

P.L. 2020, CHAPTER 124, *approved November 18, 2020*
Senate, No. 2842 (*First Reprint*)

1 AN ACT permitting raffles to be conducted remotely at large
2 sporting venues ¹during a declared public health emergency¹ and
3 amending P.L.2018, c.79.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. Section 1 of P.L.2018, c.79 (C.5:8-51.6) is amended to read
9 as follows:

10 1. a. It shall be lawful for an organization eligible to conduct
11 raffles in accordance with section 2 of P.L.1954, c.5 (C.5:8-51) and
12 registered and licensed with the Legalized Games of Chance
13 Control Commission to conduct, whether in person ¹at any time¹ or
14 remotely ¹while the Public Health Emergency declared by the
15 Governor in Executive Order No. 103 of 2020 is in effect or
16 whenever a Public Health Emergency, pursuant to the "Emergency
17 Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been
18 declared by the Governor and is in effect¹ , raffles in a large
19 sporting venue located in a municipality where the provisions of the
20 "Raffles Licensing Law," P.L.1954, c.5 (C.5:8-50 et seq.), are
21 operative, provided that all other requirements to conduct raffles are
22 met. To the extent any conflict exists between this act, P.L.2018,
23 c.79 (C.5:8-51.6), and the "Raffles Licensing Law," P.L.1954, c.5
24 (C.5:8-50 et seq.), then the provisions set forth in this act shall
25 govern.

26 For the purposes of this section, the conduct of the raffle
27 remotely using the Internet or other electronic means shall be
28 deemed to be the conduct of the raffle at the large sporting venue,
29 and shall be deemed to take place only thereat, regardless of any
30 participant's physical location within this State, provided the ¹large
31 sporting venue and the specific event with which the conduct of the
32 raffle is associated are conspicuously and specifically identified in
33 conjunction with the raffles and remote ticket sales,¹ personnel of
34 the organization conducting the raffle, whether or not through a
35 third-party vendor, ¹**[is]** are¹ located in the venue at the time of the
36 sale and drawing of any ticket ¹, and the drawing and the
37 announcement of any winning raffle tickets occurs prior to the end

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate amendments adopted in accordance with Governor's
recommendations October 29, 2020.

1 of the event at the large sporting venue with which the raffle is
2 associated¹.

3 An organization conducting a raffle at a large sporting venue is
4 subject to the following requirements:

5 (1) The organization conducting the raffle, in conjunction with
6 the large sporting venue, shall announce the winner or winners of a
7 raffle ~~【during】~~ on the date on which the ~~【ticketed】~~ event ~~【in】~~ with
8 which the raffle is ~~【occurring】~~ associated occurs. The organization
9 ~~【and the large sporting venue】~~ ‘and the large sporting venue’ shall
10 post each winning raffle ticket number on ~~【their respective~~
11 ~~websites】~~ ‘【its website】 their respective websites’, if such
12 ~~【websites have】~~ ‘【website has】 websites have’ been established, on
13 the same date as the announcement, which number shall be posted
14 for one year or until each winner claims the prize and submits any
15 required documentation. ‘【Any】 For raffles conducted in person,
16 any’ prize from a raffle shall be delivered to a claimant verified to
17 have the winning ticket within 30 days of the ~~【event in which the~~
18 ~~raffle took place】~~ ‘【announcement】 event in which the raffle took
19 place’; however, if no claimant verified to have the winning ticket
20 claims the prize and signs all reasonably necessary documentation
21 within 30 days of the event at which the raffle took place, the
22 organization conducting the raffle ~~【at a large sporting venue】~~ shall
23 hold the proceeds for a period of one year from the date of the
24 raffle. If no claimant with the winning raffle ticket claims the prize
25 and has signed all reasonably necessary documentation within one
26 year from the date of the drawing, then the prize shall be forfeited
27 and shall revert back to the organization for its own authorized use.
28 ‘For any raffles conducted remotely while the Public Health
29 Emergency declared by the Governor in Executive Order No. 103 of
30 2020 is in effect or whenever a Public Health Emergency, pursuant
31 to the “Emergency Health Powers Act,” P.L.2005, c.222 (C.26:13-1
32 et seq.), has been declared by the Governor and is in effect, any
33 prize from a raffle shall be delivered at the large sporting venue at
34 which the event with which the raffle was associated occurred to a
35 claimant verified to have the winning ticket within one year of the
36 event during which the raffle took place. If no claimant with the
37 winning raffle ticket claims the prize and has signed all reasonably
38 necessary documentation within one year from the date of the
39 drawing, then the prize shall be forfeited and shall revert back to the
40 organization for its own authorized use.

