

[First Reprint]

**SENATE, No. 2842**

---

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

---

INTRODUCED AUGUST 27, 2020

**Sponsored by:**

**Senator PAUL A. SARLO**

**District 36 (Bergen and Passaic)**

**Assemblyman JOSEPH V. EGAN**

**District 17 (Middlesex and Somerset)**

**SYNOPSIS**

Permits raffles to be conducted remotely at large sporting venues.

**CURRENT VERSION OF TEXT**

As amended on October 29, 2020 by the Senate pursuant to the Governor's recommendations.



**(Sponsorship Updated As Of: 9/24/2020)**

1 AN ACT permitting raffles to be conducted remotely at large  
2 sporting venues <sup>1</sup>during a declared public health emergency<sup>1</sup> and  
3 amending P.L.2018, c.79.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 1 of P.L.2018, c.79 (C.5:8-51.6) is amended to read  
9 as follows:

10 1. a. It shall be lawful for an organization eligible to conduct  
11 raffles in accordance with section 2 of P.L.1954, c.5 (C.5:8-51) and  
12 registered and licensed with the Legalized Games of Chance  
13 Control Commission to conduct, whether in person <sup>1</sup>at any time<sup>1</sup> or  
14 remotely <sup>1</sup>while the Public Health Emergency declared by the  
15 Governor in Executive Order No. 103 of 2020 is in effect or  
16 whenever a Public Health Emergency, pursuant to the "Emergency  
17 Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been  
18 declared by the Governor and is in effect<sup>1</sup>, raffles in a large  
19 sporting venue located in a municipality where the provisions of the  
20 "Raffles Licensing Law," P.L.1954, c.5 (C.5:8-50 et seq.), are  
21 operative, provided that all other requirements to conduct raffles are  
22 met. To the extent any conflict exists between this act, P.L.2018,  
23 c.79 (C.5:8-51.6), and the "Raffles Licensing Law," P.L.1954, c.5  
24 (C.5:8-50 et seq.), then the provisions set forth in this act shall  
25 govern.

26 For the purposes of this section, the conduct of the raffle  
27 remotely using the Internet or other electronic means shall be  
28 deemed to be the conduct of the raffle at the large sporting venue,  
29 and shall be deemed to take place only thereat, regardless of any  
30 participant's physical location within this State, provided the <sup>1</sup>large  
31 sporting venue and the specific event with which the conduct of the  
32 raffle is associated are conspicuously and specifically identified in  
33 conjunction with the raffles and remote ticket sales,<sup>1</sup> personnel of  
34 the organization conducting the raffle, whether or not through a  
35 third-party vendor, <sup>1</sup>[is] are<sup>1</sup> located in the venue at the time of the  
36 sale and drawing of any ticket <sup>1</sup>, and the drawing and the  
37 announcement of any winning raffle tickets occurs prior to the end  
38 of the event at the large sporting venue with which the raffle is  
39 associated<sup>1</sup>.

40 An organization conducting a raffle at a large sporting venue is  
41 subject to the following requirements:

42 (1) The organization conducting the raffle, in conjunction with  
43 the large sporting venue, shall announce the winner or winners of a  
44 raffle **[during]** on the date on which the **[ticketed]** event **[in]** with

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate amendments adopted in accordance with Governor's  
recommendations October 29, 2020.

