

Charitable Gambling Taxes

This publication summarizes the taxes and fees imposed on nonprofit organizations for charitable gambling activities.

What is charitable gambling in Minnesota?

Minnesota law authorizes nonprofit, charitable organizations to conduct the following types of gambling activities: pulltabs (electronic and paper), tipboards (including sports-themed), bingo (paper and electronic), paddle tickets, and raffles. Minnesota laws regarding the regulation of charitable gambling can be found in <u>Minnesota Statutes, chapter 349</u>.¹

What types of taxes apply to charitable gambling?

Gambling receipts are subject to either a flat tax or a combined net receipts tax, depending on the form of gambling, as well as local taxes imposed by the municipality in which the organization conducts games.

Sales tax. Prizes and equipment purchased by a charitable organization for use in lawful gambling activities are subject to state and local sales tax.

Flat tax. A tax of 8.5 percent is imposed on an amount equal to the organization's gross receipts less prizes paid (or net receipts) from bingo (paper only), paddle tickets, and raffles. The rate does not vary based on an organization's receipts. Each month of the fiscal year beginning in July and ending in June, the organization calculates its receipts and remits tax owed to the Department of Revenue. <u>Minn. Stat. § 297E.02</u>, subd. 1.

Combined net receipts tax. This tax is imposed on lawful gambling activities not subject to the flat tax—pulltabs (paper and electronic), tipboards,² and bingo (electronic only). Like the flat tax, this tax is imposed and paid monthly. <u>Minn. Stat. § 297E.02</u>, subd. 6. However, unlike the flat tax, the rate of this tax is based on an organization's total annual net receipts and increases marginally as the annual net receipts exceed various thresholds, as shown in the following table:

¹ State-run lottery games, as well as certain card games offered at racetrack card clubs, are also lawful in Minnesota, however they are not subject to the taxes described in this publication and are generally not included in the terms "charitable gambling" or "lawful gambling."

² <u>Minnesota Statutes, section 297E.02</u>, subdivision 6(c) exempts sports-themed tipboards from both the flat tax and combined net receipts tax.

Annual combined net receipts thresholds	Tax³
\$87,500 and under	8%
\$87,501 – \$122,500	\$7,000 plus 17% of the amount between \$87,500 and \$122,500
\$122,501 - \$157,500	\$12,950 plus 25% of the amount between \$122,500 and \$157,500
\$157,501 and over	\$21,700 plus 33.5% of the amount over \$157,500

Each current month's liability is calculated based on the rate structure outlined above by taking the amount of the organization's net receipts from activities subject to this tax (plus interest and other income) and adding it to the previous months' net receipts to determine which of the graduated rates the organization should use to calculate its tax. The organization should multiply the corresponding rate by the difference between its current total net receipts and the maximum receipts from the tier below. Finally, the total amount of tax paid in the previous months of the fiscal year is subtracted from the amount owed in the current month so that the organization is not paying tax twice on the same total receipts.

Local taxes. A city or county may impose a tax of up to 3 percent of an organization's receipts each year, so long as it is necessary to cover the regulatory costs incurred.

Below is an example of how to calculate an organization's monthly state tax liability based on gambling activities that are subject to the flat rate tax and activities that are subject to the combined net receipts tax.

³ The set dollar amounts included in a tax is the maximum amount of tax from the preceding threshold tier. For example, in the second tier, \$7,000 represents 8 percent of the maximum tax amount from the first tier's maximum of \$87,500.

Example Scenario: Pinetree Lions Club

The Pinetree Lions Club hosts paper bingo on Monday nights, raffles on Wednesday nights, paper pulltabs on Friday nights, and electronic bingo on Saturday nights. Here is how the club would calculate its tax liability for a three-month period:⁴

Tax Liability Calculation: Month 1

In July 2023, the club raised \$10,000 from paper bingo and \$15,000 from raffles. The club also raised \$20,000 from paper pulltabs and \$13,000 from electronic bingo. The club paid out prizes in July totaling \$7,000 from paper bingo and raffles, and \$10,000 from paper pulltabs and electronic bingo.

How much tax does the Pinetree Lions Club owe in August 2023?

Flat rate tax

- = (July gross receipts July prizes paid) x rate
- = ((\$10,000 from paper bingo + \$15,000 from raffles) (\$7,000 in prizes)) x 8.5%
- = (\$25,000 \$7,000) x 8.5%
- = \$18,000 x 8.5%

August Liability = \$1,530

Combined net receipts tax

Step 1: Determine current month's net receipts

- = July total receipts July total prizes paid
- = (\$20,000 from paper pull tabs + \$13,000 electronic bingo) (\$10,000 prizes)
- = \$33,000 receipts \$10,000 prizes
- = \$23,000 net receipts

Step 2: Add net receipts from all previous months

- = July net receipts only because fiscal year begins July 1
- = \$23,000

Step 3: Determine corresponding tax rate

⁴ The example does not reflect a typical amount of revenue raised in a month by an average organization; monthly receipts are inflated for the purposes of this publication so all phases of the calculation can be shown in a three-month period.

Annual combined net receipts thresholds	Tax⁵
\$87,500 and under	8%
\$87,501 - \$122,500	\$7,000 plus 17% of the amount between \$87,500 and \$122,500
\$122,501 – \$157,500	\$12,950 plus 25% of the amount between \$122,500 and \$157,500
\$157,501 and over	\$21,700 plus 33.5% of the amount over \$157,500

Step 4: Subtract maximum combined net receipts from tier below

= \$23,000 - \$0 = \$23,000

Step 5: Multiply by corresponding tax rate

= \$23,000 x 8% = \$1,840

Step 6: Add maximum tax from tier below

= \$1,840 + \$0 = \$1,840

Step 7: Subtract tax from previous month

= \$1,840 - \$0 = \$1,840

August Liability = \$1,840

For all gambling activities, the Pinetree Lions Club owes a total of \$3,370 in August 2023.