41 Notwithstanding the foregoing, any prize which due to its nature
42 must be claimed by a date certain, such as a ticket to an event
43 scheduled at the large stadium venue, which is not claimed within
44 72 hours of the event, then the prize shall be forfeited and shall
45 revert back to the organization for its own authorized use.¹

1 (2) Any daily and annual limits on the value of prizes contained
2 in existing law or regulation shall not apply to raffles conducted **【at**
3 **large sporting venues】** ¹at large sporting venues¹ in accordance
4 with this act, P.L.2018, c.79 (C.5:8-51.6).

5 (3) On a quarterly basis in accordance with a schedule
6 established by the commission, an organization conducting raffles
7 **【in a large sporting venue】** ¹in a large sporting venue¹ in
8 accordance with this act, P.L.2018, c.79 (C.5:8-51.6), shall furnish
9 to the control commission a duly verified statement showing the
10 amount of the gross receipts derived from each raffle held,
11 operated, or conducted in the preceding quarter, which shall include
12 receipts from the sale of shares, tickets, or rights in any manner
13 connected with participation in the raffle or the right to participate
14 therein, each item of expense incurred or paid, and each item of
15 expenditure made or to be made, name and address of each person
16 to whom each such item has been or is to be paid, with a detailed
17 description of the merchandise purchased or the services rendered
18 therefor, the net proceeds derived from each such raffle, and the
19 uses to which such net proceeds have been or are to be applied and
20 a list of prizes offered or given, with the respective values thereof
21 and it shall be the duty of each organization to maintain and keep
22 such books and records as may be necessary to substantiate the
23 particulars of each such report.

24 (4) An organization shall not conduct a raffle remotely unless
25 the organization has received written approval from and is operating
26 the raffle in conjunction with the large sporting venue ¹and has
27 received written approval from the Legalized Games of Chance
28 Control Commission of measures it proposes and implements that
29 ensure, to the greatest extent possible, the fairness, integrity and
30 security of the remote conduct of the raffle and the security of the
31 method of receipt of payment for any raffle ticket sale. The
32 commission may consult with the Division of Gaming Enforcement
33 in the Department of Law and Public Safety in its review of the
34 measures the organization proposes and implements¹.

35 b. Notwithstanding section 9 of P.L.1954, c.5 (C.5:8-58), an
36 organization conducting raffles at a large sporting venue may
37 conduct raffles on Sunday. Alcohol may be served at the sporting
38 venue during the conduct of raffles provided that the sporting venue
39 is the holder of a sporting facility license in accordance with
40 R.S.33:1-12, or other appropriate license, to serve alcohol at retail
41 for consumption on the premises by the glass or other open
42 receptacle or in original containers. An organization conducting
43 raffles at a large sporting venue is not required to conduct the
44 drawings openly and in plain view of all players present.

45 c. Tickets for raffles conducted ¹in person¹ at a large sporting
46 venue may be sold **【only by in-person transactions within the**
47 **geographic area of the large sporting venue】** ¹only by in-person

1 transactions within the geographic area of the large sporting venue¹
2 electronically or by the issuance of paper tickets, and **‘[. when in**
3 **person,]’** through devices operated or kiosks staffed by individuals
4 who are employed by or represent the organization conducting the
5 raffle. ‘Tickets for raffles conducted remotely while the Public
6 Health Emergency declared by the Governor in Executive Order
7 No. 103 of 2020 is in effect or whenever a Public Health
8 Emergency, pursuant to the “Emergency Health Powers Act,”
9 P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the
10 Governor and is in effect, may be sold remotely to purchasers
11 physically located within this State, using the Internet or other
12 electronic means, in accordance with this subsection.¹ Tickets for
13 raffles may not be purchased electronically by the public other than
14 through **[in-person]** transactions with the personnel of the
15 organization conducting the raffle, whether or not such transaction
16 is completed through a third-party vendor. **[In-person transactions]**
17 Transactions between the purchaser and individuals who are
18 employed by or otherwise represent the organization conducting the
19 raffle may be made by cash, credit card, or other electronic payment
20 methods, including, but not limited to, the utilization of Internet or
21 intranet access (Wi-Fi or cellular connectivity) **[in the large**
22 **sporting venue]**. The sale and purchase of tickets remotely using
23 the Internet or other electronic means shall be deemed to take place
24 only at the large sporting venue regardless of a purchaser’s physical
25 location within this State, provided the personnel of the
26 organization conducting the raffle, whether or not through a third-
27 party vendor, is located in the venue at the time of sale. An
28 organization conducting a raffle remotely using the Internet or other
29 electronic means shall ¹**[sell tickets]** establish and adhere to
30 procedures and controls, including but not limited to the use of
31 geolocation technology, approved by the commission that ensure, to
32 the greatest extent possible, that raffle tickets will be sold¹
33 persons physically located in this State. Tickets for raffles
34 conducted in accordance with this act, P.L.2018, c.79 (C.5:8-51.6),
35 shall not be subject to any ticket price limits set for the general
36 conduct of raffles. Pre-set bundles of tickets may be sold at a
37 discount to participants.

