

1989 Senate Bill 329

Date of enactment: **March 23, 1990**Date of publication*: **April 6, 1990**

1989 WISCONSIN ACT 147

AN ACT *to repeal* 163.03 (8), (10m), (14m) and (17), 163.05 (1) (a) 2, 163.06, 163.09, 163.11 (2) (d), 163.12 (10), 163.13 (1), 163.14 (4) and (5), 163.15 (2) (d) and (4), 163.18 (2), 163.29 (4), 163.51 (2), (5) and (6), 163.51 (8) (b), 163.51 (12) (a), 163.51 (17), (25) and (30), 163.52 (3), 163.63 (3) (c) and (d) and (4) and 163.92 (2), (2m) and (3); *to renumber* 163.03 (1), 163.11 (2) (intro.) and (a) to (c), 163.51 (12) (b) and 163.905 (1) and (2); *to renumber and amend* 163.11 (1), 163.11 (2) (e) to (g), 163.51 (8) (a) and 163.54; *to amend* 163.02 (2) and (3), 163.03 (12m), 163.12 (intro.), 163.12 (7) and (9), 163.13 (intro.), (2) and (4), 163.14 (2) and (6), 163.15 (1), 163.16, 163.17, 163.18 (1) and (3), 163.21, 163.22 (1) (intro.) and (2) (a), 163.25, 163.51 (14), 163.51 (26), 163.55, 163.61 (1) (intro.) and (b) to (f), 163.63 (1) and (2) (a), 163.63 (5), 163.64 (2), 163.65, 163.66 (2), 163.68 (1), subchapter VI (title) of chapter 163, 163.72, 163.905 (intro.), 163.91, 163.92 (1), 163.92 (4), 163.93 (title), 163.93 (1) (intro.), (c) and (e), (3), (4), (6) and (7), 163.94, 163.95, 163.98 (title) and 163.98 (1) (intro.), (1m) and (2); *to repeal and recreate* 163.63 (3) (b); and *to create* 163.03 (1), (4e), (4m), (4s), (12e) and (14t), 163.11 (1) (b) to (d), 163.11 (2) (b), 163.135, 163.15 (1m), 163.15 (2) (cm), 163.69, 163.905 (1) and (2) (intro.), 163.93 (1m), (1s), (2m) and (8) and 163.98 (1c) and (1g) of the statutes, **relating to**: various changes in the requirements for conducting bingo and raffles and granting rule-making authority.

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

SECTION 1. 163.02 (2) and (3) of the statutes are amended to read:

163.02 (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, including the rental of commercial premises for bingo or raffles, and to ensure the maximum use of the profits of bingo exclusively for the lawful purposes specified in this chapter or for the advancement, improvement or benefit of the licensed organization that conducts the bingo game, under the requirements of this chapter proper and legitimate expenditures.

(3) It is a matter of statewide concern to foster and support such lawful purposes proper and legitimate expenditures and to prevent commercialized gambling,

participation by criminal and other undesirable elements and diversion of funds from the lawful purposes herein authorized usage for proper and legitimate expenses.

SECTION 2. 163.03 (1) of the statutes is renumbered 163.03 (1m).

SECTION 3. 163.03 (1), (4e), (4m), (4s), (12e) and (14t) of the statutes are created to read:

163.03 (1) “Adult family home” has the meaning given in s. 50.01 (1).

(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.

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

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

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(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.

(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.

SECTION 4. 163.03 (8), (10m), (14m) and (17) of the statutes are repealed.

SECTION 5. 163.03 (12m) of the statutes is amended to read:

163.03 **(12m)** “Raffle” means a game of chance in which tickets or calendars are sold and a drawing for prizes is held.

SECTION 6. 163.05 (1) (a) 2. of the statutes, as affected by 1989 Wisconsin Act 31, is repealed.

SECTION 7. 163.06 of the statutes is repealed.

SECTION 8. 163.09 of the statutes is repealed.

SECTION 9. 163.11 (1) of the statutes is renumbered 163.11 (1) (intro.) and amended to read:

163.11 **(1)** (intro.) Any bona fide religious, charitable, service, fraternal or veterans’ organization or any organization, other than the state or any political subdivision ~~thereof of the state~~, to which contributions are deductible for federal or state income tax purposes, may apply to the board department for a license to conduct bingo. In this subsection, “service organization” includes all of the following:

SECTION 10. 163.11 (1) (b) to (d) of the statutes are created to read:

163.11 **(1)** (b) A community-based residential facility.

(c) A senior citizen community center.

