

Chapter 5.18

RAFFLES

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5.18.010 Definitions. For the purpose of this chapter the following words and phrases shall have the meanings given them:

A. “Charitable” means an organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit on the public.

B. “Educational” means an organization or institution organized and operation to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

C. “Fraternal” means an organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those that otherwise would be cared for by the government.

D. “Labor” means an organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

E. “Net Proceeds” means the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.

F. “Nonprofit” means an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation.

G. "Raffle" means a form of lottery, as defined in Section 28-2(b) of the "Illinois Criminal Code of 1961," conducted by an organization licensed under this chapter in which:

1. The player pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other medium, one or more of which chances is to be designated the winning chance;

2. The winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

H. "Religious" means any church, congregation, society, or organization founded for the purpose of religious worship.

I. "Veterans" means an organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit. (Res. 47(part), November 17, 1981).

5.18.020 Licensing.

A. Location. Sales of raffle chances shall be only at location designated in the license application and which are within the borders of Sangamon County but outside the borders of any municipality.

B. Eligibility for License. Licenses shall be issued only to bona fide religious, charitable, labor, fraternal, educational or veterans' organizations that operate without profit to their members and which have been in existence continuously for a period of five years immediately before making application for a license and which have had during that entire four-year period a bona fide membership engaged in carrying out their objectives.

C. Duration of License.

1. Licenses shall permit the applicant to issue or sell raffle chances only for those dates stated in the license application, but in no event shall the period of sales exceed one hundred eighty days.

2. Each license is valid for one raffle only.

D. Maximum Value of Prizes.

1. The aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed one million dollars.

2. The retail value of each individual prize awarded by a licensee in a single raffle shall not exceed one million dollars.

E. Price of Chances. The price charged for each raffle chance sold or issued shall not exceed two hundred fifty dollars. (Res. 1, December 5, 1994; Res. 47(part), November 17, 1981).

5.18.030 License—Application—Restrictions.

A. No person, firm or corporation shall conduct a raffle without having first obtained a license therefor.

B. Each application for a license shall be in writing upon forms provided by the county (agent) and shall contain the following:

1. Name and address of individual making application;
2. Name and address of organization applying for a license;
3. Approximate number of members of the organization that reside in Sangamon County and the length of existence of the organization;
4. Name and address of the raffle manager;
5. The location(s) at which raffle chances are to be sold or issued;
6. The time period during which raffle chances will be sold or issued;
7. The maximum number of raffle chances to be sold;
8. The time of determination of winning chances;
9. The location(s) at which winning chances will be determined;
10. A sworn statement, signed by the presiding officer, and secretary if there is one, of the organization attesting to the not-for-profit character of the organization, and attesting to the fact that the organization is not otherwise ineligible to receive a license;
11. Such other information as the Sangamon County (agent) may require.

C. Each application for a license shall be accompanied by payment of an initial fee of twenty-five dollars; and after the drawing, an additional amount shall be remitted to the Sangamon County Clerk that will make the total fee equal to one percent of the aggregate retail value of the prizes, if said aggregate value is above twenty-five dollars and is undetermined at the time of application.

D. Application for licenses shall be submitted to the Sangamon County (agent). The Sangamon County (agent) shall act to either issue or deny the license within thirty days. (Res. 18, May 14, 1996; Res. 47(part), November 17, 1981).

5.18.040 Ineligibility. The following are ineligible for any license under this chapter:

- A. Any person who has been convicted of a felony;
- B. Any person who is or has been a professional gambler or gambling promoter;
- C. Any person who is not of good moral character;
- D. Any firm or corporation in which a person defined in subsections A, B or C of this section has a proprietary, equitable or credit interest, or in which such a person is active or employed;
- E. Any organization in which a person defined in subsections A, B or C of this section is an officer, director or employee, whether compensated or not;
- F. Any organization in which a person defined in subsections A, B or C of this section is to participate in the management or operation of a raffle. (Res. 47(part), November 17, 1981).

5.18.050 Conduct of Raffles. The conducting of raffles is subject to the following restrictions:

- A. The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.
- B. No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle.
- C. No person may receive any remuneration or profit for participating in the management or operation of the raffle.
- D. A licensee may rent a premises on which to determine the winning chance or chances in a raffle only from an organization which is also licensed under this chapter.
- E. Raffle chances may be sold or issued only at the locations specified on the license, and winning chances may be determined only at those locations specified on the license.
- F. No person under the age of eighteen years may participate in the conducting of raffles or chances. A person under the age of eighteen years may be within the area where winning chances are being determined only when accompanied by his parent or guardian. (Res. 47(part), November 17, 1981).

5.18.060 Raffle Manager—Bond.

A. All operation of, and the conduct of, raffles shall be under the supervision of a single raffle manager designated by the organization. At the time the application is submitted to the county (agent) the manager shall give a fidelity bond in the amount of the maximum dollar amount of all raffle chances to be sold, as stated on the application, in favor of the organization conditioned upon his honesty in the performance of his duties.

B. The above bond requirement may be waived by the unanimous vote of the members of the organization. The occurrence of said unanimous vote shall be by affidavit of the organization's presiding officer, filed with the county (agent). (Res. 47(part), November 17, 1981).

5.18.070 Records and Reports.

A. Each organization licensed to conduct raffles shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances are determined. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of net proceeds shall be itemized as to payee, purpose, amount, and date of payment.

B. Gross receipts from the operation of raffles programs shall be segregated from other revenues of the organization, including bingo gross receipts, if bingo games are also conducted by the same nonprofit organization pursuant to license therefor issued by the Department of Revenue of the State of Illinois, and placed in a separate account. Each organization should have separate records for its raffles. The person who accounts for gross receipts, expenses and net proceeds from the operation of raffles should not be the same person who accounts for other revenues of the organization.

C. Each organization licensed to conduct raffles shall report monthly to its membership, and to the Sangamon County (agent) its gross receipts, expenses and net proceeds from raffles, and the distribution of net proceeds itemized as required by this section.

D. Records required by this section shall be preserved for three years, and organizations shall make available their records relating to the operation of raffles for public inspection at reasonable times and places.

(Res. 47(part), November 17, 1981).

5.18.080 Penalty. Any person, firm, corporation, society, association or organization that violates any provision of this chapter shall be fined not less than one hundred dollars or more than five hundred dollars.
(Res. 47(part), November 17, 1981).