1 which the raffle is ~~【occurring】~~ associated occurs. The organization  
2 ~~【and the large sporting venue】~~ and the large sporting venue<sup>1</sup> shall  
3 post each winning raffle ticket number on ~~【their respective~~  
4 ~~websites】~~ its website ~~their respective websites~~<sup>1</sup>, if such  
5 ~~【websites have】~~ website has ~~websites have~~<sup>1</sup> been established, on  
6 the same date as the announcement, which number shall be posted  
7 for one year or until each winner claims the prize and submits any  
8 required documentation. ~~【Any】~~ For raffles conducted in person,  
9 any<sup>1</sup> prize from a raffle shall be delivered to a claimant verified to  
10 have the winning ticket within 30 days of the ~~【event in which the~~  
11 ~~raffle took place】~~ announcement ~~event in which the raffle took~~  
12 ~~place~~<sup>1</sup>; however, if no claimant verified to have the winning ticket  
13 claims the prize and signs all reasonably necessary documentation  
14 within 30 days of the event at which the raffle took place, the  
15 organization conducting the raffle ~~【at a large sporting venue】~~ shall  
16 hold the proceeds for a period of one year from the date of the  
17 raffle. If no claimant with the winning raffle ticket claims the prize  
18 and has signed all reasonably necessary documentation within one  
19 year from the date of the drawing, then the prize shall be forfeited  
20 and shall revert back to the organization for its own authorized use.  
21 For any raffles conducted remotely while the Public Health  
22 Emergency declared by the Governor in Executive Order No. 103 of  
23 2020 is in effect or whenever a Public Health Emergency, pursuant  
24 to the “Emergency Health Powers Act,” P.L.2005, c.222 (C.26:13-1  
25 et seq.), has been declared by the Governor and is in effect, any  
26 prize from a raffle shall be delivered at the large sporting venue at  
27 which the event with which the raffle was associated occurred to a  
28 claimant verified to have the winning ticket within one year of the  
29 event during which the raffle took place. If no claimant with the  
30 winning raffle ticket claims the prize and has signed all reasonably  
31 necessary documentation within one year from the date of the  
32 drawing, then the prize shall be forfeited and shall revert back to the  
33 organization for its own authorized use.

34 Notwithstanding the foregoing, any prize which due to its nature  
35 must be claimed by a date certain, such as a ticket to an event  
36 scheduled at the large stadium venue, which is not claimed within  
37 72 hours of the event, then the prize shall be forfeited and shall  
38 revert back to the organization for its own authorized use.<sup>1</sup>

39 (2) Any daily and annual limits on the value of prizes contained  
40 in existing law or regulation shall not apply to raffles conducted ~~【at~~  
41 ~~large sporting venues】~~ at large sporting venues<sup>1</sup> in accordance  
42 with this act, P.L.2018, c.79 (C.5:8-51.6).

43 (3) On a quarterly basis in accordance with a schedule  
44 established by the commission, an organization conducting raffles  
45 ~~【in a large sporting venue】~~ in a large sporting venue<sup>1</sup> in  
46 accordance with this act, P.L.2018, c.79 (C.5:8-51.6), shall furnish

1 to the control commission a duly verified statement showing the  
2 amount of the gross receipts derived from each raffle held,  
3 operated, or conducted in the preceding quarter, which shall include  
4 receipts from the sale of shares, tickets, or rights in any manner  
5 connected with participation in the raffle or the right to participate  
6 therein, each item of expense incurred or paid, and each item of  
7 expenditure made or to be made, name and address of each person  
8 to whom each such item has been or is to be paid, with a detailed  
9 description of the merchandise purchased or the services rendered  
10 therefor, the net proceeds derived from each such raffle, and the  
11 uses to which such net proceeds have been or are to be applied and  
12 a list of prizes offered or given, with the respective values thereof  
13 and it shall be the duty of each organization to maintain and keep  
14 such books and records as may be necessary to substantiate the  
15 particulars of each such report.

16 (4) An organization shall not conduct a raffle remotely unless  
17 the organization has received written approval from and is operating  
18 the raffle in conjunction with the large sporting venue <sup>1</sup>and has  
19 received written approval from the Legalized Games of Chance  
20 Control Commission of measures it proposes and implements that  
21 ensure, to the greatest extent possible, the fairness, integrity and  
22 security of the remote conduct of the raffle and the security of the  
23 method of receipt of payment for any raffle ticket sale. The  
24 commission may consult with the Division of Gaming Enforcement  
25 in the Department of Law and Public Safety in its review of the  
26 measures the organization proposes and implements<sup>1</sup>.

