

August 12, 2019

TO: Urbana City Council

FROM: Diane Wolfe Marlin, Mayor  
Charles A. Smyth, City Clerk

RE: Changes to State of Illinois Raffles and Poker Runs Act

The Illinois State Legislature recently amended the State Raffles and Poker Runs Act (230 ILCS 15/1). Below is a summary of the changes:

Amends the Raffles and Poker Runs Act. Provides that the definition of “raffle” does not include any game designed to simulate: (1) gambling games as defined in the Riverboat Gambling Act; (2) any casino game approved for play by the Illinois Gaming Board; (3) any games provided by a video gaming terminal, as defined in the Video Gaming Act.

Defines “key location” for a poker run as the location where the poker run concludes and the prizes are awarded. Defines “key location” for a raffle as the location where the winning chances in the raffle are determined.

Provides that raffles shall be licensed by the governing body of the municipality with jurisdiction over the key location or, if no municipality has jurisdiction over the key location, then by the governing body of the county with jurisdiction over the key location.

Provides that a license shall authorize the holder of such license to sell raffle chances throughout the State, including beyond the borders of the licensing municipality or county. Deletes provisions requiring poker runs to be licensed by the county with jurisdiction over the key location.

Eliminates requirements that municipalities establish limits on (1) the aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle; (2) the maximum retail value of each prize awarded by a licensee in a single raffle; (3) the maximum price which may be charged for each raffle chance issued or sold; and (4) the maximum number of days during which chances may be issued or sold.

Allows municipal applications and licenses to specify multiple locations and times at which winning chances will be determined.

Provides that raffle licenses shall be issued not only to bona fide not-for-profit religious, charitable, labor, business, fraternal, educational, or veterans’ organizations but also to other bona fide not-for-profit organizations that operate without profit to their members, that have existed continuously for five years, and that have been engaged during that entire five-year period in carrying out their objects. Makes other changes.

Effective July 19, 2019

Public Act 101-0109

Our current Raffle Licensing procedure must be modified to reflect recent changes made by the Illinois General Assembly. We also have received inquiries from local not-for-profits about Queen of Hearts (“Progressive”) style raffles. The Developmental Services Center wishes to conduct this type of raffle in Champaign and Urbana and the VFW in Urbana currently is running one. While our current ordinance can accommodate these, the limits in place may be too restrictive for these raffles to be effective. The proposed changes to our ordinance will better accommodate the “progressive” style raffles.

The four major changes in the state law include: Removes the requirement for the municipality to set an upper limit on prize value, cost of tickets, and number of days that tickets may be sold; defines the licensing jurisdiction as the location where the winning ticket is drawn; expands the type of not-for-profits which may conduct raffles; and makes a license good for use throughout the state.

The proposed changes to our code (Sec. 9.5-20 through 9.4-30) accommodate the changes passed by the state and remove limits on the value and time lengths of raffles. We also propose to add a category for inexpensive raffles to our Schedule of Fees to encourage people to license their events and amend the schedule of fees to reflect the ordinance changes.

**ORDINANCE NO. 2019-08-043**

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 9.5, ARTICLE II**

**(Raffles/2019)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

**WHEREAS**, Public Act 101-0109, which was adopted by the 101st Illinois General Assembly and took effect on July 19, 2019, amended the Raffles and Poker Runs Act (230 ILCS 15/1 *et seq.*) to allow raffle chances to be sold throughout the State, including beyond the borders of the licensing municipality, and to change other provisions of the Act concerning the conduct of raffles; and

**WHEREAS**, the City Council heretofore has enacted Urbana City Code Chapter 9.5, Article II, to regulate raffles within the City; and

**WHEREAS**, the City Council, after due consideration, finds that amending said Article to establish regulations in conformity with Public Act 101-0109, as hereinafter provided, will protect the public health, safety, and welfare; and

**WHEREAS**, the City Council desires to make certain other changes to Urbana City Code Chapter 9.5, Article II, to modernize the language, concepts, and definitions contained therein, to delete obsolete provisions, and to clarify the Article; and

**WHEREAS**, the City Council heretofore has enacted Urbana City Code Section 14-7 to establish a schedule of fees for the various licenses, permits, fines, and other fees required under the Urbana City Code; and

**WHEREAS**, the City Council, after due consideration, further finds that making limited amendments to that schedule of fees as herein provided, pursuant to Urbana City Code Section 14-7(b), will protect the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Illinois, as follows:

**Section 1.**

Urbana City Code Chapter 9.5, “Games of Chance,” Article II, “Raffles,” is hereby amended and as amended shall read as set forth in Exhibit “A,” which is attached hereto and incorporated herein by reference.

