

2013 DRAFTING REQUEST

Bill

Received: **9/25/2013** Received By: **eshea**
Wanted: **As time permits** Same as LRB: **-4267**
For: **Mike Kuglitsch (608) 267-5158** By/Representing: **Matthew Spencer**
May Contact: Drafter: **eshea**
Subject: **Gambling - miscellaneous** Addl. Drafters: **mglass**

Extra Copies:

Submit via email: **YES**
Requester's email: **Rep.Kuglitsch@legis.wisconsin.gov**
Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Changes to the regulation of raffles

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 2/6/2014	kfollett 12/5/2013	rschluet 12/6/2013	_____	srose 12/6/2013		State
/P2	eshea 2/11/2014	kfollett 2/11/2014	jmurphy 2/10/2014	_____			State
/P3	eshea 2/12/2014		jmurphy 2/11/2014	_____	srose 2/11/2014		State

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/1		kfollett 2/12/2014	jfrantze 2/12/2014	_____	srose 2/12/2014	mbarman 2/14/2014	State

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2/20

<END>

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2/10 2/10
<END>
1P3KF 1P3SF
2/11 2/11
Jan 21"

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/P1	eshea	1 P/KF 12/5	1 P/KF 12/5				State

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<END>

CHAPTER 563 BINGO AND RAFFLE CONTROL

Generally – eliminate rulemaking and put all the regulations in the statute.
Also specifically prohibit the Department from enforcing US Postal Service or other Federal regulations.

SUBCHAPTER I GENERAL PROVISIONS AND DEFINITIONS

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563.03 Definitions.

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SUBCHAPTER I

GENERAL PROVISIONS AND DEFINITIONS

563.02 Purpose. The legislature declares that:

- (1) All phases of the conduct of bingo and raffles, except bingo games using free cards and donated prizes for which no payment of consideration is made by participants, should be ~~closely~~ controlled by appropriate laws and rules which should be ~~strictly~~ and uniformly enforced throughout this state.
- (2) The conduct of bingo, raffles and all attendant activities, except bingo games using free cards and donated prizes for which no payment of consideration is made by participants, should be so regulated as to discourage commercialization of bingo and raffles in all forms and to ensure the maximum use of the profits of bingo exclusively for proper and legitimate expenditures.
- (3) It is a matter of statewide concern to foster and support proper and legitimate expenditures and to prevent commercialized gambling, participation by criminal and other undesirable elements and diversion of funds from usage for proper and legitimate expenses.

563.03 Definitions. In this chapter:

- (1) "Adult family home" has the meaning given in s. 50.01 (1).
- (1m) "Bingo" means a game of chance in which players pay a consideration in order to participate, in which 75 numbered objects are available for selection, and those objects actually selected are selected on a random basis, and in which each player participates by means of cards sold, rented or used only at the time and place of the game, each card containing 5 rows of 5 spaces each, each space printed with a number from 1 to 75, except the central space, which is marked "FREE". Winners are determined and prizes awarded on the basis of possessing a bingo card on which some combination of numbers are printed and conform to the numbered objects selected at random based on a predetermined winning arrangement. "Bingo" as used in this chapter shall not mean any game using free cards and donated prizes, if any, for which no payment of consideration is made by participants.
- (2) "Bingo occasion" means a single gathering or session at which a series of successive bingo games is played.
- (3) "Bingo supplies and equipment" means all cards, boards, sheets, markers, pads or other supplies, devices or equipment

designed for use in the play of bingo.

(4e) "Calendar" means a tabular register of days covering not less than one nor more than 12 calendar months that is used or intended to be used for a calendar raffle.

(4m) "Calendar raffle" means a raffle for which a drawing is held and a prize awarded on each date specified in a calendar. As a date upon which a prize will be awarded. (this is per department)

(4s) "Community-based residential facility" has the meaning given in s. 50.01 (1g).

(5) "Department" means the department of administration.

(5m) "Division of gaming" means the division of gaming in the department.

(5r) "Drawing" means a random selection of an organization's raffle ticket portion from a container housing all raffle tickets purchased for the raffle, with such selection used to determine the winner.

(6) "Extra regular card" means a nondisposable card which affords additional opportunities to play in a regular bingo game to be played at a bingo occasion.

(6m) "Gambling place" has the meaning designated in s. 945.01 (4) (a).

(7) "Gross receipts" means total receipts received from the conduct of bingo including, but not limited to, receipts from the sale, rental or use of regular bingo cards, extra regular cards, special bingo cards and bingo supplies.

(9) "Licensed organization" means an organization licensed under this chapter to conduct bingo.

