

CHAPTER 47

RULES OF LEGALIZED GAMES OF CHANCE

Authority

N.J.S.A. 5:8-6, 5:8-21, 5:8-25, 5:8-34, 5:8-51 and 5:8-61.

Source and Effective Date

R.2008 d.25, effective December 21, 2007.
See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 47, Rules of Legalized Games of Chance, expires on December 21, 2014. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 47, Rules of Legalized Games of Chance, was filed and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Chapter 47, Rules of Legalized Games of Chance, was readopted as R.1992 d.96, effective January 27, 1992. See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Subchapter 13, Raffles and Bingo Equipment Providers; Fees Notifications; Qualifications, was renamed Raffles and Bingo Equipment Providers; Instant Raffle Equipment Suppliers; Fees Notifications; Qualifications, by R.1996 d.538, effective November 18, 1996. See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Pursuant to Executive Order No. 66(1978), Chapter 47, Rules of Legalized Games of Chance, was readopted as R.1997 d.89, effective January 24, 1997. See: 28 N.J.R. 5139(a), 29 N.J.R. 581(a).

Subchapter 18, Conduct of Armchair Races, and Subchapter 19, Compensated Armchair Race Projectionist and Cashier, were adopted as R.2001 d.343, effective September 17, 2001. See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

Chapter 47, Rules of Legalized Games of Chance, was readopted as R.2002 d.258, effective July 12, 2002. See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

Subchapter 20, Conduct of Casino Nights, was adopted as new rules by R.2003 d.199, effective May 19, 2003. See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

Subchapter 6A, Compensated Workers, was adopted as new rules by R.2007 d.141, effective May 7, 2007. See: 38 N.J.R. 3141(a), 39 N.J.R. 1763(a).

Subchapter 5A, Certification of Permissibility: Electronic Games of Chance Systems, was adopted as new rules by R.2007 d.166, effective May 21, 2007. See: 38 N.J.R. 2024(a), 39 N.J.R. 2125(b).

Chapter 47, Rules of Legalized Games of Chance, was readopted as R.2008 d.25, effective December 21, 2007. See: Source and Effective Date. See, also, section annotations.

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(N.J.S.A. 5:8-57) be liable to a civil penalty of not more than \$7,500 for the first offense and not more than \$15,000 for the second and each subsequent offense.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

SUBCHAPTER 3. APPLICATIONS

13:47-3.1 Bingo license application form; certificate for rented premises

Applications for bingo licenses shall be made on Form 2B-A, which is hereby adopted. Where premises are to be rented, a certificate of the landlord shall be obtained from the landlord and attached to the application, such certificate to be on Form 10-A which is hereby adopted.

Amended by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Statutory References

See Subchapter 14 (Rentals of Premises for Bingo) of this Chapter.

Case Notes

Bingo license applications are to be filed with the appropriate municipal clerk and provide certain information set out on Commission-approved forms; municipal regulation of bingo licensure preempted by State law. *Kendall Park Chapter of Deborah v. New Brunswick*, 159 N.J.Super. 249, 387 A.2d 1214 (App.Div.1978), certification denied 78 N.J. 396, 396 A.2d 583 (1978).

13:47-3.2 Raffles license application form; certificate for leased equipment

Applications for raffles licenses shall be made on Form 2R-A, which is hereby adopted. Where raffles equipment is to be leased, a certificate of the lessor shall be obtained from the raffle equipment supplier and attached to the application, such certificate to be Form 13 which is hereby adopted.

Amended by R.1992 d.96, effective March 2, 1992.
See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Statutory References

See N.J.S.A. 5:8-52.

13:47-3.3 Filing

License applications shall be filed in quadruplicate with the municipal clerk. One copy shall be retained by the municipal clerk, the second copy shall be returned to the applicant after a license has been granted or denied by the issuing authority. The third copy shall be forwarded to the Control Commission by the municipal clerk and the fourth copy shall be delivered to the law enforcement agency in the municipality.

Amended by R.2006 d.109, effective March 20, 2006.
See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).
Substituted "issuing authority" for "governing body".

Amended by R.2008 d.25, effective January 22, 2008.
See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).

Substituted "law enforcement agency" for "Law Enforcement Agency".

13:47-3.4 Exhibits required for filing application for municipal license

No application shall be accepted unless the applicant at the time of filing the application exhibits a valid registration certificate issued to it by the Control Commission bearing its identification number which shall be entered on the application.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

13:47-3.5 Assignment of number

Upon receiving a license application by the municipality, the municipal clerk shall assign a number thereto and endorse it on all copies of the application. The number shall be composed of the prefix BA for bingo application or the prefix RA for a raffles application and a consecutive serial number. Thus, the number BA:110 will indicate that the application was filed for Bingo, and that it was the 110th application for a license to conduct games of chance.

Amended by R.2008 d.25, effective January 22, 2008.
See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).

Inserted "by the municipality".

13:47-3.6 Bingo and raffle; separate application and license; special senior citizen bingo license

(a) A separate application for a Special Senior Citizen Bingo shall be filed with the clerk of the municipality where the games are to be held, operated or conducted. The license shall be valid for a period of two years.

(b) An application and license to conduct bingo may include up to 72 occasions, provided the application does not include:

1. More than six occasions in any one calendar month;
2. Dates of occasions for a period of more than one year; or
3. A date of an occasion beyond the date upon which the applicant's registration with the Control Commission expires.

(c) A separate application and license shall be used for each of the following types of raffles and shall, in each instance, specify the particular type of raffle as follows:

1. On-premises draw raffle offering merchandise as a prize;
2. On-premises 50-50 raffle offering a cash or money prize;

3. Off-premises draw raffle offering a merchandise prize;
4. Non-draw raffles (carnival games and wheels);
5. Off-premises 50-50 raffle offering a cash or money prize;
6. Off-premises duck race raffles offering a merchandise prize;
7. Off-premises calendar raffle offering a merchandise or cash prize;
8. Instant raffle game offering cash or merchandise as a prize;
9. A Golf Hole-in-One Contest offering a merchandise or cash prize;
10. Armchair races; and
11. Casino nights.

(d) In the case of a special door prize raffle, see N.J.A.C. 13:47-3.11, Notice to clerk, and N.J.A.C. 13:47-8.15, Special door-prize raffle.

(e) No application for a license to conduct any type of game of chance shall be accepted if the application includes:

1. Dates that exceed a period of one year;
2. Dates in a specific time period in excess of the maximum allowable frequency with which that type of game of chance may be held, operated or conducted as set forth in N.J.A.C. 13:47-6.11;
3. A date beyond the date upon which the applicant's registration with the Control Commission expires; or
4. A date in a period during which the applicant organization's registration has been suspended by the Control Commission.

(f) No application shall be accepted if the applicant organization's registration has been revoked by the Control Commission.

Amended by R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Amended by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Amended by R.1996 d.177, effective April 1, 1996.

See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

Provided for senior citizen bingo and for off-premises duck race and calendar raffle.

Amended by R.1996 d.538, effective November 18, 1996.

See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Amended by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

In (c), deleted "or cash" preceding "prize" in 6, and added a new 9.

Amended by R.2008 d.25, effective January 22, 2008.

See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).

In the introductory paragraph of (b), substituted "bingo" for "Bingo"; in (c)8, deleted "and" from the end; in (c)9, substituted a semicolon for the period at the end; and added (c)10 and (c)11.

Statutory References

See N.J.S.A. 5:8-62.

13:47-3.7 Register of applications

(a) The municipal clerk shall keep a register or list of all applications filed, containing the following:

1. Date of filing;
2. Name of applicant;
3. Identification number;
4. The designation BA if the application is for bingo, or RA if it is for raffles;
5. The consecutive serial number;
6. Date of issuance of license;
7. Amount of fee paid;
8. Date of denial of license;
9. Date of suspension or revocation of license.

(b) The register shall be substantially in the form designated by Form 3, hereby adopted.

