaces in square form and whether or not winners are determined by covering publicly announced squares or by removing a factory sealed cover from the card to reveal a prize won.

(b) “Treasurer” means the Treasurer of the Kickapoo Nation.

(c) “Court” means the Kickapoo Tribal Courts.

(d) “Major Shareholder” means any person who owns either individually or by agent, including family members, fifteen percent (15%) or more of any class or subclass of shares of stock in the corporation whoever those shares be designated, or a person having sufficient voting power individually or by proxy to elect one member to the Board of Directors of the Corporation.

(e) “Tribal Prosecutor” means the prosecutor assigned to the Tribal Court.

(f) “Chief of the Tribal Police” means the Chief law enforcement officer of the Kickapoo Nation.

(g) “Business Committee” means the Kickapoo Tribal Business Committee.

(h) “Superintendent” means the chief administrative officer assigned to the Horton Agency, Bureau of Indian Affairs.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

#### **Section 4. Bingo Prohibited – Exceptions**

No person shall conduct any game of bingo within the Indian County subject to the jurisdiction of the Kickapoo Nation for which a charge is made or other consideration requested or required for participation or to the winner of which any prize is awarded, provided that an organization licensed pursuant to this Title may conduct bingo games operated pursuant to this Title.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

#### **Section 5. Manner of Filing Instruments with Treasurer**

Any document, affidavit, return, report, fee or other instrument or payment required to be filed with, delivered to, or served upon the Treasurer by this Title shall be deemed to be properly filed, delivered, or served, as the case may be if it is filed, delivered, or served upon the Director of the Tribal Accounting Department at the Tribal Complex, or such other employee of the Accounting Department as the Treasurer shall authorize in writing.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 6. Issuance of Instruments by Treasurer**

Any registration form, receipt, or other instrument which the Treasurer is required or permitted to issue pursuant to this Title, may be issued by the Director of the Tribal Accounting Department or such other employee of the Accounting Department as the Treasurer shall authorize in writing. Issuance by any such authorized person shall have the same effect as if such instrument were personally issued by the Treasurer.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 7. Authorizations to be Posted**

The written authorizations mentioned in Sections 5 and 6 of this Title shall be conspicuously posted in the Accounting Office.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 8. Audits and Reviews**

Any organization or corporation which applies for or receives a license to conduct bingo pursuant to this Title shall be deemed to have consented to audit and review of its records by authorized accounting or law enforcement agencies of the Tribe without notice or warrant at any reasonable time, including spot checks or field audits of its operations during bingo sessions in return for the privilege of conducting bingo games with the Tribal jurisdiction.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 9. Citation**

This Title may be cited as the “Bingo Ordinance of 1990.”

(History: PUBLIC LAW #KT90-14, February 6, 1990)

# BINGO

## CHAPTER ONE

### NONPROFIT OPERATIONS

#### **Section 100. Licensing of Certain Organizations**

Any corporation which has been in existence for a period not less than three (3) years prior to making application for a Bingo License, which is exempt from payment of Federal Income Taxes under paragraphs (3), (4), (5), (6), (7), or (8) or subsection (c) of Section 501 of Title 26 of the United States Code, and which has pre-registered with the Treasurer may be licensed to conduct Bingo games.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

#### **Section 101. Pre-Registration with the Treasurer**

Prior to making application for the Bingo license pursuant to this Title, the organization shall:

(a) File with the Treasurer a certified copy of its charter, organizational documents, articles of incorporation or other evidence of existence for a period of not less than three (3) years as the Treasurer by rule shall prescribe.

(b) File with the Treasurer a verified affidavit in such form as the Treasurer by rule may prescribe:

(1) Listing the names, capacity, social security number and residential address of the governing body, and officers of such organization provided, that if the applicant is a local affiliate, branch or chapter of an organization of two or more affiliates, branches, or chapters, the names, capacity and residential addresses of the directors and officers of the local affiliate branch, or chapter shall also be listed.

(2) Stating the name and address of some person authorized to receive legal notice on behalf of the organization.

(3) Stating that the applicant, in the event a license to conduct Bingo is issued will abide by all the provisions of this Title, that the applicant expressly, voluntarily and irrevocably agrees to be bound by the laws of the Kickapoo Nation in all its activities within the Indian Country subject to the jurisdiction of the Kickapoo Nation or related to the conduct of Bingo pursuant to this Title, and that the applicant voluntarily and irrevocably consents and submits itself, its officers, directors and agents in their official capacity to the jurisdiction of the Tribal Courts.

(c) File with the Treasurer a certified resolution of the Board of the governing body of said corporation authorizing the application for Bingo license, and the making of the affidavit required by subsection (b) of this section.

(d) If at any time subsequent to registration with the Treasurer the information required to be submitted to the Treasurer by subsection (a) or (b) of this section shall change, the applicant/licensee shall file with the Treasurer a verified affidavit with supporting documentation if necessary informing the Treasurer of such changes. Such change of registration shall be accompanied by a Five Dollar (\$5.00) filing fee which shall be deposited in the Tribal General Fund.

(e) Pay to the Treasurer a non-refundable registration fee of Twenty Dollars (\$20.00) which shall be paid prior to the acceptance by the Treasurer of any documents required to be filed by subsection (1), (b), or (c) of this section. Such fees shall be deposited in the Tribal Treasury Account.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 102. Certificate of Registration**

Upon compliance with Section 11 of this Title, the Treasurer shall issue to the applicant two original copies of a Certificate of Registration of Bingo Applicant on such forms as the Treasurer may by rule prescribe certifying that the applicant has complied with Section 101 of this Title.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 103. Application for Bingo License**

Any corporation described in Section 100 of this Title may apply to the Clerk of the Tribal Court for a license to conduct Bingo games within the Tribal jurisdiction on such form as the Clerk shall direct. Such application shall state:

(a) The period of continuous existence of said organization immediately preceding the date of application including the date of such organization was founded.

(b) That it proposes to conduct Bingo at a specific and single address or location and setting forth such address or location.

(c) The days and times during such days that it proposes to conduct Bingo at said address or location which in no event shall exceed the limitations imposed by Section 134 of this Title.

(d) That no commission, salary, compensation, reward or recompense will be paid to any person for conducting such games except when conducting such games is only incidental to the regular employment of employees of such organization.

(e) The names and address of some person authorized to receive legal notice on behalf of said applicant.

(f) The Tribe or state of incorporation and the post office address and street address of the principal place of business of such corporation.

(g) Whether such corporation has been previously licensed to conduct Bingo and whether said license was revoked or expired including the date of issuance and revocation or expiration.

(h) That the applicant will abide by all the provisions of this Title, that the applicant expressly, voluntarily and irrevocably agrees to be bound by the laws of the Kickapoo Nation in all its activities within the Indian Country subject to the jurisdiction of the Kickapoo Nation or related to the conduct of Bingo pursuant to this Title, and that the applicant voluntarily and irrevocably consents and submits itself, its officers, directors, and agents in their official capacities to the jurisdiction of the Tribal Courts.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

#### **Section 104. Verification of Application**

Before any application is accepted for filing, the Clerk of the Tribal Court shall verify that said application has attached thereto:

(a) A copy of a letter or other certificate from the United States Internal Revenue Service stating that the Internal Revenue Service recognizes the applicant as a nonprofit organization exempt from payment of federal income taxes.

(b) An original Certificate of Registration of Bingo Applicant issued by the Treasurer.