(10) "Limited period bingo" means the conduct of bingo for a period of not more than 4 out of 5 consecutive days in any one year at a festival, bazaar, picnic, carnival or similar special function conducted by a licensed organization.

(11) "Premises" means any room, hall, enclosure, tent or outdoor area in which bingo is being played.

(12) "Profit" means the gross receipts collected from one or more bingo occasions, less reasonable sums necessarily and actually expended for bingo supplies and equipment, prizes, utilities, license fees and taxes.

(12c) "Progressive jackpot bingo" means a series of bingo games in which the prize is carried over to the succeeding game if no player wins a game within a specified number of calls.

(12e) "Proper and legitimate expenditure" means an expenditure made by an organization for any of the following:

- (a) Any purpose for which the organization is organized.
- (b) The advancement, improvement or benefit of the organization, if the amount of the expenditure does not exceed the fair market value of the advancement, improvement or benefit.

(12m) "Raffle" means a game of chance in which tickets or calendars are sold and a drawing for prizes is held.

(13) "Regular bingo card" means a nondisposable card issued to a person upon payment of the admission fee which affords a person the opportunity to participate in all regular games played at a bingo occasion.

(14) "Regular bingo game" means a bingo game in which a person, upon payment of an admission, is issued a regular bingo card and may purchase or rent extra regular cards.

(14t) "Senior citizen community center" means a public place in which recreational or social activities are made available primarily to individuals who are 55 years of age or older.

(15) "Special bingo card" means a disposable, specially marked bingo card which affords a person the opportunity to participate in a special bingo game to be played at a bingo occasion.

(16) "Special bingo game" means any bingo game which is not a regular bingo game and which is played with special bingo cards.

SUBCHAPTER II

DUTIES AND POWERS

563.04 General duties of the department. The department shall:

- (2) Conduct hearings on the suspension or revocation of a license for violation of this chapter or any rules promulgated under it.
- (3) Promulgate rules under ch. 227 relating to the issuance, renewal, amendment, suspension and revocation of bingo and raffle licenses and the conduct of bingo under this chapter.
- (4) Approve and establish a standard set of bingo cards comprising a consecutively numbered series and prescribe by rule the manner in which such cards are to be reproduced and distributed

to a licensed organization.

(5) Prescribe appropriate forms necessary to carry out this chapter.

(6) Issue, renew and amend licenses:

(a) To organizations to conduct bingo.

(b) To a member designated by the organization who is responsible for the gross receipts.

(7) Issue and renew licenses to suppliers of bingo supplies and equipment.

(8) Have power to temporarily suspend any license.

(10) Refer for investigation potential or actual violations of this chapter and rules promulgated under it to the district attorney of the county in which a bingo occasion will be or was held.

(11) ~~Make a continuous study of the operation of this chapter to ascertain if there are defects herein which jeopardize or threaten to jeopardize the purpose of this chapter; and make a continuous study of the operation and administration of similar laws which may be in effect in other states.~~

(13) Establish the style, content and format of all licenses issued under this chapter.

(14) ~~Promulgate rules relating to the sale of equal shares of single raffle tickets to one or more purchasers under a Class A raffle license under s. 563.92 (1m).~~

563.05 Powers and duties of department. (2) The department may ~~promulgate rules requiring holders of licenses issued under this chapter to post a notice in a conspicuous place where a bingo occasion or raffle drawing is conducted describing the procedures for filing a complaint against the holder.~~ Provide to anyone who asks contact information for the Department.

*both
don't do* (DN)

(3) ~~The department may promulgate rules specifying the number of business days within which the department must review and make a determination on an application for a permit, as defined in s. 227.116 (1g), that is issued under this chapter.~~ The department shall have 15 days to determine if a permit application is complete. If the permit application is deemed incomplete, the department shall notify the applicant of the deficiencies in the application and allow for them to submit information to complete the application. If the permit application is complete the department must issue or deny a permit within 30 days or the permit is deemed issued.

both (DN)

(6)

~~(4) The department may promulgate rules defining procedures to be used by the department for receiving, filing and investigating complaints, for commencing disciplinary proceedings and for conducting hearings under this chapter.~~

(5) No employee in the division of gaming who performs any duty related to bingo or raffles or the executive assistant or the secretary or deputy secretary of administration and no member of such a person's immediate family, as defined in s. 19.42 (7), may, while that person is employed or serves in such a capacity or for 2 years following the termination of his or her employment with the department after having served in such a capacity, do any of the following:

- (a) Have any direct or indirect interest in any person who is licensed or required to be licensed under this chapter.
- (b) Accept or agree to accept money or any thing of value from any person who is licensed or required to be licensed under this chapter.