13:47-3.8 Reinstatement of license

When a license has been suspended or revoked, and the suspension or revocation is set aside, or the license is reinstated, the original license shall not be reissued. In such case the applicant shall file a new application, which shall be given a new number, as shall the license issued, as though there had been no prior license, but the number shall be followed by the suffix "X." The licensee shall receive credit for any license fee paid that has not been refunded.

Amended by R.2008 d.25, effective January 22, 2008.

See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).

Deleted "thereon" following "issued".

13:47-3.9 Denial of license set aside

When a license has been denied, and the denial is set aside, the applicant shall again submit the application which was returned to him, and the clerk shall endorse a new application number thereon, and on the clerk's copy, and make entry thereof in the register, as though a new application had been filed. The municipal clerk shall immediately notify the Control Commission of the new application number assigned together with the number which it replaces. The license issued thereon shall carry the new number, but the number shall carry the suffix "Y".

13:47-3.10 Docket

(a) The municipal clerk shall also keep and maintain a docket, with a separate sheet for each licensee, on which he shall enter the following:

1. The serial number of all licenses issued to each licensee;
2. The date of issue;
3. The dates for which the license permits games of chance to be played;
4. The retail value of prizes to be awarded by raffles as to raffles subject to an annual limit; and
5. The date when the report is filed.

(b) The dates for which bingo and raffles are licensed shall be entered in separate columns to permit determination of compliance with limits on the number of games per month.

(c) The docket shall be substantially in the form designated by Form 4, hereby adopted.

13:47-3.11 Notice to clerk

(a) Before conducting a special door prize raffle for which no license is required, the registered organization shall notify the clerk of the municipality in which the door prize will be awarded.

(b) The notice shall be in writing and in duplicate signed by an officer, giving the following:

1. The name and identification number of the organization;
2. The place and date for the special door prize raffle or raffles;
3. A description of the prizes and the retail value thereof;
4. Names of the donors of the prizes.

(c) The notice shall be sent at least one week in advance of the raffle.

(d) The municipal clerk, on receipt of the notice, shall forthwith forward one copy to the Control Commission.

Amended by R.2008 d.25, effective January 22, 2008.
See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).
In (a), substituted "registered" for "qualified".

SUBCHAPTER 4. LICENSE ISSUANCE

13:47-4.1 Findings and determination

(a) Upon reviewing and determining whether to approve or deny a license application or an amendment to a license, the issuing authority shall record its findings and determination as to each of the conditions established by law.

(b) Upon investigating and passing upon a suspension or revocation of license, the governing body shall record its

findings and determination as to each of the conditions established by law.

(c) Such record shall be made in duplicate, on Form 5-A, which is hereby adopted, Form 5-A shall be signed by a member of the governing body or the municipal clerk.

Amended by R.1996 d.177, effective April 1, 1996.
See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).
In (c) permitted municipal clerk to sign record.
Amended by R.2006 d.109, effective March 20, 2006.
See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).
Rewrote (a) and (b).

Statutory References

As to Bingo, see N.J.S.A. 5:8-27, and as to Raffles, see N.J.S.A. 5:8-53.

13:47-4.2 Transmittal of copies of findings and determination

Upon making its findings and determination, the issuing authority shall within three days transmit a copy of its findings and determination to the Control Commission. The findings and determination together with the third copy of the application as provided in N.J.A.C. 13:47-3.3 shall be received by the Control Commission prior to the holding of the first game authorized.

Amended by R.2006 d.109, effective March 20, 2006.
See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).
Rewrote the section.

13:47-4.3 Duties of municipal clerk; computation of fees; notice of denial; license issuance

(a) Upon receiving the finding and determination of the issuing authority, the municipal clerk shall, if the license is granted, compute the fee payable by law, collect any fee due the municipality or the State from the applicant organization and forward any fee due the State together with the application to the Control Commission.

(b) If the Control Commission has not taken action on the application within 15 business days after the municipality has mailed the application and licensing fee to the Control Commission, the application is deemed approved.

(c) If the license is denied, the municipal clerk shall forward a copy of the application marked denied, together with a copy of the findings and determinations of the issuing authority to the Control Commission and notify the applicant by regular mail. The notification to the Control Commission and the applicant shall be made within three days of the issuing authority's decision to deny the license.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
Amended by R.2006 d.109, effective March 20, 2006.
See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).
Throughout (a) and (c), substituted "issuing authority" for "governing body"; rewrote (b).

Cross References

See Section 4.9 (Fees payable by law) of this Chapter.

Statutory References

As to Bingo license fee, see N.J.S.A. 5:8-27, and as to Raffles license fee, see N.J.S.A. 5:8-53.

13:47-4.4 Form for license issuance

(a) Bingo licenses and Raffles licenses shall be issued on Form 6B/R which is hereby adopted.

(b) In the case of Raffles licenses, the license must show the specific type and number of raffle games or allotment of prizes by chance to be conducted under the license.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Statutory References

As to Bingo, see N.J.S.A. 5:8-29, and as to Raffles, see N.J.S.A. 5:8-56.

13:47-4.5 Endorsement of license number

Upon the issuance of a license, the municipal clerk shall endorse a license number, which shall be the same as the application number, except that the prefix shall be BL for bingo licenses and RL for raffles licenses.

Amended by R.2008 d.25, effective January 22, 2008.
See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).

Deleted "thereon" following "license number".

13:47-4.6 Copies of license

The municipal clerk shall prepare licenses in triplicate, retaining one copy, issuing the original to the licensee and forwarding the second copy to the law enforcement agency of the municipality.

Amended by R.2008 d.25, effective January 22, 2008.
See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).

Substituted "law enforcement agency" for "Law Enforcement Agency".

13:47-4.7 Duration of license

No licenses for the holding, operating and conducting of any game of chance shall be effective for a period of more than one year or for a date beyond the date upon which the organization's registration with the Control Commission expires.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Statutory References

As to Bingo, see N.J.S.A. 5:8-27, and as to Raffles, see N.J.S.A. 5:8-54.

13:47-4.8 Joint license

No joint license for the holding, operating and conducting of any game of chance shall be issued to two or more organizations.

13:47-4.9 Licensing fees payable to the Control Commission

(a) Except as provided in (d) below, all licensing fees are to be paid by check made payable to the Legalized Games of Chance Control Commission at the time the application is filed with the municipality, except as set forth in (c)6 below.

(b) The licensing fees payable to the Commission are:

1. Bingo: \$20.00 for each occasion on which any game or games of bingo are to be conducted under the license;

2. On-premises draw raffle for cash prizes (50/50) in excess of \$400.00 or merchandise prizes where the total combined retail value of prizes awarded is in excess of \$400.00: \$20.00 for each day on which a drawing(s) is to be conducted under the license;

3. On-premises draw raffle for cash prizes (50/50) that do not exceed \$400.00 or merchandise prizes where the total combined retail value of prizes awarded does not exceed \$400.00: no licensing fee. In the event the retail value of the prize(s) offered or awarded exceeds \$400.00 in a raffle in which it was anticipated that the retail value would not exceed \$400.00, the licensee shall submit a check or money order made payable to the Legalized Games of Chance Commission in the amount of \$20.00 at the time of filing the report of operations required by N.J.A.C. 13:47-9 and if required, provide the licensing municipality with any additional fees due, together with a copy of the Report of Raffle Operations;

4. Off-premises draw raffle awarding merchandise as a prize: \$20.00 for each \$1,000 or part thereof of the retail value of the prize(s) to be awarded;

5. Carnival games or wheels: \$20.00 for each game or wheel held on any one day, or any series of consecutive days not exceeding six at one location;

6. Off-premises cash (50/50) raffle: a \$20.00 fee shall be paid at the time the application is filed. In the event the awarded prize exceeds \$1,000, then an additional fee of \$20.00 for each \$1,000 or part thereof in value of the awarded prize in excess of \$1,000 shall be forwarded to the Control Commission by check payable to the Legalized Games of Chance Control Commission together with the Report of Operations as required by N.J.A.C. 13:47-9 and if required, any additional fees due, together with a copy of the Report of Raffle Operations shall be provided to the licensing municipality;

(d) Whenever an organization shall conduct any draw raffle, or non-draw raffle which offers cash or money as a prize, it shall cause a sign to be displayed adjacent to the place of the allotment of prize(s) by chance as follows: "Persons under the age of 18 years are not permitted to participate in this game of chance (N.J.S.A. 5:8-59)." The sign shall not be smaller than 288 square inches and shall be posted in such a location as to be in view of all persons who shall desire to participate.

