

5:8-62

LEGISLATIVE HISTORY CHECKLIST
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(Rafflés)

NJSA: 5:8-62

LAWS OF: 1996 CHAPTER: 36

BILL NO: S448

SPONSOR(S): Singer and Connors

DATE INTRODUCED: January 18, 1996

COMMITTEE: ASSEMBLY: ---
SENATE: State Government

AMENDED DURING PASSAGE: Yes Amendments during passage
First reprint enacted denoted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: May 6, 1996
SENATE: March 18, 1996

DATE OF APPROVAL: June 18, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: No
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

P.L. 1996, CHAPTER 36, *approved June 18, 1996*
Senate No. 448 (*First Reprint*)

1 AN ACT concerning raffles, and amending and supplementing
2 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. Section 13 of P.L.1954, c.5 (C.5:8-62) is amended to read as
8 follows:

9 13. No prize shall be offered and given in cash except as authorized
10 by regulation promulgated by the control commission.

11 a. The aggregate retail value of all prizes to be offered and given
12 by raffles held, operated and conducted under any license issued under
13 P.L.1954, c.5 (C.5:8-50 et seq.) in any calendar year shall not exceed
14 \$500,000.00, but the limit so fixed shall not apply to any raffle with
15 respect to which all tickets, shares or rights to participate are sold only
16 to persons present, the winners determined, and the prizes awarded,
17 on the same occasion or if the prizes are wholly donated.

18 b. Notwithstanding the provisions of subsection a. of this section,
19 the maximum prize that may be offered and awarded in a golf
20 hole-in-one contest shall not exceed \$1,000,000. Any ¹[prize in such
21 a contest in an amount greater than \$500,000 but not exceeding
22 \$1,000,000] prizes above \$25,000¹ shall be offered and awarded only
23 when the entire amount is insured by a company licensed to conduct
24 business in this State and approved by the control commission. The
25 prize shall be paid as an annuity with a payout over a maximum period
26 of ¹[40] 20¹ years. ¹[Any ancillary] Ancillary¹ prizes awarded shall
27 have an aggregate retail value no greater than that provided by
28 subsection a. of this section ¹and shall also be subject to the provisions
29 of subsection c. of this section¹.

30 c. No prize having a retail value greater than that prescribed by
31 regulation promulgated by the control commission shall be awarded in
32 any raffle conducted by a drawing, or for each spin of the wheel or
33 other allotment by chance.

34 (cf: P.L.1994, c.63, s.19)

35

36 2. Section 14 of P.L.1954, c.5 (C.5:8-63) is amended to read as
37 follows:

38 14. No game of chance to be conducted under any license issued
39 under this act shall be advertised as to its location, the time when it is
40 to be or has been played, or the prizes awarded or to be awarded, by

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 Senate SSG committee amendments adopted February 22, 1996.

1 means of newspapers, radio, television or sound truck, or by means of
2 billboards, posters or handbills or any other means addressed to the
3 general public[, except that 1 sign not exceeding 60 square feet in area
4 may be displayed on the premises where the drawing or allotment of
5 prizes is to be held and also where the prize is to be exhibited and an
6 additional similar sign may be displayed on or adjacent to the premises
7 where the prize or prizes are displayed and additional signs may be
8 displayed upon any fire fighting equipment belonging to any licensee,
9 which is a volunteer fire company or upon any first-aid or rescue
10 squad equipment belonging to any licensee, which is a first-aid or
11 rescue squad, in and throughout the community or communities served
12 by such volunteer fire company or such first-aid or rescue squad, as
13 the case may be] in any municipality in which the majority of voters
14 voting therein have not voted in favor of the adoption of the
15 provisions of P.L.1954, c.5 (C.5:8-50 et seq.) or in any municipality
16 in which the majority of voters voting therein have voted in favor of
17 rescinding the adoption of the provisions of this act.

18 (cf: P.L.1955, c.161, s.8)

19

20 3. (New section) The Legalized Games of Chance Control
21 Commission shall promulgate regulations to govern the advertising of
22 any game of chance occurring in any municipality in which the majority
23 of voters voting therein have voted in favor of the adoption of the
24 "Raffles Licensing Law" P.L.1954, c.5 (C.5:8-50 et seq.) and in which
25 the game of chance is held, operated or conducted under any license
26 issued by the control commission pursuant to the provisions of that
27 act.

28 The regulations shall prohibit:

29 a. any advertisement from containing any false, deceptive,
30 misleading or fraudulent statement regarding the holding, operation or
31 conduct of a game of chance;

32 b. any advertisement from causing undue or unfair competition
33 between organizations registered with the control commission that are
34 holding competing games of chance; and

35 c. the use, to an extent deemed excessive, of the proceeds derived
36 from the conduct of any individual game of chance for advertising
37 subsequent games of chance.

38

39 4. This act shall take effect immediately.

