

**TEXT OF EMERGENCY REGULATIONS**  
**TITLE 11, DIVISION 3**

**Article 8. Major League Sports Raffle Program**

**SECTION 2080 Title and Scope**

This article shall be known as the “Department of Justice’s Major League Sports Raffle Program” or the “Major League Sports Raffle Program.” The sections of this article implement, interpret and make specific the establishment of a registration and reporting program for specified nonprofit organizations, as required by Penal Code section 320.6. The sections of this article apply to every eligible organization, as defined in subdivision (c) of Penal Code section 320.6, that conducts a raffle as defined in subdivision (b) of Penal Code section 320.6. Contingent upon the appropriation of sufficient funds, the Department of Justice and the Bureau of Gambling Control will carry out the registration, auditing, oversight, and enforcement functions prescribed herein.

Note: Authority Cited: Section 320.6, Penal Code. Reference: Section 320.6, Penal Code.

**SECTION 2081 Definitions**

The following definitions shall apply when used in this article:

- (a) “Affiliated person” means a natural person, who is at least 18 years of age, and is authorized by an eligible organization to perform any duties related to a registered event, including as:
  - (1) A fiduciary;
  - (2) A supervisor or manager;
  - (3) A manual draw supervisor;
  - (4) A member of the count and reconciliation team;
  - (5) A direct seller of raffle tickets;
  - (6) A member of the electronic raffle system management team; or
  - (7) An unpaid volunteer.
- (b) “Affiliated sports team” means a team from Major League Baseball, National Hockey League, National Basketball Association, National Football League, Women’s National Basketball Association, or Major League Soccer.
- (c) “Affiliated association” means the Professional Golfers’ Association of America, Ladies Professional Golf Association, or National Association of Stock Car Auto Racing.
- (d) “Annual” or “annually” means every calendar year.
- (e) “Approval” means authorization by the Bureau for certain acts by persons registered under this article.
- (f) “Bureau” means the Bureau of Gambling Control in the California Department of Justice, acting as “the Department” as provided in section 320.6 of the Penal Code.
- (g) “Calendar year” means the one-year period that begins on January 1 and ends on December 31.
- (h) “Counterfoil” means a printed electronic record or paper ticket stub, also known as a barrel ticket, which by chance may be selected during a manual draw to determine the winner of a

raffle prize and contains a draw number matching the draw number on a raffle ticket purchased by a raffle player.

- (i) “Count and reconciliation team” means a group of affiliated persons designated by the eligible organization as responsible for conducting counterfoil and cash reconciliations during a registered event.
- (j) “Direct seller” means a natural person who sells raffle tickets.
- (k) “Draw number” means a unique number that is recorded on every raffle ticket and matching counterfoil.
- (l) “Electronic raffle system” means an apparatus that connects and consists of, but is not limited to, servers, associated network equipment, computer software, mobile devices, raffle sales unit, printers, and related equipment used by an eligible organization to sell raffle tickets or account for the sale of raffle tickets.
- (m) “Eligible recipient organization” means a private, nonprofit organization as defined in subdivision (d)(4)(A) of Penal Code section 320.6.
- (n) “Eligible organization” means an organization that holds a valid registration issued pursuant to section 2086.
- (o) “Fee” means any fee required to be paid to the Bureau pursuant to this article.
- (p) “Fiduciary” means a natural person designated by an eligible organization to fulfill the duties provided in section 2088 of this article.
- (q) “Home game,” for an affiliated sports team, means a live sports event held in California that is designated as a home game in an official schedule distributed by the league of which the Affiliated Sports Team is a member; for an affiliated association, “home game” means a live sports event of the association held in California.
- (r) “Independent gaming test laboratory” means a gaming test laboratory that is either:
  - (1) Licensed or registered to test, approve, and certify gambling equipment, systems, and software in any United States jurisdiction, and accredited by a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement or other equivalent laboratory accreditation agreement; or
  - (2) Operated by a gaming regulatory agency of a state of the United States of America that is qualified to make the certifications set forth herein.
- (s) “Manual draw” means the method used for the selection of a raffle draw number to determine the raffle prize winner that does not utilize a random number generator, requires a person to hand-pick the winning counterfoil from a container that contains every counterfoil generated during the registered event, provides an equal chance for every counterfoil generated during the registered event to be selected during the draw, and complies with section 2097, subdivision (b) of this article.
- (t) “Manual draw supervisor” means a natural person as defined in Penal Code section 320.6, subdivision (d)(3).
- (u) “Person” unless otherwise indicated, means a natural person, non-profit organization, corporation, partnership, limited partnership, trust, joint venture, association, or any other business organization.
- (v) “Prize” means the money paid to the raffle winner and is comprised of one-half or 50 percent of the gross receipts generated from the sale of raffle tickets at a registered event.
- (w) “Raffle” means a scheme for the distribution of a prize at a registered event that meets the requirements provided in this article and Penal Code section 320.6.