(d) An adult family home.

SECTION 11. 163.11 (2) (intro.) and (a) to (c) of the statutes are renumbered 163.11 (2) (a) (intro.) and 1 to 3.

SECTION 12. 163.11 (2) (b) of the statutes is created to read:

163.11 **(2)** (b) Paragraph (a) does not apply to any organization listed under sub. (1) (b) to (d).

SECTION 13. 163.11 (2) (d) of the statutes is repealed.

SECTION 14. 163.11 (2) (e) to (g) of the statutes are renumbered 163.11 (2) (a) 5. to 7., and 163.11 (2) (a) 6. and 7., as renumbered, are amended to read:

163.11 **(2)** (a) 6. Have been in existence for 3 years immediately preceding its application for a license, and shall have had during that 3-year period a ~~bona fide~~ membership actively engaged in ~~furthering a lawful purpose~~ making proper and legitimate expenditures.

7. Have received and used and shall continue to receive and use, for a ~~lawful purpose~~ proper and legitimate expenditures, funds derived from sources other than from the conduct of bingo.

SECTION 16. 163.12 (intro.) of the statutes is amended to read:

163.12 Bingo license application. (intro.) Each applicant for a license to conduct bingo shall file with the ~~board~~ department an application on a form prescribed by the ~~board~~. ~~The department.~~ Except as provided in s. 163.135, the application shall include:

SECTION 17. 163.12 (7) and (9) of the statutes are amended to read:

163.12 **(7)** The name, date of birth and address of each supervising member for each bingo occasion who shall be a ~~bona fide and an~~ active member of the applicant organization and one or more of whom shall be present and in immediate charge of and responsible for the conduct of bingo games at each bingo occasion.

(9) The name, address, date of birth and years of membership of a ~~bona fide and an~~ active member of the applicant organization who shall be responsible for the proper utilization of the gross receipts derived from the conduct of bingo.

SECTION 18. 163.12 (10) of the statutes is repealed.

SECTION 19. 163.13 (intro.), (2) and (4) of the statutes are amended to read:

163.13 (title) Affidavits and fees. (intro.) ~~An~~ Except as provided in s. 163.135, an application for a license to conduct bingo shall be accompanied by:

(2) A sworn statement by the member designated as responsible for the proper utilization of gross receipts that no commission, fee, ~~rent~~, salary, profits, compensation, reward or recompense will be paid to any person or organization and that all profits will be spent ~~for a lawful purpose or~~ as provided under s. 163.51 (8) ~~(b)~~.

(4) A \$10 license fee for each bingo occasion proposed to be conducted; ~~\$5 for an annual license for each designated supervising member; and \$5 for an annual license for each designated member responsible for the proper utilization of gross receipts.~~ The fees shall be paid to the board which shall deposit them in the state treasury.

SECTION 20. 163.13 (1) of the statutes is repealed.

SECTION 21. 163.135 of the statutes is created to read:

163.135 Bingo license application; community-based residential facilities, senior citizen community centers and adult family homes. An application for a license to conduct bingo for an organization listed under s. 163.11 (1) (b) to (d) shall be accompanied by a \$5 license fee and a sworn statement by the owner or operator of the organization that:

(1) Only residents, guests of residents and employees of the community-based residential facility or adult family home, or members, patrons, guests of members and patrons and employees of the senior citizen community center, will play bingo;

(2) Bingo will be played only as a recreational or social activity;

(3) No admission fee will be charged to play bingo; and

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(4) The total fee charged to a player for all bingo cards used by the player at a bingo occasion will not exceed \$2 and the aggregate value of prizes awarded at the bingo occasion will equal the total amount of fees that are collected from all of the players at the bingo occasion.

SECTION 22. 163.14 (2) and (6) of the statutes are amended to read:

163.14 (2) The supervising member and member responsible for the proper utilization of gross receipts are ~~bona fide~~ and active members of the applicant organization who, subject to ss. 111.321, 111.322 and 111.335, have never been convicted of a felony or, if convicted, have received a pardon or have been released from parole or probation for at least 5 years.

(6) The profits from all bingo games conducted by the applicant organization are proposed to be used as provided under s. 163.51 (8) (b) ~~or for a lawful purpose which is a proper objective of the applicant organization.~~

SECTION 23. 163.14 (4) and (5) of the statutes are repealed.