40

41

42

43

44 Prescribes prize limits for certain raffles; establishes restrictions on
45 advertising games of chance.

[First Reprint]
SENATE, No. 448

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senators SINGER and CONNORS

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

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4 BE IT ENACTED by the Senate and General Assembly of the State
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8 follows:

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11 a. The aggregate retail value of all prizes to be offered and given
12 by raffles held, operated and conducted under any license issued under
13 P.L.1954, c.5 (C.5:8-50 et seq.) in any calendar year shall not exceed
14 \$500,000.00, but the limit so fixed shall not apply to any raffle with
15 respect to which all tickets, shares or rights to participate are sold only
16 to persons present, the winners determined, and the prizes awarded,
17 on the same occasion or if the prizes are wholly donated.

18 b. Notwithstanding the provisions of subsection a. of this section,
19 the maximum prize that may be offered and awarded in a golf
20 hole-in-one contest shall not exceed \$1,000,000. Any ¹[prize in such
21 a contest in an amount greater than \$500,000 but not exceeding
22 \$1,000,000] prizes above \$25,000¹ shall be offered and awarded only
23 when the entire amount is insured by a company licensed to conduct
24 business in this State and approved by the control commission. The
25 prize shall be paid as an annuity with a payout over a maximum period
26 of ¹[40] 20¹ years. ¹[Any ancillary.] Ancillary¹ prizes awarded shall
27 have an aggregate retail value no greater than that provided by
28 subsection a. of this section ¹and shall also be subject to the provisions
29 of subsection c. of this section¹.

30 c. No prize having a retail value greater than that prescribed by
31 regulation promulgated by the control commission shall be awarded in

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1 any raffle conducted by a drawing, or for each spin of the wheel or
2 other allotment by chance.

3 (cf: P.L.1994, c.63, s.19)

4

5 2. Section 14 of P.L.1954, c.5 (C.5:8-63) is amended to read as
6 follows:

7 14. No game of chance to be conducted under any license issued
8 under this act shall be advertised as to its location, the time when it is
9 to be or has been played, or the prizes awarded or to be awarded, by
10 means of newspapers, radio, television or sound truck, or by means of
11 billboards, posters or handbills or any other means addressed to the
12 general public[, except that 1 sign not exceeding 60 square feet in area
13 may be displayed on the premises where the drawing or allotment of
14 prizes is to be held and also where the prize is to be exhibited and an
15 additional similar sign may be displayed on or adjacent to the premises
16 where the prize or prizes are displayed and additional signs may be
17 displayed upon any fire fighting equipment belonging to any licensee,
18 which is a volunteer fire company or upon any first-aid or rescue
19 squad equipment belonging to any licensee, which is a first-aid or
20 rescue squad, in and throughout the community or communities served
21 by such volunteer fire company or such first-aid or rescue squad, as
22 the case may be] in any municipality in which the majority of voters
23 voting therein have not voted in favor of the adoption of the
24 provisions of P.L.1954, c.5 (C.5:8-50 et seq.) or in any municipality
25 in which the majority of voters voting therein have voted in favor of
26 rescinding the adoption of the provisions of this act.

27 (cf: P.L.1955, c.161, s.8)

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29 3. (New section) The Legalized Games of Chance Control
30 Commission shall promulgate regulations to govern the advertising of
31 any game of chance occurring in any municipality in which the majority
32 of voters voting therein have voted in favor of the adoption of the
33 "Raffles Licensing Law" P.L.1954, c.5 (C.5:8-50 et seq.) and in which
34 the game of chance is held, operated or conducted under any license
35 issued by the control commission pursuant to the provisions of that
36 act.

37 The regulations shall prohibit:

38 a. any advertisement from containing any false, deceptive,
39 misleading or fraudulent statement regarding the holding, operation or
40 conduct of a game of chance;

41 b. any advertisement from causing undue or unfair competition
42 between organizations registered with the control commission that are
43 holding competing games of chance; and

44 c. the use, to an extent deemed excessive, of the proceeds derived
45 from the conduct of any individual game of chance for advertising
46 subsequent games of chance.

1 4. This act shall take effect immediately.

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6 Prescribes prize limits for certain raffles; establishes restrictions on
7 advertising games of chance.

SENATE, No. 448

STATE OF NEW JERSEY

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16 to persons present, the winners determined, and the prizes awarded,
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18 b. Notwithstanding the provisions of subsection a. of this section,
19 the maximum prize that may be offered and awarded in a golf
20 hole-in-one contest shall not exceed \$1,000,000. Any prize in such a
21 contest in an amount greater than \$500,000 but not exceeding
22 \$1,000,000 shall be offered and awarded only when the entire amount
23 is insured by a company licensed to conduct business in this State and
24 approved by the control commission. The prize shall be paid as an
25 annuity with a payout over a maximum period of 40 years. Any
26 ancillary prizes awarded shall have an aggregate retail value no greater
27 than that provided by subsection a. of this section.

28 c. No prize having a retail value greater than that prescribed by
29 regulation promulgated by the control commission shall be awarded in
30 any raffle conducted by a drawing, or for each spin of the wheel or
31 other allotment by chance.
32 (cf: P.L.1994, c.63, s.19)

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7 general public[, except that 1 sign not exceeding 60 square feet in area
8 may be displayed on the premises where the drawing or allotment of
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15 rescue squad, in and throughout the community or communities served
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17 the case may be] in any municipality in which the majority of voters
18 voting therein have not voted in favor of the adoption of the
19 provisions of P.L.1954, c.5 (C.5:8-50 et seq.) or in any municipality
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21 rescinding the adoption of the provisions of this act.