- (x) “Raffle draw number” means a unique number recorded on a raffle ticket and the counterfoil that by chance may be selected as the winning number during the manual draw at a registered event.
- (y) “Raffle player” means an individual who purchases a raffle ticket or tickets.
- (z) “Raffle-related products and services” means those products and services supplied by a person to an eligible organization to conduct a raffle.
- (aa) “Raffle sales unit” or “electronic raffle ticket sales device” means a portable device, remote hard-wired connected device, or a stand alone kiosk operated by an affiliated person to sell raffle tickets.
- (ab) “Raffle ticket” means a record of entry into the raffle provided to a raffle player.
- (ac) “Registered event” means a single raffle event authorized by the Bureau pursuant to these regulations.
- (ad) “Registrant” means any person required to be registered with the Bureau pursuant to Penal Code section 320.6 or this article.
- (ae) “Unpaid volunteer” means a natural person who performs hours of service in furtherance of a registered event on behalf of an eligible organization or eligible recipient organization for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered.
- (af) “Venue” means the area where raffle tickets are authorized to be sold by this article, restricted areas where only affiliated persons assigned duties related to the registered event are permitted, and areas where equipment or records related to the registered event are used or stored.

Note: Authority Cited: Section 320.6, subdivisions (c), (d), (e), (h), (j), (l), (m), and (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2082 Delegation of Authority**

Any power or authority granted to the Department of Justice and described in Penal Code section 320.6 may be exercised by the Bureau of Gambling Control.

Note: Authority Cited: Section 320.6, Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2083 Eligible Organizations**

This article does not apply to a private, nonprofit organization established by, or affiliated with, a team or association that is not a member of one of the sporting organizations provided in Penal Code section 320.6, subdivision (c).

Note: Authority Cited: Section 320.6, Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2084 Forms**

The following forms are hereby incorporated by reference:

- (a) Major League Sports Raffle Eligible Organization Registration Form (BGC 200; Org. 01/2016)

- (b) Major League Sports Raffle Unpaid Volunteer or Individual Affiliated Person - Annual Registration Form (BGC 201; Orig. 01/2016)
- (c) Major League Sports Raffle Manufacturer and Distributor of Products or Services Annual Registration Form (BGC 202; Orig. 01/2016)
- (d) Major League Sports Raffle Affiliated Person Annual Registration Form (BGC 203; Orig. 01/2016)
- (e) Major League Sports Raffle Eligible Organization Annual Report (BGC 204; Orig. 01/2016)
- (f) Major League Sports Raffle Eligible Organization Registered Event Registration Form (BGC 205; Orig. 01/2016)
- (g) Major League Sports Raffle Eligible Organization – Equipment Registration Form (BGC 206; Orig. 01/2016)
- (h) Major League Sports Raffle Electronic Raffle System and Equipment Checklist and Test Draw (BGC 207; Orig. 01/2016)

Note: Authority Cited: Section 320.6, subdivisions (c) and (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2085 Retention of Program Records**

The Bureau shall maintain copies of all registration applications accepted for filing and copies of all reports filed pursuant to section 2107 of this article and Penal Code section 320.6.