Amended by R.1995 d.41, effective January 17, 1995.
 See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
 Amended by R.1996 d.280, effective June 17, 1996.
 See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).
 Amended by R.2006 d.109, effective March 20, 2006.
 See: 37 N.J.R. 1165(a), 38 N.J.R. 1462(a).

In (c), substituted "Except for the serving or selling of food and beverages, no" for "No".

Statutory References

As to Bingo, see N.J.S.A. 5:8-32, and as to Raffles, see N.J.S.A. 5:8-59.

13:47-6.11 Frequency and location of games

(a) No registered organization shall conduct any game(s) of chance more often than as set forth in this section:

1. Bingo shall not be conducted more often than six days in any calendar month.
2. On-premises draw raffles awarding either cash or merchandise as prizes shall not be conducted more often than six days in any one week.
3. Off-premises draw raffles awarding merchandise prizes shall not be conducted more often than six days in any one week.
4. Non-draw raffles (wheels and games) shall not be conducted more often than six days in any one week.
5. Off-premises 50/50 cash draw raffles shall not be conducted more often than once in any calendar month.
6. A Duck Race raffle shall not be conducted more often than once in any calendar month.
7. A calendar raffle shall not be conducted more often than twice in any calendar year.
8. No instant raffle game shall be held, operated or conducted at any location or on any date within the licensing municipality unless the license indicates each location where, and each date when, the instant raffle games are to be held, operated or conducted and conforms to the provisions of N.J.A.C. 13:47-6.9.
9. Armchair race events shall not be conducted more often than six times in any one week.
10. A casino night shall not be conducted more often than six times in any one week.

(b) Only the day upon which a drawing or allotment of prizes takes place shall be considered when determining the frequency of games prescribed by this section.

(c) A license issued for the purpose of holding an armchair race or casino night shall be valid on the date of the occasion for which the license is issued beginning at 12:00 A.M. and will expire at 2:00 A.M. the next day.

(d) A game licensed pursuant to the provisions of the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., or the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq., and this chapter shall only be held, operated or conducted, including the sale of a ticket, share or right to participate in the game, in a municipality in which the voters have approved a referendum making the applicable law operable in that municipality.

Repeal and New Rule, R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(a), 24 N.J.R. 854(a).

Old section was "Time limitation".
 Amended by R.1996 d.177, effective April 1, 1996.
 See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

In (a) provided for duck race and calendar raffle.
 Amended by R.1996 d.538, effective November 18, 1996.
 See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).
 Amended by R.2001 d.343, effective September 17, 2001.
 See: 33 N.J.R. 2422(a), 33 N.J.R. 3336(a).

Added (a)9; added (c).
 Amended by R.2002 d.258, effective August 5, 2002.
 See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

In (a), substituted "one week" for "calendar month" throughout; added (d).
 Amended by R.2003 d.199, effective May 19, 2003.
 See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

In (a), added 10; in (c), inserted "or casino night" following "an armchair race".

Statutory References

As to Bingo, see N.J.S.A. 5:8-33, and as to Raffles, see N.J.S.A. 5:8-60.

13:47-6.12 Expenses: payment requirements

(a) No item of expense shall be incurred or paid in connection with the holding, operating, or conducting of a game of chance, except such expenses as are bona fide items of reasonable amount for goods, wares and merchandise furnished or services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating or conducting of the game of chance.

(b) No item of expense shall be incurred or paid for any goods, wares, merchandise, service, equipment or premises provided for use in or in connection with the holding, operating, or conducting of any game of chance that is not provided by a person approved by the Control Commission.

(c) No expense other than cash prizes, incurred in the holding, operating or conducting of any game of chance shall be paid from any source other than the account required by N.J.A.C. 13:47-6.2.

(d) Payment for prizes in a draw raffle shall be made prior to the date of the drawing.

(e) Payment for prizes in a non-draw raffle shall either be made prior to the date of the allotment of prizes or be available to the winner through the licensed organization which holds the prize on consignment basis through a contract agreement between the licensed organization and a person approved by the Control Commission.

(f) The registered organization shall pay for all services rendered and equipment used in or in connection with the holding, operating or conducting of a game licensed pursuant to the provisions of the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., or the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq., and this chapter no later than 60 days from the date upon which the service is rendered or the equipment is delivered or provided to the registered organization except, when equipment is rented, leased or purchased on conditional sale or on any other installment purchase arrangement in accordance with a written agreement filed with the Control Commission.

Amended by R.1995 d.41, effective January 17, 1995.
 See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
 Amended by R.1996 d.177, effective April 1, 1996.
 See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).
 Added (d) and (e).
 Amended by R.2002 d.258, effective August 5, 2002.
 See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
 Added (f).

Statutory References

As to Bingo, see N.J.S.A. 5:8-34 and as to Raffles, see N.J.S.A. 5:8-61.

13:47-6.13 Advertisement; bingo

(a) No bingo game shall be advertised by means of newspaper, radio, television, sound truck, or by means of billboards, posters or handbills, or any other means addressed to the general public; provided, however, that signs not exceeding 60 square feet, each, in area may be displayed as follows:

1. One sign on or adjacent to the premises where the game is to be held; and
2. One sign on or adjacent to the premises where the prize or prizes are exhibited; the prize may be exhibited only in the municipality in which the game of chance is to be held and in the municipality in which the licensee has its headquarters; except as provided in paragraphs 3 and 4 of this subsection; and
3. By a volunteer fire company holding the license for the game, on any fire-fighting equipment belonging to it, in and throughout any community which it serves; and
4. By a first-aid or rescue squad holding the license for the game, on any first-aid or rescue squad equipment belonging to it, in and throughout any community which it serves.

Amended by R.1998 d.428, effective August 17, 1998.
 See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

In (a), substituted "bingo game" for "game of chance" in the introductory paragraph.

Statutory References

As to Bingo, see N.J.S.A. 5:8-36, and as to Raffles, see N.J.S.A. 5:8-63.

13:47-6.14 Advertisement of raffle; mandatory information

(a) A raffle may be advertised by means of newspaper, radio, television, sound truck, or by means of billboards, posters or handbills, or any other means addressed to the general public in accordance with the provisions of (c) through (e) below only in a municipality in which the majority of the voters therein have voted in favor of the adoption of the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq.

(b) No person shall make any false, deceptive, misleading or fraudulent statement as to any representation of the value or description of the prize offered, the time, date or place of the drawing or allotment of the prize(s), or the purpose to which the entire net proceeds of a raffle shall be devoted.

(c) No person shall make any comparison whatsoever, directly or indirectly, between a raffle being advertised and any other raffle licensed or unlicensed held, operated or conducted, or to be held, operated or conducted.

(d) Only reasonable costs for advertisement consistent with the size and scope of a raffle shall be authorized as an expense to be deducted from the gross receipts derived from the conduct of the raffle.

(e) In the event a raffle is held, operated or conducted in conjunction with another activity that is advertised together with the raffle, the cost of advertisement shall not be authorized as an expense deductible from the gross receipts derived from the conduct of the raffle.

(f) Any advertisement of a raffle, whether written or oral, shall contain at least the following information:

1. The name of the licensed organization;
2. The identification number issued to it by the Control Commission;
3. The raffle license number issued by the municipality in which the allotment of prizes will take place;
4. The date, time and place of the allotment of the prize(s);
5. An accurate description of the prize(s) to be awarded;
6. The current retail value of the prize(s) to be awarded;

7. The purpose to which the entire net proceeds of the raffle are to be devoted; and

8. The price of the ticket share or right to participate in the raffle.

(g) When the advertised raffle is a draw raffle or is a nondraw raffle offering cash or money as a prize, the advertisement shall contain the statement or announcement "No one under the age of 18 years is permitted to participate."