563.051 Bingo and raffle security. The department may do any of the following:

- (1) Provide all of the security services for the bingo and raffle operations under this chapter.
 - (2) Monitor the regulatory compliance of bingo and raffle operations under this chapter.
 - (3) Audit the bingo and raffle operations under this chapter.
 - (4) Investigate suspected violations of this chapter.
 - (5) Report suspected gaming-related criminal activity to the division of criminal investigation in the department of justice or local law enforcement for investigation by that division.
 - (6) ~~If the division of criminal investigation in the department of justice chooses not to investigate a report under sub. (5), coordinate an investigation of the suspected criminal activity with local law enforcement officials and district attorneys.~~
- both*

563.055 Cancellation of license; reinstatement. (1) If the holder of a license issued under this chapter pays a fee required under s. 563.13 (4), 563.22 (2) or 563.92 (2) by check and the check is not paid by the bank upon which the check is drawn, the

department may cancel the license on or after the 60th day after the department receives the notice from the bank, subject to sub.

(2).

(2) At least 20 days before canceling a license, the department shall mail a notice to the holder that informs the holder that the check was not paid by the bank and that the holder's license may be canceled on the date determined under sub. (1) unless the holder does all of the following before that date:

(a) Pays the fee for which the unpaid check was issued.

(b) Pays the charge for an unpaid draft established by the depository selection board under s. 20.905 (2).

(3) Nothing in sub. (1) or (2) prohibits the department from extending the date for cancellation to allow the holder additional time to comply with sub. (2) (a) and (b).

(4) A cancellation of a license under this section completely terminates the license and all rights, privileges and authority previously conferred by the license.

(5) The department may reinstate a license that has been canceled under this section only if the previous holder complies with sub. (2) (a) and (b) and pays a \$30 reinstatement fee.

(6) All moneys received under this section shall be credited to the appropriation account under s. 20.505 (8) (jm).

~~563.10 Rules governing commingling of receipts restricted. Notwithstanding ss. 227.11 (2), 227.24 (1) (a) and 563.04 (3), the department may not promulgate any emergency rule relating to the commingling of bingo and raffle receipts unless it can clearly establish that commingling will occur without such rule and that the rule will effectively prevent commingling. The department shall set forth any such finding in its proposed rule. If upon review under s. 227.40, the court finds that the finding of fact upon which any emergency rule relating to such commingling is based is unsupported by clear and convincing evidence, the rule is invalid. Will be moot if rulemaking is eliminated.~~

D-N

SUBCHAPTER III

LICENSING

No proposed changes to Subchapter III

SUBCHAPTER IV

8

CONDUCT OF BINGO

No proposed changes to Subchapter IV

SUBCHAPTER V

REPORTS AND FINANCIAL STATEMENTS

No proposed changes to Subchapter V

SUBCHAPTER VI

ENFORCEMENT AND PENALTIES

No proposed changes to Subchapter VI

SUBCHAPTER VII

GROSS RECEIPTS TAX

No proposed changes to Subchapter VII

SUBCHAPTER VIII

RAFFLES

General – Incorporate part of Rules Chapter 44 into the Statutes.

✓ 563.90 (1) Qualified organizations. Any local nonprofit religious, charitable, service, fraternal or veterans organization or any organization to which contributions are deductible for federal income tax purposes or state income or franchise tax purposes, which has been in existence for one year immediately preceding its application for a license or which is chartered by a state or national organization which has been in existence for at least 3 years, may conduct a raffle upon receiving a license for the raffle event from the department. No other person may conduct a raffle in this state.

means 501(c)(3)? If so

✓ (2) There is no prohibition on local organizations sharing the proceeds with a national affiliate on a mutually beneficial basis.

563.905 Definitions. In this subchapter:

(1) "Local organization" means an organization whose activities are limited to this state, to a specific geographical area within this state, or to a specific geographical area that is partly within this state and partly within another state.

(2) "Service organization" includes all of the following:

(a) A labor organization, as defined in s. 5.02 (8m), whose

jurisdiction is limited to a specific geographical area within the state.

(b) A political party, as defined in s. 5.02 (13), except a state committee registered under s. 11.05 and organized exclusively for political purposes under whose name candidates appear on a ballot at any election.

✓ 563.91 Limit. No qualified organization under s. 563.90 may conduct more than ~~200~~ 365 raffles or more than one calendar raffle during a year.

563.92 License. (1m) The department may issue a Class A license for the conduct of a raffle in which some or all of the tickets for that raffle are sold on days other than the same day as the raffle drawing ~~and in which equal shares of a single ticket may be sold~~ There are 2 types of Class A raffles: Calendar and single event.

want to eliminate shares option?

not necessary?

