

5:8-60.1 to 5:8-60.5

LEGISLATIVE HISTORY CHECKLIST
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(Raffles--conduct)

NJSA: 5:8-60.1 to 5:8-60.5

LAWS OF: 1997 **CHAPTER:** 386

BILL NO: A1762

SPONSOR(S): Kyrillos and others

DATE INTRODUCED: December 19, 1996

COMMITTEE: **ASSEMBLY:** ---
SENATE: State Government

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** January 12, 1998
SENATE: March 10, 1997

DATE OF APPROVAL: January 19, 1998

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

§§1,3-6
C. 5:8-60.1
To
5:8-60.5

P.L. 1997, CHAPTER 386, *approved January 19, 1998*
Senate, No. 1762 (*Second Reprint*)

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

3

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

6

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] ²[or consists of] only and does not
22 include² cash or money ²[in an amount not in excess of \$20]².

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] Penny¹ 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 is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SSG committee amendments adopted March 3, 1997.

² Senate floor amendments adopted March 10, 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

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

17
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 ¹a big six wheel,¹ a big eight wheel ¹or other wheel¹ to
34 determine the winner of a non-draw raffle.

35
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.

42
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.

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.

SENATE STATE GOVERNMENT COMMITTEE

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STATEMENT TO DO NOT RE...

SENATE, No. 1762

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 3, 1997

The Senate State Government Committee reports favorably and with committee amendments Senate, No. 1762.

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

The bill would allow a qualified organization to conduct a Penny auction. A Penny auction is an event at which multiple items of merchandise are raffled by drawing a winning ticket from a container designated for each item. Players purchase tickets and place one or more tickets in the container designated for each item they wish to win.

In addition, the bill directs the Legalized Games of Chance Commission to promulgate regulations allowing qualified organizations to: (1) offer as a raffle prize certain personal or professional services (or a gift certificate therefor) and gift certificates redeemable for live edible seafood; (2) offer a discount to any person purchasing two or more tickets for a draw raffle; and (3) use a big six wheel, a big eight wheel, or other wheel to determine the winner of a non-draw raffle. The bill would also allow persons under the age of 18 to: (1) play a non-draw raffle awarding a cash prize not in excess of \$20; and (2) play an on-premises draw raffle, including a Penny auction, when any prize offered and awarded consists of merchandise only.

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

opportunity to cease the conduct which constitutes a violation.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- (1) substitute the term "Penny auction" for "Chinese auction;"
- (2) eliminate a provision which would have allowed certain live animals to be offered as raffle prizes and provide, instead, that a gift certificate redeemable for live, edible seafood may be raffled;
- (3) require the commission to allow use of a big six or any other wheel, in addition to a big eight wheel, to determine the winner of a non-draw raffle; and
- (4) provide that the value of personal or professional services or of a gift certificate for live, edible seafood offered as a raffle prize shall be within the limits set by the commission for raffle prizes.