(h) Each raffle advertisement shall contain the statement or announcement "If gambling is a problem for you or someone in your family, Dial 1-800-GAMBLER."

New Rule, R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.14, Examination of licensee, was recodified to N.J.A.C. 13:47-6.15.

13:47-6.15 Examination of licensee

The governing body of a municipality where a game of chance is to be held and its duly authorized agents and employees, and the Control Commission and its duly authorized agents and employees, may examine the books and records of any licensee, so far as those books and records relate to any transaction connected with the holding, operating and conducting of a game of chance, and may examine any manager, officer, director, agent, member, employee or assistant of the licensee under oath in relation to the conduct of a game of chance.

Recodified from N.J.A.C. 13:47-6.14 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.15, Value of merchandise prize, was recodified to N.J.A.C. 13:47-6.16.

Statutory References

As to Bingo, see N.J.S.A. 5:8-38, and as to Raffles, see N.J.S.A. 5:8-65.

13:47-6.16 Value of merchandise prize

When any merchandise prize is awarded in a game of chance, its value for the purpose of the Bingo Licensing Law, the Raffles Licensing Law, and the rules and regulations of this chapter shall be its current retail price. No merchandise prize shall be redeemable or convertible into cash directly or indirectly.

Recodified from N.J.A.C. 13:47-6.15 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.16, Price of supplies; interest, was recodified to N.J.A.C. 13:47-6.17.

13:47-6.17 Price of supplies; interest

Equipment, prizes and supplies for games of chance shall not be purchased or sold at prices in excess of the usual cash price thereof and when purchased on conditional sale or on

any other installment purchase arrangement shall be purchased only at the usual cash price with interest not to exceed six percent per annum on the unpaid balance.

Recodified from N.J.A.C. 13:47-6.16 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.17, Transportation of patrons, was recodified to N.J.A.C. 13:47-6.18.

13:47-6.18 (Reserved)

Recodified from N.J.A.C. 13:47-6.17 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.18, Gifts other than prizes, was recodified to N.J.A.C. 13:47-6.19.

Repealed by R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

Section was "Transportation of patrons".

13:47-6.19 Alcohol offered as a prize

(a) A licensee may offer alcohol as a prize as part of a draw raffle provided all persons participating in the part of the draw raffle are at least 21 years old. Alcohol shall not be offered as a prize in any non-draw raffle.

(b) Alcohol offered as a prize in a draw raffle shall be in an unopened container.

Recodified from N.J.A.C. 13:47-6.18 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.19, Prohibited prizes, was recodified to N.J.A.C. 13:47-6.20.

Repealed by R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

Section was "Gifts other than prizes".

New Rule, R.2011 d.122, effective April 18, 2011.

See: 42 N.J.R. 2584(a), 43 N.J.R. 1032(c).

Section was "Reserved".

13:47-6.20 Prohibited prizes

(a) No licensee shall offer or award any prize consisting of real estate or any interest therein, bonds, shares of stock, securities or evidences of indebtedness, weapons, live animals (except a gift certificate redeemable for live, edible seafood), foreign or domestic coins (except collector pieces or sets that are marketed as such and are clearly not intended for use as legal tender), tobacco products, motor vehicle leases, or any merchandise refundable in any of the foregoing or as money or cash.

(b) A prize consisting of cash or money shall not be offered or awarded except in the case of:

1. A raffle conducted by drawing with the prize(s) equaling 50 percent of the amount received for all tickets or fights to participate;

2. A calendar raffle with the maximum prize amount not to exceed \$25,000, held, operated, and conducted pursuant to N.J.A.C. 13:47-8;

3. An instant raffle game having a maximum prize amount of \$500.00 for any one ticket, held, operated, and conducted pursuant to N.J.A.C. 13:47-8;

4. Any bingo game(s) held, operated and conducted in accordance with the provisions of this chapter and the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq.; or

5. Big six wheels and horse race wheels conducted in accordance with the provisions set forth in N.J.A.C. 13:47-8.

Recodified from N.J.A.C. 13:47-6.19 and amended by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Rewrote (a); and in (b), added new 2 and 3 and recodified former 2 and 3 as 4 and 5. Former N.J.A.C. 13:47-6.20, Conduct by unaffiliated organizations, was recodified to N.J.A.C. 13:47-6.21.

Amended by R.2002 d.258, effective August 5, 2002.

See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

In (a), inserted "(except a gift certificate redeemable for live, edible seafood)".

Amended by R.2006 d.301, effective August 21, 2006.

See: 37 N.J.R. 3028(a), 38 N.J.R. 3309(b).

In (a), deleted "alcoholic beverages" following "seafood" and inserted a comma following "legal tender".

13:47-6.21 Conduct by unaffiliated organizations

(a) Two or more unaffiliated organizations may not conduct bingo at the same place on the same day except as provided in N.J.A.C. 13:47-14.3(c).

(b) Two or more unaffiliated organizations may conduct raffles at the same place at the same time.

Amended by R.1988 d.184, effective April 18, 1988.

See: 20 N.J.R. 249(a), 20 N.J.R. 912(b).

Recodified from N.J.A.C. 13:47-6.20 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.21, Time limit for devoting of proceeds, was recodified to N.J.A.C. 13:47-6.22.

13:47-6.22 Time limit for devoting of proceeds

(a) The net proceeds derived from the holding of a game of chance must be devoted to one or more of the authorized purposes within one year of the holding of the game of chance. Organizations failing to comply with this section will be required to show cause before the Commission why their right to conduct games of chance should not be revoked.

(b) Any organization desiring to hold the net proceeds of games of chance for a period longer than one year may apply to the Commission for special permission.

Recodified from N.J.A.C. 13:47-6.21 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.22, Unreasonable proceeds, was recodified to N.J.A.C. 13:47-6.23.

13:47-6.23 Unreasonable proceeds

Any organization licensed to conduct games of chance, which does not show that the conduct of games of chance

during any one year period has produced reasonable net proceeds for authorized purposes, will be required to show cause before the Commission why its right to conduct games of chance should not be revoked.

Recodified from N.J.A.C. 13:47-6.22 by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

Former N.J.A.C. 13:47-6.23, Payment for equipment, was recodified to N.J.A.C. 13:47-6.24.

13:47-6.24 (Reserved)

Repealed by R.2002 d.258, effective August 5, 2002.

See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).

Section was "Payment for equipment".

13:47-6.25 Cheating: notification; liability

(a) A player in any game of chance authorized by the Control Commission shall play the game solely to win and shall take no action to improve another player's chance of winning.

(b) A licensee who has reasonable cause to believe that a player has acted or is acting in violation of (a) above or any other regulation included in this chapter, shall require the player to cease playing the game and shall notify the Control Commission in writing as expeditiously as possible.

(c) A licensee who takes good faith action pursuant to (b) above shall not be required to refund or redeem any imitation money held by a player who improved the chances of another player or the player whose chances were improved.

New Rule, R.2003 d.199, effective May 19, 2003.

See: 34 N.J.R. 1629(a), 35 N.J.R. 2233(a).

SUBCHAPTER 6A. COMPENSATED WORKERS

13:47-6A.1 Application procedure

(a) A person who wants to be compensated for holding, operating or conducting, or assisting in the holding, operating or conducting games of chance for a registered organization shall submit to the Control Commission:

1. An application for a compensated worker license, which includes a statement indicating that the applicant is familiar with the rules governing the operation of games of chance found in N.J.A.C. 13:47;

2. The non-refundable application fee as set forth in N.J.A.C. 13:47-6A.7 by check or money order payable to the Control Commission;

3. A completed criminal history investigation form, provided by the Control Commission authorizing a criminal history record check by the Division of State Police—State Bureau of Investigation; and

4. The criminal history investigation fee as set by the Division of State Police in N.J.A.C. 13:59-1.3(b) by check or money order.