Note: Authority Cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6 Penal Code.

### **SECTION 2086 Eligible Organization Registration**

- (a) The Bureau may issue a Major League Sports Raffle registration to an eligible organization.
- (b) Every eligible organization shall, prior to conducting any raffle in California, annually register with the Bureau in the Major League Sports Raffle Program.
- (c) To apply for annual registration, an eligible organization must:
  - (1) Submit to the Bureau a completed application Major League Sports Raffle Eligible Organization Registration Form (BGC 200; Org. 01/2016); and
  - (2) Remit a non-refundable registration fee of \$5,000.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2087 Registrant Disclosure and Bureau Access to Venue**

- (a) Every registrant shall make true and complete disclosures of all information, documents and other records requested by the Bureau, including, but not limited to, information provided pursuant to subdivision (o) of Penal Code section 320.6 to enable the Bureau and

other law enforcement agencies to ascertain compliance with Penal Code section 320.6 and regulations adopted to establish and maintain the Major League Sports Raffle Program.

- (b) Bureau personnel shall have access to the venue before, during, and after a registered event.
- (c) Bureau personnel shall have access to all registered event records and equipment.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2088 Fiduciary of Eligible Organization – Duties**

Every fiduciary designated on the Major League Sports Raffle Eligible Organization Registration Form (BGC 200; Org. 01/2016) shall be responsible for all of the following:

- (a) Ensuring that there is full accountability of all raffle assets including, but not limited to:
  - (1) All raffle-related products and supplies;
  - (2) All funds derived from the registered event; and
  - (3) The distribution of all funds derived from the registered event;
- (b) Ensuring that the registered event is conducted in accordance with raffle rules established for the conduct of the raffle, this article, Penal Code section 320.6, and any other applicable federal or state laws;
- (c) Ensuring that all records related to the registered event are current and accurate;
- (d) Reviewing all reports and correspondence from and to the Bureau;
- (e) Signing, and ensuring that, the financial statements from the registered event are maintained by the eligible organization and submitted to the Bureau, if requested;
- (f) Responding in writing to violation notices;
- (g) Ensuring affiliated persons engaged in the sale of raffle tickets are holders of a valid registration issued by the Bureau;
- (h) Ensuring that all affiliated persons are trained to fully carry out the duties assigned to them and can proficiently operate any equipment necessary for the conduct of their duties; and, are fully informed of all pertinent statutes and regulations associated with the Major League Sports Raffle Program;
- (i) Ensuring that the electronic raffle system and all other equipment used to conduct a registered event is properly maintained and functions properly during a registered event, and complies in all other respects with the requirements of this article;
- (j) Ensuring that the manual draw is conducted in compliance with the requirements of this article;
- (k) Designating himself or herself, or another affiliated person, as a manual draw supervisor;
- (l) Ensuring that prior to the manual draw, the gross receipts are tallied and the prize amount is announced; and
- (m) Ensuring that a registered event is conducted by the eligible organization in the best interests of the public's health, safety, and general welfare.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2089 Raffle Registration; Registered Event**

- (a) In conjunction with its annual registration, an eligible organization must apply for registration of each and every registered event it plans to conduct.
- (b) The Bureau may issue a registration for a single registered event or for multiple registered events, so long as each of the registered events will take place on a definite schedule during the calendar year of the eligible organization's registration.
- (c) No more than one raffle drawing shall be conducted during a registered event.
- (d) To register the raffle as a registered event, a eligible organization must:
  - (1) Submit a completed Major League Sports Raffle Eligible Organization Registered Event Registration Form (BGC 205; Org. 01/2016), to the Bureau; and
  - (2) Remit the required non-refundable fee of \$100 per registered event.
- (e) Every eligible organization must also submit a map of the event location, identifying any family section; the locations where direct sellers will be conducting sales at the registered event; the locations of affiliated person-attended kiosks; the location where count and reconciliation functions will be performed; the location where raffle system management functions will be performed; and the location where the manual draw will be conducted.
- (f) The Bureau shall not register a raffle scheduled to encompass more than one calendar day.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2090 Raffle Registration; Registered Event; Post-Season Play**

