

(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.

History: 1995 a. 27, 301; 1997 a. 27, 2009 a. 317.

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 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.

History: 1977c.426; 1983a.222; 1989 a. 147; 1991 a.269s.782nh; Stats 1991 s. 563.94.

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.

History: 1977c.426; 1979c.34; 1989a.147; 1991a.269s.782np; Stats. 1991 s.563.95; 1995a.27s.9123(6pp); 1997 a. 27.

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 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.

History: 1983a.222; 1991a.269s. 782nt; Stats. 1991 s.563.97; 1995a.27s. 9123(6pp); 1997 a. 27.

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:

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

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

(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.

(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.

History: 1977c.426; 1979c.34s.2100(45)(a); 1983a.222; 1989a.147; 1991a.269s.782pd; Stats 1991 s.563.98; 1995a.27s.9123(6pp); 1997 a. 27; 1999 a. 5.

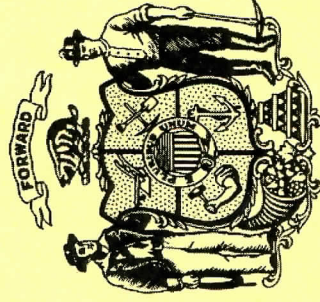
563.99 Penalties.

(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.

History: 1977c.426; 1979c.34; 1991a.269s. 782pt; Stats. 1991s. 563.99.

STATUTORY REQUIREMENTS FOR RAFFLES IN WISCONSIN



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563.03 Definitions. In this chapter:

(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.

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

563.90 Qualified organizations. Any local 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 commission. No other person may conduct a raffle in this state.

History: 1977 c. 426; 1991 a. 39, 1991 a. 269 s. 7821p; Stats. 1991 s. 563.90; 1995 a. 27 s. 9123 (6pp); 1997 a. 27.

The "local" requirement applies to all applicants, including tax-exempt organizations. *Knights of Columbus v. Bingo Control Bd.*, 151 Wis. 2d 404, 444 N.W. 2d 447 (Ct. App. 1989).

Certain political organizations and subdivisions of the state may qualify for a raffle license. 67 Atty. Gen. 323.

Raffle laws discussed, 75 Atty. Gen. 273 (1986).
Eligibility requirements for licensure discussed, 76 Atty. Gen. 115.

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" include 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.

History: 1987 a. 240; 1989 a. 147; 1991 a. 269 s. 7821t; Stats. 1991 s. 563.905; 2009 a. 316.

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

History: 1977 c. 426; 1983 a. 222; 1989 a. 147; 191 a. 269 s. 782md; Stats. 191 s. 563.91.

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. 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 of 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.

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

History: 1977 c. 426; 2979 v. 34 s. 2100 (45)(a); 1983 a. 222; 1989 a. 147; 1991 a. 39, 189; 1991 a. 269 s. 782mt; Stats. 1991 s. 563.92; 1991 a. 315; 1995a. 27ss. 6976f, 9123(6pp); 1997 a. 27; 1999 a. 5; 2001 a. 16.

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 value of \$500 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) Tickets for a proposed raffle may not be offered for sale more than 270 days before 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.....

(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.

(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.

History: 1977c.426; 1983 a.222; 1987 a.399; 1989 a.147; 1991 a.269 s.782nd; Stats.1991 s. 563.93; 1993 a.152;1995 a.27ss.6976m to 6976t, 9123(6pp); 1997 a. 27; 2001 a. 16; 109; 2007 a. 206; 2009 a. 315.

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.

(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) 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.

(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 amount shall be posted or announced before the drawing.