(b) The Control Commission shall review the application for completeness, and provided that the applicant meets the qualifications set forth in N.J.A.C. 13:47-6A.4, and barring any violation of the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., the Raffle Licensing Law, N.J.S.A. 5:8-50 et seq., the Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq. or disciplinary action in connection with a license, certificate, or registration in another state, shall approve the application.

(c) The Control Commission shall notify the applicant of the approval or disapproval of the application and, if approved, issue a license and a license number.

Amended by R.2008 d.25, effective January 22, 2008.

See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).

Rewrote (a).

13:47-6A.2 Agent for service of process

(a) All applicants for licensure as a compensated worker shall appoint the Executive Officer of the Control Commission as agent for service of process on a form provided by the Control Commission.

(b) Upon the service of process on the Executive Officer of the Control Commission as agent for a compensated worker, the Executive Officer shall forward the papers by registered or certified mail, return receipt requested, to the person named and who is a defendant in the proceeding, at the last known address on file with the Control Commission.

13:47-6A.3 License approval and renewal

(a) Upon notification of approval by the Control Commission, the applicant shall forward a license fee as set forth in N.J.A.C. 13:47-6A.7 by certified check or money order payable to the Legalized Games of Chance Control Commission. The license shall be valid for one year unless modified, suspended or revoked by the Control Commission.

(b) Prior to the expiration of the annual license period, each licensee shall submit an application for license renewal and payment of a license renewal fee as set forth in N.J.A.C. 13:47-6A.7.

(c) The Control Commission may suspend or revoke the license of a licensee, after an opportunity to be heard, for any violation of the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., the Raffle Licensing Law, N.J.S.A. 5:8-50, the Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq., this chapter or any other applicable statute or rule of the Control Commission.

13:47-6A.4 Qualifications of compensated workers

(a) In order to be approved for licensure as a compensated worker by the Control Commission, a person must be:

1. At least 18 years of age; and
2. Of good moral character and free of criminal convictions.

13:47-6A.5 Duties of compensated workers

(a) A licensed compensated worker may perform all of the duties and functions commonly associated with operating the games of chance, except that no such person shall be authorized to make payments from the licensed organization's games of chance account as required by N.J.A.C. 13:47-6.2.

(b) If the person licensed as a compensated worker is a corporation or other business entity, each officer, manager or employee who is holding, operating or conducting, or assisting in the holding, operating or conducting games of chance at the premises where the games are being held shall be a licensed compensated worker.

(c) A licensed compensated worker holding, operating or conducting or assisting in the holding, operating or conducting bingo games shall be subject to the supervision of the member in charge of the occasion appointed in accordance with N.J.A.C. 13:47-6.1.

13:47-6A.6 Compensation

A person licensed by the Control Commission who is to be compensated for services rendered to a registered organization in connection with holding, operating or conducting or assisting in the holding, operating or conducting games of chance shall be compensated at a rate that is not less than the minimum wage required to be paid by employers to their employees established pursuant to N.J.S.A. 34:11-56a4, as amended and supplemented.

13:47-6A.7 Fees

(a) The following fees for compensated workers shall be charged by the Control Commission:

1. Application fee..... \$100.00;
2. License fee..... \$125.00; and
3. License renewal fee \$125.00.

SUBCHAPTER 7. CONDUCT OF BINGO

13:47-7.1 (Reserved)

Amended by R.1989 d.431, effective August 21, 1989.

See: 21 N.J.R. 698(b), 21 N.J.R. 2526(a).

Added (e) and (f).

Repealed by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Formerly "Personnel".

13:47-7.2 Amount of prize limitation

(a) No prize may be offered or awarded in excess of the sum or value of \$1,000 for a single game, nor may the aggregate of all prizes offered and awarded in all games held on one occasion exceed \$3,000, except as provided in (b) and (c) below.

SUBCHAPTER 8. CONDUCT OF RAFFLES

Cross References

See Subchapter 6 (General Conduct of Games of Chance) of this Chapter.

13:47-8.1 Prohibition on members buying draw raffle tickets and instant raffle tickets

(a) The member in charge of a draw raffle pursuant to N.J.A.C. 13:47-6.1 and the member in charge of proceeds pursuant to N.J.A.C. 13:47-6.2 shall not:

1. Purchase draw raffle tickets or the right to participate in a draw raffle;
2. Claim a prize for a winner; or
3. Win any prize awarded in the draw raffle.

(b) The member in charge of an instant raffle game pursuant to N.J.A.C. 13:47-6.1, the member in charge of proceeds pursuant to N.J.A.C. 13:47-6.2 and any members or compensated workers selling tickets or paying out prizes in an instant raffle game shall not:

1. Purchase instant raffle tickets or the right to participate in an instant raffle game;
2. Claim a prize for a winner; or
3. Win any prize awarded in the instant raffle game.

(c) If an instant raffle game takes place at a bingo occasion, the member in charge of bingo pursuant to N.J.A.C. 13:47-6.1, the member in charge of bingo proceeds pursuant to N.J.A.C. 13:47-6.2 and any members or compensated workers assisting in the bingo occasion shall not:

1. Purchase instant raffle tickets or the right to participate in an instant raffle game;
2. Claim a prize for a winner; or
3. Win any prize awarded in the instant raffle game.

Repealed by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Formerly "Personnel".

New Rule, R.2011 d.122, effective April 18, 2011.

See: 42 N.J.R. 2584(a), 43 N.J.R. 1032(c).

Section was "Reserved".

13:47-8.2 Adoption of statute prerequisite

No shares or tickets or rights to participate in raffles may be sold in any municipality which has not adopted the Raffles Licensing Law.

Statutory References

See N.J.S.A. 5:8-51.

13:47-8.3 Amount of prize limitation; maximum charge; method of payment

(a) No prize having a retail value greater than that set forth in this section shall be offered or awarded in any raffle.

(b) The aggregate retail value of all prizes to be offered or awarded by a licensee in any one calendar year shall not exceed \$500,000 except that no licensee shall offer or award a prize or prizes of a sum or value greater than \$100,000, in any one raffle conducted by drawing.

(c) The limit of the aggregate retail value of the prizes which may be awarded in any one calendar year shall not apply to on-premise raffles or where all of the prizes are wholly donated.

(d) No prize having a retail value greater than \$500.00 shall be offered or awarded in any raffle not conducted by drawing.

(e) A single opportunity to participate in any instant raffle game shall not cost more than \$1.00.

(f) Instant raffle tickets shall be sold only for the price stated by the manufacturer on the instant raffle ticket and the flare.

(g) No person shall alter an instant raffle ticket or flare or offer or award a prize other than that designated by the manufacturer on the instant raffle ticket or flare.

Amended by R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Amended by R.1995 d.41, effective January 17, 1995.

See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Amended by R.1996 d.538, effective November 18, 1996.

See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

Statutory References

See N.J.S.A. 5:8-62.

13:47-8.4 Method of play

(a) The equipment used in the conduct of raffles, and the method of play, shall be such that each ticket, share or right to participate shall have an equal opportunity to be a winner.

(b) In a draw raffle, all the counterparts of the ticket sold, and no others, shall be present in the container before each drawing, except for those already drawn.

(c) In any instant raffle game, including those using seal cards and commingled deals:

1. All instant raffle tickets in a particular deal shall be placed in a receptacle and the deal shall be thoroughly mixed prior to being offered for sale to the public;

2. No deal shall contain more than 4,000 instant raffle tickets; and

3. No deal shall be sold or offered for sale unless the prize schedule of the game is structured to pay out at least 65 percent of the ideal gross receipts to the players.

(d) In an instant raffle game using a seal card:

1. The seal card shall be conspicuously posted in full view of the players at the location where the game is held, operated or conducted;

2. Names of holders of instant raffle tickets which contain the matching predesignated numbers on the seal card shall be printed on the appropriate line next to that number on the seal card; and

3. When the seal card is completed or all the tickets have been sold, the seal(s) shall be removed to reveal the prize and the winning line(s).

