

Chapter 320

RAFFLES and POKER RUNS

The Carroll County Board establishes this Ordinance as a system for the licensing of organizations to operate raffles and poker runs. This Ordinance is supplemental to the Illinois Compiled Statutes 230 ILCS 15/ which supersedes any possible contradictions of this Ordinance.

320-1 DEFINITIONS

For the purposes of this Ordinance the terms defined in this Chapter have the meanings given to them:

"Business" - A voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial, and civic interests of a community.

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

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

"Fire protection agency" - An agency of this State, unit of local government, or intergovernmental mutual aid entity that is vested by law or intergovernmental agreement with the duty and authority to provide public fire suppression, rescue, or emergency medical services; or an organization that provides support or assistance to an agency of this State, unit of local government, or intergovernmental mutual aid entity that is vested by law or intergovernmental agreement with the duty and authority to provide public fire suppression, rescue, or emergency medical services.

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

"Key location" – means:

1. For a poker run, the location where the poker run concludes and the prizes are awarded;
2. For a raffle, the location where the winning chances in the raffle are determined.

"Labor" - An organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

"Law enforcement agency" - An agency of this State or a unit of local government in this State that is vested by law or code with the duty to maintain public order and to enforce criminal laws or codes.

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"Net proceeds" - The gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other operating expenses incurred as a result of operating a raffle or poker run.

"Non-profit" - An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to any one as a result of the operation.

"Poker run" - A prize-awarding event organized by an organization licensed under this Ordinance in which participants travel to multiple predetermined locations, including a key location, to play a randomized game based on an element of chance. "Poker run" includes dice runs, marble runs, or other events where the objective is to build the best hand or highest score by obtaining an item or playing a randomized game at each location.

"Raffle" - A form of lottery, as defined in subsection (b) of Section 28-2 of the Criminal Code of 2012, conducted by an organization licensed under this Ordinance, in which:

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

"Raffle" does not include any game designed to simulate:

1. Gambling Games (defined by Illinois Gambling Act),
2. any casino game (approved for play by Illinois Gaming Board),
3. any games provided by a video gaming terminal (defined in Video Gaming Act), or
4. a savings promotion raffle (authorized under the Illinois Banking Act, Savings Bank Act, Illinois Credit Union Act, or Homeowners' Loan Act).

"Religious" - Any church, congregation, society, or organization founded for the purpose of religious worship.

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

320-2a RAFFLE LICENSING

The Board establishes the following limitations upon organizations to operate raffles:

1. The aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle not to exceed \$100,000,
2. The maximum retail value of each prize awarded by a licensee in a single raffle not to exceed \$100,000,

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3. The maximum price which may be charged for each raffle chance issued or sold not to exceed \$100, and
4. The maximum number of days during which chances may be issued or sold is not to exceed one year from the date of Board Chairperson approval of the licensee application.

The raffle license includes a fee of \$25, payable at time of application.

Licenses issued pursuant to this Ordinance shall be valid for one raffle or for a specified number of raffles to be conducted during a specified period not to exceed one year and may be suspended or revoked for any violation of this Ordinance. License application, required documentation and fee shall be filed with the County Clerk. The Board Chairperson shall act on a license application within 30 days from the date the application was filed with the County Clerk. The Board may adopt rules for the operation of raffles that are consistent with 230 ILCS 15/. The Board shall license raffles where no municipality has jurisdiction over the key location within Carroll County. A license shall authorize the holder of such license to sell raffle chances throughout the State, including beyond the borders of Carroll County.

Raffle licenses shall be issued only:

1. To bona fide religious, charitable, labor, business, fraternal, educational, veterans, or other bona fide not-for-profit organizations that operate without profit to their members and which have been in existence continuously for a period of 5 years immediately before making application for a raffle license and which have during that entire 5-year period been engaged in carrying out their objects,
2. To a non-profit fundraising organization that the Board determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident, or disaster,
3. To any law enforcement agencies and associations that represent law enforcement officials, or
4. To any fire protection agencies and associations that represent fire protection officials.