38 d. Pursuant to P.L.2018, c.79 (C.5:8-51.6) and notwithstanding
39 the provisions of subsection b. of section 2 of P.L.1954, c.5 (C.5:8-
40 51), a 50-50 raffle shall have the raffle's net proceeds divided
41 between the raffle winner and the organization conducting the raffle
42 as a prize, and the prize may be awarded to a single participant or
43 may be divided between a pre-determined number of participants.
44 If the prize is to be divided between more than one participant,
45 potential participants shall be made aware of such a division. No
46 more than one 50-50 raffle as described in this subsection shall be
47 conducted during a ticketed event.

1 e. An organization conducting a raffle 'in person'¹ at a large
2 sporting venue may sell only traditional paper tickets, may use only
3 electronic raffle systems, '[may use only the Internet or other
4 electronic means, including software applications,]'¹ or may use a
5 combination of paper and electronic raffle systems. 'An
6 organization conducting a raffle remotely at a large sporting venue
7 while the Public Health Emergency declared by the Governor in
8 Executive Order No. 103 of 2020 is in effect or whenever a Public
9 Health Emergency, pursuant to the "Emergency Health Powers
10 Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the
11 Governor and is in effect, may also use the Internet or other
12 electronic means, including software applications.'¹ Drawings for all
13 raffles may be conducted either by a traditional drawing of
14 duplicate paper tickets or electronically, with the winner or winners
15 selected by electronic means. For raffles conducted in paper form
16 where winners are chosen electronically or in combination of paper
17 and electronic raffle systems, the paper tickets shall be entered into
18 the electronic raffle system for record-keeping and for drawing
19 purposes so that the purchases of paper tickets have an equal chance
20 of winning as the purchases of electronic rights.

21 f. Notwithstanding the provisions of P.L.1954, c.5 (C.5:8-50 et
22 seq.), or any other law, rule, or regulation to the contrary, an
23 organization conducting a raffle at a large sporting venue shall be
24 permitted to deduct from gross revenues its reasonable costs and
25 expenses of conducting the raffle.

26 g. The commission¹, in consultation with the Division of
27 Gaming Enforcement in the Department of Law and Public Safety,¹
28 shall promulgate, pursuant to the "Administrative Procedure Act,"
29 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
30 governing the conduct of raffles remotely using the Internet or other
31 electronic means in accordance with the provisions of this section.

32 h. As used in this section¹:

33 **["electronic"]** "Electronic raffle systems" means hardware,
34 software, including software applications, internet, cellular, or Wi-
35 Fi connected devices and associated devices that enable raffles to be
36 conducted entirely by electronic means, with rights to participate
37 sold electronically by individuals who are employed by or
38 otherwise represent the organization conducting the raffle, that
39 generate a unique electronic entry to the raffle that is the equivalent
40 of a paper ticket, each an electronic ticket which may be delivered
41 to the purchaser electronically, at the point of sale on the premises
42 of the large sporting venue recorded in the electronic raffle system
43 as eligible entries or rights to participate, and winners determined
44 by random drawing from all electronic entries or rights to
45 participate¹;

46 "large"], "Internet or other electronic means" shall not include
47 electronic raffle systems.

1 “Large sporting venue” means a stadium, arena, or similar venue
2 with minimum seating for 8,000 spectators wherein professional,
3 semi-professional, or collegiate athletes compete in sports or other
4 athletic games and including the parking lots adjacent to and
5 serving the patrons of that venue **■**; and

6 “net” **■** . “Net proceeds” means the gross income from the sale of
7 tickets or rights to participate in a raffle, less only such actual
8 expenses incurred as are authorized in the “Raffles Licensing Law,”
9 P.L.1954, c.5 (C.5:8-50 et seq.), and by the commission.
10 (cf: P.L.2018, c.79, s.1)

11
12 2. An organization eligible to conduct raffles in accordance
13 with section 2 of P.L.1954, c.5 (C.5:8-51) and registered and
14 licensed with the Legalized Games of Chance Control Commission
15 may conduct raffles remotely using the Internet or other electronic
16 means, including mobile, tablet, or other software applications, on
17 or after the date of enactment of this act, P.L. , c. (pending
18 before the Legislature as this bill), but prior to the adoption of the
19 rules and regulations promulgated pursuant to subsection g. thereof,
20 provided the organization is able to ensure, to the greatest extent
21 possible, the fairness, integrity, and security of the conduct of the
22 raffle and the security of the method of receipt of payment for any
23 raffle ticket sale ¹, subject to the approval of the commission as
24 required by section 1 of P.L.2018, c.79 (C.5:8-51.6)¹.

25
26 3. This act shall take effect immediately.
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29

30
31 Permits raffles to be conducted remotely at large sporting
32 venues.