(e) In an instant raffle game using commingled deals:

1. A registered organization may commingle a maximum of two deals;

2. The two deals shall be thoroughly intermixed and shall be placed in play in a single receptacle; and

3. The deals commingled shall be identical as to particular type, form number, name of game, cost per play, the color of the band in a banded and folded ticket, and number of instant raffle tickets.

(f) If all prizes in the top-two winning tiers of an instant raffle game have been awarded, a registered organization may close that game and account for the actual profit from each deal.

(g) If a registered organization closes a game in which some instant raffle tickets remain unsold, the organization shall retain all unsold raffle tickets for a period of three years.

Amended by R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.5 Method of determining winners; announcement

(a) The particular method of determining winners shall be clearly described and announced immediately before the drawing begins.

(b) In an instant raffle game, no player shall physically hand pick an instant raffle ticket from a receptacle.

(c) In an instant raffle game, a registered organization shall not award a prize to any player who attempts to redeem an instant raffle ticket which has been marked, defaced or tampered with in any manner.

(d) In an instant raffle game, when a winning instant raffle ticket is presented, the organization redeeming the instant raffle ticket shall verify, before paying the prize, that the serial number and form number on the ticket are identical to

the serial number and form number of the instant raffle deal currently in play at that particular location.

(e) An organization shall immediately void a redeemed winning instant raffle ticket by defacing or punching it out, but shall not deface or punch out that area of the ticket which displays the winning number or symbol.

(f) Notwithstanding the provisions of N.J.A.C. 13:47-8.12, upon verification of a winning ticket, the registered organization shall immediately award the prize.

Amended by R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).
Amended by R.2002 d.258, effective August 5, 2002.
See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
Rewrote (f).

13:47-8.6 Open drawing

(a) Every drawing and every allotment by chance shall be conducted openly and in plain view of all players present.

(b) All counterparts drawn shall be immediately exhibited and shall be held open for inspection until the end of the occasion.

13:47-8.7 Contents of ticket; off-premises raffle awarding merchandise as a prize; additional requirement for alcoholic beverage as prize

(a) When tickets are sold for an off-premise raffle awarding merchandise as a prize, each ticket shall contain at least the following information:

1. Name and identification number of the qualified organization and number of the license issued for the occasion;
2. Place where the occasion will be held and the date and time thereof;
3. A list of the prizes and the retail value of each;
4. The number of the ticket;
5. Price of the ticket;
6. The purpose to which the entire net proceeds will be devoted;
7. The statement: "No substitution of the offered prize may be made and no cash will be given in lieu of the prize."

(b) The presence of the holder of a ticket shall not be required in order to win unless the ticket bears the statement "NOT VALID UNLESS HOLDER IS PRESENT AT THE DRAWING."

(c) The stub of each ticket shall bear the name and address of the holder, the number of the ticket, the raffle license issued for the occasion and the identification of the licensed organization.

(d) All information required by (a), (b) and (c) above shall be clearly and conspicuously set forth on the face of the ticket.

(e) In addition to the requirements of (a) through (d) above, a ticket for which one of the prizes is an alcoholic beverage shall bear the statement "Winner must be at least 21 years of age."

Amended by R.1992 d.96, effective March 2, 1992.
 Sec: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Amended by R.1995 d.41, effective January 17, 1995.
 Sec: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
 Amended by R.1996 d.177, effective April 1, 1996.
 Sec: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).
 Amended by R.2006 d.301, effective August 21, 2006.
 Sec: 37 N.J.R. 3028(a), 38 N.J.R. 3309(b).

Section was "Contents of ticket, off-premises raffle awarding merchandise as a prize". Added (e).

13:47-8.8 Contents of ticket; off-premises raffle awarding cash or money as a prize

(a) When tickets are sold for an off-premise raffle awarding cash or money as a prize, each ticket shall contain at least the following information:

1. Name and identification number of the qualified organization and number of the license issued for the occasion;
2. Place where the occasion will be held and the date and time thereof;
3. The statement: "This is a 50/50 cash raffle and the winner will receive 50 percent of the amount received for all tickets or rights to participate";
4. If the prize pool is to be divided among multiple winners, the ticket must indicate the percentage of the prize pool that each winner will receive;
5. The number of the ticket;
6. Price of the ticket;
7. The purpose to which the entire net proceeds will be devoted; and
8. The statement: "No substitution of the offered prize may be made."

(b) The presence of the holder of a ticket shall not be required in order to win unless the ticket bears the statement "NOT VALID UNLESS HOLDER IS PRESENT AT THE DRAWING."

(c) The stub of each ticket shall bear the name and address of the holder, the number of the ticket, the raffle license issued for the occasion and the identification of the licensed organization.

(d) All information required by (a), (b) and (c) above shall be clearly and conspicuously set forth on the face of the ticket.

New Rule, R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.8 "Form of ticket; approval" recodified to 13:47-8.9.
 Amended by R.1995 d.41, effective January 17, 1995.
 See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).
 Amended by R.1996 d.177, effective April 1, 1996.
 See: 27 N.J.R. 4498(a), 28 N.J.R. 1863(a).

13:47-8.9 Form of ticket; approval

(a) Whenever a licensee shall submit an application for a raffles license to the municipal clerk, two sample raffle tickets shall accompany the application.

(b) A copy of the application for a license, together with one sample ticket, shall be forwarded to the Control Commission by the municipal clerk.

(c) No raffle tickets may be sold under any license until the municipal clerk has approved the form of the ticket and has so advised the licensee. At least 14 days shall have elapsed between the time the municipal clerk forwards the application and licensing fee to the Control Commission and approval of the form of the ticket is given.

(d) The approval procedure set forth in (a) through (c) above shall not apply to instant raffle games. No instant raffle game shall be sold in this State unless it complies with the standards set forth in this chapter.

Recodified from 13:47-8.8 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.9 "Printer of tickets; certificate", recodified to 13:47-8.10.
 Amended by R.1996 d.538, effective November 18, 1996.
 See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).
 Amended by R.2002 d.258, effective August 5, 2002.
 See: 34 N.J.R. 986(a), 34 N.J.R. 2864(a).
 Rewrote (c).

13:47-8.10 Printer of tickets; certificate

(a) Every licensee shall secure from the printer of tickets a certificate showing:

1. The number of tickets printed;
2. The first and last numbers used;
3. That the tickets were consecutively numbered; and

4. A sample of the ticket.

(b) One such certificate shall be attached to each copy of Form 8R-A, Report of Raffles Operations.

(c) The licensee shall retain for two years after the date of the drawing all unsold tickets as part of its records.

Recodified from 13:47-8.9 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.10 "Presence of ticket holder" was recodified to 13:47-8.11.

13:47-8.11 Presence of ticket holder

If the presence of the holder of a ticket for an off-premise raffle is required in order to win, he shall be entitled to be present at the drawing without additional charge.

Recodified from 13:47-8.10 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.11 "One day time limit" was recodified to 13:47-8.12.

13:47-8.12 One day time limit

On any occasion when raffles are conducted all winners shall be determined and all prizes awarded within the same day except in the case of a calendar raffle conducted pursuant to this chapter; and the event that determines a winner shall be one that occurs at the time and place of the occasion.

Recodified from 13:47-8.11 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.12 "Uniform price; compensation prohibition" was recodified to 13:47-8.13.
 Amended by R.1996 d.280, effective June 17, 1996.
 See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).

13:47-8.13 Posting price to participate in non-draw raffles

Whenever an organization shall conduct a non-draw raffle it shall display adjacent to the wheel or the place of the allotment of prizes by chance, a sign indicating the price to play.

Recodified from 13:47-8.12 by R.1992 d.96, effective March 2, 1992.
 See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).
 Old section 13:47-8.13 "Equipment" has been recodified to 13:47-8.14.
 Amended by R.1996 d.280, effective June 17, 1996.
 See: 28 N.J.R. 1939(a), 28 N.J.R. 3180(a).
 Amended by R.2008 d.25, effective January 22, 2008.
 See: 39 N.J.R. 3483(a), 40 N.J.R. 726(b).
 Section was "Uniform price; posting price to participate in non-draw raffles; compensation prohibition". Deleted (a) and (c); and deleted designation (b).