(c) A certified resolution of the governing body of the applicant authorizing the application for a Bingo license and authorizing some person or persons to execute such application on behalf of the applicant.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 106. Application Fee**

Before any application is accepted for filing, the Clerk of the Tribal Court shall require payment of a non-refundable filing fee of Ten Dollars (\$10.00). Such fees shall be deposited in the General Court Fund.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 107. Notice of Application**

(a) Upon application being filed, the Clerk of the Tribal Court shall give ten (10) days' written notice by causing the same to be posted in the Court Clerk's office and on or near the front entrance of the building in which such Bingo games are to be conducted. A copy of such notice shall be forthwith served on the Tribal Prosecutor, Chief of the Tribal Police, the Business Committee, the Superintendent and the Criminal Investigator.

(b) Said notice will contain a statement that an application for a Bingo License has been filed pursuant to this Title, the name and address of the applicant, the location or address at which the applicant proposes to conduct Bingo, the days and times during which the applicant proposes to conduct Bingo, the time and place at which the Court Clerk will act upon such application, and that any person may appear in person or in writing and show any legal cause that person may have why a license should not issue.

(c) The date set for hearing the application shall be within thirty (30) days from the date such application is filed.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 108. Issuance of License**

If there are no protests and the application is sufficient on its face, a license, valid for one calendar year, shall be granted by the Clerk of the Tribal Court. If any person shall appear or file a written protest setting forth objections, the Clerk of the Tribal Court shall advise the presiding Judge of the Tribal Court who shall cause the application to be heard by a Judge of said Court, sitting without a jury, within sixty (60) days after due notice. If no legal cause is shown why such license should not issue, the Judge shall order the Clerk to issue such license forthwith. The burden of proof shall be upon the applicant to establish their eligibility for said license; thereafter, the burden shall be upon the protestant to show why such license should not issue.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 109. Renewals**

Within thirty (30) days prior to or thirty (30) days after the date of expiration of Bingo License, the licensee may on motion renew such license for a period of one (1) year and at each expiration date thereafter so long as a license is continuously in effect. A non-refundable fee of Ten Dollars (\$10.00) shall be paid for issuance of a renewal license upon application. Renewal fees shall be deposited in the Court fund. The Clerk of the Tribal Court shall notify the Treasurer of each Bingo License renewal.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 120. Revocation and Suspension of Licenses**

(a) The Prosecutor may file a petition in the Tribal Court to revoke or suspend the License of any licensee alleging the violation by the licensee, its agents, officers or employees of any of the provisions of this Title. Such action shall be tried as civil actions are tried, and the Court, sitting without jury, shall hear said petition and enter its order thereon. In appropriate cases, the Court may temporarily enjoin any licensee from conducting Bingo pending determination of the petition to revoke Bingo License. Service may be had on such licensee by serving the person designated in the licensee's application by certified mail, return receipt requested, or in any other method authorized by law.

(b) If said license is revoked, said licensee shall not be eligible to be licensed for a period of two (2) years from the date of revocation. If a licensee shall have a license revoked a second time, said licensee shall not be eligible for licensing notwithstanding that such licensee would otherwise be eligible pursuant to Section 100 of this Title.

(c) Any licensee whose license shall have been revoked shall be required to file a new application and receive a new license prior to reassuming any Bingo activity.

(d) The registration fees paid for a Certificate of Registration of Bingo Applicant after revocation of a previous license shall be Two Hundred Dollars (\$200.00) notwithstanding Section 101(e) of this Title, and the application filing fee paid shall be One Hundred Dollars (\$100.00) notwithstanding Section 106 of this Title. All other fees shall not be increased due to revocation.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 121. Suspension of License**

(a) The prosecutor may file a petition in the Tribal Court to suspend the license of any licensee alleging violation by the licensee of any provision requiring reports under this Title, or any other provision of law, or for failure to tender to the Treasurer any payments, taxes or levies required by law to be tendered to such Treasurer. Such action shall be tried as civil actions are tried, and the Court, sitting without a jury, shall hear said petition and enter its order thereon. An appropriate cases, the Court may temporarily enjoin any licensee from conducting Bingo pending determination of the petition to suspend the Bingo license. Service may be had on such licensee by serving the person designated in the licensee application by certified mail, return receipt requested, or in any other method authorized by law.

(b) If the Court determines that the license should be suspended, such license shall be suspended for a period of three (3) calendar months from the date of judgment and thereafter until the violation resulting in the suspension is, in the judgment of the Court, remedied.

(c) If the licensee fails to remedy the violation resulting in suspension, or, in good faith, to make substantial progress in remedying the violation resulting in suspension for a period of six (6) months, the license may be revoked upon motion of the prosecutor.

(d) A license which is under suspension may be renewed, provided, that a licensee under suspension shall apply for a renewal during the regular renewal period of his license and such renewal may be granted with such renewal license suspended until the date of suspension of the preceding license is removed. A suspended license which is allowed to expire shall be considered revoked for all purposes under this Title.

(History: PUBLIC LAW #KT90-14, 1990)

### **Section 130. Prohibited Use of Bingo Receipts**

No part of the receipts derived from Bingo activity within the Tribal jurisdiction, except actual expenses incurred in the conduct thereof, is to inure to the benefit of any individual shareholder, member or employee of the license organization, except as compensation for actual expenses incurred by him in the conduct of such activity and provided that such game is conducted or operated by the officers, employees or members of such organization without compensation therefore other than that to which the officer, employee or member is entitled for the performance of his regular duties, and not by agreement or contract with any other person or organization for which any consideration or compensation is provided.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 131. Limitation on Payments of Salary**

No license shall pay any commission, salary, compensation, reward or recompense to any person for conducting Bingo except when such conducting is only incidental to the regular employment of such employee of such licensee, and in no event shall any commission, salary, compensation, reward or recompense, either directly or indirectly, be based upon a percentage of the receipts accruing to such licensee by virtue of such Bingo operation.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 132. Term of Existence Required**

No applicant whose existence as an organization is less than three (3) years immediately prior to the making of application for a Bingo license shall be granted a license.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 133. Rental Paid on Bingo Premises**

No license shall pay more than the fair rates of rental value for premises rented or leased for the purpose of conducting Bingo. In no case shall rental value be based upon percentage of the receipts accruing to such licenses by virtue of such Bingo operation.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 134-135. Reserved**

**Section 136. Intoxicating Substances Prohibited**

No license shall possess, sell, serve, give away, or permit to be consumed, sold, given away, furnished or possessed by any person, any beer, ale, wine, liquor, spirits or any other beverage or product containing alcohol for ingestion by human beings or any substance listed in Section 812 of Title 21 of the United States Code or added to the schedules contained therein as provided by federal law, at or near any place where such licensee conducts Bingo pursuant to this Title, provided, that this prohibition shall not be construed so as to prohibit the sacramental use of wine or peyote by a bona fide religious organization during the regular worship service if such use is permitted by federal law.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 137. Minors**

No minor shall be permitted to play Bingo unless accompanied by a parent or guardian.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 138. Discrimination**

No licensee shall practice racial or sexual discrimination at any game of Bingo.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 139. License Required to Conduct Bingo**

No person, except a licensee operating pursuant to this Title, shall conduct any game of Bingo for which a charge is made or to the winner of which a prize is awarded.