Every eligible organization must register every raffle it plans to conduct for post-season home games at least 24 hours prior to holding the raffle. To register a raffle to be conducted during post-season home games, an eligible organization must:

- (a) Submit a completed Major League Sports Raffle Eligible Organization Registered Event Registration Form (BGC 205; Org. 01/2016) to the Bureau; and
- (b) Remit the required non-refundable fee of \$100 per registered event.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2091 Equipment Registration**

- (a) Every eligible organization must annually register with the Bureau any equipment to be used in the sale and distribution of raffle tickets by submitting a completed Major League Sports Raffle Eligible Organization – Equipment Registration Form (BGC 206; Orig. 01/2016).
- (b) Every eligible organization must attach a certificate of testing issued, within the last twelve months, by an independent gaming test laboratory to the form required by subdivision (a) of this section.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2092 Affiliated Person Registration**

- (a) An affiliated person must register annually with the Bureau. To apply for a registration as an affiliated person, an applicant must:
  - (1) Be at least 18 years of age;
  - (2) Be an affiliated person;
  - (3) Submit completed applications as appropriate:
    - A. Major League Sports Raffle Unpaid Volunteer or Affiliated Person Individual Annual Registration Form (BGC 201; Orig. 01/2016); or
    - B. Major League Sports Raffle Affiliated Person Annual Registration Form (BGC 203; Orig. 01/2016) submitted to the Bureau on behalf of the affiliated person; and
  - (4) Remit the required non-refundable fee of \$10.
- (b) Nothing in this section precludes an eligible organization from having other eligibility requirements in place for affiliated persons.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2093 Affiliated Person Training**

- (a) Every affiliated person shall be trained to effectively operate the equipment they will be assigned to operate during the conduct of a registered event. Every eligible organization shall maintain a record of training provided to every affiliated person for three years.
- (b) Every affiliated person shall receive a copy of these regulations and be familiar with their content prior to serving in their first registered event.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2094 Affiliated Person Identification**

Every affiliated person working at the venue shall display on their person an identification card provided by the eligible organization confirming their employment by, or unpaid volunteer status for, the eligible organization. The identification must include the name of the affiliated person and the registration number issued by the Bureau for that individual.

Note: Authority cited: Section 320.6 subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2095 Manufacturers and Distributors of Raffle-Related Products or Services; Registration**

- (a) No person may sell, rent, or distribute raffle-related products or services to an eligible organization for a registered event without having first been registered by the Bureau for the calendar year in which the registered event is conducted.

- (b) To apply for an annual registration, a manufacturer or distributor of raffle-related products must:
  - (1) Submit to the Bureau a completed Major League Sports Raffle Manufacturer and Distributor of Products or Services Annual Registration Form (BGC 202; Orig. 01/2016); and
  - (2) Remit a non-refundable registration fee of \$5,000.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2096 Registered Event; Ticket Sales**

