

1983 Senate Bill 243

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1983 Wisconsin Act 222

AN ACT to amend 163.26, 163.51 (27), 163.61 (1) (f), 163.63 (1), (2) (b), (3) (c) and (4), 163.91, 163.92 (1) and (3), 163.93 (1) (intro.) and (4), 163.94 and 163.98 (1) (a); and to create 125.06 (10), 163.03 (10m), 163.65, 163.92 (2m), 163.93 (1) (f) and (7), 163.97 and 163.98 (1) (e) and (1m) of the statutes, relating to various changes in the statutes pertaining to bingo and raffle control.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 125.06 (10) of the statutes is created to read:

125.06 (10) RAFFLES. The awarding of alcohol beverages in original, unopened packages, containers or bottles as a prize, in a raffle conducted by an organization licensed to conduct the raffle under ch. 163, to any person 19 years of age or older.

SECTION 2. 163.03 (10m) of the statutes is created to read:

163.03 (10m) "Monthly raffle" means a raffle for which one or more drawings are held and prizes awarded on a specified date no later than 31 days after the sale of tickets has begun.

SECTION 3. 163.26 of the statutes is amended to read:

163.26 Maintenance of supplier's books and records. Each licensed supplier shall maintain his or her books and records in such manner as to enable the board to determine the gross sales of bingo supplies and equipment to licensed organizations. Invoices for the sale of bingo supplies and equipment shall include the name and license number of the organization to which the supplies were sold, the date and amount of the sale and an enumeration of the items sold. Each licensed supplier and formerly licensed supplier shall maintain his or her books and records for not less than 4 years and shall make them available at reasonable times for examination by the board or its authorized representatives.

SECTION 4. 163.51 (27) of the statutes is amended to read:

163.51 (27) MORE THAN ONE WINNER. When more than one player is found to be the winner on the call of the same number in the same bingo game, a cash prize shall be divided equally, to the nearest nickel, among the winners, except that any licensed organization may elect to set a minimum prize of not exceeding \$5 \$10 for each winner. When equal division of a merchandise prize is not possible, identical substitute prizes whose aggregate retail value is approximately equal to that of the designated prize may be awarded or a cash prize equal to the retail value may be divided to the nearest nickel.

SECTION 5. 163.61 (1) (f) of the statutes is amended to read:

163.61 (1) (f) A statement showing the balance in the licensed organization's bingo account and bingo savings ~~account~~ accounts and other deposits into or adjustments in the accounts since the last filing date.

SECTION 6. 163.63 (1), (2) (b), (3) (c) and (4) of the statutes are amended to read:

163.63 (1) Each licensed organization shall maintain one account which shall be designated as the "bingo account" and which shall be a regular or interest-bearing checking account which returns canceled checks to the depositor. Each licensed organization may also maintain ~~an up to 3~~ up to 3 interest-bearing ~~account~~ accounts which shall be designated the "bingo savings ~~account~~ accounts". All gross receipts derived from the conduct of bingo shall be deposited into the bingo account. No other receipts shall may be deposited in a bingo account. Deposits shall be made within ~~3~~ 5 days following the date of a bingo occasion. All accounts shall be maintained in a financial institution located in this state.

(2) (b) If more than one player is declared to be the winner on the call of the same number in the same bingo game and an equal division of the cash prize is ~~\$5~~ \$10 or less for each winner, a check for the game total prize may be issued to "Cash--Game #--" and the winners paid with cash from that check.

(3) (c) The transfer of profits derived from the conduct of bingo into ~~one~~ the bingo savings ~~account~~ accounts pending a disbursement for a lawful purpose.

(4) The disbursement of profits on deposit in the bingo savings ~~account~~ accounts for a lawful purpose shall be made by transferring the intended disbursement back into the bingo account and then withdrawing the amount as prescribed in this section.

SECTION 7. 163.65 of the statutes is created to read:

163.65 Unlawful purpose; reimbursement and waiver. If a financial audit of a licensed organization shows that bingo funds were disbursed for a purpose which is not a lawful purpose and the department requests that the licensed organization reimburse the appropriate bingo account in an amount equal to the amount so disbursed, the licensed organization may appeal the request to the board. The board may waive or reduce the amount of any such reimbursement if the licensed organization presents evidence satisfactory to the board that the licensed organization acted in good faith and by mistake or inadvertently in so disbursing the funds.

SECTION 8. 163.91 of the statutes is amended to read:

163.91 Limit. No qualified organization under s. 163.90 may conduct more than ~~2~~ 5 regular raffles during a year ~~and~~, more than one special raffle during any week and more than one monthly raffle during any month.

SECTION 9. 163.92 (1) and (3) of the statutes are amended to read:

163.92 (1) The board shall prescribe appropriate forms for the application and issuance of licenses to conduct regular raffles ~~or~~, special raffles and monthly raffles. The ~~license~~ fee shall be ~~\$5~~ \$10 for a special raffle license, \$10 for each regular raffle event applied for and \$10 for each monthly raffle event applied for and shall be remitted with the application. A regular raffle license shall be valid for ~~one~~ 5 raffle ~~event~~ events. A special raffle license and a monthly raffle license shall be valid for 12 months. The department shall issue the license within 30 days after the filing of an application if the applicant qualifies under s. 163.90 and has not exceeded the limits of s. 163.91.

(3) Each license, and all amendments to the license except amendments under sub. (2m), issued under this subchapter shall be conspicuously displayed at the place where a raffle drawing is conducted and at all times during the conduct of the drawing so as to be easily readable by any patron of the raffle drawing.

SECTION 10. 163.92 (2m) of the statutes is created to read:

163.92 (2m) A licensed organization may obtain an amendment to a license for a change of date of a raffle drawing if an application for the amendment is filed within 5 days after the date of the raffle drawing.

SECTION 11. 163.93 (1) (intro.) and (4) of the statutes are amended to read:

163.93 (1) (intro.) All regular and monthly raffle tickets shall be identical in form and include:

(4) Tickets for a proposed regular raffle may not be offered for sale more than ~~120~~ 180 days preceding the raffle drawing. Tickets for a proposed monthly raffle may not be offered for sale more than 31 days preceding the raffle drawing.

SECTION 12. 163.93 (1) (f) and (7) of the statutes are created to read:

163.93 (1) (f) A list of each prize to be awarded which has a retail value of \$500 or more.

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

SECTION 13. 163.94 of the statutes is amended to read:

163.94 Profits. All profits from raffles shall ~~inure to~~ 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 organization or individual in connection with the operation of a raffle. This section does not prohibit the printing of raffle tickets or the purchase of equipment or prizes for a raffle.

SECTION 14. 163.97 of the statutes is created to read:

163.97 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 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.

SECTION 15. 163.98 (1) (a) of the statutes is amended to read:

163.98 (1) (a) The number and dates of raffles conducted.

SECTION 16. 163.98 (1) (e) and (1m) of the statutes are created to read:

163.98 (1) (e) The other expenses paid.

(1m) Any organization required to report to the board under sub. (1) that had total receipts from the conduct of raffles of more than \$50,000 during the preceding calendar year 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 preceding calendar year.

SECTION 17. **Effective date.** This act takes effect on the first day of the 6th month commencing after publication.