**Section 170. Reports of Licensee Staff**

Prior to conducting any game or session of Bingo, a licensee operating Bingo pursuant to this Title, shall file an affidavit with the Treasurer, on such form as the Treasurer shall by rule prescribe, listing the names, social security numbers, ages, post office and residence addresses of each and every person employed by said licensee, concession operator, or any and every other person on the premises who shall participate directly or indirectly in the operation of any game or any session of Bingo. No licensee shall allow any person ever convicted of a felony to participate either directly or indirectly in the operation of any game or any session of Bingo under this Title.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 171. Lists of Winners**

Each licensee who conducts a game or session of Bingo pursuant to this Title, shall file with the Treasurer, a list of each winner or winners of any game of Bingo at each session of Bingo. The list shall be itemized by game, and shall include the name of the winner, the address of the winner, and the amount or fair market value of the prize won.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 172. Report of Bingo Game Receipt and Disbursements**

Every licensee who conducts a Bingo game or a session of Bingo pursuant to this Title, shall file with the Treasurer a report of all receipts and disbursements of all funds relating to said Bingo game or sessions. Such report shall contain an itemized list of all receipts from bingo games conducted concessions and any and all other related activities. Such report shall also contain an itemized lists of all disbursements from receipts of such Bingo games or sessions, concessions or related activities, including but not limited to, rentals paid, itemized list of materials furnished, prizes awarded, and salaries or other compensation paid to any person assisting in the conduct of such Bingo game or session. Such listing of salaries or compensations shall include the receiving persons, name, post office address and social security number.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 173. Verification of Reports**

All reports required to be submitted to the Treasurer under this Title shall be verified by the chief executive officer, or his authorized designate, of the licensee.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 174. Time for Submission of Reports**

All reports required to be submitted to the Treasurer by Section 170, 171 and 172 of this Title shall be submitted on a monthly basis. Reports shall be due on the last day of the first calendar month immediately after the month during which such game of Bingo or session of Bingo was conducted.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

### **Section 175. License to be Nontransferable**

The license to conduct Bingo games issued to any corporation pursuant to this Title shall not be subject to sale, assignment, or transfer to any other organization or person, and any attempt to sell, assign or otherwise transfer said license shall render said license absolutely null, void and forfeited.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 176. License and Ordinance to be Publicly Displayed**

Every licensee conducting Bingo pursuant to this Title shall prominently and publicly display their Bingo License and a copy of this Title on or reasonably near the entrance to the room or hall in which Bingo is being conducted beginning not later than thirty (30) minutes prior to the scheduled opening of the Bingo session and continuously until thirty (30) minutes after the Bingo session in concluded. The general public shall be allowed to inspect and read said license and the copy of this Title.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 177-178. Reserved**

**Section 190. Civil Penalties**

Any violation of this Chapter is hereby declared to be a public nuisance. The Tribal Prosecutor shall be authorized to bring a civil action against any person allegedly violating the provisions of this Title. Upon conviction, the Court may enjoin such illegal Bingo and may further impose a civil penalty not to exceed Five Hundred Dollars (\$500.00) in addition to any or all actual damages and costs.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 191. Criminal Penalties**

Any Indian person violating the provisions of this Chapter shall be guilty of an offense and shall, upon conviction thereof, be punished by the confinement in the Tribal jail for a period of not less than ten (10) days nor more than six (6) months and a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**Section 192. Each Game May be Separate Violation**

For purposes of the provisions of Sections 190 and 191 of this Title, each and every game of Bingo shall constitute a separate nuisance of offense.

(History: PUBLIC LAW #KT90-14, February 6, 1990)

**CHAPTER TWO**

**Sections 201 – 250. Reserved**

## CHAPTER THREE

### PRIVATE BINGO OPERATIONS

#### **Section 300. Licensing of Private Bingo Operators**

Any corporation which has been organized or domesticated pursuant to the Kickapoo Business Corporation Act, and which has preregistered with the Treasurer may be licensed to conduct Bingo games.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

#### **Section 301. Preregistration With The Treasurer**

Prior to making application for the Bingo license pursuant to this chapter, the corporation shall:

(a) File with the Treasurer a certified copy of its charter of Incorporation or Domestication as the case may be.

(b) File with the Treasurer a verified affidavit in such form as the Treasurer may by rule prescribe:

(1) Listing the names, capacity, social security numbers and residential address of the Board of Directors or other governing body, the Officers, and the major stockholders of such corporation;

(2) Stating the name and address of some person authorized to receive legal notice on behalf of the corporation.

(3) Stating specifically that the applicant, in the event a license to conduct Bingo is issued will abide by all the provisions of this Title, that the applicant expressly, voluntarily, and irrevocably agrees to be bound by the laws of the Kickapoo Nation in all its activities within the Indian Country subject to the jurisdiction of the Kickapoo Nation or related to the conduct of Bingo pursuant to this Title, and that the applicant voluntarily and irrevocably consents and submits itself, its Officers, Directors, and Agents in their official capacity to the jurisdiction of the Tribal Courts.

(c) File with the Treasurer a certified resolution of the Board of Directors or other governing body of said corporation authorizing the application for Bingo license, and the making of the affidavit required by subsection (b) of this section.

(d) If at any time subsequent to registration with the Treasurer the information required to be submitted to the Treasurer by subsection (a) or (b) of this section shall change, the applicant/licensee shall file with the Treasurer a verified affidavit with supporting documentation if necessary informing the Treasurer of such changes, Such change of registration shall be accompanied by a non-refundable Fifty Dollar (\$50.00) filing fee which shall be deposited in the Tribal General Fund.

(e) Pay to the tribe a non-refundable registration fee of One Thousand Dollars (\$1,000.00) which shall be paid prior to the acceptance by the Treasurer of any documents required to be filed by subsections (a), (b), or (c) of this section. Such fees shall be deposited in the Tribal General Fund.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 302. Certificate of Registration**

Upon compliance with Section 301 of this Title, the Treasurer shall issue to the applicant two original copies of a registration of private Bingo applicant – Chapter Three – on such form as the Treasurer may by rule prescribe certifying that the applicant has complied with Section 301 of this Title.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 303. Application for License**

Any corporation described in Section 300 of this Title may apply to the Clerk of the Tribal Court for a license to conduct Bingo games within the Tribal jurisdiction on such form as the Clerk shall direct. Such application shall state:

(a) The period of continuous existence of said corporation immediately proceeding the date of application including the date such was founded.

(b) That it proposes to conduct Bingo at a specific and single address or location and setting forth such address or location.

(c) The days and times during such days that it proposes to conduct Bingo at said address or location which in no event shall exceed the limitations, imposed by Section 324 of this Title. That no major stockholder, officer, or Director of said corporation has ever been convicted by any Court of any Felony or other crime involving moral turpitude.

(d) The name and address of some person authorized to receive legal notice on behalf of said applicant.

(e) The Tribe or State of Incorporation and the Post Office Address and street address of the principle place of business of such corporation.

(f) Whether such corporation has been previously licensed to conduct Bingo and whether said license was revoked or expired including the date of issuance and revocation or expiration.

(g) That the applicant will abide by all the provisions of this Title, that the applicant expressly, voluntarily, and irrevocably agrees to be bound by the laws of the Kickapoo Nation in all its activities within the Indian Country subject to the jurisdiction of the Kickapoo Nation or related to the conduct of Bingo pursuant to this Title, and that the applicant voluntarily and irrevocably consents and submits itself, its officers, Directors, and Agents in their official capacities to the jurisdiction of the Tribal Court.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

#### **Section 304. Verification of Application**

The application referred to in Section 303 of this Title shall be signed and verified before the Clerk of the Tribal Court, provided, that if the principle place of business of the applicant is not located within Brown County, State of Kansas said application may be signed and verified before any Tribal or State Court Clerk, Judge, or Notary Public having authority to administer oaths within the jurisdiction in which the principle place of business of such corporation is located.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

#### **Section 305. Exhibits Required For Application**

Before any application is accepted for filing, the Clerk of the Tribal Court shall verify that said application has attached thereto:

(a) An original Registration of Private Bingo Applicant – Chapter Three – issued by the Treasurer.