- (a) No more than one raffle drawing shall be conducted during a registered event.
- (b) Raffle ticket sales may take place only during a home game.
- (c) Raffle tickets shall not be sold in any seating area designated as a family section.
- (d) Raffle tickets shall be sold only in areas where an event ticket is required for admission to view the game or sporting event.
- (e) Raffle tickets produced by an electronic raffle system must be printed only when sold to a raffle player. Preprinting electronic tickets is prohibited.
- (f) Raffle tickets may not be sold in advance of the registered event.
- (g) An eligible organization shall not change raffle ticket prices once sales of raffle tickets in a registered event have commenced. An eligible organization may, at its discretion, sell raffle tickets with price points allowing for the purchase of multiple raffle tickets at a discounted rate. An accounting must be documented for each price point at the point of sale for purposes of reporting.
- (h) All raffle ticket draw numbers must be unique and cannot be duplicated in the registered event.
- (i) Each raffle ticket number purchased shall represent one entry in the drawing for a winner. The equipment used to conduct raffles and the method of play shall ensure that each and every raffle ticket sold shall have an equal opportunity to be drawn as a winner.
- (j) All counterfoils generated at a registered event shall be placed in the pool of counterfoils from which only one counterfoil must be drawn to determine the winner of the raffle prize.
- (k) The sale of raffle tickets at a registered event, whether an admission-style or electronically generated ticket or the use of a manned kiosk, must be conducted by an affiliated person.
- (l) A raffle player may purchase one or more raffle tickets at a registered event.
- (m) United States currency or a valid credit or debit card may be accepted by an eligible organization as payment for any raffle ticket. An electronic benefit card or funds issued by the federal government, or any state or local government, for the delivery of public assistance to a person shall not be used or accepted for the purchase of any raffle ticket.
- (n) A raffle ticket is not transferrable or assignable from its purchaser to any other person.
- (o) All sales of raffle tickets are final; no refunds shall be made under any circumstance.
- (p) No person affiliated with an eligible organization, affiliated sports team, affiliated association, eligible recipient organization, or a registered manufacturer and distributor of raffle-related products or services, including any affiliated person, any employee or agent, or their immediate family member, may participate in any registered event as a raffle player or receive a raffle prize.



- (q) Every registered event shall commence no earlier than when ticket holders for the live event are permitted entrance to a home game and shall conclude with the announcement of the winning draw number prior to completion of the home game registered event where the corresponding raffle tickets are. If for some unforeseen reason (e.g., weather delay, power outage, emergency, or other reasonably unforeseen event) the registered event is not completed on the calendar day the registered event's raffles tickets are sold, the selection of the winning raffle ticket from that registered event must be completed the first business day when normal operations resume, and notice of the winning draw number must be posted to the eligible organization's webpage.
- (r) An eligible organization must have the fiduciary of the organization as listed on its registration application to the Bureau on site or designate one affiliated person within its organization to oversee a registered event.
- (s) An eligible organization must have on site prior to, throughout, and to the conclusion of a registered event, a sufficient number of trained affiliated persons to competently fulfill the functions of raffle ticket sales, count and reconciliation, and raffle system management. The number of supervisory or management staff must be sufficient to support the direct raffle ticket sellers and they must have a level of expertise and requisite training to operate the raffle sales unit and electronic raffle system.
- (t) Reconciliation of monetary transactions and reconciliation of raffle ticket transactions must be conducted in a secure location and under constant security and surveillance at the venue.
- (u) No revenues generated from the sale of raffle tickets may be used to defray costs incurred by the eligible organization for the conduct of the raffle.
- (v) The total prize amount of a raffle shall be one-half or 50 percent of the gross proceeds collected from the sale of the raffle tickets.
- (w) All proceeds collected from the sale of raffle tickets, that are not distributed as a prize, shall be used to benefit the organization named on the Major League Sports Raffle Eligible Organization Registered Event Registration Form submitted to the Bureau.
- (x) Every eligible organization's raffle rules must state when the manual draw will take place.
- (y) Every eligible organization's raffle rules, and each individual raffle ticket, must provide the name and phone number of the individual in charge of the registered event. Each raffle ticket must provide a raffle player a method for verifying whether he or she is entitled to the prize.
- (ab) Every eligible organization must establish and publish the duration of time during which raffle tickets will be sold for each registered event, and provide its affiliated persons sufficient time to ensure that all sales reconciliation, eligible counterfoil verification, and winning counterfoil and raffle ticket verification procedures can be conducted following the manual draw.
- (ac) Every eligible organization shall ensure that direct sellers do not carry more than \$1000 in cash from the sale of raffle tickets in areas where raffle tickets are authorized to be sold by this article.
- (ad) Prior to the sale of any raffle tickets at a registered event, the eligible organization shall ensure that there are security measures in place to protect the health, safety, and welfare of all raffle players and affiliated persons. An eligible organization shall ensure security of the following areas: (1) where raffle ticket sales are conducted; (2) routes to and from the raffle ticket sales area to the raffle ticket reconciliation room and the room where raffle ticket sales moneys are accumulated; (3) where electronic raffle system management