27 b. Notwithstanding section 9 of P.L.1954, c.5 (C.5:8-58), an  
28 organization conducting raffles at a large sporting venue may  
29 conduct raffles on Sunday. Alcohol may be served at the sporting  
30 venue during the conduct of raffles provided that the sporting venue  
31 is the holder of a sporting facility license in accordance with  
32 R.S.33:1-12, or other appropriate license, to serve alcohol at retail  
33 for consumption on the premises by the glass or other open  
34 receptacle or in original containers. An organization conducting  
35 raffles at a large sporting venue is not required to conduct the  
36 drawings openly and in plain view of all players present.

37 c. Tickets for raffles conducted <sup>1</sup>in person<sup>1</sup> at a large sporting  
38 venue may be sold **only by in-person transactions within the**  
39 **geographic area of the large sporting venue** <sup>1</sup>only by in-person  
40 transactions within the geographic area of the large sporting venue<sup>1</sup>  
41 electronically or by the issuance of paper tickets, and <sup>1</sup>[, when in  
42 person,]<sup>1</sup> through devices operated or kiosks staffed by individuals  
43 who are employed by or represent the organization conducting the  
44 raffle. <sup>1</sup>Tickets for raffles conducted remotely while the Public  
45 Health Emergency declared by the Governor in Executive Order  
46 No. 103 of 2020 is in effect or whenever a Public Health  
47 Emergency, pursuant to the “Emergency Health Powers Act,”

1 P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the  
2 Governor and is in effect, may be sold remotely to purchasers  
3 physically located within this State, using the Internet or other  
4 electronic means, in accordance with this subsection.<sup>1</sup> Tickets for  
5 raffles may not be purchased electronically by the public other than  
6 through **【in-person】** transactions with the personnel of the  
7 organization conducting the raffle, whether or not such transaction  
8 is completed through a third-party vendor. 【In-person transactions】  
9 Transactions between the purchaser and individuals who are  
10 employed by or otherwise represent the organization conducting the  
11 raffle may be made by cash, credit card, or other electronic payment  
12 methods, including, but not limited to, the utilization of Internet or  
13 intranet access (Wi-Fi or cellular connectivity) **【in the large**  
14 **sporting venue】**. The sale and purchase of tickets remotely using  
15 the Internet or other electronic means shall be deemed to take place  
16 only at the large sporting venue regardless of a purchaser's physical  
17 location within this State, provided the personnel of the  
18 organization conducting the raffle, whether or not through a third-  
19 party vendor, is located in the venue at the time of sale. An  
20 organization conducting a raffle remotely using the Internet or other  
21 electronic means shall <sup>1</sup>**【sell tickets】** establish and adhere to  
22 procedures and controls, including but not limited to the use of  
23 geolocation technology, approved by the commission that ensure, to  
24 the greatest extent possible, that raffle tickets will be sold<sup>1</sup> only to  
25 persons physically located in this State. Tickets for raffles  
26 conducted in accordance with this act, P.L.2018, c.79 (C.5:8-51.6),  
27 shall not be subject to any ticket price limits set for the general  
28 conduct of raffles. Pre-set bundles of tickets may be sold at a  
29 discount to participants.

30 d. Pursuant to P.L.2018, c.79 (C.5:8-51.6) and notwithstanding  
31 the provisions of subsection b. of section 2 of P.L.1954, c.5 (C.5:8-  
32 51), a 50-50 raffle shall have the raffle's net proceeds divided  
33 between the raffle winner and the organization conducting the raffle  
34 as a prize, and the prize may be awarded to a single participant or  
35 may be divided between a pre-determined number of participants.  
36 If the prize is to be divided between more than one participant,  
37 potential participants shall be made aware of such a division. No  
38 more than one 50-50 raffle as described in this subsection shall be  
39 conducted during a ticketed event.