(b) A certified resolution of the Board of Directors or other governing body of the applicant authorizing the application for a Bingo license and authorizing some person or persons to execute such application on behalf of the applicant.

(c) A bond to the Kickapoo Nation of cash, unencumbered real property, or of good and sufficient corporate sureties authorized to give bonds to the United States pursuant to Section 8 of Title 6 of the United States Code as provided by Section 320 of this Title. If a bond commitment is tendered in lieu of an actual bond, no license issued shall be effective or delivered until a bond is filed in the Court Clerk's office.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 306. Application Fee**

Before any application is accepted for filing, the Clerk of the Tribal Court shall require payment of a non-refundable filing fee of One Hundred Dollars (\$100.00). Such fees shall be deposited in the general Court fund.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 307. Notice of Application**

(a) Upon application being filed, the Clerk of the Tribal Court shall give at least ten (10) days written notice by causing the same to be posted in the Court Clerk's office and on or near the front entrance of the building in which such Bingo games are to be conducted. A copy of such notice shall be forthwith served on the Tribal Prosecutor, Chief of the Tribal Police, the Tribal Business Committee, the Superintendent, and the Criminal Investigator.

(b) Said notice will contain a statement that an application for a private Bingo License has been filed pursuant to chapter three of this Title, the name and address of the applicant, the location or address at which the applicant proposes to conduct Bingo the days and times during which, the applicant proposes to conduct Bingo and the time and place at which the Court Clerk will act upon such application, and that any person may appear in person or in writing and show any legal cause that person may have why a license should not issue.

(c) The date set for hearing the application shall be within thirty (30) days from the date such application is filed.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 308. Issuance of License**

If there are no protest and the application is sufficient on its face, a license valid for one calendar year, shall be granted by the Clerk of the Tribal Court. If any person shall appear or file a written protest setting forth objections, the Clerk of the Tribal Court shall advise the Presiding Judge of the Tribal Court who shall cause the application to be heard by a judge of said Court, sitting without a jury, within sixty (60) days after due notice. If no legal cause is shown why such license forthwith. In order to deny issuance of the license, clear and convincing proof must be shown that the applicant is likely to fail to comply with this Title, or otherwise to act in an unlawful manner within the Tribal jurisdiction, or that the applicant has not truthfully and completely responded to or fulfilled any application requirement.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 309. Renewals**

Within thirty days (30) prior to or thirty days (30) after the date of expiration of the Bingo license, the licensee may on motion renew such license for a period of one (1) year and at each expiration date thereafter so long as the license is continuously in effect. The effective date of renewal shall relate back to the to the expiration date of the previous license if application for renewal is filed on time. A non-refundable fee of One Hundred dollars (\$100.00) shall be paid for issuance of renewal license upon application. Renewal fee shall be deposited in the Court Fund. The Clerk of the Tribal Court shall notify the Tribal Treasurer, Superintendent, and Criminal Investigator of each Bingo License renewal.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 310. Suspension and Revocation of License**

(a) The prosecutor may file a petition in the Tribal Court to suspend or revoke the license of any licensee alleging violation by the licensee of any provision of this Title, or any other provision of Tribal law, or for failure to properly tender any reports, payments, taxes, or levies required by law to be tendered to any tribal official. Such action shall be tried as civil actions are tried, and the Court, sitting without a jury, shall hear said petition and enter its order thereon. An appropriate cases, the Court may temporarily enjoin any licensee from conducting Bingo pending determination of the petition to suspend the Bingo license. Service may be had on such licensee by serving the person designated in the license application by certified mail, return receipt requested, or in any other method authorized by law.

(b) If said license is revoked, said licensee shall not be eligible to be licensed for a period of two (2) years from the date of revocation. If a licensee shall have a license revoked a second time, said licensee shall not be eligible for licensing notwithstanding that such licensee would otherwise be eligible pursuant to section 300 of this Title.

(c) Any licensee whose license shall have been revoked shall be required to file a new application and receive a new license prior to resuming any Bingo activity.

(d) If the Court determines that the license should be suspended, such license shall be suspended for a period of not less than three (3) calendar months from the date of judgment and thereafter until the violation resulting in the suspension is, in the judgment of the Court, remedied, provided that the Court may in its discretion give credit for any time during which the Bingo Operation was enjoined.

(e) If the licensee fails to remedy the violation resulting in suspension, or, in good faith, to make substantial progress in remedying the violation resulting in suspension for a period of six months, said license may be revoked upon motion of the prosecutor.

(f) A license which is under suspension may be renewed, provided, that a license under suspension shall apply for a renewal during the regular renewal period of his license and such renewal may be granted with such renewal license suspended until the date the suspension of the preceding license is removed. A suspended license which is allowed to expire, shall be considered revoked for all purposed under this Title

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 320. Bonds Required**

(a) The bond or bond commitment required to be attached to the license application by Section 305(c) of this Title shall be in the name of the Applicant as principal and the surety company as surety payable to the Kickapoo Nation. The bond shall be in the sum of not less than Fifty Thousand dollars (\$50,000.00).

(b) At least twenty days prior to the establishment of any prize amount in excess of the maximum amount allowed for the initial six week period pursuant to Section 335 of this Title, the Licensee shall file a new bond in an amount of not less than five times the total amount of prizes the licensee shall establish as the maximum amount it will award in prizes on any day on which it conducts Bingo.

(c) All cash bonds tendered to Court Clerk shall be deposited in a special account to be established by the Court Clerk in a national bank at interest. Any interest earned in excess of bond requirements may be withdrawn annually by the licensee. A copy of the bond or receipt, as the case may be, shall be delivered to the Treasurer by the Court Clerk.

(d) The bond shall specify that it is enforceable in the Tribal Court and the surety shall consent and submit himself irrevocably to the jurisdiction of the Tribal Court.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 321. Bond To Secure Certain Payments**

(a) The bond required by Section 320 of this Title shall secure payments which may be due from the licensee in the following order of preference:

- (1) Any Taxes or penalties due to the Kickapoo Nation
- (2) Prizes due to any winners of Bingo games.
- (3) Wages, salaries, and other employee compensation except when owed to an employee who is also a major shareholder in the corporation.
- (4) Rentals due on real property within the Tribal jurisdiction.