~~to one or more purchasers.~~ The department may issue a Class B license for the conduct of a raffle in which all of the tickets for that raffle are sold on the same day as the raffle drawing.

(2) The fee for a raffle license shall be \$25 and shall be remitted with the application. A raffle license shall be valid for 12 months and may be renewed as provided in s. 563.98 (1g). The department shall issue the license within 30 days after the filing of an application if the applicant qualifies under s. 563.90 ~~and has not exceeded the limits of s. 563.91.~~ All moneys received by the department under this subsection shall be credited to the appropriation

can still renew even if exceeded max #?

✓ ~~account under s. 20.505 (8) (j).~~ The department shall have 15 days to determine if a permit application is complete. If the permit application is deemed incomplete, the department shall notify the applicant of the deficiencies in the application and allow for them to submit information to complete the application. If the permit application is complete the department must issue or deny a permit within 30 days or the permit is deemed issued.

license not necessary

(4) Proceedings to suspend or revoke a license to conduct raffles shall be initiated by the department pursuant to the rules promulgated under s. 563.05 (4).

this subchapter?

allow promulgation

should this apply to class B as well?

563.93 The conduct of raffles under a Class A license. All of the following shall apply to the conduct of a raffle under a Class A license:

(1) All raffle tickets and all calendars shall be identical in form and include:

- (a) The number of the license issued by the department.
- (b) The name and address of the sponsoring organization.
- (c) The price of the ticket or calendar and the discounted price, if any, applicable to multiple ticket or calendar purchases.
- (d) A place for the purchaser to enter his or her name and address.
- (e) The date, time and place of the drawing or drawings.
- (f) A list of each prize to be awarded which has a ~~retail~~ fair market value of \$500- \$1000 or more.

(1s) Each raffle ticket and each calendar sold by an organization shall include a separate identification number, printed on both the purchaser's and the organization's portion of the ticket or calendar, numbered consecutively in relation to the other tickets or calendars for the same drawing.

(2) No raffle ticket may exceed \$100 in cost.

(2m) No calendar may exceed \$10 in cost for each month covered by the calendar.

(3) No person may sell a raffle ticket or calendar unless authorized by an organization with a Class A license.

(4) (a) Except as provided in par. (b), tickets for a proposed raffle may not be offered for sale more than 270 days one year before the raffle drawing.

(b) An organization that existed at least 5 years before the organization was issued a Class A license may offer tickets for sale for a proposed raffle up to one year before the date of the raffle drawing.

(4m) The organization that conducts a raffle under a Class A license shall provide the purchaser of a raffle ticket or calendar the purchaser's portion of the ticket or calendar before the raffle drawing, but need not provide it to the purchaser at the time of purchase.

(5) The organization shall insure that the organization's portion for all sold raffle tickets are placed in the drawing container prior to the time of the drawing and shall maintain all winning raffle tickets for a period of one year after the drawing is conducted.

(5) All raffle drawings shall be held in public.

(6) All prizes shall be awarded. The purchaser of a ticket or calendar need not be present at the drawing to win a prize. If the prize is unable to be awarded after a reasonable good faith effort, the organization may hold the prize for future fundraising purposes.

see 563.97 numbers -> \$100
Apply to there?
x B, 100

asked for
11

what if
it expires
or if sponsor
doesn't want
it used later
(eg. gift certificate)

(7) If a raffle drawing is canceled, the organization shall refund the receipts to the ticket or calendar purchasers.

✓ (8) ~~The organization that holds a raffle drawing shall furnish a list of prize winners to each ticket or calendar holder who provides the organization with a self-addressed stamped envelope and requests the list.~~

✓ (9) ~~If a person who holds a Class A license sells equal shares of a single ticket to one or more purchasers, the person shall, prior to the raffle drawing for which the shares were sold, purchase any shares of the ticket that have not been sold.~~

563.935 The conduct of raffles under a Class B license. All of the following shall apply to the conduct of a raffle under a Class B license:

(1) All raffle tickets shall be identical in form.

(2) The tickets need not be numbered consecutively.

"Early Bird" purchase of raffle tickets before the event is allowed, but the purchaser of the tickets may not receive the tickets until upon arrival at the event where the drawing is to take place.

✓ (3) ~~No raffle ticket may exceed \$10 in cost.~~

(4) No person may sell a raffle ticket unless authorized by an organization with a Class B license.

(5) All raffle drawings shall be held in public.

(6) (a) Except as provided in par. (b), the purchaser of a ticket must be present at the drawing to win a prize, unless the purchaser gives the ticket to another person who may claim the prize on behalf of the purchaser, but only if that other person is present at the drawing. If the purchaser of the ticket gives the ticket to another person to claim a prize on behalf of the purchaser, the organization conducting the raffle and the department shall not be held responsible or liable in any dispute regarding the ownership of the ticket.