40 e. An organization conducting a raffle <sup>1</sup>in person<sup>1</sup> at a large  
41 sporting venue may sell only traditional paper tickets, may use only  
42 electronic raffle systems, <sup>1</sup>**【may use only the Internet or other**  
43 **electronic means, including software applications,】**<sup>1</sup> or may use a  
44 combination of paper and electronic raffle systems. <sup>1</sup>An  
45 organization conducting a raffle remotely at a large sporting venue  
46 while the Public Health Emergency declared by the Governor in  
47 Executive Order No. 103 of 2020 is in effect or whenever a Public

1 Health Emergency, pursuant to the “Emergency Health Powers  
2 Act,” P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the  
3 Governor and is in effect, may also use the Internet or other  
4 electronic means, including software applications.<sup>1</sup> Drawings for all  
5 raffles may be conducted either by a traditional drawing of  
6 duplicate paper tickets or electronically, with the winner or winners  
7 selected by electronic means. For raffles conducted in paper form  
8 where winners are chosen electronically or in combination of paper  
9 and electronic raffle systems, the paper tickets shall be entered into  
10 the electronic raffle system for record-keeping and for drawing  
11 purposes so that the purchases of paper tickets have an equal chance  
12 of winning as the purchases of electronic rights.

13 f. Notwithstanding the provisions of P.L.1954, c.5 (C.5:8-50 et  
14 seq.), or any other law, rule, or regulation to the contrary, an  
15 organization conducting a raffle at a large sporting venue shall be  
16 permitted to deduct from gross revenues its reasonable costs and  
17 expenses of conducting the raffle.

18 g. The commission<sup>1</sup>, in consultation with the Division of  
19 Gaming Enforcement in the Department of Law and Public Safety,<sup>1</sup>  
20 shall promulgate, pursuant to the “Administrative Procedure Act,”  
21 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations  
22 governing the conduct of raffles remotely using the Internet or other  
23 electronic means in accordance with the provisions of this section.

24 h. As used in this section**【.】** :

25 **【"electronic】** “Electronic raffle systems” means hardware,  
26 software, including software applications, internet, cellular, or Wi-  
27 Fi connected devices and associated devices that enable raffles to be  
28 conducted entirely by electronic means, with rights to participate  
29 sold electronically by individuals who are employed by or  
30 otherwise represent the organization conducting the raffle, that  
31 generate a unique electronic entry to the raffle that is the equivalent  
32 of a paper ticket, each an electronic ticket which may be delivered  
33 to the purchaser electronically, at the point of sale on the premises  
34 of the large sporting venue recorded in the electronic raffle system  
35 as eligible entries or rights to participate, and winners determined  
36 by random drawing from all electronic entries or rights to  
37 participate**【;**

38 **【large】.** “Internet or other electronic means” shall not include  
39 electronic raffle systems.

40 “Large sporting venue” means a stadium, arena, or similar venue  
41 with minimum seating for 8,000 spectators wherein professional,  
42 semi-professional, or collegiate athletes compete in sports or other  
43 athletic games and including the parking lots adjacent to and  
44 serving the patrons of that venue **【;** and

45 **【net】.** “Net proceeds” means the gross income from the sale of  
46 tickets or rights to participate in a raffle, less only such actual

1 expenses incurred as are authorized in the "Raffles Licensing Law,"  
2 P.L.1954, c.5 (C.5:8-50 et seq.), and by the commission.  
3 (cf: P.L.2018, c.79, s.1)

4  
5 2. An organization eligible to conduct raffles in accordance  
6 with section 2 of P.L.1954, c.5 (C.5:8-51) and registered and  
7 licensed with the Legalized Games of Chance Control Commission  
8 may conduct raffles remotely using the Internet or other electronic  
9 means, including mobile, tablet, or other software applications, on  
10 or after the date of enactment of this act, P.L. , c. (pending  
11 before the Legislature as this bill), but prior to the adoption of the  
12 rules and regulations promulgated pursuant to subsection g. thereof,  
13 provided the organization is able to ensure, to the greatest extent  
14 possible, the fairness, integrity, and security of the conduct of the  
15 raffle and the security of the method of receipt of payment for any  
16 raffle ticket sale <sup>1</sup>, subject to the approval of the commission as  
17 required by section 1 of P.L.2018, c.79 (C.5:8-51.6)<sup>1</sup>.

18  
19 3. This act shall take effect immediately.