(b) The Tribal Prosecutor shall have the authority to bring an action in the tribal court to foreclose such bonds on behalf of any creditor secured of this Title or as an independent action, provided, that any person whose claim or interest is secured by said bond and who has reduced said claim to judgment may bring an action against the licensee in the name of the Kickapoo Nation seeking foreclosure of said bond in his own behalf.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 322. Conditions of the Bond**

Each bond submitted pursuant to Section 320 of this Title shall be conditioned upon the licensee's payment of all taxes and penalties due to the Kickapoo Nation, prizes, wages, salaries or other employee compensation, and rentals of real property within the Tribal jurisdiction when due, and further, upon the licensee complying with all the provisions of this Title. Such bond shall be void if the conditions above stated are completely fulfilled by the licensee, otherwise to remain in full force and effect.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 323. Cancellation of Bonds**

Each bond shall specify that said bond is not subject to cancellation unless ten (10) days prior notice has been served upon the Treasurer by certified mail.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 330. Limitations On Session And Prizes**

No licensee may conduct more than two sessions of Bingo per day, each session not to exceed 30 Bingo games per session. During the initial six (6) weeks of the original Bingo license, not including renewal licenses, no prize greater in amount than two Hundred Dollars (\$200.00) shall be offered or given at any single game of Bingo, provided, that after the initial period the amount of prizes which may be offered to the winners of Bingo games shall be determined by the licensee in its discretion subject to the condition imposed by Sections 320, and 331 of this Title. Provided, that "mini-bingo" games in which the prizes offered does not exceed Twenty-Five Dollars (\$25.00) may not be counted as part of the authorized sessions, and there shall be no limit on the number of mini-bingo games which a licensee may conduct.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 331. Establishment of Additional Prizes**

Not less than twenty days prior to the establishment of any prize amount in excess of the maximum amount allowed for the initial six (6) week period, the licenses shall file with the Treasurer and the Clerk of the Tribal Court a verified affidavit stating the maximum amounts it shall offer as prizes at each session of Bingo.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 332. Schedule of Games and Prizes**

The licenses shall, on or before the first day of each calendar month, file with the Treasurer its schedule of games and prizes for that month itemized by game. Such schedule may contain the dollar amount of the prize or a percentage of all actual receipts of a particular game to be paid as a prize, provided, that the dollar amount scheduled, not including “percentage games”, may be varied by not more than a twenty-five percent increase or decrease upon public announcement of such variance prior to the beginning of the session in which the varied game will be played.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 333. Payment of Prizes – Qualification of Winners**

(a) All prizes payable in money equal to or greater than the amount of Six Hundred Dollars (\$600.00) shall be paid by check, certified check, cashier’s check or money order at the time the winner qualifies for the prize.

(b) In addition to being the first player to properly cover a predetermined and publicly announced pattern of squares upon a card being used by him or them, a player, in order to qualify to receive a prize, must furnish the Bingo Licensee:

(1) Acceptable proof of said winners name and address. Acceptable proof may be a driver’s license, photo identification, or other identification acceptable to the licensee.

(2) A signed receipt acknowledging acceptance and receipt of the prize awarded.

(3) If the value of the prize is equal or greater than Six Hundred Dollars (\$600.00) the winner shall furnish his or her social security number to the licensee.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 334. Rental Paid on Bingo Premise**

No licensee shall pay more than the fair rates of rental value for premises rented or leased for the purpose of conducting Bingo. In no case shall rental value be based upon percentage of the receipts accruing to such licensee by virtue of such Bingo operation.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 335. Times During Which Bingo is Prohibited**

(a) “No Bingo shall be conducted by any licensee between the hours of 2:00 a.m. and 10:00 a.m. on Monday, Tuesday, Wednesday, Thursday, or Friday.

(b) No Bingo shall be conducted between the hours of 3:00 a.m. and 10:00 a.m. on Saturday and Sunday.

(c) No license shall conduct Bingo more than a total of twelve (12) hours on any day on which Bingo is allowed.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 336. Intoxicating Substances Prohibited**

No licensee shall possess, sell, serve, give away, or permit to be consumed, sold, given away, furnished, or possessed by any person, any beer, ale, wine, liquor, spirits, or any other beverage or product containing alcohol for ingestion by human beings or any substance listed in Section 812 of Title 21 of the United States Code or added to the Schedules contained therein as provided by Federal law, at or near any place where such licensee conducts Bingo pursuant to this Title, provided, that this prohibition shall not be construed so as to prohibit the sacramental use of wine or peyote by a bonafide religious organization during the regular worship service if such use is permitted by Federal law.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 337. Minors**

No person under the age of sixteen shall be permitted to play Bingo.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 338. Discrimination**

No licensee shall practice racial or sexual discrimination at any game of Bingo.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 339. License Required To Conduct Bingo**

No person, except a licensee operating pursuant to this Title shall conduct any game of Bingo for which a charge is made or to the winner of which a prize is awarded.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 370. Reports on Licensee Staff**

Prior to conducting any game or session of Bingo, a licensee operating Bingo pursuant to this Title, shall file an affidavit with the Treasurer, on such form as the Treasurer shall by rule prescribe, listing the names, social security numbers, ages, post office and residence addresses of each and every person employed by said licensee, concession operator, or any and every other person on the premises who shall participate directly in the operation of any game or any session of Bingo. Names may be added or removed from the approved list at any time by filing a similar affidavit with the Treasurer. No licensee shall allow any person ever convicted of a felony to participate either directly or indirectly in the operation of any game or any session of Bingo under this Title.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 371. Lists of Winners**

Each licensee who conducts a game or session of Bingo pursuant to this Title, shall file with the Treasurer, a list of each winner or winners of any game of Bingo at each session of Bingo. The list shall be itemized by game, and shall include the name of the winner, the address of the winner, the social security number of the winner when the value of the prize awarded exceeds Six Hundred (\$600.00), the amount of fair market value of the prize won, and the amount of the Bingo winnings tax deducted and withheld.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 372. Report of Bingo Games and Disbursements**

Every licensee who conducts a Bingo game or a session of Bingo pursuant to this Title, shall file with the Treasurer a report of all receipts and disbursements of all funds relating to said Bingo game or sessions. Such report shall contain an itemized list of all receipts from Bingo games conducted, concessions, and any and all other related activities. Such report shall also contain an itemized list of all disbursements from receipts of such Bingo games or sessions, concessions, or related activities, including but not limited to, rentals paid, an itemized list of materials furnished, prizes awarded, and salaries or other compensation paid to any person assisting in the conduct of such Bingo games or session. Such listing of salaries or compensation, shall include the receiving persons, name, post office address, street address, and social security number.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 373. Verification of Report**

All reports required to be submitted to the Treasurer under this Title shall be verified by the chief executive officer, or his authorized designate of the licensee.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 374. Time For Submission of Reports**

All reports required to be submitted to the Treasurer by Section 370, 371, and 372, of this Title shall be submitted on a monthly basis. Reports shall be due on the last day of the first calendar month immediately after the month during which such game of Bingo or sessions of Bingo was conducted.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

### **Section 375. License To Be Nontransferable**

The license to conduct Bingo issued to a Corporation pursuant to this Title shall not be subject to sale, assignment, subcontract, operating contract, or transfer to any other corporation organization, or person, and any attempt to sell, assign, or to otherwise transfer said license shall render said license absolutely null, void, and forfeited.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 376. License and Ordinance To Be Publicly Displayed**

Every licensee conducting Bingo pursuant to this Title shall prominently and publicly display their Bingo license and a copy of the Bingo Ordinance of 1982, as amended, on or reasonably near the entrance to the room or hall in which Bingo is being conducted beginning not later than thirty (30) minutes prior to the scheduled opening of the Bingo sessions and continuously until thirty (30) minutes after the Bingo session is concluded. The general public shall be allowed to inspect and read said license and the copy of this Ordinance.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 377. Allowable Charges**

In any games of Bingo conducted by a licensee in which the prize to be awarded does not exceed Two Hundred Dollars (\$200.00), a maximum charge of Five (5) Dollars per card may be charged for participation. Otherwise, maximum charges shall be set in the discretion of the licensee subject to Section 378 of this Title.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 378. Public Notice of Prizes, Charges, and Rules**

The Bingo Licensee shall cause the list of prizes to be given away by game, the charges for participation by game, and the rules of each game with appropriate examples to be prominently displayed within the room in which Bingo is to be conducted in such manner that the public shall have immediate and unrestricted access thereto.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 390. Civil Penalties**