(b) Any organization conducting a raffle may, according to procedures determined by the organization, allow the purchaser of a ticket not to be present at the drawing to win a prize.

(7) All prizes shall be awarded.

(8) The time of the drawing and the prizes to be awarded, the prize amount or the methodology used to determine the prize

would have to def. of class B license

amount shall be posted or announced before the drawing.

(9) If a raffle drawing is canceled, the organization shall refund the receipts to the ticket purchasers.

(10) A raffle under a Class B license to which all of the following apply is one raffle for purposes of s. 563.91:

(a) More than one drawing is held and more than one prize is awarded on the same date and at the same location.

(b) Drawings for each prize or group of prizes are made from a container specific to each prize or group of prizes.

(c) The raffle ticket purchaser places his or her ticket in the container of his or her choice.

563.91(2)
✓ An electronic or paper copy of the Class A or Class B raffle license shall be available for inspection by any person upon request at the event or time of the drawing.

563.94(lm)
563.95(lm)
✓ If a prize is offered whose possession or ownership is age or otherwise restricted by state or federal law, said restriction must be prominently displayed at the point of purchase.

563.94 Profits. All profits from raffles shall be used by the organization conducting the raffles to further the organization's purpose for existence and no salaries, fees or profit shall be paid to any other for profit organization or individual in connection with the operation of a raffle. This section does not prohibit the printing of raffle tickets or calendars or the purchase of equipment or prizes for a raffle.

ok to give to non-profits?

563.95 Denial of application; hearing. Within 30 days after receiving written notification of a denial by the department of a license to conduct a raffle, an applicant may demand in writing a hearing before the department upon the applicant's qualifications and the merit of the application. ~~At the hearing, the burden of proof shall be on the applicant to establish eligibility for a license.~~ If, after the hearing, the department enters an order denying the application, the order shall set forth in detail the reasons for the denial. Upon entry of such an order or upon expiration of the 30-day period during which a hearing may be demanded, the applicant's license fee shall be refunded. If the department approves the application, the department shall issue the license within 14 days after approval.

want to switch burden?

563.97 Records. Each organization licensed to conduct raffles shall maintain a list of the names and addresses of all persons winning prizes with a retail value of \$100- \$600 or more, and the prizes won, for at least 12 months after each raffle is conducted. The list shall be available at reasonable times for public examination and shall be provided to the department upon request.

563.98 Annual financial reports; renewals. (1) Each organization licensed under this subchapter shall, on or before the last day of the 12th month beginning after the date on which the license is issued and on or before that same date in each subsequent year, report the following information in writing to the

department regarding the raffles which it has conducted:

Have in its possession and available for inspection a report containing the following information:

- (a) The number and dates of raffles conducted
- (b) The receipts.
- (c) The amount of prizes paid.
- (d) The net profit or loss.

(e) A list of the names and addresses of all persons winning prizes with a retail value of \$600 or more.

(e) The other expenses paid.

(1c) Upon request of any organization that conducts a raffle during the month in which the report under sub. (1) is due, the department may extend by not more than 30 days the deadline for submitting the report.

The department shall request a copy of the report of other records only upon the filing of a bona fide complaint regarding the conduct of the raffle.

(1g) An organization licensed under this subchapter may renew the license by submitting a \$25 renewal fee with the report under sub. (1). All moneys received under this subsection shall be credited to the appropriation account under s. 20.505 (8) (j).

(1m) Any organization that reports to the department under sub. (1) and that had total receipts from the conduct of raffles of more than \$50,000 during the reporting period shall include in its report a list of the names and addresses of all persons winning prizes with a retail value of \$100 or more, and the prizes won, during the reporting period.

FMV?
no extension for org doing raffle in 12th month?
bonafide? how know unless investigate?

✓ (2) If a copy of the financial report is not filed or is not fully, accurately and truthfully completed, or if the fee specified in sub. (1g) is not paid, the department may refuse to renew a license or may suspend a license until the report in proper form has been filed or the fee is paid.

} *no te
change not made*

563.99 Penalties. (1) Any person who violates this subchapter shall be fined not more than \$1,000 or imprisoned not more than 30 days or both.

(2) The district attorney of a county of an actual or potential violation may commence an action in circuit court in the name of the state to restrain any violation of this subchapter. The court may, prior to entry of final judgment, make such an order or judgment as necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the violation.

