

## TITLE 3 - CHAPTER 2

### RAFFLES LICENSES

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#### 3 TCC 2-1 Authority

The licensing provisions in this Chapter were passed by the Tazewell County Board pursuant to the Raffles Act, 230 ILCS 15.

#### 3 TCC 2-2 Definitions

For the purposes of this Chapter the following terms have the following meanings.

“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.

“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.

“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.

“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.

“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.

"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.

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

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

(a) 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;

(b) 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.

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

“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.

### 3 TCC 2-3. Raffles Prohibited Without License

No person, firm or corporation shall conduct raffles or chances in Tazewell County outside of the borders of any municipality without having first obtained a license therefor pursuant to this Chapter.

### 3 TCC 2-4. Application for Raffle License

(a) The license and application for license must specify the area or areas within Tazewell County outside of the borders of any municipality in which raffle chances will be sold or issued, the time period during which raffle chances will be sold or issued, the time of determination of winning chances and the location or locations at which winning chances will be determined.

(b) The license application must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization.

(c) A license only authorizes the licensee to conduct raffles as defined in this Chapter.

(d) Applications must include the following information:

(1) the aggregate retail value of all prizes or merchandise to be awarded by a licensee in a single raffle,

(2) the retail value of each prize to be awarded by a licensee in a single raffle,

(3) the price which will be charged for each raffle chance issued or sold and

(4) the day or days during which chances may be issued or sold.

(e) Application forms shall be available to the public at the office of the Tazewell County Clerk and completed applications are to be submitted at the same location.

### 3 TCC 2-5. Decision on Application

The Tazewell County Board grants the Tazewell County Board Chairman the authority to act on License Applications. As required by the Raffles Act, the Tazewell County Board Chairman shall act on all license applications within 30 days from the date of application.

### 3 TCC 2-6. Eligibility for License

(a) Licenses shall be issued only to:

(1) bona fide religious, charitable, labor, business, fraternal, educational or veterans' organizations that operate without profit to their members and which have been in existence continuously for a period of 5 years immediately before making application for a license and which have had during that entire 5 year period a bona fide membership engaged in carrying out their objects, or

(2) to a non-profit fund-raising organization that the licensing authority 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.

(b) As required by the Raffles Act, the following are ineligible for any license under this Chapter:

(1) any person who has been convicted of a felony;

(2) any person who is or has been a professional gambler or gambling promoter;

- (3) any person who is not of good moral character;
- (4) any firm or corporation in which a person defined in 3 TCC 2-6(b)(1), (2) or (3) has a proprietary, equitable or credit interest, or in which such a person is active or employed;
- (5) any organization in which a person defined in 3 TCC 2-6(b)(1), (2) or (3) is an officer, director, or employee, whether compensated or not;
- (6) any organization in which a person defined in 3 TCC 2-6(b)(1), (2) or (3) is to participate in the management or operation of a raffle as defined in this Act.

### 3 TCC 2-7. Duration of License

Licenses issued pursuant to this Chapter shall be valid for one raffle or for a specified number of raffles to be conducted during a specified period not to exceed one year and may be suspended or revoked for any violation of this Chapter or the Raffles Act.

### 3 TCC 2-8. License Fees

No fee shall be required for the granting of a license under this Chapter.

### 3 TCC 2-9. Conduct of Raffles.

- (a) The conducting of raffles is subject to the following restrictions:
  - (1) The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.
  - (2) No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle.
  - (3) No person may receive any remuneration or profit for participating in the management or operation of the raffle.
  - (4) 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.
  - (5) Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the license.
  - (6) A person under the age of 18 years may participate in the conducting of raffles or chances only with the permission of a parent or guardian. A person under the age of 18 years may be within the area where winning chances are being determined only when accompanied by his parent or guardian.
- (b) If a lessor rents premises where a winning chance or chances on a raffle are determined, the lessor shall not be criminally liable if the person who uses the premises for the determining of winning chances does not hold a license issued by the governing body of any county or municipality under the provisions of this Chapter.

### 3 TCC 2-10. Raffles Manager

All operation of and the conduct of raffles shall be under the supervision of a single raffles manager designated by the organization. The manager shall give a fidelity bond in an amount determined by the Tazewell County Board Chairman 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 licensing authority not less than thirty (30) days prior to its cancellation. The Tazewell County Board Chairman may waive this bond requirement by including a waiver provision in the license issued to an organization under this Chapter, provided that a license containing such waiver provision shall be granted only by unanimous vote of the members of the licensed organization.

### 3 TCC 2-11. Records

(a) Each organization licensed to conduct raffles and chances 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 shall have separate records of its raffles. The person who accounts for gross receipts, expenses and net proceeds from the operation of raffles shall not be the same person who accounts for other revenues of the organization.

(c) Each organization licensed to conduct raffles shall report promptly after the conclusion of each raffle to its membership, and to the Tazewell County Clerk, its gross receipts, expenses and net proceeds from raffles, and the distribution of net proceeds itemized as required in this Section.

(d) Records required by this Section shall be preserved for 3 years, and organizations shall make available their records relating to operation of raffles for public inspection at reasonable times and places.

### 3 TCC 2-12. Sentence

Violation of any provision of this Chapter shall be a petty offense punishable by a maximum fine of \$1,000.

### 3 TCC 2-13. Limitation of Authority

Nothing in this Chapter shall be construed to authorize the conducting or operating of any gambling scheme, enterprise, activity or device other than raffles as provided for herein.