Any violation of this chapter is hereby declared to be a public nuisance. The Tribal prosecutor shall be authorized to bring a civil action against any person allegedly violating the provisions of this Title. Upon judgment, the court may enjoin such illegal Bingo, and may further impose a civil penalty not to exceed Five Hundred Dollars (\$500.00) in addition to any or all actual damage and costs.;

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 391. Criminal Penalties**

Any Indian person violating the provisions of this chapter shall be guilty of an offense and shall, upon conviction thereof, be punished by confinement in the tribal jail for a period of not less than three months nor more than six months and fine of not less than Two Hundred Dollars nor more than Five Hundred Dollars or both such fine and imprisonment.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 392. Each Game May Be a Separate Violation**

For purposes of the provisions of Section 390 and 391 of this Title each and every game of Bingo shall constitute a separate nuisance or offense.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

## CHAPTER FOUR

## GENERAL TERMS

**Section 400. Limitations on Hiring of Employees**

Licensee licensed to conduct Bingo pursuant to Chapter One or Chapter Three of this Title shall never allow any of the following persons to become an employee of such licensee, otherwise receive any salary, remuneration, dividend, benefit, or recompense in any manner whatsoever, either directly or indirectly as a result or due to the licensee conducting Bingo within the Tribal jurisdiction:

- (a) Any person less than eighteen years of age.
- (b) Any person who has been convicted by any court of competent jurisdiction of a felony or other crime involving moral turpitude.
- (c) Any person who is employed the Kickapoo Nation in any capacity whatsoever.
- (d) Any person who holds any elective or appointive office or position of the Kickapoo Nation including but not limited to any member of the Business Committee, Grievance Committee, Election Committee, Law and Other Committee or any other Committee established by the Business Committee, and the Tribal Court.
- (e) Any person who is related by blood or marriage within the third degree to any person described in subparagraph (c) or (d) of this Section.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 401. Verification of License Application**

(a) Upon receipt of any preregistration forms or of any affidavit or other instrument listing the names of any owners, employees, or other persons involved in Bingo conducted or to be conducted pursuant to his Title, the Treasurer shall request the Chief of the Tribal Police or the Criminal Investigator or both to verify that, after due investigation no record can be found of a conviction of any such persons of a felony or other crime involving moral turpitude.

(b) The Treasurer or the Court Clerk, in his discretion, may request the Chief of the Tribal Police or the Criminal Investigator to investigate the accuracy of any information submitted or required to be submitted to his office pursuant to this Title.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 402. Severability**

The provisions of this Title as severable if any part or provision hereof shall be held void the decision of the Court so holding shall not effect or impair any of the remaining parts or provisions of this Title.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 403. Appendices in Force**

Until and unless the Treasurer exercises the rule making authority granted by this Title to prescribe, in writing, different rules and forms, the forms contained in the appendices attached to this Title may be used in complying with the provisions of this Title.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**Section 404. Effective Date**

This Title shall be effective from and after the date of approval by the Business Committee.

(History: PUBLIC LAW #KT 90-14, February 6, 1990)

**FORM FOR SECTION 101(b)**

**IN THE OFFICE OF THE TREASURER OF THE KICKAPOO NATION**

In Re Registration of	)	Bingo Ordinance
	)	Section 101(b)
For a Bingo License	)	Affidavit

**CHAPTER ONE AFFIDAVIT**

Comes now \_\_\_\_\_, the (official position) of (the name of the organization), an organization described in 26 U.S.C. §501(c) (3), (4), (5), (6), (7), or (8) of lawful age being duly sworn upon his oath and states:

(1) That (s)he is the (official position) of (the name of the organization), (business address) an organization exempt from payment of Federal Income Taxes pursuant to 26 U.S.C. §501(c), (3), (4), (5), (6), (7), or (8) and that (s)he has lawful authority from said organization to make this Affidavit on its behalf.

(2) The (the name of the organization), (business address) has been continuously in existence for a period of exceeding three (3) years next preceding the date of this Affidavit.

(3) That the names, capacity, and residential address of the governing body and officers of this Organization are as follows:

A. Governing Body:

<u>Name</u>	<u>Capacity</u>	<u>Residential Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Officers: (If different than those listed above)

<u>Name</u>	<u>Capacity</u>	<u>Residential Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

C. If a local Affiliate, Branch, or Chapter, indicate local officers.

A. Governing Body:

<u>Name</u>	<u>Capacity</u>	<u>Residential Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. That the name and address of the registered service agent authorized to receive legal notice on behalf of the organization is: \_\_\_\_\_

5. That in the event a license to conduct Bingo is issued to the organization by the Kickapoo Nation, the organization will abide by all the provisions of this ordinance, and further, that the organization expressly, voluntarily, and irrevocably agrees to be bound by the laws of the Kickapoo Nation in all its activities within the Indian Country subject to the jurisdiction of the or related to the conduct of Bingo pursuant to this ordinance and that this organization voluntarily, and irrevocably consents and submits itself, its officer, directors, and agents in their official capacity to the jurisdiction of the Tribal Courts of the Kickapoo Nation.

6. Further Affiant saith not.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
AFFIANT

\_\_\_\_\_) )  
\_\_\_\_\_) ) SS  
\_\_\_\_\_) )

I, \_\_\_\_\_, a (Notary Public), (Court Clerk), (Judge), a person duly authorized to administer oaths within this jurisdiction, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, personally appeared before me \_\_\_\_\_ who signed the forgoing Affidavit before me and declared upon his oath that the statements contained therein are true.

\_\_\_\_\_  
NAME AND TITLE

(Seal)

My Commission Expires: \_\_\_\_\_

## FORM FOR SECTION 101(c) RESOLUTION

RESOLVED: That \_\_\_\_\_ the \_\_\_\_\_  
of this organization be and is hereby authorized by the governing body of this  
organization to:

- (a) Submit on behalf and by the authority of this organization an application for a Non-Profit Bingo license pursuant to the Bingo Ordinance of the Kickapoo Nation.
- (b) Make an Affidavit in the form and effect to comply with Section 101(b) of the Bingo Ordinance of the Kickapoo Nation as may be prescribed by said ordinance.

FURTHER RESOLVED, that this organization expressly, voluntarily, and irrevocably agrees to be bound by the laws of the Kickapoo Nation in all its activities within the Indian Country subject to the jurisdiction of the Kickapoo Nation or related to the conduct of Bingo pursuant to the Kickapoo Bingo Ordinance, and this organization voluntarily and irrevocably consents and submits itself, its officers, director, and agents in their official capacity to the jurisdiction of the Tribal Courts.

**FORM FOR SECTION 102**

**IN THE OFFICE OF THE TREASURER OF THE KICKAPOO NATION**

In Re Registration of \_\_\_\_\_ )  
 ) CHAPTER ONE-NONPROFIT  
for a Bingo License )

**CERTIFICATE OF REGISTRATION OF BINGO APPLICANT**

BE IT KNOWN TO ALL MEN by these presents, that I, \_\_\_\_\_  
The Treasurer of the Kickapoo Nation, by the authority vested in me by law, hereby  
certify that (name of organization), (address) has complied with all the requirements of  
Section 101 of the Bingo Ordinance of the Kickapoo Nation and is therefore entitled to  
this CERTIFICATE OF REGISTRATION OF BINGO APPLICANT issued this \_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_, as provided by law.

WITNESS my hand and official seal on the day and year above stated.

