

5:8-53 and 5:8-62

LEGISLATIVE HISTORY CHECKLIST

(Raffles--allows off premise for 50-50 raffles for non-profit organizations)

NJSA 5:8-53 and 5:8-62

LAWS 1982

CHAPTER 110

Bill No. A685

Sponsor(s) Littell and Haytaian

Date Introduced February 1, 1982

Committee: Assembly -----

Senate Law, Public Safety and Defense

Amended during passage Yes

~~XXX~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly February 8, 1982

Senate June 10, 1982

Date of approval August 5, 1982

Following statements are attached if available:

Sponsor statement	Yes	XXXXX
Committee Statement: Assembly	XXX	No
Senate	Yes	XXX
Fiscal Note	XXX	No
Veto Message	XXX	No
Message on signing	<i>yes</i> XXX	XX

Following were printed:

Reports	XXX	No
Hearings	XXX	No

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 685

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1982

By Assemblymen LITTELL and HAYTAIAN

(Without Reference)

AN ACT to amend the "Raffles Licensing Law," approved February 20, 1954 (P. L. 1954, c. 5) ***[and repealing section 11 thereof]***

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 4 of P. L. 1954, c. 5 (C. 5:8-53) is amended to read
2 as follows:

3 4. The governing body of the municipality shall make an investi-
4 gation of the qualifications of each applicant and the merits of the
5 application, with due expedition after the filing of the application,
6 and if it shall determine that the applicant is duly qualified to be
7 licensed under this act to hold, operate and conduct games of
8 chance under the provisions of this act and the rules and regula-
9 tions governing the holding, operation and conduct thereof in the
10 municipality; that the member or members of the applicant desig-
11 nated in the application to hold, operate or conduct the game or
12 games of chance, to hold, operate and conduct which the license is
13 applied for, are bona fide active members of the applicant and
14 persons of good moral character and have never been convicted of
15 crime; that such game or games of chance are to be held, operated
16 and conducted in accordance with the provisions of this act and
17 in accordance with the rules and regulations governing the holding,
18 operation and conduct thereof and that the proceeds thereof are
19 to be disposed of as provided by this act, and if the governing body
20 is satisfied that no commission, salary, compensation, reward or
21 recompense whatever will be paid or given to any person holding,
22 operating or conducting or assisting in the holding, operation or

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted June 3, 1982.

23 conduct of any such game of chance except as in this act otherwise
 24 provided; that any rental to be paid for any equipment to be used
 25 in or in connection with the holding, operation and conduct of such
 26 game or games of chance conforms to the schedule of authorized
 27 rentals prescribed by rules of the Legalized Games of Chance
 28 Control Commission and that such lessor or lessors have been ap-
 29 proved as to good moral character and freedom from conviction
 30 of crime by said commission; that no prize will be offered or given
 31 in cash except as otherwise provided in this act or of greater value
 32 than is provided in this act in any game or games of chance held,
 33 operated and conducted under the license, it shall issue a license to
 34 the applicant for the holding, operation and conduct of the specific
 35 kind, or one or more of the specific kinds, of games of chance
 36 applied for accordingly, upon the payment of a license fee of \$5.00
 37 **per day** for [each day upon which a raffle with respect to which
 38 all tickets or rights to participate are sold only to persons present
 39 at the place of the drawing on the occasion of the] *all raffles held*
 40 *with a drawing*, a license fee of \$5.00 for all raffles concurrently
 41 held, without a drawing, *at one location* on any 1 day or any series
 42 of consecutive days not exceeding 6 in any 1 week, [at one location]
 43 and *unless the prizes are in cash* \$10.00 for each \$1,000.00 of the
 44 value of the prizes above the original \$1,000.00 value of prizes
 45 awarded in each raffle with respect to which tickets or rights to
 46 participate may be sold in advance of the occasion of the drawing
 47 or allotment of prizes. Five dollars of the aforesaid \$10.00 fee for
 48 each \$1,000.00 of the value of the prizes above the original \$1,000.00
 49 value of prizes awarded in each raffle with respect to which tickets
 50 or rights to participate may be sold in advance of the occasion of
 51 the drawing or allotment of prizes shall be payable to the Treasurer
 52 of the State of New Jersey.