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25 Commission shall promulgate regulations to govern the advertising of
26 any game of chance occurring in any municipality in which the majority
27 of voters voting therein have voted in favor of the adoption of the
28 "Raffles Licensing Law" P.L.1954, c.5 (C.5:8-50 et seq.) and in which
29 the game of chance is held, operated or conducted under any license
30 issued by the control commission pursuant to the provisions of that
31 act.

32 The regulations shall prohibit:

33 a. any advertisement from containing any false, deceptive,
34 misleading or fraudulent statement regarding the holding, operation or
35 conduct of a game of chance;

36 b. any advertisement from causing undue or unfair competition
37 between organizations registered with the control commission that are
38 holding competing games of chance; and

39 c. the use, to an extent deemed excessive, of the proceeds derived
40 from the conduct of any individual game of chance for advertising
41 subsequent games of chance.

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43 4. This act shall take effect immediately.

STATEMENT

1
2
3 This bill amends the "Raffles Licensing Law", P.L.1954, c.5, to
4 place limits on the prizes awarded in certain raffles and to establish
5 restrictions on advertising games of chance in certain municipalities.

6 Specifically, the bill provides that:

7 1) the maximum prize that may be offered and awarded in a golf
8 hole-in-one contest shall not exceed \$1,000,000 and any prize in such
9 a contest in an amount greater than \$500,000 but not exceeding
10 \$1,000,000 shall be offered and awarded only when the entire amount
11 is insured by a company licensed to conduct business in this State and
12 approved by the Legalized Games of Chance Control Commission;

13 2) the prize in such a contest shall be paid as an annuity with a
14 payout over a maximum period of 40 years;

15 3) no game of chance shall be advertised in any municipality in
16 which the majority of voters voting therein have not voted in favor of
17 the adoption of the provisions of the "Raffles Licensing Law" or in any
18 municipality in which the majority of voters voting therein have voted
19 in favor of rescinding the adoption of the provisions of that law; and

20 4) the control commission shall promulgate regulations to govern
21 the advertising of any game of chance occurring in a municipality in
22 which the game of chance is held, operated or conducted under any
23 license issued thereby.

24 The regulations would prohibit: 1) any advertisement from
25 containing any false, deceptive, misleading or fraudulent statement
26 regarding the holding, operation or conduct of a game of chance; 2)
27 any advertisement from causing undue or unfair competition between
28 organizations registered with the control commission that are holding
29 competing games of chance; and 3) the use, to an extent deemed
30 excessive, of the proceeds derived from the conduct of any individual
31 game of chance for advertising subsequent games of chance.

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36 Prescribes prize limits for certain raffles; establishes restrictions on
37 advertising games of chance.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 448

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1996

The Senate State Government Committee reports favorably and with committee amendments Senate, No. 448.

This bill amends the "Raffles Licensing Law", P.L.1954, c.5, to place limits on the prizes awarded in certain games of chance and to establish restrictions on advertising games of chance in certain municipalities.

Specifically, the bill provides that:

1) the maximum prize that may be offered and awarded in a golf hole-in-one contest shall not exceed \$1,000,000 and any prizes greater than \$25,000 shall be offered and awarded only when the entire amount is insured by a company licensed to conduct business in this State and approved by the Legalized Games of Chance Control Commission;

2) the prize in such a contest shall be paid as an annuity with a payout over a maximum of 20 years;

3) no game of chance shall be advertised in any municipality in which the majority of voters voting therein have not voted in favor of the adoption of the provisions of the "Raffles Licensing Law" or in any municipality in which the majority of voters voting therein have voted in favor of rescinding the adoption of the provisions of that law; and

4) the control commission shall promulgate regulations to govern the advertising of any game of chance occurring in a municipality in which the game of chance is held, operated or conducted under any license issued thereby.

The regulations would prohibit: 1) any advertisement from containing any false, deceptive, misleading or fraudulent statement regarding the holding, operation or conduct of a game of chance; 2) any advertisement from causing undue or unfair competition between organizations registered with the control commission that are holding competing games of chance; and 3) the use, to an extent deemed excessive, of the proceeds derived from the conduct of any individual game of chance for advertising subsequent games of chance.

COMMITTEE AMENDMENTS

The committee adopted amendments for the bill recommended by the Attorney General's office and the Legalized Games of Chance Control Commission that: 1) expand the range of prizes required to be insured from prizes greater than \$500,000 but not exceeding \$1,000,000 to include prizes greater than \$25,000; 2) provide that a prize shall be paid as an annuity with a maximum payout period of 20 years rather than 40 years; and 3) provide that any ancillary prizes, in addition to having an aggregate retail value no greater than \$500,000 in any calendar year, shall also be subject to regulations promulgated by the control commission concerning the limit on the value of prizes that shall be awarded in a raffle conducted by a drawing or for each spin of the wheel or other allotment by chance.