Chapter Game 44 CONDUCT OF RAFFLES

Game 44.01 Scope.
 Game 44.02 Definitions.
 Game 44.03 Sale of calendars and class A raffle tickets.
 Game 44.04 Drawing dates.
 Game 44.05 Prize dates.

Game 44.06 Replacement of tickets in the drawing container.
 Game 44.07 Refunds.
 Game 44.08 Display of license.
 Game 44.09 Prohibited activities.

Note: Chapter Bgo 8 was renumbered chapter WGC 44 under s. 13.93 (2m) (b) 1., Stats., Register, March, 1995, No. 471.

Note: Chapter WGC 44 was renumbered chapter Game 44 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register November 2003 No. 575.

Game 44.01 Scope. This chapter shall apply to all holders of Class A and B licenses issued under s. 563.92, Stats. This chapter establishes raffle requirements and prohibitions relating to raffle ticket sales, prizes, drawings, ticket retention and commercialization.

History: Cr. Register, July, 1991, No. 427, eff. 8-1-91; correction made under s. 13.93 (2m) (b) 7., Stats., Register November 2003 No. 575; CR 04-073: r. and recr. Register May 2005 No. 593, eff. 6-1-05.

Game 44.02 Definitions. (1) "Calendar" means a tabular register of days covering not less than one nor more than 12 calendar months that is used or intended to be used for a calendar raffle.

(2) "Calendar raffle" means a raffle for which a drawing is held and a prize awarded on each date specified in a calendar.

(3) "Class A raffle" means a raffle in which some or all of the tickets for that raffle are sold on days other than the same day as the raffle drawing. There are two types of "Class A raffles": calendar and single event.

(4) "Class A raffle ticket" means a raffle ticket sold for the purpose of an individual desiring to enter a Class A raffle.

(5) "Drawing" means a random selection of an organization's raffle ticket portion from a container housing all raffle tickets purchased for the raffle, with such selection used to determine a winner.

(6) "Raffle" means a game of chance in which tickets or calendars are sold and a drawing for prizes is held.

(7) "Raffle ticket" means a single instrument meeting the requirements of s. 563.93 or 563.935, Stats., utilized for the purpose of an individual desiring to enter a raffle.

(8) "Single event raffle" means a raffle for which one single drawing is held and all prizes are awarded.

History: Cr. Register, July, 1991, No. 427, eff. 8-1-91; CR 04-073: cr. (3) to (8) Register May 2005 No. 593, eff. 6-1-05.

Game 44.03 Sale of calendars and class A raffle tickets. (1) NUMBER OF DAYS. A licensed organization may sell calendars or single event raffle tickets no earlier than 270 days before the first drawing.

(2) TERMINATION OF SALE OF CALENDARS. A licensed organization may not sell any calendars relating to a specific calendar raffle after a drawing has taken place for any date on the calendar.

(3) SALE OF SHARES. All of the following requirements shall apply to a licensed organization desiring to sell equal shares of a Class A raffle ticket.

(a) No more than 4 shares shall be sold for any single raffle ticket.

(b) No price discount shall be offered to a person purchasing more than one share.

(c) All shares shall be identical in form and consist of the organization's and share purchasers' portions.

(d) All share purchasers' portions of a single raffle ticket shall be identical in form and shall include the information required in s. 563.93 (1), Stats.

(e) The organization's portion shall be placed in the drawing container and include all of the following:

1. Raffle ticket identification number required under s. 563.93 (1s), Stats.

2. Identification letters for all shares comprising the raffle ticket.

3. A place for the purchaser to enter the purchaser's name and address next to the share identification letter identifying the share purchased.

(f) For a raffle in which shares are sold, all prizes awarded by a licensed organization shall be in the form of cash or commodity in an amount equally divisible by the maximum number of shares that comprise the raffle ticket.

(g) The licensed organization shall pay all winning shareholders directly.

(h) The department shall not be held responsible or liable in any dispute regarding the ownership or sale of raffle ticket shares.

(4) DISTRIBUTION AND MAINTENANCE OF TICKET PORTIONS. The licensed organization shall comply with all of the following requirements:

(a) Provide the buyer with the purchaser's portion of the raffle ticket, share or calendar at the time of sale.

(b) Ensure that the organization's portions for all sold raffle tickets are placed in the drawing container prior to the time of the drawing.

(c) Maintain the organization's portions of all sold raffle tickets that are placed in the drawing container for a period of 12 months after the raffle is conducted. The organization's portions shall be provided to the department upon request.

History: Cr. Register, July, 1991, No. 427, eff. 8-1-91; CR 04-073: am. (1), cr. (3) and (4) Register May 2005 No. 593, eff. 6-1-05.

