



Sen. George P. Shadid

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09300HB4283sam003

LRB093 18614 LRD 50655 a

1 AMENDMENT TO HOUSE BILL 4283

2 AMENDMENT NO. _____. Amend House Bill 4283, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Raffles Act is amended by adding Section
6 8.2 as follows:

7 (230 ILCS 15/8.2 new)

8 Sec. 8.2. Exemption for certain charitable institutions.

9 (a) A charitable institution is not subject to the
10 licensing provisions of subsection (a) of Section 2, items (1),
11 (2), (3), (4), and (5) of Section 3, and the restrictions on
12 the conduct of raffles imposed under item (5) of Section 4 if
13 (i) the charitable institution is organized and conducted on a
14 not-for-profit basis with no personal profit inuring to anyone
15 as a result of the operation of the institution and is exempt
16 from federal income taxation under Section 501(c)(3),
17 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10), or 501(c)(19) of
18 the Internal Revenue Code, (ii) the net proceeds from raffles
19 conducted by the charitable institution under this Act are used
20 by the organization for charitable, scientific, or educational
21 purposes related to the charitable institution, and (iii) the
22 charitable institution obtains a license from the Department of
23 Revenue under subsection (b).

24 (b) The Department of Revenue shall, upon application

1 therefor on forms prescribed by that Department, and upon the
2 receipt of an annual license fee of \$300, which shall be
3 collected by the host county and from which \$200 shall be
4 retained by the host county and \$100 shall be paid by the host
5 county to the Department of Revenue, and upon receipt by the
6 Department of Revenue of a written finding from the host county
7 that the applicant is a charitable institution that meets the
8 qualifications in items (i) and (ii) of subsection (a), issue a
9 license authorizing the charitable institution to conduct
10 raffles as provided in this Section. The Department of Revenue
11 shall act on a license application within 30 days after the
12 Department receives the application, fee, and written
13 determination from the host county required under this
14 subsection. A license issued under this subsection (b) shall be
15 valid for one year. The Department of Revenue shall deposit the
16 portion of the fees paid to it under this Section into the
17 General Revenue Fund.

18 (c) All raffle tickets sold by a licensee under this
19 Section must have the name of the host county, the name of the
20 licensee, and the license number of the licensee printed on the
21 ticket. A licensee under this Section may sell raffle tickets
22 under this Section in any part of this State except (i) in any
23 municipality that has adopted an ordinance prohibiting the
24 conduct of raffles or the sale of raffle tickets within its
25 boundaries or (ii) in any unincorporated portion of a county
26 that has adopted an ordinance prohibiting the conduct of
27 raffles or the sale of raffle tickets within the unincorporated
28 portions within its boundaries. The Department of Revenue shall
29 provide by rule for limitations upon (1) the aggregate retail
30 value of all prizes or merchandise awarded by a licensee under
31 this Section in a single raffle, (2) the maximum retail value
32 of each prize awarded by a licensee under this Section in a
33 single raffle, (3) the maximum price that may be charged for
34 each raffle chance issued or sold under this Section, and (4)

1 the maximum number of days during which chances may be issued
2 or sold under this Section.

3 (d) Upon notification from the host county of a violation
4 of this Act, the Department of Revenue may suspend or revoke
5 licenses issued under this Section for any violation of this
6 Act. The Department of Revenue shall adopt rules concerning the
7 proper form and manner of the notification required under this
8 subsection.

9 (e) For a charitable organization that conducts raffles
10 under this Section, all references in Sections 5 and 6 of this
11 Act to a licensing authority or a licensing unit of local
12 government mean the host county.

13 (f) In addition to the requirements set forth in this
14 Section, a charitable institution licensed by the Department of
15 Revenue under this Section must meet all other requirements
16 established by the Department by rule.

17 (g) A host county shall provide all information requested
18 by the Department of Revenue concerning the conduct of raffles
19 under this Section to the Department upon request by the
20 Department.

21 (h) For the purpose of this Section, the term "host county"
22 means the county in which the winning chance for a raffle
23 conducted under a license issued under this Section is
24 determined and the term "Department" means the Department of
25 Revenue.

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.".