SECTION 24. 163.15 (1) of the statutes is amended to read:

163.15 (1) Within 60 days after the filing of an application for a license to conduct bingo, the department, after making the determinations under s. 163.14, shall either notify the applicant organization in writing why a license is not being issued or issue a license to such applicant organization authorizing it to conduct bingo at the times and places set forth in the license. ~~Except for limited period bingo, an applicant organization shall not be authorized to conduct or cosponsor more than 26 bingo occasions in any year or more than 5 bingo occasions in any month. An applicant organization holding a regular license may, in addition, be issued one limited period bingo license during the 12 month period from the date of issuance or renewal of such regular license. An applicant organization not holding a regular bingo license may be issued 2 limited period licenses within a 12 month period. A as provided in sub. (1m), a license issued under this subsection shall be effective for one year from the first day of the month of the first occasion listed on the license and may be renewed annually, except that an applicant organization may request that the license expire on the first day of any month within the one-year licensure period.~~

SECTION 25. 163.15 (1m) of the statutes is created to read:

163.15 (1m) A license issued under sub. (1) to an organization listed under s. 163.11 (1) (b) to (d) shall remain in effect unless it is canceled, suspended or revoked by the department or withdrawn by the organization.

SECTION 26. 163.15 (2) (cm) of the statutes is created to read:

163.15 (2) (cm) The dates on which the semiannual financial reports are due under s. 163.61.

SECTION 27. 163.15 (2) (d) and (4) of the statutes are repealed.

SECTION 28. 163.16 of the statutes is amended to read:

163.16 Amendment of license to conduct bingo. Upon application by a licensed organization, a license may be amended, if the subject matter of the amendment properly and lawfully could have been included in the original license. An application for an amendment to a license shall be filed and processed in the same manner as an original application. An application for the amendment of a license shall be accompanied by a \$3 fee. If any application for amendment seeks approval of additional bingo occasions or designates ~~new supervising members~~ or a new member responsible for the proper utilization of gross receipts, the appropriate fee under s. 163.13 (4) also shall be paid. If the department approves an application for an amendment to a license, a copy of the amendment shall be sent to the applicant who shall attach it to the original license.

SECTION 29. 163.17 of the statutes is amended to read:

163.17 Denial of application; hearing. If the department denies a license to conduct bingo, within ~~40~~ 30 days after receiving written notification of such denial, an applicant may demand in writing a hearing before the board 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 his or her eligibility for a license. If, after the hearing, the board 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 the expiration of the ~~40-day~~ 30-day period during which a hearing may be demanded, the applicant's license fee shall be refunded less reasonable administrative costs. If the board approves the application, the department shall issue the license within 14 days after approval.

SECTION 30. 163.18 (1) and (3) of the statutes are amended to read:

163.18 (1) Proceedings to suspend or revoke a supplier's license or a license to conduct bingo shall be initiated by the board ~~in the same manner as a summons is served under ch. 801. The notice shall state the alleged violations which constitute the grounds for the proceedings. The department may temporarily suspend such license for a period of 30 days while any such proceedings are pending, and shall notify the licensee of the dates of the temporary suspension pursuant to the rules promulgated under s. 440.03 (1).~~

(3) ~~The board shall hold a hearing on a suspension or proposed revocation as soon as practicable. The board shall issue, in writing, its findings and decision on suspension or revocation within 30 days after the hearing. A copy of the findings and decision shall be sent immediately to the licensee. If the board suspends or revokes the~~

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license, the licensee shall be informed of the effective date of such suspension or revocation. The board's decision under this section shall be subject to judicial review under ch. 227.

SECTION 31. 163.18 (2) of the statutes is repealed.

SECTION 32. 163.21 of the statutes is amended to read:

163.21 Supplier's license. Any person intending to sell or distribute bingo supplies or equipment to a licensed organization shall apply to the board department for a supplier's license.

SECTION 33. 163.22 (1) (intro.) and (2) (a) of the statutes are amended to read:

163.22 (1) (intro.) An application for a supplier's license shall be filed with the board department on a form prescribed by the board department. The application shall include:

(2) (a) Each application for an initial supplier's license or for a renewal thereof shall be accompanied by a certified copy of the price list of the applicant's bingo supplies and equipment, a fee of \$25 and by a financial responsibility bond for at least \$1,000.

SECTION 34. 163.25 of the statutes is amended to read:

163.25 (title) **Supplier to notify department of changes.** During the pendency of his an application, an applicant for a supplier's license, the applicant shall immediately notify the board department in writing of any change in the facts set forth in the application, including any change in any item in the application, in the organization, structure or mode of operation of the supplier's business and in the identity of persons named or required to be named in the application or the nature or extent of their interests. Within 10 days after any such change which occurs after the issuance of the license, the change shall be reported to the board department. Failure to notify the board department of such change shall constitute sufficient cause for denial of a pending license application or for suspension or revocation of a license which has been granted.