Game 44.04 Drawing dates. A licensed organization shall ascertain that each class A raffle ticket or calendar that it sells has imprinted on it the date, place and time of each drawing or drawings.

History: Cr. Register, July, 1991, No. 427, eff. 8-1-91; CR 04-073: am. Register May 2005 No. 593, eff. 6-1-05.

Game 44.05 Prize dates. (1) PRINTED ON CALENDAR. A licensed organization shall print on each calendar before the sale of any calendars relating to a specific calendar raffle the prize amount for each date on which a prize will be awarded.

(2) NUMBER OF PRIZE DATES. A licensed organization may sell calendars for a calendar raffle which either designate a prize amount for every day in a calendar period or for a smaller number of specifically designated days in a calendar period.

(3) IDENTICAL CALENDARS. The calendars sold by a licensed organization for a specific calendar raffle shall have identical prize dates printed on all calendars sold.

(4) CHANGE OF PRIZE DATES. Unless the entire class A raffle is canceled, a licensed organization may not change any date on which a prize is to be awarded or the amount of the designated

no more shares?

93(1m)(b)

already required

no more shares

already added?

93(1)(e)

6

move substantive stuff

moving otherwise

[93(4)]

93(2r)

no more shares?

combs. w/ (5) 93(1)(A)

prize for any date after it has begun the sale of raffle tickets for a specific raffle.

(5) AWARDING OF PRIZES. Unless the entire calendar raffle is canceled, a licensed organization which has commenced a calendar raffle shall conduct drawings for all designated prize dates and award the prize amount which is printed on the calendar for each date.

History: Cr. Register, July, 1991, No. 427, eff. 8-1-91; CR 04-073: am. Register May 2005 No. 593, eff. 6-1-05.

Game 44.06 Replacement of tickets in the drawing container. A licensed organization shall place a ticket or stub which has been drawn for a specific date back into the container so that the purchaser of that ticket or stub will have a chance to win again on all subsequent drawing dates.

History: Cr. Register, July, 1991, No. 427, eff. 8-1-91.

Game 44.07 Refunds. (1) CANCELLATION OF RAFFLE. A licensed organization that has sold a raffle ticket or calendar for a specific class A raffle and subsequently decides not to conduct one or more drawings printed on the raffle ticket or calendar shall refund the complete purchase price to each purchaser.

(2) HANDLING CHARGES. A licensed organization may not deduct from a refund to a purchaser a handling charge or other

amount relating to the expense incurred by the organization in the sale of a class A raffle ticket or calendar.

History: Cr. Register, July, 1991, No. 427, eff. 8-1-91; CR 04-073: am. Register May 2005 No. 593, eff. 6-1-05.

Game 44.08 Display of license. The original or a copy of the raffle license certificate shall be displayed at the place where the raffle drawing is conducted and at all times during the conduct of the raffle so as to be easily readable by any person at the drawing.

History: CR 04-073: cr. Register May 2005 No. 593, eff. 6-1-05.

Game 44.09 Prohibited activities. (1) No licensed organization may offer a prize whose possession or ownership is age restricted by state or federal law unless the licensed organization prints on all raffle tickets the minimum age a person must be to purchase the raffle ticket.

(2) No licensed organization may permit the resale of any raffle ticket.

(3) No licensed organization may permit another organization or individual to use the licensed organization's license to conduct a raffle.

(4) No licensed organization may permit a raffle ticket to be utilized for any purpose other than as a gaming instrument.

History: CR 04-073: cr. Register May 2005 No. 593, eff. 6-1-05.

for calendar

calendar

already added?

already added?

look under class B apply to both

Gibson-Glass, Mary

From: Spencer, Matt
Sent: Wednesday, November 06, 2013 8:48 AM
To: Gibson-Glass, Mary
Cc: bob@thewelchgroup.org; Shea, Elisabeth
Subject: RE: Bingo and Raffle Control

Thanks for your work on this.

Matthew Spencer
Office of Representative Mike Kuglitsch
(608) 267-5158

From: Gibson-Glass, Mary
Sent: Tuesday, November 05, 2013 5:00 PM
To: Spencer, Matt
Cc: bob@thewelchgroup.org; Shea, Elisabeth
Subject: FW: Bingo and Raffle Control

Matt,

Lis Shea and I are the attorneys who draft in this area. We are well into drafting the raffle part. We will let you or Bob know if we have any questions that need answering before we complete the preliminary draft.

Thanks,

Mary

From: Bob Welch [<mailto:rtwelch14@yahoo.com>]
Sent: Tuesday, November 05, 2013 2:29 PM
To: Spencer, Matt; Gibson-Glass, Mary
Subject: Re: Bingo and Raffle Control

Mary,

I would be happy to discuss the draft and any questions you may have in order to shed light on what the intent of the proposed legislation is.