The Board Chairperson may waive the 5-year requirement under this Ordinance for a bona fide religious, charitable, labor, business, fraternal, educational, or veterans' organization that applies for a license to conduct a raffle if the organization is a local organization that is affiliated with and chartered by a national or State organization that meets the 5-year requirement.

320-2b POKER RUN LICENSING

The Board establishes the following limitations upon organizations to operate poker runs and may establish special categories of licenses and adopt rules relating to the various categories. The poker run license includes a fee of \$25, payable to the County Clerk at time of application.

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Licenses issued pursuant to this Ordinance shall be valid for one poker run or for a specified number of poker runs to be conducted during a specified period not to exceed one year and may be suspended or revoked for any violation of this Ordinance. License application, required documentation and fee shall be filed with the County Clerk. The Board Chairperson shall act on a license application within 30 days from the date the application was filed with the County Clerk.

Poker run licenses shall be issued only:

1. To bona fide religious, charitable, labor, business, fraternal, educational, veterans, or other bona fide not-for-profit organizations that operate without profit to their members and which have been in existence continuously for a period of 5 years immediately before making application for a poker run license and which have during that entire 5-year period been engaged in carrying out their objects,
2. For the following purposes:
 - a. Providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident, or disaster or
 - b. To maintain the financial stability of the organization.

The Board Chairperson may waive the 5-year requirement under this Ordinance for a bona fide religious, charitable, labor, business, fraternal, educational, or veterans' organization that applies for a license to conduct a poker run if the organization is a local organization that is affiliated with and chartered by a national or State organization that meets the 5-year requirement.

320-3 LICENSE; APPLICATION; ISSUANCE; RESTRICTIONS; PERSONS INELIGIBLE

Licenses issued by the Board Chairperson are subject to the following restrictions:

1. No person, firm, or corporation shall conduct raffles or chances or poker runs without having first obtained a license therefore pursuant to this Ordinance.
2. The license and application for license must specify:
 - a The time-period during which raffle chances will be sold or issued or a poker run will be conducted,
 - b The time(s) of determination of winning chances, and
 - c The location(s) at which winning chance(s) will be determined.
3. The license application must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization.
4. The application for license shall be prepared in accordance with this Ordinance.
5. A license authorizes the licensee to conduct raffles or poker runs as defined in this Ordinance.

The following are ineligible for any license under this Ordinance:

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1. Any person whose felony conviction will impair the person's ability to engage in the licensed position;
2. Any person who is or has been a professional gambler or professional gambling promoter;
3. Any person who is not of good moral character;
4. Any organization in which a person defined in item (1), (2), or (3) has a proprietary, equitable, or credit interest, or in which such a person is active or employed;
5. Any organization in which a person defined in item (1), (2), or (3) is an officer, director, or employee, whether compensated or not; and
6. Any organization in which a person defined in item (1), (2), or (3) is to participate in the management or operation of a raffle as defined in this Ordinance.

The applicant shall not be required to report criminal history records noted in 230 ILCS 15/3.1(a).

Upon a finding that an applicant for a license was previously convicted of a felony shall consider any evidence of rehabilitation and mitigating factors contained in the applicant's record, including factors and evidence in 230 ILCS 15/3.1(b), to determine if the conviction will impair the ability of the applicant to engage in the position for which a license is sought.

If the Board Chairperson refuses to issue a license to an applicant, the County Clerk shall notify the applicant in writing and return the fee which was included with the application, following 230 ILCS 15/3.1(c).

No later than May 1 of each year, the County Clerk must prepare, publicly announce, and publish a report of summary statistical information relating to new and renewal license applications during the preceding calendar year, following 230 ILCS 15/3.1(d).