1 2. Section 13 of P. L. 1954, c. 5 (C. 5:8-62) is amended to read
 2 as follows:

3 13. No prize shall be offered and given in cash except as herein-
 4 after provided.

5 [The aggregate retail value of all prizes to be offered and given
 6 by raffles held, operated and conducted under any license issued
 7 under this act in any calendar year shall not exceed \$15,000.00 ex-
 8 cept that in the case of licensees having one or more organizations
 9 which are auxiliary to it, said licensees shall not exceed \$7,500.00
 10 for the principal licensee, and \$7,500.00 for each auxiliary organ-
 11 ization thereto, but in lieu thereof there may be offered and given
 12 as a prize or award one article of merchandise having a retail
 13 value in excess of \$15,000.00, except that in the case of licensees

14 having one or more organizations which are auxiliary to it, said
15 licensees shall not exceed \$7,500.00 for the principal licensee and
16 \$7,500.00 for each auxiliary organization thereto, but the limits
17 so fixed shall not apply to any raffle conducted by a drawing with
18 respect to which all tickets are sold only to persons present at
19 the place of the drawing, the winners determined, and the prizes
20 awarded, on the occasion of the drawing, if the prizes are wholly
21 donated.】 **The aggregate retail value of all prizes to be offered
22 and given be raffles held, operated and conducted under any license
23 issued under P. L. 1954, c. 5 (C. 5:8-50 et seq.) in any calendar year
24 shall not exceed \$15,000.00 except that in the case of licensees hav-
25 ing one or more organizations which are auxiliary to it, said
26 licensees shall not exceed \$7,500.00 for the principal licensee, and
27 \$7,500.00 for each auxiliary organization thereto, but in lieu thereof
28 there may be offered and given as a prize or award one article of
29 merchandise having a retail value in excess of \$15,000.00, except
30 that in the case of licensees having one or more organizations which
31 are auxiliary to it, said licensees shall not exceed \$7,500.00 for the
32 principal licensee and \$7,500.00 for each auxiliary organization
33 thereto, but the limits so fixed shall not apply to any raffle con-
34 ducted by a drawing with respect to which all tickets are sold only
35 to persons present at the place of the drawing, the winners deter-
36 mined, and in the prizes awarded, on the occasion of the drawing,
37 if the prizes are wholly donated. a.* Cash prizes may be offered
38 or given in a raffle 【with respect to which all tickets are sold only
39 to persons present at the place of the drawing, the winners deter-
40 mined, and the prizes awarded, on the occasion of the drawing】
41 **with respect to which all tickets are sold only to persons present
42 at the place of the drawing, the winners determined, and the prizes
43 awarded, on the occasion of the drawing**, if the prizes equal 50%
44 of the total received for the tickets or rights to participate in the
45 drawing【, and the monetary limits prescribed above shall not
46 apply thereto】*; and b. *Cash prizes may also be offered or given
47 in a raffle in which tickets may be sold in advance of the occasion
48 and at which the winner need not be present when the winner is
49 determined, if the prizes equal 50% of the total received for the
50 tickets or rights to participate in the drawing, provided that no
51 such raffle authorized by this subsection shall be held, operated or
52 conducted under any license issued under P. L. 1954, c. 5 (C. 5:8-50
53 et seq.) more than once in any 1 calendar month. The monetary
54 limits prescribed above shall not apply to subsection a. of this
55 section*.**

56 No prize having a retail value greater than \$100.00 shall be
57 awarded in any raffle, not conducted by a drawing, for each spin
58 of the wheel or other allotment by chance.

1 ***[3.** Section 11 of P. L. 1954, c. 5 (C. 5:8-60) is repealed.**]***

1 ***[4.]*** *3.* This act shall take effect immediately.