**Section 2.**

Urbana City Code Chapter 14, “Licenses and Permits,” Section 14-7, “Schedule of fees,” Subsection (B), “General,” Part 4, “Miscellaneous,” Subpart (c), “Raffles,” is hereby amended and as amended shall read as follows:

(c) Raffles:

1. Total retail value of all prizes or merchandise to be awarded exceeds twenty-five thousand dollars (\$25,000.00)..... \$ 150.00
2. Total retail value of all prizes or merchandise to be awarded exceeds five thousand dollars (\$5,000.00) but does not exceed twenty-five thousand dollars (\$25,000.00)..... \$ 25.00
3. Total retail value of all prizes or merchandise to be awarded does not exceed five thousand dollars (\$5,000.00) ..... \$ 10.00

**Section 3.**

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

**Section 4.**

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

**Section 5.**

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

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Charles A. Smyth, City Clerk

**APPROVED BY THE MAYOR** this date day of Month, Year.

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Diane Wolfe Marlin, Mayor

## Exhibit A

### Urbana City Code Chapter 9.5 Article II – Raffles

#### Sec. 9.5-20. - Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

*Key location* shall mean the location where the winning chances in the raffle are determined.

*Law enforcement agency* shall mean an agency of this state or unit of local government that is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.

*Net proceeds* shall mean the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other operating expenses incurred as a result of operating a raffle.

*Non-profit or not-for-profit organization* shall mean an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as the result of the operation.

*Raffle* shall mean a form of lottery, as defined in Section 28-2(b) of the Criminal Code of 2012, now or hereafter as amended, conducted by an organization licensed under this article, in which:

- (1) The player pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other medium, one (1) or more of which chances is to be designated the winning chance; and
- (2) The winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

#### Sec. 9.5-21. - License required.

No person or organization shall conduct a raffle in which the city is a key location without having first obtained a license therefor pursuant to this article.

#### Sec. 9.5-22. - Eligible organizations.

Licenses under this article shall be issued only to the following:

- (a) Bona fide not-for-profit organizations that operate without profit to their members, which have been in existence continuously for a period of five (5) years immediately before making application for a license under this article, and which have during that entire five-year period been engaged in carrying out their objective;

- (b) A nonprofit fundraising organization that is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as a result of an illness, disability, accident or disaster;
- (c) Law enforcement agencies and statewide associations that represent law enforcement officials; or
- (d) Any other organization authorized to receive a raffle license in accordance with the Raffles and Poker Runs Act, 230 ILCS 15/0.01 et seq., as amended.

Sec. 9.5-23. – Reserved.

Sec. 9.5-24. - Licensing procedure and fee.

- (a) Except as provided in subsection (b), Chapter 14, "Licenses and Permits," of this Code shall govern the licensing of raffles.
- (b) Sections 14-8 and 14-11 of this Code shall not apply to the licensing of raffles.
- (c) The amount of the license fee shall be as prescribed in section 14-7 of this Code.

Sec. 9.5-25. - Application for license.

- (a) Application for the license to conduct a raffle under this article shall be submitted to the city clerk on forms provided by the city clerk for that purpose. The license application must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization and attesting to the following:
  - (1) Such organization is eligible to be issued a license pursuant to this article.
  - (2) The entire net proceeds of the proposed raffle will be exclusively devoted to the lawful purpose of the organization seeking the license; and
  - (3) No person except a bona fide director, officer, employee, or member of the sponsoring organization shall manage or participate in the management or operation of the raffle; and
  - (4) No person shall receive any remuneration or profit for managing or participating in the management or operation of the proposed raffle.
  - (5) All tickets or chances shall contain the number of the license issued by the city pursuant to this article.
- (b) The license application shall set forth the following information:
  - (1) Name and address of the person applying for the license on behalf of the organization;