320-4 CONDUCT

The conducting of raffles and poker runs is subject to the following restrictions:

1. The entire net proceeds of any raffle or poker run must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.
2. No person except a bona fide director, officer, employee, or member of the sponsoring organization may manage or participate in the management of the raffle or poker run. No person may receive any remuneration or profit for managing or participating in the management of the raffle or poker run. Sponsoring organizations may contract with third parties who, acting at the direction of and under the supervision of the sponsoring organization, provide bona fide services to the sponsoring organization in connection with the operation of a raffle and may pay reasonable compensation for such services. Such services include the following:
 - a. advertising, marketing and promotion,
 - b. legal,

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- c. procurement of goods, prizes, wares and merchandise for the purpose of operating the raffle,
 - d. rent, if the premises upon which the raffle will be held is rented,
 - e. accounting, auditing and bookkeeping,
 - f. website hosting,
 - g. mailing and delivery,
 - h. banking and payment processing, and
 - i. other services relating to the operation of the raffle.
3. A licensee may rent a premises on which to determine the winning chance or chances in a raffle provided that the rent is not determined as a percentage of receipts or profits from the raffle.
4. Raffle chances may be sold throughout the State, including beyond the borders of the County of Carroll. Winning chances may be determined only at those locations specified on the license for a raffle.
5. A person under the age of 18 may participate in the conducting of raffles or chances or poker runs only with the permission of a parent or guardian. A person under the age of 18 may be within the area where winning chances in a raffle or winning hands or scores in a poker run are being determined only when accompanied by his parent or guardian.

If a lessor rents a premise(s) where a winning chance or chances on a raffle or a winning hand or score in a poker run is determined, the lessor shall not be criminally liable if the person who uses the premises for the determining of winning chances does not hold a license issued by the Board Chairperson under the provisions of this Ordinance.

320-5 MANAGER BOND

All management, operation, and conduct of raffles shall be under the supervision of a single manager designated by the organization. The manager shall give a fidelity bond in an amount equal to the aggregate retail value of all prizes or merchandise awarded in favor of the organization conditioned upon his honesty in the performance of his duties. Terms of the bond shall provide that notice shall be given in writing to the Board Chairperson not less than 30 days prior to its cancellation. The Board Chairperson may waive this bond requirement by including a waiver provision in the license issued to an organization under this Ordinance, provided that a license containing such waiver provision shall be granted only by the affirmative vote of the majority number of members of the licensed organization or, if the licensed organization does not have members, of members of the governing board of the organization, to constitute an affirmative action of the licensed organization. Nothing in this Section shall be deemed to apply to poker runs.

320-6 RECORDS

Each organization licensed to conduct raffles and chances, or poker run events shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances in a raffle or winning hands or scores in a poker run are determined. All

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deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of net proceeds shall be itemized as to payee, purpose, amount and date of payment.

Gross receipts from the operation of raffles or poker runs shall be segregated from other revenues of the organization, including bingo gross receipts, if bingo games are also conducted by the same nonprofit organization pursuant to license therefore issued by the Department of Revenue of the State of Illinois, and placed in a separate account. Each organization shall have separate records of its raffles and poker runs. The person who accounts for gross receipts, expenses and net proceeds from the operation of raffles or poker runs shall not be the same person who accounts for other revenues of the organization.

Each organization licensed to conduct raffles or poker runs shall report promptly after the conclusion of each raffle or poker run to its membership or, if the organization does not have members, to its governing board. Each organization licensed to conduct raffles and poker runs shall report within 30 days, in writing, to the County Clerk its gross receipts, expenses and net proceeds from the raffle, and the distribution of net proceeds itemized as required in this Ordinance.

Records required by this Ordinance shall be preserved for 3 years, and organizations shall make available their records relating to operation of raffles or poker runs for public inspection at reasonable times and places.

320-7 SENTENCE

Violation of any provision of this Ordinance is a Class C misdemeanor.

320-8 ONLY RAFFLES or POKER RUNS

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

Adopted June 11, 1981

Amended June 10, 1999

Amended May 17, 2018

Amended May 4, 2023

Amended March 5, 2026

Approved

Julie Bickelhaupt

Julie Bickelhaupt, Chair
Carroll County Board

Attest

Amy R. Buss

Amy Buss, Carroll County Clerk