SECTION 35. 163.29 (4) of the statutes is repealed.

SECTION 36. 163.51 (2), (5) and (6) of the statutes are repealed.

SECTION 37. 163.51 (8) (a) of the statutes is renumbered 163.51 (8) and amended to read:

163.51 (8) (title) PROFITS USED FOR PROPER AND LEGITIMATE EXPENDITURES. ~~Except as provided under par. (b),~~ The profits from any bingo game shall be used exclusively devoted to a lawful purpose for proper and legitimate expenditures of the licensed organization.

SECTION 38. 163.51 (8) (b) of the statutes is repealed.

SECTION 39. 163.51 (12) (a) of the statutes is repealed.

SECTION 40. 163.51 (12) (b) of the statutes is renumbered 163.51 (12).

SECTION 41. 163.51 (14) of the statutes is amended to read:

163.51 (14) (title) ONLY PROPER AND LEGITIMATE EXPENDITURES PERMITTED. No ~~expense~~ expenditures other than proper and legitimate expenditures may be incurred or amounts paid made in connection with the conduct of bingo by a licensed organization, ~~except those reasonably and necessarily expended for bingo supplies and equipment, including blowers, flashboards, tables, chairs, public address systems, bingo cards, markers, filing cabinets and signs, and for prizes, utilities, license fees and taxes, fees regularly charged by the state or a municipality for use of a public premise, printing of bingo forms and house rules, repairs to bingo equipment, rent authorized under sub. (30) and bank charges related to maintaining the required account under s. 163.63 (1).~~

SECTION 42. 163.51 (17), (25) and (30) of the statutes are repealed.

SECTION 43. 163.51 (26) of the statutes is amended to read:

163.51 (26) LIMIT ON HOURS OF BINGO. No bingo game shall may commence before 7:00 7 a.m. or after 12 ~~p.m.~~ midnight, except as provided in s. 163.55.

SECTION 44. 163.52 (3) of the statutes is repealed.

SECTION 45. 163.54 of the statutes is renumbered 163.73, and 163.73 (1), as renumbered, is amended to read:

163.73 (1) Whoever violates s. 163.51 (1), (2), (6), (8) to (10), (12), (15), (25) or (26) may be fined not more than \$10,000 or imprisoned not more than 9 months or both.

SECTION 46. 163.55 of the statutes is amended to read:

163.55 (title) **Local ordinances.** ~~No~~ Any political subdivision of this state may enact an ordinance ~~on the subject matter of this chapter that extends the hours during which bingo may be played under s. 163.51 (26).~~

SECTION 47. 163.61 (1) (intro.) and (b) to (f) of the statutes are amended to read:

163.61 (1) (intro.) ~~Within 15 days after the conclusion of each bingo occasion,~~ Each licensed organization shall ~~execute and file a~~ with the department, on a form prescribed by the department, a semiannual report of bingo operations ~~on a form prescribed by the board for each 6-month period beginning on the date on which the organization's license is issued. The report is due on the 60th day after the last day of the reporting period.~~ The report shall be accompanied by the payment of the gross receipts tax due. The licensed organization shall retain a copy of the report for its permanent records. The report shall include:

(b) The date, hour and address of ~~the~~ each bingo occasion held during the reporting period.

(c) The number of games played at each bingo occasion held during the reporting period.

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(d) An itemized statement of the gross receipts from the each bingo occasion held during the reporting period, including gross receipts from sales of regular bingo cards, extra regular cards, special game cards and sale of supplies.

(e) An itemized statement of expenditures for each bingo occasion held during the reporting period, including amounts paid for prizes, bingo supplies and equipment, license fees and other expenses.

(em) An itemized statement of expenditures, if any, made during the reporting period by the licensed organization under s. 163.51 (8) (b) for the advancement, improvement or benefit of the licensed organization.

(f) A statement showing the balance in the licensed organization's bingo account and bingo savings accounts and other all deposits into or and adjustments in the accounts since the last filing date bingo account that were made during the reporting period.