- (2) The position or representative capacity of such person;
  - (3) The full name, address, telephone number, and email address of the organization;
  - (4) A name and telephone number of a responsible member of the organization who may be contacted at all times;
  - (5) The location or locations at which winning chances will be determined;
  - (6) The time period during which raffle chances will be sold or issued;
  - (7) The time or times of determination of winning chances;
  - (8) The amount charged for each chance;
  - (9) The number of raffles to be conducted in a one-year period.
- (c) The city clerk shall act on a license application within 30 days from the date of application.

Sec. 9.5-26. - Ineligibility.

The following are ineligible for any license under this article:

- (a) Any person whose felony conviction will impair the person's ability to engage in the licensed position;
- (b) Any person who is or has been a professional gambler or professional gambling promoter;
- (c) Any person who is not of good moral character;
- (d) Any organization in which a person defined in subsections (a), (b), or (c) has a proprietary, equitable, or credit interest, or in which such person is active or employed;
- (e) Any organization in which a person defined in subsections (a), (b), or (c) is an officer, director, or employee, whether compensated or not;
- (f) Any organization in which a person defined in subsections (a), (b), or (c) is to participate in the management or operation of a raffle as defined in this article.

Sec. 9.5-27. - Conduct of raffles; tickets; advertisements.

The conducting of raffles is subject to the following restrictions:

- (1) The entire net proceeds of the raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.
- (2) No person except a bona fide director, officer, employee, or member of the sponsoring organization may manage or participate in the management of the raffle. No person may



receive any remuneration or profit for managing or participating in the management of the raffle. Sponsoring organizations may contract with third parties who, acting at the direction of and under the supervision of the sponsoring organization, provide bona fide services to the sponsoring organization in connection with the operation of a raffle and may pay reasonable compensation for such services. Such services include the following: (a) advertising, marketing and promotion; (b) legal; (c) procurement of goods, prizes, wares and merchandise for the purpose of operating the raffle; (d) rent, if the premises upon which the raffle will be held is rented; (e) accounting, auditing and bookkeeping; (f) website hosting; (g) mailing and delivery; (h) banking and payment processing; and (i) other services relating to the operation of the raffle.

- (3) A licensee may rent a premises on which to determine the winning chance or chances in a raffle provided that the rent is not determined as a percentage of receipts or profits from the raffle.
- (4) Raffle chances may be sold throughout the State, including beyond the borders of the city.
- (5) A person under the age of eighteen (18) years may participate in the conducting of raffles or chances only with the permission of a parent or guardian. "Conducting" is defined as directing the performance or execution of raffles or chances, including the selling of raffle or chance tickets. A person under the age of eighteen (18) years may be within the area where winning chances are determined only when accompanied by a parent or guardian.
- (6) All bills, billboards, placards or other advertisements shall contain the name of the organization conducting the raffle;
- (7) All tickets or chances shall contain the number of the license issued by the city pursuant to this article.
- (8) A sponsoring organization shall obtain a special event permit whenever the city determines that city resources may or must be allocated, deployed, or used in connection with any drawing in a raffle of the sponsoring organization.

Sec. 9.5-28. - Validity of license.

Each license issued pursuant to this article shall be valid for a specified number of raffles in a one-year period from the date of issuance.

Sec. 9.5-29. - Limited construction of article.

Nothing in this article shall be construed to authorize the conducting or operating of any gambling scheme, enterprise, activity and device other than raffles as provided for herein.

