

Kansas Administrative Regulations

Kansas Department of Revenue

Article 23.—Charitable Gaming

92-23-73. Conduct of charitable raffle.

(a) Each licensee shall be responsible for the following:

(1) The conduct and management of the charitable raffle;

(2) the publishing of a promotional plan and advertising for each charitable raffle;

and

(3) the accountability of raffle ticket sales, which shall include all of the following:

(A) Tracking raffle tickets provided to each raffle ticket seller;

(B) collecting all receipts from each raffle ticket seller;

(C) collecting the portion of all raffle tickets sold that shall be retained by the licensee; and

(D) collecting all unsold raffle tickets.

(b) All raffle tickets sold or given away shall be placed in the pool of raffle tickets from which the winners shall be drawn.

(c) Each raffle ticket placed in the raffle container shall have an equal opportunity to win.

(d) The order in which the winners will be determined shall be announced before the start of the drawing.

(e) Only one raffle ticket shall be drawn at a time.

(f) If a participant's presence is required when a winner is to be determined, statements specifying this condition shall be printed on each raffle ticket and all promotional material concerning the charitable raffle. If a participant's presence is not required when a winner is to be determined, each participant shall complete the portion of the raffle ticket providing the participant's name, address, and telephone number.

(g) Only raffle tickets that have been sold or given to a participant shall be included in the raffle container when determining the winner.

(h) If more than one prize or opportunity to win has been offered in a particular charitable raffle and a series of drawings must be made to determine all of the winners, any raffle ticket that has been drawn may be returned to the raffle container.

(i) Prizes awarded in a charitable raffle may include cash, merchandise, and anything of value that may be legally owned. If any prize other than cash is awarded, the prize shall be valued at fair market value.

(j) Each licensee conducting a charitable raffle in which prizes of real or personal property are to be awarded shall have paid for in full or otherwise become the owner without lien or interest of others of all the real or personal property to be awarded as prizes, before the date on which the winners will be determined.

(k) The licensee shall not participate in a charitable raffle as a player. Raffle tickets shall not be purchased in the name of the licensee. Individual members of the licensee may purchase raffle tickets.

(l) If a charitable raffle is canceled, the decision to cancel the charitable raffle shall be announced publicly and shall be posted at the licensee's principal office and web site. All receipts from raffle ticket sales shall be returned to each purchaser within 30 days of cancellation of the charitable raffle.

(m) If a charitable raffle is postponed, the postponement shall be announced publicly and shall be posted at the licensee's principal office and web site. The postponed charitable raffle shall be conducted within 30 days of the original date scheduled. Any participant may request a refund on the purchase price of a raffle ticket if that participant is not able to be present on the date of the postponed charitable raffle and the participant's presence is required.

(Authorized by and implementing K.S.A. 2015 Supp. 75-5188; effective Feb. 12, 2016.)

***** Authenticated Kansas Administrative Regulation *****