

## Chapter 5.18

### RAFFLES AND POKER RUNS

#### Sections:

- 5.18.010**     **Definitions**
- 5.18.020**     **Licensing**
- 5.18.030**     **License—Application—Restrictions**
- 5.18.040**     **Ineligibility**
- 5.18.050**     **Conduct of Raffles and Poker Runs**
- 5.18.060**     **Manager—Bond**
- 5.18.070**     **Records and Reports**
- 5.18.080**     **Penalty**

**5.18.010 Definitions.** For the purpose of this Act the terms defined in this section have the meanings given them:

A. “Business” means a voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial and civic interests of a community.

B. “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.

C. “Educational” means an organization or institution organized and operated 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.

D. “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.

E. “Key location” means the location where the poker run concludes and the prize or prizes are awarded.

F. “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.

G. “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 or poker run.

H. “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.

I. “Poker run” means an event organized by an organization licensed under this Act in which participants travel to multiple predetermined locations, including a key location, drawing a playing card or equivalent item at each location, in order to assemble a facsimile of a poker hand or other numeric score. “Poker run” includes dice runs, marble runs, or other events where the objective is to build the best hand or highest score by obtaining an item at each location.

J. “Raffle” means a form of lottery, as defined in Section 28-2(b) of the “Criminal Code of 2012,” conducted by an organization licensed under this Act 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.

K. “Religious” means any church, congregation, society, or organization founded for the purpose of religious worship.

L. “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 and poker runs shall be only at location(s) designated in the license application and which are within the borders of Sangamon County but outside the borders of any municipality. Poker runs shall be licensed by the governing body with jurisdiction over the key location. The license granted by the key location shall cover the entire

poker run, including locations other than the key location. Each license issued shall include the name and address of each predetermined location.

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 five-year period a bona fide membership engaged in carrying out their objectives, or to a non-profit fundraising organization that the County Clerk determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident or disaster. The County Clerk may waive the 5-year requirement under this subsection (B) for a bona fide religious, charitable, labor, business, fraternal, educational or veterans' organization that applies for a license to conduct a poker run if the organization is a local organization that is affiliated with and chartered by a national or State organization that meets the 5-year requirement.

C. Duration of License.

1. Licenses shall permit the applicant to issue or sell raffle chances or conduct poker runs only for those dates stated in the license application, but in no event shall the period of sales exceed one year and may be suspended or revoked for any violation of this Act.

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 or poker run shall not exceed two million dollars.

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

E. Price of Chances. The price charged for each raffle chance sold or issued shall not exceed two hundred fifty dollars. (Res. 9, Nov. 9, 2004; Res. 1, December 5, 1994; Res. 47(part), November 17, 1981; Res. 8, Aug. 9, 2011).

#### **5.18.030 License—Application—Restrictions.**

Persons ineligible. Licenses issued by Sangamon County are subject to the following restrictions:

A. No person, firm or corporation shall conduct a raffles or chances or poker runs without having first obtained a license therefor pursuant to this Code.

B. Each application for a license shall be in writing upon forms provided by the County Clerk, shall be filed with the County Clerk 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 and telephone number of the presiding officer and manager;
5. The location(s) at which raffle chances are to be sold or issued or a poker run will be conducted;
6. The time period during which raffle chances will be sold or issued or a poker run will be conducted;
7. The maximum number of raffle chances to be sold;
8. The date and 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 Clerk

may require.

C. Each application for a license to conduct a poker run shall be accompanied by payment of an initial fee of \$25.00;

D. Each application for a license to operate a raffle will be accompanied by an initial payment of \$25.00 or 1%, whichever is higher, of the total value of all prizes awarded if the total value of all prizes is determined at the time of application. If the total value of all prizes is undetermined at the time of application, an initial payment of \$25.00 must be submitted, then after the raffle drawing an additional amount totaling 1% of the total value of all prizes awarded shall be remitted to the Sangamon County Clerk if the total prize value awarded exceeded \$2,500.

E. Application for licenses shall be submitted to the Sangamon County Clerk. The Sangamon County Clerk shall act to either issue or deny the license within thirty days after the date of application. (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 and Poker Runs.** The conducting of raffles and poker runs is subject to the following restrictions:

A. The entire net proceeds of any raffle or poker run 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 or poker run.

C. No person may receive any remuneration or profit for participating in the management or operation of the raffle or poker run.

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. A premises where a poker run is held is not required to obtain a license if the name and location of the premises is listed as a predetermined location on the license issued for the poker run and the premises does not charge for use of the premises.

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 for a raffle.

F. No person under the age of eighteen years may participate in the conducting of raffles or chances or poker runs. A person under the age of eighteen years may be within the area where winning chances in a raffle or winning hands or scores in a poker run are being determined only when accompanied by his parent or guardian. (Res. 47(part), November 17, 1981).

**5.18.060 Manager—Bond.**

A. All operation of, and the conduct of, raffles and poker runs shall be under the supervision of a single manager designated by the organization. At the time the application is submitted to the County Clerk 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. Terms of the bond shall provide that notice shall be given in writing to the County Clerk not less than 30 days prior to its cancelation.

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

**5.18.070 Records and Reports.**

A. Each organization licensed to conduct raffles and chances or poker run events 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 or poker runs 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 and poker runs. The person who accounts for gross receipts, expenses and net proceeds from the operation of raffles or poker runs should not be the same person who accounts for other revenues of the organization.

C. Each organization licensed to conduct raffles or poker runs shall report monthly to its membership, and to the Sangamon County Clerk its gross receipts, expenses and net proceeds from raffles or poker runs, 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 or poker runs 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).

(Revised September 2014)