Tax Liability Calculation: Month 2

Over the next month, activities hosted by the Pinetree Lions Club increase dramatically.

In August 2023, the club raised \$18,000 from paper bingo and \$25,000 from raffles. The club also raised \$65,000 from paper pulltabs, and \$25,000 from electronic bingo. The club paid out

⁵ The set dollar amounts included in a tax is the maximum amount of tax from the preceding threshold tier. For example, in the second tier, \$7,875 represents 9 percent of the maximum tax amount from the first tier's maximum of \$87,500.

prizes in August totaling \$10,500 from paper bingo and raffles and \$13,000 from paper pulltabs and electronic bingo.

How much tax does the Pinetree Lions Club owe in September 2023?

Flat rate tax

- = (August gross receipts August prizes paid) x rate
- = ((\$18,000 from paper bingo + \$25,000 from raffles) (\$10,500 in prizes)) x 8.5%
- = (\$43,000 \$10,500) x 8.5%
- = \$32,500 x 8.5%

September Liability = \$2,762.50

Combined net receipts tax

Step 1: Determine current month's net receipts

- = August total receipts August total prizes paid
- = (\$65,000 from August pulltabs + \$25,000 August electronic bingo) (\$13,000 August prizes)
- = \$90,000 receipts \$13,000 prizes
- = \$77,000 net receipts
- Step 2: Add net receipts from all previous months
 - = August net receipts + July net receipts
 - = \$77,000 + \$23,000
 - = \$100,000

Step 3: Determine corresponding tax rate

Annual combined net receipts thresholds	Tax⁵
\$87,500 and under	8%
\$87,501 - \$122,500	\$7,000 plus 17% of the amount between \$87,500 and \$122,500
\$122,501 – \$157,500	\$12,950 plus 25% of the amount between \$122,500 and \$157,500
\$157,501 and over	\$21,700 plus 33.5% of the amount over \$157,500

⁶ The set dollar amounts included in a tax is the maximum amount of tax from the preceding threshold tier. For example, in the second tier, \$7,875 represents 9 percent of the maximum tax amount from the first tier's maximum of \$87,500.

Step 4: Subtract maximum combined net receipts from tier below

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= $100,000 - $87,500
= $12,500
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Step 5: Multiply by corresponding tax rate

= \$12,500 x 17% = \$2,125

Step 6: Add maximum tax from tier below

= \$2,125 + \$7,000 = \$9,125

Step 7: Subtract tax from all previous months in the fiscal year

= \$9,125 – July tax = \$9,125 - \$1,840 = \$7,285

September Liability = \$7,285

For all gambling activities, the Pinetree Lions Club owes a total of \$10,047.50 in September 2023.

Tax Liability Calculation: Month 3

Over the next month, activities hosted by the Pinetree Lions Club increase dramatically again.

In September 2023, the club raised \$22,000 from paper bingo and \$28,000 from raffles. The club also raised \$46,000 from paper pulltabs and \$35,000 from electronic bingo. The club paid out prizes in September totaling \$23,500 from paper bingo and raffles and \$23,000 from paper pulltabs and electronic bingo.

How much tax does the Pinetree Lions Club owe in October 2023?

Flat rate tax

October Liability = (September gross receipts - September prizes paid) x rate

- = ((\$22,000 from paper bingo + \$28,000 from raffles) (\$23,500 in prizes)) x 8.5%
- = (\$50,000 \$23,500) x 8.5%
- = \$26,500 x 8.5%

October Liability = \$2,252.50

Combined net receipts tax

Step 1: Determine current month's net receipts

- = September total receipts September total prizes paid
- = (\$46,000 from September paper pulltabs + \$35,000 September electronic bingo) (\$23,000 September prizes)
- = \$81,000 receipts \$23,000 prizes
- = \$58,000 net receipts

Step 2: Add net receipts from all previous months

- = September net receipts + August net receipts + July net receipts
- = \$58,000 September receipts + \$77,000 August receipts + \$23,000 July receipts
- = \$158,000

Step 3: Determine corresponding tax rate

Annual combined net receipts thresholds	Tax ⁷
\$87,500 and under	8%
\$87,501 - \$122,500	\$7,000 plus 17% of the amount between \$87,500 and \$122,500
\$122,501 – \$157,500	\$12,950 plus 25% of the amount between \$122,500 and \$157,500
\$157,501 and over	\$21,700 plus 33.5% of the amount over \$157,500

Step 4: Subtract maximum combined net receipts from tier below

= \$158,000 - \$157,500 = \$500

Step 5: Multiply by corresponding tax rate

= \$500 x 33.5%

^{= \$167.50}

⁷ The set dollar amounts included in a tax is the maximum amount of tax from the preceding threshold tier. For example, in the second tier, \$7,875 represents 9 percent of the maximum tax amount from the first tier's maximum of \$87,500.

Step 6: Add maximum tax from tier below

= \$167.50 + \$21,700 = \$21,867.50

Step 7: Subtract tax from all previous months in the fiscal year

= \$21,867.50 - August tax - July tax = \$21,867.50 - \$7,285 - \$1,840 = \$12,742.50

October Liability = \$12,742.50

For all gambling activities, the Pinetree Lions Club owes a total of \$14,995 in October 2023.



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