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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 8. SPECIAL BUSINESS REGULATIONS [18400 - 22949.92.2] (*Division 8 added by Stats. 1941, Ch. 44.)*

CHAPTER 5. The Gambling Control Act [19800 - 19987] (*Chapter 5 repealed and added by Stats. 1997, Ch. 867, Sec. 3.*

)

ARTICLE 12. Revenues [19950 - 19955] (*Article 12 heading added by Stats. 2002, Ch. 738, Sec. 103.)*

19950. (a) All fines and penalties collected pursuant to this chapter shall be deposited in a special account in the General Fund, and, upon appropriation, may be expended by the Department of Justice to offset costs incurred pursuant to this chapter.

(b) Except as otherwise provided in subdivision (a), all fees and revenue collected pursuant to this chapter shall be deposited in the Gambling Control Fund, which is hereby created in the State Treasury. The funds deposited in the Gambling Control Fund shall be available, upon appropriation by the Legislature, for expenditure by the department and commission exclusively for the support of the department and commission in carrying out their duties and responsibilities under this chapter.

(Amended by Stats. 2007, Ch. 176, Sec. 42. Effective August 24, 2007.)

19951. (a) Every application for a license or approval shall be accompanied by a fee as determined by the commission and adopted by regulation. The adopted fee shall not exceed one thousand two hundred dollars (\$1,200).

(b) (1) Any fee paid pursuant to this section, including all licenses issued to key employees and other persons whose names are endorsed upon the license, shall be assessed against the gambling license issued to the owner of the gambling establishment. This paragraph shall not apply to key employee licenses issued on and after January 1, 2009, or the implementation of regulations establishing a personal key employee license adopted pursuant to Section 19854, whichever is sooner.

(2) (A) The fee for initial issuance of a state gambling license shall be an amount determined by the commission in accordance with regulations adopted pursuant to this chapter.

(B) The fee for the renewal of a state gambling license shall be an amount determined by the commission in accordance with regulations adopted pursuant to this chapter.

(c) The department may provide for payment of the annual gambling license fee on an annual or installment basis.

(d) It is the intent of the Legislature that the fees paid pursuant to this section are sufficient to enable the department and the commission to fully carry out their duties and responsibilities under this chapter.

(e) The amount of fees collected pursuant to this section shall be limited to the reasonable regulatory expenditures of the department and the commission to administer this chapter.

(f) (1) Beginning January 1, 2023, and every two years thereafter, the commission shall provide a report to the appropriate budget and policy committees of the Legislature detailing the fee levels established by the commission through regulations.

(2) The report required by this subdivision shall describe how fees for each licensing category were calculated, including how licensee gross revenues and state regulatory costs were used in the calculation. If a workload-based methodology is used to establish fees, the commission shall include in its report a breakdown of the personnel cost, operating cost, and overhead cost figures used to determine fee levels.

(Amended by Stats. 2022, Ch. 48, Sec. 3. (SB 189) Effective June 30, 2022.)

19952. The commission, by regulation, shall establish fees for special licenses authorizing irregular operation of tables in excess of the total number of tables otherwise authorized to a licensed gambling establishment, for tournaments and other special events.

(Added by renumbering Section 19942A by Stats. 2002, Ch. 738, Sec. 106. Effective January 1, 2003.)

19953. Nothing contained in this chapter shall be deemed to restrict or limit the power of any city, county, or city and county to fix, impose, and collect a license tax.

(Added by renumbering Section 19944 by Stats. 2002, Ch. 738, Sec. 107. Effective January 1, 2003.)

19954. In addition to those fees required pursuant to Section 19951, each licensee shall pay an additional one hundred dollars (\$100) for each table for which it is licensed to the State Department of Public Health for deposit in the Gambling Addiction Program Fund, which is hereby established to benefit those who have a gambling addiction problem. These funds shall be made available, upon appropriation by the Legislature, to community-based organizations that directly provide aid and assistance to those persons with a gambling addiction problem.

(Amended by Stats. 2013, Ch. 22, Sec. 3. (AB 75) Effective June 27, 2013. Operative July 1, 2013, by Sec. 110 of Ch. 22.)

19955. If an owner licensee fails to make timely payment of annual fees required under subparagraph (B) of paragraph (2) of subdivision (b) of Section 19951, the commission may order the temporary closure of the gambling establishment for up to 90 days after the payment due date, after which time, if the fees, or any portion thereof, remain unpaid, the gambling establishment's state gambling license shall be deemed surrendered.

(Added by Stats. 2010, Ch. 553, Sec. 2. (AB 2596) Effective January 1, 2011.)