

[First Reprint]
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]** ¹**[or consists of]** only and does not
22 include¹ cash or money ¹**[in an amount not in excess of \$20]**¹.

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 ¹**[Chinese] Penny**¹ auction, when any prize offered and awarded
29 consists of merchandise only.

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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ASI committee amendments adopted May 22, 1997.

1 ¹[3. (New section) A qualified organization which is authorized
2 and licensed to conduct raffles pursuant to the "Raffles Licensing
3 Law," P.L.1954, c.5 (C.5:8-50 et seq.), may conduct a Chinese
4 auction on up to two occasions in each calendar year, except that the
5 Legalized Games of Chance Control Commission may provide, by
6 regulation, that such organizations may conduct Chinese auctions on
7 more than two occasions per calendar year.]¹

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9 ¹[4.] 3.¹ (New section) As used in P.L.1954, c.5 (C.5:8-50 et
10 seq.), as amended and supplemented, "¹[Chinese] Penny¹ auction"
11 means an event at which multiple items of merchandise, or gift
12 certificates therefor, but not cash, are raffled by drawing the winning
13 ticket from a container designated for each item into which players
14 seeking to win that item have placed tickets, with all tickets having
15 been sold for the same price or different prices and each ticket placed
16 in a container having an equal chance of winning.

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18 ¹[5.] 4.¹ (New section) The Legalized Games of Chance Control
19 Commission shall promulgate regulations allowing qualified
20 organizations to:

21 a. offer as a raffle prize any personal or professional service, or a
22 gift certificate for any personal or professional service, which is a
23 lawful activity and which the commission determines to be an
24 appropriate raffle prize¹, and the value of which is within the limits set
25 by the commission for raffle prizes¹;

26 b. offer as a raffle prize ¹[any live animal the possession of which
27 does not require a permit issued by the Department of Environmental
28 Protection] a gift certificate redeemable for live, edible seafood the
29 value of which is within the limits set by the commission for raffle
30 prizes¹;

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

33 d. use ¹ a big six wheel,¹ a big eight wheel ¹or other wheel¹ to
34 determine the winner of a non-draw raffle.

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36 ¹[6.] 5.¹ (New section) The Legalized Games of Chance Control
37 Commission shall prepare, publish and make available to any qualified
38 organization, upon request, a pamphlet which describes in plain and
39 simple language the rights, duties and responsibilities of organizations
40 conducting raffles and the exact manner in which games of chance are
41 to be conducted.

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43 ¹[7.] 6.¹ (New section) Prior to initiating administrative action or
44 bringing charges against an organization qualified to conduct raffles
45 for a violation which relates to the conduct of games or the awarding
46 of prizes, the Legalized Games of Chance Control Commission shall

1 first issue a verbal or written warning and offer the organization the
2 opportunity to cease the conduct which constitutes the violation.

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4 ¹[8.] 7.¹ This act shall take effect immediately.

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