**ORDINANCE NO. 2019-08-043**

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 9.5, ARTICLE II**

**(Raffles/2019)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

**WHEREAS**, Public Act 101-0109, which was adopted by the 101st Illinois General Assembly and took effect on July 19, 2019, amended the Raffles and Poker Runs Act (230 ILCS 15/1 *et seq.*) to allow raffle chances to be sold throughout the State, including beyond the borders of the licensing municipality, and to change other provisions of the Act concerning the conduct of raffles; and

**WHEREAS**, the City Council heretofore has enacted Urbana City Code Chapter 9.5, Article II, to regulate raffles within the City; and

**WHEREAS**, the City Council, after due consideration, finds that amending said Article to establish regulations in conformity with Public Act 101-0109, as hereinafter provided, will protect the public health, safety, and welfare; and

**WHEREAS**, the City Council desires to make certain other changes to Urbana City Code Chapter 9.5, Article II, to modernize the language, concepts, and definitions contained therein, to delete obsolete provisions, and to clarify the Article; and

**WHEREAS**, the City Council heretofore has enacted Urbana City Code Section 14-7 to establish a schedule of fees for the various licenses, permits, fines, and other fees required under the Urbana City Code; and

**WHEREAS**, the City Council, after due consideration, further finds that making limited amendments to that schedule of fees as herein provided, pursuant to Urbana City Code Section 14-7(b), will protect the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Illinois, as follows:

**Section 1.**

Urbana City Code Chapter 9.5, “Games of Chance,” Article II, “Raffles,” is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as set forth in Exhibit “A,” which is attached hereto and incorporated herein by reference.

**Section 2.**

Urbana City Code Chapter 14, “Licenses and Permits,” Section 14-7, “Schedule of fees,” Subsection (B), “General,” Part 4, “Miscellaneous,” Subpart (c), “Raffles,” is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as follows:

(c) Raffles:

- 1. Total retail value of all prizes or merchandise to be awarded exceeds twenty-five thousand dollars (\$25,000.00) ..... \$ 150.00
- 2. Total retail value of all prizes or merchandise to be awarded exceeds five thousand dollars (\$5,000.00) but does not exceed twenty-five thousand dollars (\$25,000.00) ..... \$ 25.00
- 2.3. Total retail value of all prizes or merchandise to be awarded does not exceed ~~twenty-five~~ thousand dollars (\$25,000.00) ..... \$ ~~1025.00~~

Commented [CAS1]: Adds the inexpensive raffle license category

**Section 3.**

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

**Section 4.**

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

**Section 5.**

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

\_\_\_\_\_  
Charles A. Smyth, City Clerk

**APPROVED BY THE MAYOR** this date day of Month, Year.

\_\_\_\_\_  
Diane Wolfe Marlin, Mayor

## Exhibit A

### Urbana City Code Chapter 9.5 Article II – Raffles

#### Sec. 9.5-20. - Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

~~*Business organization* shall mean a voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial and civic interests of a community.~~

~~*Charitable organization* shall mean an organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit on the public.~~

~~*Educational organization* shall mean an organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.~~

~~*Fraternal organization* shall mean an organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those that otherwise would be cared for by the government.~~

~~*Labor organization* shall mean an organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.~~

~~*Key location* shall mean the location where the winning chances in the raffle are determined.~~

~~*Law enforcement agency* shall mean an agency of this state or unit of local government that which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.~~

~~*Net proceeds* shall mean the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.~~

~~*Non-profit Nonprofit or not-for-profit organization* shall mean an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as the result of the operation.~~

~~*Raffle* shall mean a form of lottery, as defined in Section 28-2(b) of the Criminal Code of 2012, now or hereafter as amended, conducted by an organization licensed under this article, in which:~~

- (1) The player pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other medium, one (1) or more of which chances is to be designated the winning chance; and

**Commented [CAS2]:** These organizations are defined by state statute and covered by the clarification of Non-profit/Not-for-Profit as defined so are no longer needed. Public Act 101-0109 adds "or other bona fide not-for-profit organizations"

- (2) The winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

~~Religious organization shall mean any church, congregation, society, or organization founded for the purpose of religious worship.~~

~~Veterans' organization shall mean an organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.~~

Sec. 9.5-21. - License required.

~~Except as provided in section 9.5-30, No no person or organization, firm or corporation shall conduct a raffle in which the city is a key location, raffles or chances in the city without having first obtained a license therefor pursuant to this article.~~

**Commented [CAS3]:** Public Act 101-0109 makes clear that a local license is required if the key location of the raffle (the location where the winning chances in the raffle are determined) is in the City.

Sec. 9.5-22. - Eligible organizations.