\_\_\_\_\_  
TREASURER OF THE KICKAPOO NATION

(Seal)

BY: \_\_\_\_\_  
AUTHORIZED DEPUTY

(Original copies carry raised seal.  
Not an official copy in absence of raised seal.)

**FORM FOR SECTION 103**

**IN THE DISTRICT COURT**

**KICKAPOO NATION**

In Re Application of \_\_\_\_\_ ) No. NB-\_\_\_\_\_  
for a Kickapoo Nation Bingo License ) OFFICE OF THE COURCLERK

**NONPROFIT APPLICATION FOR BINGO LICENSE**

1. The name and address of this organization is:

\_\_\_\_\_  
\_\_\_\_\_

2. The principal officers of this organization and their addresses are:

_____	_____
_____	_____
_____	_____

3. This organization was founded on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and has been continuously in existence from the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, until this date.

4. This organization proposes to conduct Bingo at the following address or location and none other within the tribal jurisdiction.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. This organization proposes to conduct Bingo on the following days of the week, between the listed hours and at no other time:

- Monday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- Tuesday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- Wednesday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- Thursday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- Friday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- Saturday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.

6. Does the organization certify that no commission, salary, compensation, reward, or recompense will be paid to any person for conducting such games except when conducting such games is only incidental to the regular employment of employees of such organization and no additional compensation is given to such person by reasons of their Bingo activities? \_\_\_\_\_

7. The name and address of the registered service agent authorized to receive legal notice on behalf of the applicant is: \_\_\_\_\_

8. This organization is incorporated under the laws of (State or Tribe) and has its principle place of business located at: \_\_\_\_\_

9. Has this applicant been previously licensed by any jurisdiction to conduct Bingo games or sessions? \_\_\_\_\_

10. If the answer to questions 8 was "yes", state whether such license is currently effective, expired, or revoked. \_\_\_\_\_

11. Does this applicant agree that it will abide by all the provisions of the Bingo Ordinance of the Kickapoo Nation and all other laws of the Tribe relating to the to the activities within the jurisdiction of the Tribe? \_\_\_\_\_

12. Does this applicant agree that it irrevocably consents and submits itself, its officers, directors, and agent in their official capacity to the jurisdiction of the Tribal Court? \_\_\_\_\_

13. WHEREFORE, this organization hereby applies for a Kickapoo Nation nonprofit Bingo License and prays that such license be issued.

\_\_\_\_\_  
ORGANIZATION

BY: \_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

Date: \_\_\_\_\_

**VERIFICATION**

COMES NOW (Name), the (Title) of (Organization) and verifies that he has the authority to make this application on behalf of the above named organization, that he has read the above application and that the answers given are true, correct, and complete.

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_) )  
\_\_\_\_\_) )      SS  
\_\_\_\_\_) )

Appeared before me (Name), known by me to be the identical person who signed the above application and being duly sworn verified the above application for the uses and purposes set forth therein.

\_\_\_\_\_  
Court Clerk, Judge, Notary Public

My Commission Expires: \_\_\_\_\_

**FORM FOR SECTION 107**

**IN THE DISTRICT COURT**

**KICKAPOO NATION**

In Re Application of \_\_\_\_\_ )  
for a Kickapoo Bingo License )

No. \_\_\_\_\_  
OFFICE OF COURT CLERK

**NONPROFIT BINGO LICENSE**

THE KICKAPOO NATION

Tribal Prosecutor  
Horton Indian Agency

Chief of the Tribal Police  
Kickapoo Nation

Business Committee  
Kickapoo Nation

Superintendent  
Horton Indian Agency

Criminal Investigator  
Horton Indian Agency

All other interested  
person

YOU ARE HEREBY NOTIFIED, that \_\_\_\_\_

Whose address is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

has made application for a Nonprofit Bingo License to conduct Bingo pursuant to Chapter One of the Kickapoo Bingo Ordinance at (Location) \_\_\_\_\_, on the following days and time of each week:

- [ ] Monday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Tuesday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Wednesday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Thursday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Friday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Saturday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.

Notice is hereby given that I will take appropriate action on said application on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, at the hour of \_\_\_\_ O'Clock a.m./p.m. at the office of the Court Clerk, Kickapoo Nation Courthouse, Kickapoo Nation Complex, Horton Kansas.

Any person may appear at said hearing in person or in writing and show legal cause if any they have why said license should not be issued.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
COURT CLERK

(Seal)

**FORM FOR SECTION 170**

**IN THE OFFICE OF THE TREASURER OF THE KICKAPOO NATION**

In Re \_\_\_\_\_ ) Bingo Ordinance  
Bingo License No. \_\_\_\_\_ ) Section 170 Affidavit

**AFFIDAVIT**

COMES NOW \_\_\_\_\_, the \_\_\_\_\_ (Official position) of \_\_\_\_\_ (Name of the Organization) Bingo License Number \_\_\_\_\_, of lawful age being first duly sworn upon his oath and states:

1. That (s)he is \_\_\_\_\_ (Official Position) of \_\_\_\_\_ (Organization) Bingo License No. \_\_\_\_\_ and has lawful authority from said organization to make this affidavit on its behalf.

2. That the persons who shall participate directly or indirectly in the operation of any game or session of Bingo conducted by this organization within the Tribal jurisdiction are as follows:

<u>NAME</u>	<u>S.S.N.</u>	<u>AGE</u>	<u>BUSINESS ADDRESS</u>	<u>RESIDENCE ADDRESS</u>

3. That none of the above named persons has ever been convicted of a felony.

4. Further Affiant Saith Not.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
AFFIANT

\_\_\_\_\_)  
\_\_\_\_\_) SS  
\_\_\_\_\_)

I, \_\_\_\_\_, (Notary Public) (Court Clerk) (Judge), a person duly authorized to administer oaths within this jurisdiction, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, personally appeared before me \_\_\_\_\_, who signed the foregoing affidavit before me and declared upon his oath that the statements contained therein are true.

(Seal)

\_\_\_\_\_  
NAME AND TITLE

My Commission Expires: \_\_\_\_\_

**FORM FOR SECTION 301(b)**

**IN THE OFFICE OF THE TREASURER OF THE KICKAPOO NATION**

In Re Registration of \_\_\_\_\_ )  
For a Bingo License \_\_\_\_\_ )

Bingo Ordinance  
Section 301(b) Affidavit

**CHAPTER THREE AFFIDAVIT**

Comes now \_\_\_\_\_, the (Official position) of (Name of Corporation), a corporation organized or domesticated pursuant to the Kickapoo Nation Corporation Act of lawful age being duly sworn upon his oath and states:

1. The (s)he is the (Official position) of (Name of Organization), (Business address), a corporation organized or domesticated pursuant to the Kickapoo Business Corporation Act, and that (s)he has lawful authority from said corporation to make this Affidavit on its behalf.
2. That the names, capacity, and residential addresses of the governing body, officers, and major stockholders of this organization are as follows:

A. Governing Body:

<u>NAME</u>	<u>SSN</u>	<u>CAPACITY</u>	<u>RESIDENTIAL ADDRESS</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

B. Officers: (If different than those listed above)

<u>NAME</u>	<u>SSN</u>	<u>CAPACITY</u>	<u>RESIDENTIAL ADDRESS</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. Major Stockholders:

<u>NAME</u>	<u>SSN</u>	<u>CAPACITY</u>	<u>RESIDENTIAL ADDRESS</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. That the name and address of the registered service agent authorized to receive legal notice on behalf of the corporation is: \_\_\_\_\_

5. That in the event a license to conduct Bingo is issued to the corporation by the Kickapoo Nation of the corporation will abide by all the provision of this ordinance and further, that the corporation expressly, voluntarily, and irrevocably agrees to be bound by the laws of the Kickapoo Nation in all its activities within the Indian Country subject to the jurisdiction of the Kickapoo Nation or related to the conduct of Bingo pursuant to this ordinance and that this corporation voluntarily, and irrevocably consents and submits itself, its officers, directors, and agents in their official capacity to the jurisdiction of the Tribal Courts of the Kickapoo Nation.