13:47-8.14 Equipment

(a) Equipment for the conducting of a raffle may be leased but only from persons approved by the Control Commission and at rentals conforming to the schedules fixed by this Chapter.

(b) An organization shall not use equipment for the conducting of a raffle unless:

1. The equipment is leased from persons approved by the Control Commission at rentals conforming to the schedules fixed by these rules; or
2. The equipment is wholly owned by the organization; or
3. The equipment is being purchased by the organization on conditional sale or other installment purchase arrangement in accordance with N.J.A.C. 13:47-6.17, Price of supplies; interest; or
4. The equipment is loaned free of charge by another qualified organization registered with the Control Commission.

Recodified with amendments from 13:47-8.13 by R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Old section 13:47-8.14 "Special door-prize raffle" has been recodified to 13:47-8.15.

Amended by R.2007 d.166, effective May 21, 2007.

See: 38 N.J.R. 2024(a), 39 N.J.R. 2125(b).

Rewrote (b)3.

13:47-8.15 Special door-prize raffle

(a) A "special door-prize raffle" is one which may be conducted without a license under the following conditions:

1. The organization conducting the raffle must be a qualified organization having an identification number;
2. No extra charge may be made for the raffle;
3. Only merchandise prizes may be given;
4. All prizes must be wholly donated;
5. The total retail value of all prizes must be less than \$50.00;
6. No game of chance other than the special door prize raffle may be held or conducted on the occasion;
7. All net proceeds of the occasion must be devoted to authorized purposes;
8. Notice of the special door prize raffle has been given to the municipal clerk.

Recodified with amendments from 13:47-8.14 by R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Old section 13:47-8.15 "Separate price for combined activities" recodified to 13:47-8.16.

13:47-8.16 Separate price for combined activities

(a) If a raffle is conducted on the occasion of, or in conjunction with some other lawful activity, such as a dinner,

dance, entertainment, fashion show, or the like, the price of the ticket or right to participate in the raffle, shall be separately set forth, and the funds derived from the raffle shall be segregated and reported on Form 8R-A, and used only for the authorized purposes provided by the Raffles Licensing Law.

(b) For failure to comply with (a) above, or if no separate price is paid for the privilege or right to participating in the raffle, then such other lawful activity shall be deemed to be merely auxiliary to the conduct of the raffle, and the entire proceeds of such combined activity shall be reported on Form 8R-A, and the entire net proceeds may be used only for those authorized purposes provided by the Raffles Licensing Law, and only the actual cost of conducting the raffle may be deducted as expenses.

Recodified from 13:47-8.15 by R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

Amended by R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

In (b), substituted a reference to (a) for a reference to this section, and substituted "raffle" for "combined activity" following "conducting the".

13:47-8.17 Conduct of "duck race" raffle

(a) Equipment for the conduct of a duck race raffle must be used in accordance with N.J.A.C. 13:47-8.13.

(b) Each player must be provided with a ticket printed in accordance with N.J.A.C. 13:47-8.7. Tickets may be represented by the actual duck shaped objects used for the conduct of the race.

(c) Each object used for the conduct of the race shall be equal as to size, weight, shape and balance and as to all other characteristics that may control its selection.

(d) Each object used for the conduct of the race shall bear the name and identification number of the licensee and the license number issued for the occasion.

(e) Live animals may not be used in the conduct of the race.

(f) In the event a race for which tickets have been sold cannot be conducted, the winner(s) shall be determined by drawing from a container having in it the stub or counterpart of all tickets sold, and prize(s) shall be awarded at the time and place indicated on the license.

New Rule, R.1992 d.96, effective March 2, 1992.

See: 23 N.J.R. 3638(b), 24 N.J.R. 854(a).

4. Each instant raffle ticket shall contain the following information:

- i. The name of the manufacturer or registered trade mark or logo;
- ii. The name of the game;
- iii. The manufacturer's form number;
- iv. The price per individual instant raffle ticket;
- v. The unique minimum five-character game serial number; and
- vi. The number of winners, and respective winning number(s) or symbol(s), and prize amount(s).

5. Folded and banded tickets shall contain the name of the manufacturer and the number of winners, and respective winning number(s) or symbol(s), and prize amount(s).

6. Each instant raffle ticket in a deal shall bear the same serial number. No serial number used on a deal of instant raffle tickets shall be repeated on that manufacturer's same form number for a period of three years.

7. Each number(s) or symbol(s) shall be fully visible in the window and shall be placed so that no part of a number or symbol remains covered when a tab is removed. Displacement of the numbers or symbols to the left or right in a window is allowed for increased game security.

8. The window slits on each break-open instant raffle ticket shall be perforated on the three cut sides. All break-open instant raffle tickets shall be glued on all four edges and between each window. The glue shall be of sufficient strength and type so as to prevent the undetectable separation or delamination of the ticket.

9. The windows of winning break-open instant raffle tickets shall contain a unique symbol or printed security device, such as a specific number keyed to a particular winning ticket, or the name of the symbol or some of the symbol colors changed for a winning ticket, or other similar protection. In addition, the top-two winning tiers of break-open instant raffle tickets shall utilize a secondary form of winner verification to protect against counterfeiting. This paragraph shall not apply to folded and banded tickets.

10. Each deal's package, box, or other container shall be sealed at the factory with a seal and a warning to the purchaser that, if the seal is broken on the package, box or other container, the deal may have been tampered with.

11. Each deal's serial number shall be clearly and legibly placed on the outside of the deal's package, box or other container or be able to be viewed from the outside of the box.

12. Prior to shipment a manufacturer shall seal or tape, with tamper resistant seals or tape, every entry point into

a container of instant raffle tickets. The seal or tape must be of such construction as to guarantee that should the container be opened or tampered with, such tampering or opening would be easily discernible and obvious.

13. The flare for each deal shall be attached to the deal by the manufacturer by enclosing the flare under the shrink wrap covering the deal.

New Rule, R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.38 Instant raffle game: sales; credit prohibition; disposition

(a) A manufacturer or distributor shall not offer or extend credit to a registered organization for the purchase of instant raffle tickets. Registered organizations shall pay for instant raffle tickets on the date of delivery by check drawn on the registered organization's games of chance account. Manufacturers and distributors shall not accept cash or post-dated checks from registered organizations.

(b) A registered organization shall not sell, offer to sell or otherwise provide any instant raffle game or any equipment, service or device used in, or in connection with, the holding, operating or conducting of an instant raffle game to another registered organization unless it has received written authorization to do so from the Control Commission.

(c) Any organization which holds inventory and is no longer licensed to hold, operate or conduct instant raffle games, shall apply to the Control Commission for directions pertaining to the disposition of remaining inventory.

New Rule, R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.39 Instant raffle game: ban; recall; defective deals; refunds

(a) A registered organization shall not sell or continue to sell any deal of instant raffle tickets which the organization discovers, or has been notified by a manufacturer or distributor, does not meet the standards contained in this subchapter.

(b) A registered organization shall return to the manufacturer or distributor from which it was purchased any deal which does not conform to the standards contained in this chapter for a full refund. The organization shall notify the Commission in writing that it has returned the nonconforming deal to the manufacturer or distributor and shall enclose with the notification a copy of the sales invoice.

(c) If the Control Commission determines that deals of instant raffle tickets sold or offered for sale in this State do not conform to the standards contained in this chapter, the Control Commission shall take appropriate action including, but not limited to:

1. Directing further sales of the instant raffle tickets be stopped pending review of the games by the manufacturer and the correction of any nonconformity;

2. Ordering a recall of the nonconforming instant raffle deal(s); and

3. Directing the manufacturer to notify, in writing, within 72 hours of receipt of the Commission's order, all distributors or registered organizations to which the nonconforming games have been sold and arrange for the prompt return of the deals and a full refund. For purposes of this section, the Order shall be deemed received by the distributor, manufacturer or registered organization upon the date of acceptance of the certified mailing. If the addressee fails or refuses to claim or to accept delivery of certified mail, delivery shall be deemed to have been completed upon ordinary mailing.

