

**Memorandum
Office of the City Clerk**

To: Robert T. Hawes, Interim City Manager
Subject: Amendment to Raffle Ordinance
Date: October 3, 2011



Attached is an Ordinance amending Chapter 8, Sec. 8-441; Definitions of the City Code of Ordinances regarding Raffles as it relates to what type of organizations can conduct a raffle. The current language in Sec. 8-441 states: *Nonprofit, Charitable, Educational, Religious, Fraternal, Veterans, Labor, And Political Committee*: Shall have the same meaning ascribed to them in 230 Illinois Compiled Statutes 15/2 (b).

The State Raffle statute, (230 ILCS 15/1 et. seq.) states that municipalities are not authorized to license raffles to political committees. Section 15/2 (b) of the state statute limits the power of a municipality to issue licenses only to religious, charitable, labor, business, fraternal, educational or veterans organizations.

Raffles for political campaigns are governed by section 15/8.1 of the State statute, which essentially states that all raffles sponsored by a political committee must be issued from the State Board of Elections. The law gives the State board 30 days to act on an application. Any questions about political event raffles need to be referred to the State law found at 230 ILCS15/8.1.

The Ordinance needs to be amended to be in compliance with the state code governing raffles. The attached ordinance has been reviewed by City Attorney Ted Kutsunis.

RECOMMENDATION:

It is recommended that Council approve the Amendment to Chapter 8, Sec. 8-441; Definitions of the Code of Ordinances.

Submitted by: Aleisha L. Patchin, City Clerk

Approved by: Robert T. Hawes, Interim City Manager

ORDINANCE NO.

A SPECIAL ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One. That Sec. 8-441 of Article 16 of Chapter 8 of the Code of Ordinances is hereby amended by deleting said section in its entirety and by inserting in lieu thereof the following:

Sec. 8-441. Definitions:

When used in this article and unless otherwise distinctly expressed, the following words and phrases shall have the meanings set out herein:

Net Proceeds: The gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.

Nonprofit, Charitable, Educational, Religious, Fraternal, and Veterans: Shall have the same meaning ascribed to them in 230 Illinois Compiled Statutes 15/2(b).

Raffle: A form of lottery, as defined in 720 Illinois Compiled Statutes 5/28-2(b) conducted by an organization licensed under this Article, 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 is to be designated the winning chance;
- (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.

Rock Island County Model Raffle Ordinance: An ordinance in substantially the same form, and containing the same provisions and limitations as are set forth in this subject ordinance to be enacted by any municipality located within Rock Island County, Illinois, and intended to regulate the conduct of raffles within the jurisdiction of the respective municipality. (Ord. 97-68, 7-28-1997)

Section Two. All ordinances and parts of ordinances in conflict herewith are hereby repealed as they do so conflict.

Section Three. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED:

APPROVED:

ATTEST:

CITY CLERK