6. Further Affiant saith not.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
AFFIANT

\_\_\_\_\_)  
\_\_\_\_\_) SS  
\_\_\_\_\_)

I, \_\_\_\_\_, a (Notary Public), (Court Clerk), (Judge), a person duly authorized to administer oaths within this jurisdiction, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, personally appeared before me \_\_\_\_\_ who signed the foregoing Affidavit before me and declared upon his oath that the statements contained therein are true.

\_\_\_\_\_  
NAME AND TITLE

(Seal)

My Commission Expires: \_\_\_\_\_

**FORM FOR SECTION 302**

**IN THE OFFICE OF THE TREASURER OF THE KICKAPOO NATION**

In Re Registration of \_\_\_\_\_ )  
 ) CHAPTER THREE-PRIVATE  
 )

**REGISTRATION OF PRIVATE BINGO APPLICANT**

**CHAPTER THREE**

BE IT KNOWN TO ALL MEN by these presents, that I, \_\_\_\_\_  
the Treasurer of Kickapoo Nation by the authority vested in me by law, hereby certify  
that (Name of Corporation), (Address), has complied with all the requirements of  
Section 301 of the Bingo Ordinance of the Kickapoo Nation and is therefore entitled to  
this REGISTRATION OF PRIVATE BINGO APPLICANT-CHAPTER THREE issued  
this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, as provided by law.

WITNESS my hand and official seal on the day any year above stated.

\_\_\_\_\_  
TREASURER

(Seal)

BY: \_\_\_\_\_  
AUTHORIZED DEPUTY

(Original copies carry raised seal.  
Not an official copy in absence of raised seal.)

**FORM FOR SECTION 303**

**IN THE DISTRICT COURT**

**KICKAPOO NATION**

In Re Application of \_\_\_\_\_ )  
A Kickapoo Nation Bingo License )

No. PB- \_\_\_\_\_  
OFFICE OF THE COURT CLERK

**PRIVATE APPLICATION FOR BINGO LICENSE**

1. The name and address of this organization is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The principal officers of this organization and their addresses are:

_____	_____
_____	_____
_____	_____
_____	_____

3. This organization was founded on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_  
and has been continuously in existence from the \_\_\_\_\_ day of \_\_\_\_\_,  
19 \_\_, until this date.

4. This organization proposes to conduct Bingo at the following address or location  
and none other within the tribal jurisdiction.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. This organization proposes to conduct Bingo on the following days of the week,  
between the listed hours and at no other time.

- [ ] Monday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Tuesday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Wednesday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Thursday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Friday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Saturday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Sunday from the hour of \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.

6. Has any major stockholder, officer, or director of the applicant ever been convicted in any Court of a felony or other crime involving moral turpitude?

\_\_\_\_\_

7. The name and address of the registered service agent authorized to receive legal notice on behalf of the applicant is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. This corporation is incorporated under the laws of (State or Tribe) and has its principle place of business located at:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Has this applicant been previously licensed by any jurisdiction to conduct Bingo games or session? \_\_\_\_\_

If the answer is "yes", what jurisdiction or subdivision thereof issued that license?

\_\_\_\_\_

10. If the answer to question 9 was "Yes", state whether such license is currently effective, expired, or revoked. \_\_\_\_\_

11. Does this applicant agree that it will abide by all the provisions of the Bingo Ordinance of the Kickapoo Nation and all other laws of the Tribe relating to the activities within the jurisdiction of the Tribe? \_\_\_\_\_

12. Does this applicant agree that it irrevocably consents and submits itself, its officers, directors, and agents in their official capacity to the jurisdiction of the Tribal Court? \_\_\_\_\_

13. WHEREFORE, this corporation hereby applies for a Kickapoo Nation Bingo License and prays that such license be issued.

\_\_\_\_\_  
ORGANIZATION

BY: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
TITLE

**VERIFICATION**

COMES NOW, (Name), the (Title) of (Organization) and verifies that he has the authority to make this application on behalf of the above named organization, that he has read the above application and that the answers given are true, correct, and complete.

\_\_\_\_\_  
Court Clerk, Judge, Notary Public

(Seal)

My Commission Expires: \_\_\_\_\_

**FORM FOR SECTION 307**

**IN THE DISTRICT COURT**

**KICKAPOO NATION**

In Re Application of \_\_\_\_\_ ) No. \_\_\_\_\_  
A Kickapoo Bingo License ) OFFICE OF COURT CLERK

**PRIVATE BINGO NOTICE**

**KICKAPOO NATION**

Tribal Prosecutor Horton Indian Agency	Chief of the Tribal Police Kickapoo Nation	Business Committee Kickapoo Nation
Superintendent Horton Indian Agency	Criminal Investigator Horton Indian Agency	All other interested persons

YOU ARE HEREBY NOTIFIED, that \_\_\_\_\_

Whose address is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

has made application for a Nonprofit Bingo License to conduct Bingo pursuant to Chapter Three of the Kickapoo Bingo Ordinance at (Location) \_\_\_\_\_, on the following days and times of each week:

- [ ] Monday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Tuesday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Wednesday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Thursday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Friday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.
- [ ] Saturday from \_\_\_\_\_ a.m./p.m. until \_\_\_\_\_ a.m./p.m.

Notice is hereby given that I will take appropriate action on said application on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at the hour of \_\_\_\_\_ O'Clock a.m./p.m. at he office of the Court Clerk, Kickapoo Tribal Courthouse, Kickapoo Tribal Complex, Horton, Kansas

Any person may appear at said hearing in person or in writing and show legal cause if any they have why said license should not be issued.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
COURT CLERK

(Seal)

**FORM FOR SECTION 370**

**IN THE OFFICE OF THE TREASURER OF THE KICKAPOO NATION**

In Re \_\_\_\_\_ )  
Bingo License No. \_\_\_\_\_ )

Bingo Ordinance  
Section 370 Affidavit

**AFFIDAVIT**

COMES NOW \_\_\_\_\_, the (Official position) of (Name of the Organization) Bingo License Number \_\_\_\_\_, of lawful age being first duly sworn upon his oath and states:

1. That (s)he is (Official Position) of (Organization) Bingo License No. \_\_\_\_\_ and has lawful authority from said organization to make this affidavit on its behalf.

2. That the person who shall participate directly or indirectly in the operation of any game or session of Bingo conducted by this organization within the Tribal jurisdiction are as follows:

<u>NAME</u>	<u>S.S.N.</u>	<u>AGE</u>	<u>BUSINESS ADDRESS</u>	<u>RESIDENCE ADDRESS</u>

3. That none of the above named persons has ever been convicted of a felony.

4. Further Affiant Saith Not.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
AFFIANT

\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)

SS

I, \_\_\_\_\_, (Notary Public) (Court Clerk) (Judge), a person duly authorized to administer oaths within this jurisdiction, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, personally appeared before me \_\_\_\_\_, who signed the foregoing affidavit before me and declared upon his oath that the statements contained therein are true.

(Seal)

\_\_\_\_\_  
NAME AND TITLE

My Commission Expires \_\_\_\_\_