SECTION 48. 163.63 (1) and (2) (a) 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, share draft or negotiable order of withdrawal account from which canceled checks, share drafts or negotiable orders of withdrawal, or microfilm copies of any of them, may be obtained. ~~Each licensed organization may also maintain up to 3 interest-bearing accounts which shall be designated the "bingo savings accounts" and one interest-bearing account which shall be designated the "organization benefit account".~~ All gross receipts derived from the conduct of bingo shall be deposited into the bingo account. No other receipts may be deposited in a bingo account. Deposits shall be made within 5 days following the date of a bingo occasion. All accounts shall be maintained in a financial institution located in this state.

(2) (a) All withdrawals from the bingo account shall be by checks or other drafts having preprinted consecutive numbers, signed by the duly authorized person and made payable to a specific person. Except as permitted in par. (b), no such check or other draft shall be issued payable to "cash" or to "bearer". ~~All checks or other drafts, including voided checks or other drafts, shall be accounted for in the appropriate part of the financial statement of bingo operations.~~

SECTION 49. 163.63 (3) (b) of the statutes is repealed and recreated to read:

163.63 (3) (b) Proper and legitimate expenditures.

SECTION 50. 163.63 (3) (c) and (d) and (4) of the statutes are repealed.

SECTION 51. 163.63 (5) of the statutes is amended to read:

163.63 (5) Gross receipts derived from the conduct of bingo shall not be commingled with any other funds of the licensed organization. Except as permitted by sub. (3)

(b) ~~to (d)~~, no part of such receipts shall be transferred to any other account maintained by the licensed organization.

SECTION 52. 163.64 (2) of the statutes is amended to read:

163.64 (2) The columnar book, deposit books, ~~savings-account pass books~~, canceled checks, records of share drafts, check books, records of share accounts, records of negotiable orders of withdrawal, deposit slips, bank statements and copies of financial statements of bingo operations and all other books and accounts shall be maintained for not less than 4 years and shall be available at reasonable times for examination by the board or its authorized representative. The department may require the licensed organization to obtain microfilm copies of share drafts to the extent necessary for examination purposes. All documents supporting the entries made in the books of accounts shall be kept by the licensed organization for a period of not less than 4 years. Such documents shall include, but are not limited to, bank statements, canceled checks, records of share drafts, deposit slips and invoices for all expenditures.

SECTION 53. 163.65 of the statutes is amended to read:

163.65 (title) Proper and legitimate expenditures; reimbursement and waiver. If a financial audit of a licensed organization shows that an expenditure of bingo funds were disbursed for a purpose which is not a lawful purpose was not a proper and legitimate expenditure and the department requests that the licensed organization reimburse the appropriate bingo account in an amount equal to the amount so ~~disbursed~~ expended, 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~~ expending the funds.

SECTION 54. 163.66 (2) of the statutes is amended to read:

163.66 (2) The information reported under sub. (1) shall be incorporated into the minutes or records of each licensed organization. If a licensed organization is an auxiliary or affiliate of a parent organization, a copy of the written report shall be filed with the executive officer of the parent organization and incorporated into its minutes. ~~A copy of the financial report to the membership shall be mailed to the board within 60 days after the close of an organization's annual accounting period.~~

SECTION 55. 163.68 (1) of the statutes is amended to read:

163.68 (1) ~~For a lawful purpose or as~~ As provided under s. 163.51 (8) ~~(b)~~ within one year after the cessation of the conduct of bingo.

SECTION 56. 163.69 of the statutes is created to read:

163.69 Exemptions; community-based residential facilities, senior citizen community centers and adult family homes. This subchapter does not apply to an organization listed under s. 163.11 (1) (b) to (d).

SECTION 57. Subchapter VI (title) of chapter 163 of the statutes is amended to read:

CHAPTER 163
SUBCHAPTER VI
ENFORCEMENT AND PENALTIES
(TO PRECEDE S. 163.71)

SECTION 58. 163.72 of the statutes is amended to read:

163.72 Inspection for enforcement. Any peace officer or district attorney, within their respective jurisdictions, or an authorized employe of the department, may, at all reasonable hours, enter the premises where a bingo occasion is being conducted and examine the books, papers and records of the licensed organization to determine if all proper taxes or fees imposed have been paid. Any refusal to permit such examination of the premises by the licensed organization, its agent or an employe or the person in charge of the premises to which the bingo license relates, constitutes sufficient grounds for the suspension or revocation of a license, and is punishable under s. ~~163.54~~ 163.73 (2). In addition, such refusal constitutes sufficient grounds for any peace officer or other persons authorized under this subsection within their respective jurisdictions or authority to employ whatever reasonable action is necessary to conduct inspections permitted by this section.