(d) Upon receipt of the Commission's order directing a recall or other relief, a distributor shall, within 72 hours, notify in writing by certified and regular mail all registered organizations which have purchased the recalled deals that the deals are being recalled by order of the Commission and shall arrange for the return of the recalled deals to the distributor. The registered organization shall provide copies of those notices to the Commission within 72 hours of mailing the notices.

New Rule, R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.40 Instant raffle game: broken seal; use prohibited

(a) No manufacturer or distributor shall sell, offer to sell or provide any instant raffle tickets from a container which has been opened or whose seal or tape outside has been tampered with in any way.

(b) No registered organization shall sell, offer to sell or provide for play, any instant raffle tickets where the seal or tape on the container has been tampered with in any way.

New Rule, R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.41 Instant raffle game: organization records

(a) An organization shall retain accounting records for three years from the last date on which the instant raffle game was conducted. The records shall include the following:

1. The flares;
2. All redeemed defaced winning instant raffle tickets;
3. All unsold instant raffle tickets;
4. An accounting of each deal's:
 - i. Gross receipts;
 - ii. Prizes awarded;

iii. Cost of the deal; and

iv. Net proceeds;

5. The date each deal was placed into play; and

6. The number and value of redeemed instant raffle tickets.

(b) Daily records shall be available at the location where instant raffle games are held, operated or conducted during the period of time in which the game is held, operated or conducted. Daily records shall include the following:

1. The name of the game;
2. The form number;
3. The serial number;
4. The price to play each game sold or offered for sale;
5. The actual gross receipts of each game; and
6. The number and value of all instant raffle tickets redeemed.

New Rule, R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.42 Instant raffle game: recordkeeping; manufacturer; distributor

(a) A distributor and manufacturer shall maintain complete, accurate, and legible general and subsidiary accounting records. The records shall be retained for three years measured from the date of sale, and shall include, by month:

1. Purchase orders reflecting the name, address and identification number of the registered organization for any service or equipment for use in, or in connection with, the sale or distribution of any instant raffle game in this State;

2. Sales invoices reflecting the name, address and identification number of the registered organization for any service or equipment for use in, or in connection with, the sale or distribution of any instant raffle game in this State; and

3. All instant raffle game equipment that has been returned to the manufacturer or distributor.

New Rule, R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.43 Instant raffle game: sales invoice

(a) Sales invoices for instant raffle games shall conform to the following standards:

1. Each invoice shall be pre-numbered consecutively using a number containing a combination of not less than four digits or characters. The number shall be pre-printed by automated printing equipment or printed by a computer;

2. Each invoice shall be prepared in two parts and distributed and maintained as follows:

- i. One part shall be issued to the registered organization; and
- ii. One part shall be retained by the distributor in an invoice file by registered organization name; and

3. Each invoice shall include:

- i. The license number of the distributor or manufacturer;
- ii. The name and address of the purchaser;
- iii. If sold to a registered organization, the identification number issued by the Commission to the organization;
- iv. If sold to a distributor, the license number issued by the Commission to the distributor;
- v. The name and address of the person to whom the instant raffle game equipment was shipped;
- vi. The date shipped;
- vii. The purchase order number;
- viii. A description of each item of instant raffle game equipment, including the name of the game, serial number, form number and quantity of equipment; and
- ix. The ideal gross receipts and ideal net proceeds for each item.

New Rule, R.1996 d.538, effective November 18, 1996.
See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.44 Instant raffle game: inventory control; manufacturer; distributor

(a) A manufacturer or distributor shall establish and maintain a perpetual inventory control system to account for deals of instant raffle tickets which are manufactured by, purchased by or which are returned by a registered organization, including instant raffle equipment returned to the manufacturer or distributor for a credit. The system shall account for the sale or other disposition of each item.

(b) Perpetual inventory records shall separately account for the quantity of deals of instant raffle tickets acquired, sold or provided and those remaining in inventory, by:

- 1. The name and address of the registered organization and the identification number issued to it by the Control Commission;
- 2. The name and address of the other manufacturer or distributor and the license number issued to it by the Control Commission; and
- 3. The name, form number and serial number of the instant raffle game.

New Rule, R.1996 d.538, effective November 18, 1996.

See: 28 N.J.R. 4169(b), 28 N.J.R. 4891(a).

13:47-8.45 Golf Hole-in-One Contest; authorization

It shall be lawful to hold, operate and conduct a "Golf Hole-in-One Contest" as defined in this chapter in the method described in this subchapter.

New Rule, R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

13:47-8.46 Golf Hole-in-One Contest; prize limit; insurance

(a) No prize in excess of \$1,000,000, shall be offered or awarded to a winner of a Golf Hole-in-One Contest.

(b) If any single prize or prizes having an aggregate retail value in excess of \$25,000 are offered or awarded to a winner of a Golf Hole-in-One Contest, the entire amount shall be insured by a company licensed by the New Jersey Department of Banking and Insurance to conduct business in New Jersey.

1. If the prize awarded is to be paid as an annuity, the maximum annuity period shall be 20 years.

(c) All shots attempted in the final phase of play shall:

- 1. Be insured within the limits set forth in (b) above; and
- 2. Have an equal opportunity to win the grand prize.

(d) The retail value of any single ancillary prize awarded for accomplishments other than a hole-in-one shall not exceed \$500.00, unless the prize is wholly donated.

New Rule, R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

13:47-8.47 Golf Hole-in-One Contest; equipment; distance

(a) The hole shall have the dimensions of 4.25 inches in diameter and a minimum of four inches depth. The ball shall conform to United States Golf Association standards in effect at the time of the contest.

(b) The distance between the tee and the center of the hole/cup shall not exceed 180 yards.

New Rule, R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

13:47-8.48 Golf Hole-in-One Contest; conduct maximum number of days

A licensed organization may conduct qualifying sessions in connection with a Golf Hole-in-One Contest for a stated period of time prior to the final session, provided the date(s), time(s) and place(s) of the qualifying sessions are clearly described in its application for raffles license.

New Rule, R.1998 d.428, effective August 17, 1998.

See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

13:47-8.49 Golf Hole-in-One Contest; persons excluded

No person who is ranked as a professional golfer by the Professional Golfer's Association shall be permitted to participate as a player in any Golf Hole-in-One Contest held, operated and conducted pursuant to a license issued in accordance with the provisions of the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq., and this chapter.

New Rule, R.1998 d.428, effective August 17, 1998.
See: 30 N.J.R. 978(a), 30 N.J.R. 3062(a).

SUBCHAPTER 9. REPORT OF OPERATIONS

13:47-9.1 Form; time

(a) The report of operation shall be on the form provided by the Control Commission. The report shall contain the following information:

1. Gross receipts derived from each game;
2. Expenses incurred or paid, to whom paid and a description of the merchandise purchased or the services rendered therefor;
3. Net profit from each game and the uses to which the net profit has been or will be applied; and
4. A list of prizes offered or given and their respective values.

(b) The licensee shall file one copy of the report with the Control Commission no later than the 15th day of the calendar month immediately following the calendar month in which the licensed activity was held, operated or conducted.

Amended by R.1995 d.41, effective January 17, 1995.
See: 26 N.J.R. 4326(a), 27 N.J.R. 374(a).

Statutory References

As to Bingo, see N.J.S.A. 5:8-37, and as to Raffles, see N.J.S.A. 5:8-64.

13:47-9.2 Supply of forms

Forms for the Report of Operations shall be supplied upon request to a licensee by the municipal clerk.

13:47-9.3 Separate report form; Special door prize

(a) In the case of raffles, a separate report form shall be used for each type of raffle for which a license is issued.

(b) A monthly report need not be submitted for a special door prize raffle. An organization conducting any special door prize raffle shall submit annually in writing to the Control Commission a report containing the following information:

1. Name, address and identification number of the organization conducting the special door prize raffle;
2. Date and place that each special door prize raffle was held during the preceding 12 months;