Thanks,

Bob

Bob Welch
The Welch Group
16 N Carroll Street, Suite 600
Madison, WI 53703

bob@thewelchgroup.org

608-819-0150

From: "Spencer, Matt" <Matt.Spencer@legis.wisconsin.gov>
To: "Gibson-Glass, Mary" <Mary.Gibson-Glass@legis.wisconsin.gov>
Cc: Bob Welch <bob@thewelchgroup.org>
Sent: Tuesday, November 5, 2013 2:23 PM
Subject: RE: Bingo and Raffle Control

Mary,

I apologize for the delay in getting back you a few weeks ago. We were removed from the committee on state affairs and this was put on the back burner for us. However, I believe we left off on the question over regular and special bingo and raffles. At this time we would like to focus only on the raffle statutes as well as the raffle code.

I have CC'ed Bob Welch who could shed some light on the issue as well.

Thanks,

Matthew Spencer
Office of Representative Mike Kuglitsch
(608) 267-5158

From: Spencer, Matt
Sent: Friday, September 27, 2013 12:13 PM
To: Gibson-Glass, Mary
Subject: RE: Bingo and Raffle Control

You are correct, Sorry for getting back to you so late.

Matthew Spencer
Office of Representative Mike Kuglitsch
(608) 267-5158

From: Gibson-Glass, Mary
Sent: Wednesday, September 25, 2013 4:23 PM
To: Spencer, Matt
Cc: Shea, Elisabeth
Subject: RE: Bingo and Raffle Control

Matt-

I just want to confirm that we are on the same page as to what you want drafted. First you want the changes to ch. 563 of the statutes that contained in the attachment to be drafted. Then you want the rules relating to raffles and bingo games to be incorporated into the statutes. My search of the administrative code finds that these rules are contained Chapters Game 41, 42, 43, and 44 of the administrative code.

Please let me know if this is not correct.

Mary

From: Spencer, Matt
Sent: Wednesday, September 25, 2013 3:24 PM
To: Gibson-Glass, Mary; Shea, Elisabeth
Subject: Bingo and Raffle Control

Good Afternoon,

I'm not sure if either are you deal with Bingo and Raffles in Wisconsin, but we are hoping to put Chapter 563 of the administrative code into Statues. We have also included some changes to the rules which are highlighted in red throughout the document. For the time being, could we get a p-draft of this type of legislation.

Thanks so much and I look forward to hearing from you.

Regards,

Matthew Spencer
Office of Representative Mike Kuglitsch
(608) 267-5158

Calendar example
 (below) (X)

Calendar Raffle Requirements

“Calendar” means a tabular register of days covering not less than one month nor more than 12 calendar months that is used or intended to be used for a calendar raffle. (Section 563.03(4E) Wis.Stats. Definitions)

Each calendar must be consecutively numbered and appear on both portions of the calendar.

No calendar may exceed \$10 in cost for each month covered by the calendar.

All prizes must be awarded and purchaser need not be present to win.

“Calendar raffle” means a raffle for which a drawing is held and a prize awarded on each date specified in a calendar. (Section 563.03(4M) Wis.Stats. Definitions) You must draw for the prize on each specific date a prize is listed.

Prize amounts must be printed on the calendar on the specific days when the drawings will be held.

Prizes may be awarded every day listed on the calendar or a smaller number of specifically designated days in a calendar period.

All calendars must be identical in form and include: (use the check list below)

- _____ License number.
- _____ Consecutively numbered and number is on both ticket portions.
- _____ Name and address of licensed organization.
- _____ Price of the calendar.
- _____ Place for purchaser to enter his/her name, address and phone.
- _____ Date, time and place (including address) of each of the drawing(s).

Sample

1001 \$10.00 Anytown High School Booster Club Back to School Raffle Name _____ Address _____ City _____ State/Zip _____ Phone _____	Anytown High School Booster Club 1001 123 Main Street \$10.00 Anytown, WI 55123 (608) 555-5555 License No: R12345A-99999 Back to School Activity Fund Raffle <i>Prizes Drawn 1:00 p.m. every day identified on calendar in September in Band Room at Anytown High School 123 Main Street Anytown, WI</i>
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September 2013						
SUN	MON	TUE	WED	THU	FRI	SAT
1	2 \$25	3	4 \$25	5	6 \$100	7
8	9 \$25	10	11 \$25	12	13 \$100	14
15	16 \$25	17	18 \$25	19	20 \$100	21
22	23 \$25	24	25 \$25	26	27 \$100	28
29	30 \$25					