Licenses under this article shall be issued only to the following:

- (a) Bona fide ~~not-for-profit nonprofit, religious, charitable, labor, business, fraternal, educational or veterans'~~ organizations that operate without profit to their members, which have been in existence continuously for a period of five (5) years immediately before making application for a license under this article, and which have ~~had~~ during that entire five-year period ~~been a bona fide membership~~ engaged in carrying out their objective;
- (b) A nonprofit fundraising organization that is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as a result of an illness, disability, accident or disaster;
- (c) Law enforcement agencies and statewide associations that represent law enforcement officials; or
- (d) Any other organization authorized to receive a raffle license in accordance with the Raffles and Poker Runs Act, 230 ILCS 15/0.01 et seq., as amended.

Sec. 9.5-23. ~~— Reserved. Maximum value of prizes; maximum price for chance; maximum length of sale.~~

~~The retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed two hundred thousand dollars (\$200,000.00). The maximum retail value of each prize awarded by a licensee in a single raffle shall not exceed one hundred thousand dollars (\$100,000.00). The maximum price which may be charged for each raffle chance issued or sold shall not exceed five hundred dollars (\$500.00). The maximum number of days during which chances may be sold may not exceed one hundred eighty (180) days.~~

**Commented [CAS4]:** Public Act 101-0109 eliminates the requirements that municipalities establish limits on (1) the aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle; (2) the maximum retail value of each prize awarded by a licensee in a single raffle; (3) the maximum price which may be charged for each raffle chance issued or sold; and (4) the maximum number of days during which chances may be issued or sold. So, one option is to remove these limits completely. By doing so, we can avoid having to increase them in the future. By removing this section, Progressive raffles are covered by our ordinance without creating a special section.

Sec. 9.5-24. - Licensing procedure and fee.

- (a) Except as provided in subsection (b), Chapter 14, "Licenses and Permits," of this Code shall govern the licensing of raffles.
- (b) Sections 14-8 and 14-11 of this Code shall not apply to the licensing of raffles.
- (c) The amount of the license fee shall be as prescribed in section 14-7 of this Code.

Sec. 9.5-25. - Application for license.

- (a) Application for the license to conduct a raffle under this article shall be submitted to the city clerk on forms provided by the city clerk for that purpose. The license application must contain a sworn statement, attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization and attesting to the following: ~~signed by an officer of the organization, attesting to the not-for-profit character of the prospective licensee organization, that such organization is eligible to be issued a license pursuant to sections 9.5-22 and 9.5-26, and that:~~

**Commented [CAS5]:** Section 3 of the Raffles and Poker Runs Act states that a municipal license application "must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization." 230 ILCS 15/3(3).

(1) Such organization is eligible to be issued a license pursuant to this article.

~~(2)~~ (2) The entire net proceeds of the proposed raffle will be exclusively devoted to the lawful purpose of the organization seeking the license; and

~~(3)~~ (3) ~~That No~~ no person except a bona fide director, officer, employee, or member of the sponsoring organization shall manage or participate in the management or operation of the raffle; and

(4) ~~That No~~ no person shall receive any remuneration or profit for managing or participating in the management or operation of the proposed raffle, ~~except the licensed organization or designated beneficiary of a licensed nonprofit fundraising organization.~~

~~(5)~~ (5) ~~All tickets or chances shall contain the number of the license issued by the city pursuant to this article.~~

- (b) The license application shall set forth the following information:

- (1) Name and address of the person applying for the license on behalf of the organization;
- (2) The position or representative capacity of such person;
- (3) The full name, address, telephone number, and email address of the organization; ~~and its business address, if any;~~
- (4) A name and telephone number of where a responsible member of the organization who may be contacted at all times;

(5) ~~The location or locations at which winning chances will be determined; date and location that the prize or prizes will be awarded;~~

~~(6) The time period during which raffle chances will be sold or issued;~~

~~(7) The time or times of determination of winning chances;~~

~~(8)~~ (8) The amount charged for each chance;

~~The aggregate retail value of all prizes or merchandise to be awarded by the licensee in such raffle;~~

~~The maximum retail value of each prize awarded by the licensee in such raffle;~~

~~The area or areas where raffle chances will be sold or issued;~~

(9) The number of raffles to be conducted in a one-year period.

