



House of Representatives

File No. 800

General Assembly

January Session, 2011

(Reprint of File No. 283)

House Bill No. 5184
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 13, 2011

**AN ACT PERMITTING THE MAILING OF RAFFLE TICKETS AND THE
USE OF COUPONS AS INCENTIVES TO PURCHASE RAFFLE
TICKETS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 7-170 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 Wherever used in sections 7-171 to 7-186, inclusive, as amended by
4 this act, unless otherwise provided, "bazaar" means a place maintained
5 by a sponsoring organization for the disposal of merchandise awards
6 by means of chance; "raffle" means an arrangement for raising money
7 by the sale of tickets, certain among which, as determined by chance
8 after the sale, entitle the holders to prizes; [and] "applicant" means the
9 sponsoring organization; and "coupon" means a ticket, form or
10 document which the holder may redeem in exchange for merchandise,
11 tangible personal property, services or transportation on a common
12 carrier, or a discount in the purchase price of merchandise, tangible
13 personal property, services or transportation on a common carrier.

14 Sec. 2. Section 7-172 of the general statutes is repealed and the
15 following is substituted in lieu thereof (*Effective October 1, 2011*):

16 No bazaar or raffle may be promoted, operated or conducted in any
17 municipality after the adoption of the provisions of sections 7-170 to 7-
18 186, inclusive, as amended by this act, unless it is sponsored and
19 conducted exclusively by (1) an officially recognized organization or
20 association of veterans of any war in which the United States has been
21 engaged, (2) a church or religious organization, (3) a civic, service or
22 social club, (4) a fraternal or fraternal benefit society, (5) an educational
23 or charitable organization, (6) an officially recognized volunteer fire
24 company, (7) a political party or town committee thereof, or (8) a
25 municipality acting through a committee designated to conduct a
26 celebration of the municipality's founding on its hundredth
27 anniversary or any multiple thereof. Any such sponsoring
28 organization, except a committee designated pursuant to subdivision
29 (8) of this section, shall have been organized in good faith and actively
30 functioning as a nonprofit organization within the municipality that is
31 to issue the permit for a period of not less than six months prior to its
32 application for a permit under the provisions of said sections. The
33 promotion and operation of a bazaar or raffle shall be confined solely
34 to the qualified members of the sponsoring organization, provided a
35 committee designated pursuant to subdivision (8) of this section may
36 promote or operate through its members and any officially appointed
37 volunteers. No such member or officially appointed volunteer in the
38 case of a raffle held pursuant to subdivision (8) of this section may
39 receive remuneration in any form for time or effort devoted to the
40 promotion or operation of the bazaar or raffle. No person under the
41 age of eighteen years may promote, conduct, operate or work at a
42 bazaar or raffle and no person under the age of sixteen years may sell
43 or promote the sale of any raffle tickets, nor shall any sponsoring
44 organization permit any person under the age of eighteen to so
45 promote, conduct or operate any bazaar or raffle or any person under
46 the age of sixteen to sell or promote the sale of such tickets. Any
47 sponsoring organization having received a permit from any

48 municipality may (A) sell or promote the sale of such raffle tickets in
 49 that municipality and in any other town, city or borough which has
 50 adopted the provisions of sections 7-170 to 7-186, inclusive, as
 51 amended by this act, or (B) mail such raffle tickets to any resident of
 52 that municipality or of any other town, city or borough which has
 53 adopted the provisions of sections 7-170 to 7-186, inclusive, as
 54 amended by this act, provided any such mailed raffle ticket is printed
 55 with the words "no purchase necessary to enter the raffle". Any such
 56 sponsoring organization may promote its raffle by offering coupons to
 57 any person who purchases a raffle ticket. Such organization may
 58 accept a credit card, debit card, check or cash as payment for a raffle
 59 ticket. All funds derived from any bazaar or raffle shall be used
 60 exclusively for the purpose stated in the application of the sponsoring
 61 organization as provided in section 7-173.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	7-170
Sec. 2	October 1, 2011	7-172

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which allows coupons to be used by eligible organizations to promote raffles and permits the mailing of raffle tickets, would not result in any fiscal impact to the state or municipalities.

House "A" alters the original bill by defining coupon and establishing the permissibility of mailing raffle tickets.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**HB 5184 (as amended by House "A")******AN ACT PERMITTING COUPON BOOKS' USE AS AN INCENTIVE FOR PURCHASING RAFFLE TICKETS.*****SUMMARY:**

This bill allows a qualified organization conducting a raffle under the required town permit to promote the raffle by offering coupons to ticket buyers. The bill defines "coupon" as a ticket, form, or document redeemable for merchandise, tangible personal property, services, or transportation on a common carrier or for discounts on any of these.

The bill also allows organizations to mail raffle tickets to residents of a town that has adopted the Bazaar and Raffle Act, provided the phrase "no purchase necessary to enter the raffle" is printed on the tickets (see BACKGROUND).

*House Amendment "A" defines coupon and allows the mailing of raffle tickets.

EFFECTIVE DATE: October 1, 2011

BACKGROUND***Organizations Qualified to Conduct Raffles***

The law allows the following to conduct, operate, or sponsor bazaars or raffles if the town where they are located has adopted the Bazaar and Raffle Act: veterans,' religious, civic, fraternal, educational, and charitable organizations; volunteer fire companies; and political parties and their town committees. Raffles may also be promoted and conducted if sponsored by towns acting through a designated centennial, bicentennial, or other centennial celebration committee. To conduct a bazaar or raffle, an organization must have a permit from

the town where the raffle or bazaar will take place.

Only the organization’s qualified members age 18 or older may promote, operate, or work at bazaars and raffles. And people under age 16 may not sell or promote raffle tickets.

Mailing Gambling Material

According to a United States Postal Service ruling, raffles that incorporate “prize,” “chance,” and “consideration” are considered lotteries under federal law and the postal standards. Tickets for such raffles are considered unlawful matter and mailing is a violation. But when any of the three elements is eliminated, the arrangement does not constitute a lottery for postal purposes. According to the ruling, consideration “is eliminated if persons may enter without payment of a fee. Thus, a nonprofit organization that designs a raffle where it is clear that a donation is not required (e.g., via a check box, “Please enter my name in the drawing. I do not wish to make a donation at this time”) to participate in the raffle may use the mail to distribute the tickets for that raffle” (PS 307 601.13.3).

Related Bills

SB 417 (File 43), reported favorably by the Public Safety and Security Committee, eliminates the \$250 prize limit on teacup raffles, thereby allowing prizes of unlimited value.

SB 35 (File 56), reported favorably by the Public Safety and Security and Finance, Revenue and Bonding committees, eliminates the advertising restrictions on bazaars and raffles, thereby allowing qualified organizations conducting such gaming to advertise on radio, television, billboards, and elsewhere.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable
Yea 23 Nay 0 (03/15/2011)

Planning and Development Committee

Joint Favorable

Yea 19 Nay 0 (04/11/2011)