

ASSEMBLY, No. 2638

STATE OF NEW JERSEY

INTRODUCED JANUARY 9, 1997

By Assemblyman AZZOLINA

1 AN ACT concerning the conduct of raffles and amending and
2 supplementing P.L.1954, c.5.

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

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7 1. (New section) The Legislature finds and declares that it is the
8 purpose of this act to assist charitable, civic and service organizations,
9 including volunteer fire companies, first-aid squads, church
10 organizations, school groups, veterans' organizations and senior
11 citizen clubs, in conducting raffles to raise funds for educational,
12 charitable, patriotic, religious and public-spirited purposes.

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14 2. Section 10 of P.L.1954, c.5 (C.5:8-59) is amended to read as
15 follows:

16 10. a. No person under the age of 18 years shall be permitted to
17 participate in any manner in any game or games of chance not
18 conducted by a drawing, except that a person under the age of 18
19 years shall be permitted to play a game of chance not conducted by a
20 drawing when the prize offered and awarded consists of merchandise
21 **[only and does not include] or consists of** cash or money in an amount
22 not in excess of \$20.

23 b. No person under the age of 18 years shall be permitted to
24 participate in any manner in any game or games of chance conducted
25 by a drawing, held, operated or conducted pursuant to any license
26 issued under this act, except that a person under the age of 18 years
27 shall be permitted to play an on-premises draw raffle, including a
28 Chinese auction, when any prize offered and awarded consists of
29 merchandise only.

30 (cf: P.L.1994, c.63, s.16)

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32 3. (New section) A qualified organization which is authorized and
33 licensed to conduct raffles pursuant to the "Raffles Licensing Law,"
34 P.L.1954, c.5 (C.5:8-50 et seq.), may conduct a Chinese auction on up

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

Matter underlined thus is new matter.

1 to two occasions in each calendar year, except that the Legalized
2 Games of Chance Control Commission may provide, by regulation,
3 that such organizations may conduct Chinese auctions on more than
4 two occasions per calendar year.

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6 4. (New section) As used in P.L.1954, c.5 (C.5:8-50 et seq.), as
7 amended and supplemented, "Chinese auction" means an event at
8 which multiple items of merchandise, or gift certificates therefor, but
9 not cash, are raffled by drawing the winning ticket from a container
10 designated for each item into which players seeking to win that item
11 have placed tickets, with all tickets having been sold for the same price
12 or different prices and each ticket placed in a container having an
13 equal chance of winning.

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15 5. (New section) The Legalized Games of Chance Control
16 Commission shall promulgate regulations allowing qualified
17 organizations to:

18 a. offer as a raffle prize any personal or professional service, or a
19 gift certificate for any personal or professional service, which is a
20 lawful activity and which the commission determines to be an
21 appropriate raffle prize;

22 b. offer as a raffle prize any live animal the possession of which
23 does not require a permit issued by the Department of Environmental
24 Protection;

25 c. offer a discount to any person purchasing two or more tickets
26 for a draw raffle; and

27 d. use a big eight wheel to determine the winner of a non-draw
28 raffle.

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30 6. (New section) The Legalized Games of Chance Control
31 Commission shall prepare, publish and make available to any qualified
32 organization, upon request, a pamphlet which describes in plain and
33 simple language the rights, duties and responsibilities of organizations
34 conducting raffles and the exact manner in which games of chance are
35 to be conducted.

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37 7. (New section) Prior to initiating administrative action or
38 bringing charges against an organization qualified to conduct raffles
39 for a violation which relates to the conduct of games or the awarding
40 of prizes, the Legalized Games of Chance Control Commission shall
41 first issue a verbal or written warning and offer the organization the
42 opportunity to cease the conduct which constitutes the violation.

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44 8. This act shall take effect immediately.

STATEMENT

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3 The purpose of this bill is to to assist charitable, civic and service
4 organizations, including volunteer fire companies, first-aid squads,
5 church organizations, school groups, veterans' organizations and
6 senior citizen clubs, in conducting raffles to raise funds for
7 educational, charitable, patriotic, religious and public-spirited
8 purposes.

9 The bill would make several changes to the existing law. It would
10 allow a qualified organization to conduct a Chinese auction on up to
11 two occasions each calendar year, except that the Legalized Games of
12 Chance Control Commission could, by regulation, allow Chinese
13 auctions to be held at more frequent intervals. A Chinese auction is
14 an event at which multiple items of merchandise are raffled by drawing
15 a winning ticket from a container designated for each item. Players
16 purchase tickets and place one or more tickets in the container
17 designated for each item they wish to win.

18 In addition, the bill directs the commission to promulgate
19 regulations allowing qualified organizations to: (1) offer as a raffle
20 prize certain personal or professional services (or a gift certificate
21 therefor) and live animals not requiring a Department of
22 Environmental Protection permit; (2) offer a discount to any person
23 purchasing two or more tickets for a draw raffle; and (3) use a big
24 eight wheel to determine the winner of a non-draw raffle. The bill
25 would also allow persons under the age of 18 to: (1) play a non-draw
26 raffle awarding a cash prize not in excess of \$20; and (2) play an on-
27 premises draw raffle, including a Chinese auction, when any prize
28 offered and awarded consists of merchandise only.

29 Finally, the bill provides that the commission shall: (1) prepare,
30 publish and make available to any qualified organization, upon request,
31 a pamphlet which describes in plain and simple language the rights,
32 duties and responsibilities of organizations conducting raffles and the
33 exact manner in which games of chance are to be conducted; and (2)
34 prior to initiating administrative action or bringing charges for a
35 violation which relates to the conduct of games or the awarding of
36 prizes, issue a verbal or written warning and offer the organization the
37 opportunity to cease the conduct which constitutes a violation.

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42 Makes various changes to the laws governing the conduct of raffles.