SECTION 59. 163.905 (intro.) of the statutes is amended to read:

163.905 Definitions. (intro.) In this subchapter, “service organization” includes all of the following:

SECTION 60. 163.905 (1) and (2) of the statutes are renumbered 163.905 (2) (a) and (b).

SECTION 61. 163.905 (1) and (2) (intro.) of the statutes are created to read:

163.905 (1) “Local organization” means an organization whose activities are limited to this state or to a specific geographical area within this state.

(2) (intro.) “Service organization” includes all of the following:

SECTION 62. 163.91 of the statutes is amended to read:

163.91 Limit. No qualified organization under s. 163.90 may conduct more than ~~5 regular~~ 200 raffles or more than one calendar raffle during a year, ~~more than one special raffle during any week and more than one monthly raffle during any month.~~

SECTION 63. 163.92 (1) of the statutes is amended to read:

163.92 (1) The board shall prescribe appropriate forms for the application and issuance of licenses to conduct ~~regular raffles, special raffles and monthly raffles.~~ The fee shall be \$10 ~~\$25~~ 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 5 raffle events. A special raffle license and a monthly raffle license shall be valid for 12 months and may be renewed as provided in s. 163.98 (1g). 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.~~

SECTION 64. 163.92 (2), (2m) and (3) of the statutes are repealed.

SECTION 65. 163.92 (4) of the statutes is amended to read:

163.92 (4) Proceedings to suspend or revoke a license to conduct raffles shall be initiated by the board ~~in the same manner as a summons is served under ch. 801. The notice shall state the alleged violations which constitute the grounds for the proceedings. The department may temporarily suspend the license for a period not to exceed 2 weeks while any such proceeding is pending, and shall notify the licensee of the dates of the temporary suspension, but the period of the suspension may not extend beyond the day prior to any raffle drawing scheduled by the licensee pursuant to the rules promulgated under s. 440.03 (1).~~

SECTION 66. 163.93 (title) of the statutes is amended to read:

163.93 (title) Tickets; calendars; drawings.

SECTION 67. 163.93 (1) (intro.), (c) and (e), (3), (4), (6) and (7) of the statutes are amended to read:

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

(c) The price of the ticket or calendar and the discounted price, if any, applicable to multiple ticket or calendar purchases.

(e) The date, time and place of the drawing or drawings.

(3) No person may sell ~~a raffle tickets~~ ticket or calendar unless authorized by an organization licensed under this subchapter.

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

(6) All prizes shall be awarded. The purchaser of a ticket or calendar need not be present at the drawing to win a prize.

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

SECTION 68. 163.93 (1m), (1s), (2m) and (8) of the statutes are created to read:

163.93 (1m) Subsection (1) (a), (b) and (c) does not apply to raffle tickets for a raffle in which one or more

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drawings are held and prizes awarded on the same day on which the tickets are sold.

(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.

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

(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.

SECTION 69. 163.94 of the statutes is amended to read:

163.94 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 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.

SECTION 70. 163.95 of the statutes is amended to read:

163.95 Denial of application; hearing. Within 40 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 board 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 board 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 ~~10-day~~ 30-day period during which a hearing may be demanded, the applicant's license fee shall be refunded. If the board approves the application, the department shall issue the license within 14 days after approval.

SECTION 71. 163.98 (title) of the statutes is amended to read:

163.98 (title) Annual financial reports; renewals.

SECTION 72. 163.98 (1) (intro.), (1m) and (2) of the statutes are amended to read:

163.98 (1) (intro.) ~~Any~~ Each organization ~~which has conducted one or more raffles during the preceding cal-~~

~~endar year~~ licensed under this subchapter shall, on or before ~~April 15 of the current~~ 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 board department regarding the raffles which it has conducted:

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

(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.

SECTION 73. 163.98 (1c) and (1g) of the statutes are created to read:

163.98 (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.

(1g) An organization licensed under this subchapter may renew the license by submitting a \$25 renewal fee with the report under sub. (1).

SECTION 74. Nonstatutory provisions; bingo control board. The bingo control board shall submit proposed rules establishing standards for the conduct of calendar raffles to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 13th month beginning after the effective date of this SECTION.

SECTION 75. Effective dates. This act takes effect on the first day of the 7th month beginning after publication, except as follows:

(1) SECTION 74 takes effect on the day after publication.

(2) The treatment of sections 163.03 (4e), (4m), (10m), (12m), (14m) and (17), 163.91, 163.93 (title), (1) (intro.), (c) and (e), (1m), (1s), (2m), (3), (4), (6), (7) and (8) and 163.94 of the statutes takes effect on the 90th day after publication.