14 having one or more organizations which are auxiliary to it, said
 15 licensees shall not exceed \$7,500.00 for the principal licensee and
 16 \$7,500.00 for each auxiliary organization thereto, but the limits
 17 so fixed shall not apply to any raffle conducted by a drawing with
 18 respect to which all tickets are sold only to persons present at
 19 the place of the drawing, the winners determined, and the prizes
 20 awarded, on the occasion of the drawing, if the prizes are wholly
 21 donated.】 Cash prizes may be offered or given in a raffle 【with
 22 respect to which all tickets are sold only to persons present at the
 23 place of the drawing, the winners determined, and the prizes
 24 awarded, on the occasion of the drawing】, if the prizes equal 50%
 25 of the total received for the tickets or rights to participate in the
 26 drawing【, and the monetary limits prescribed above shall not
 27 apply thereto】.

28 No prize having a retail value greater than \$100.00 shall be
 29 awarded in any raffle, not conducted by a drawing, for each spin
 30 of the wheel or other allotment by chance.

1 3. Section 11 of P. L. 1954, c. 5 (C. 5:8-60) is repealed.

1 4. This act shall take effect immediately.

STATEMENT

This bill amends section 13 of the "Raffles Licensing Law" (P. L. 1954, c. 5, C. 5:8-62) to allow nonprofit organizations to sell raffle tickets to persons not in attendance at the drawing of a raffle in which cash in an amount equal to 50% of the total received from ticket sales is awarded as prizes. Current law requires that tickets can only be sold to persons attending the drawing. It also removes the restrictions on the aggregate retail value of all prizes to be offered.

The bill also amends section 4 of P. L. 1954, c. 5 (C. 5:8-53) to clarify how raffle fees shall be paid. It provides that fees for all raffles shall be \$5.00 and that for raffles which award prizes other than cash the fee shall be \$10.00 for each \$1,000.00 of the value of the prizes above \$1,000.00

The bill also repeals the statutory limitation on the frequency of raffles.

A685 (1982)

**SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE**

STATEMENT TO
ASSEMBLY, No. 685

STATE OF NEW JERSEY

DATED: FEBRUARY 25, 1982

This bill amends and repeals sections of the "Raffles Licensing Law."

Section 1 of the bill clarifies the way raffle license fees shall be paid. It provides that the license fee for all raffles shall be \$5.00, and that for raffles which award prizes other than cash, the license fee shall be \$10.00 for each \$1,000.00 of the value of the prizes above \$1,000.00.

Section 2 of the bill permits non-profit organizations to sell raffle tickets to people not present at the drawing when cash equal to 50% of the total received from ticket sales is awarded as prizes. Current law stipulates that when such an amount of cash is offered in prizes, tickets must be sold only to persons present at the drawing. Section 1 also removes restrictions now in the law governing the aggregate retail value of all prizes to be offered.

Section 3 of the bill repeals the section of law that limits the frequency of raffles held under a given license to 6 days per calendar month.

OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

AUGUST 5, 1982

FOR FURTHER INFORMATION

KATHERINE BROKAW

Governor Thomas H. Kean today signed the following two bills concerning the administration of raffles.

A-659, sponsored by Assemblyman Thomas Deverin (D-Union), amends the raffles licensing law to raise the limit on cash prizes which may be awarded by a single licensee from \$15,000 to \$25,000; the limit applies to the aggregate sum of all prizes awarded. The limit on prizes which may be awarded by a group of organizations sponsoring a raffle has been raised from \$7,500 to \$12,500 apiece for each of the organizations involved, both the principal licensee and the auxiliary organizations.

A-685, sponsored by Robert Littel (R-Warren), provides that in a 50-50 raffle, one in which cash equal to 50% of the total received from ticket sales, run by a non-profit organization, the winner need not be present at the drawing in order to be awarded the prize. Current law requires the presence of the winner at the drawing.

#####