~~(c) The city clerk shall act on a license application within 30 days from the date of application.~~

#### Sec. 9.5-26. - Ineligibility.

The following are ineligible for any license under this article:

- (a) Any person whose felony conviction will impair the person's ability to engage in the licensed position;
- (b) Any person who is or has been a professional gambler or professional gambling promoter;
- (c) Any person who is not of good moral character;
- (d) Any ~~organization in firm or corporation~~ which a person defined in ~~†subsections†~~ (a), (b) or (c) has a proprietary, equitable, or credit interest, or in which such person is active or employed;
- (e) Any organization in which a person defined in ~~†subsections†~~ (a), (b) or (c) is an officer, director, or employee, whether compensated or not;
- (f) Any organization in which a person defined in ~~†subsections†~~ (a), (b) or (c) is to participate in the management or operation of a raffle as defined in this article.

#### Sec. 9.5-27. - Conduct of raffles; tickets; advertisements.

The conducting of raffles is subject to the following restrictions:

(1) ~~The entire net proceeds of the raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.~~

Commented [CAS6]: Again, revised language per the state act



(2) No person except a bona fide director, officer, employee, or member of the sponsoring organization may manage or participate in the management of the raffle. No person may receive any remuneration or profit for managing or participating in the management of the raffle. Sponsoring organizations may contract with third parties who, acting at the direction of and under the supervision of the sponsoring organization, provide bona fide services to the sponsoring organization in connection with the operation of a raffle and may pay reasonable compensation for such services. Such services include the following: (a) advertising, marketing and promotion; (b) legal; (c) procurement of goods, prizes, wares and merchandise for the purpose of operating the raffle; (d) rent, if the premises upon which the raffle will be held is rented; (e) accounting, auditing and bookkeeping; (f) website hosting; (g) mailing and delivery; (h) banking and payment processing; and (i) other services relating to the operation of the raffle.

(3) A licensee may rent a premises on which to determine the winning chance or chances in a raffle provided that the rent is not determined as a percentage of receipts or profits from the raffle.

(4) Raffle chances may be sold throughout the State, including beyond the borders of the city.

(5) A person under the age of eighteen (18) years may participate in the conducting of raffles or chances only with the permission of a parent or guardian. "Conducting" is defined as directing the performance or execution of raffles or chances, including the selling of raffle or chance tickets. A person under the age of eighteen (18) years may be within the area where winning chances are determined only when accompanied by a parent or guardian.

(6) All bills, billboards, placards or other advertisements shall contain the name of the organization conducting the raffle;

(7) All tickets or chances shall contain the number of the license issued by the city pursuant to this article.

(8) A sponsoring organization shall obtain a special event permit whenever the city determines that city resources may or must be allocated, deployed, or used in connection with any drawing in a raffle of the sponsoring organization.

**Commented [CAS7]:** In the event that a raffle draws a large crowd, for example a large prize in a progressive raffle, the city needs to be able to recoup costs appropriate to event management for public safety.

Sec. 9.5-28. - Validity of license.

Each license issued pursuant to this article shall be valid for a specified number of raffles in a one-year period from the date of issuance.

Sec. 9.5-29. - Limited construction of article.

Nothing in this article shall be construed to authorize the conducting or operating of any gambling scheme, enterprise, activity and device other than raffles as provided for herein.

~~Sec. 9.5-30. Reciprocity.~~

~~The provisions of this article shall not apply to the following:~~

- ~~(a) A raffle conducted by an organization with a principal place of business outside city limits, which has been licensed by a governmental unit located in Champaign County, provided that the licensing governmental unit grants reciprocity to organizations with a principal place of business within city limits which have obtained a license pursuant to this article, and further provided that the organization would be eligible under section 9.5-22; or~~
- ~~(b) A raffle conducted by a law enforcement agency or statewide association that represents law enforcement officials, provided that the agency or association conducts the raffle in compliance with the Raffles and Poker Runs Act, 230 H.C.S. 15/0.01 et seq., as amended.~~

**Commented [CAS8]:** No longer needed per state law changes allowing statewide sale of a properly licensed raffle.