- functions and distribution of raffle sales units to direct sellers occurs; and (4) the location where counterfoil tickets are printed and deposited into the container for the manual draw.
- (ae) Prior to the sale of any raffle ticket at a registered event, the eligible organization is responsible for ensuring that every affiliated person participating in the registered event possesses the training, knowledge, and experience necessary to carry out their assigned duties for the registered event.
  - (af) An eligible organization, an affiliated person, and any other person or entity required to be registered by this article is required to notify the Bureau immediately about any conduct, activity, or incident that occurs that may be contrary to Penal Code section 320.6, this article, or that may affect the integrity of any registered event. Reports required by this subdivision can be made by e-mail to the Bureau of Gambling Control Criminal Intelligence Unit at [BGCCIU@doj.ca.gov](mailto:BGCCIU@doj.ca.gov) or by phone at (916) 227-3325.

Note: Authority cited: Section 320.6, subdivisions (d), (e), (f), (j), (k), and (l), Penal Code.  
Reference: Section 320.6, Penal Code.

### **SECTION 2097 Winner Determination**

- (a) Once verified, a registered event shall have only one winning raffle ticket.
- (b) Raffle winners need not be present to claim the prize.
- (c) Prior to conducting the manual draw, the gross receipts from the registered event must be tallied, and the prize amount of the raffle must be determined and publicly announced.
- (d) Every eligible organization shall use a manual draw procedure that ensures that every counterfoil generated after the sale of a raffle ticket has an equal chance of being selected during the manual draw.
- (e) An eligible organization must not conduct a manual draw unless the fiduciary or manual draw supervisor is present. Every manual draw must occur at an authorized public or private site and the entire draw process must be video recorded. All draw numbers in the container must be intermixed before drawing a winning number. A copy of the video recording described in this subdivision must be maintained as part of the records required for the registered event.
- (f) The counterfoil selected as the winner during the manual draw must be validated as sold during the registered event for which the manual draw is conducted.
- (g) Voided raffle tickets shall not qualify toward a prize.
- (h) The raffle player shall present the purported winning raffle ticket to the fiduciary or manual draw supervisor overseeing the registered event for validation as containing the prize winning draw number.
- (i) Every eligible organization is responsible for collecting appropriate identification information and for providing the winner of raffle prize at a registered event with the appropriate tax reporting documentation.
- (j) Every eligible organization must comply with any tax withholding requirements established by the Department of the Treasury, the Internal Revenue Service or the State of California, Franchise Tax Board, and any reporting requirements on monetary transactions imposed by state or federal laws.
- (k) Each eligible organization shall post the winning raffle draw number for each registered event on the affiliated sports team's website and the eligible organization's website. The

winner of a raffle prize at a registered event must present the actual, purchased raffle ticket from the registered event displaying the winning raffle draw number in order to be eligible to redeem the prize. Failure to do so will result in alternative distribution of the raffle prize as provided in Penal Code section 320.6, subdivision (n).

Note: Authority cited: Section 320.6, subdivision (d), Penal Code. Reference: Section 320.6, Penal Code.

#### **SECTION 2098 Minimum Age of Raffle Players**

- (a) Raffle tickets shall be sold only to persons 18 years of age or older.
- (b) It is the responsibility of the eligible organization to ensure that raffle ticket sellers at registered events ask for and are provided a valid government-issued identification by ticket purchasers to ensure that raffle tickets are sold only to persons 18 years of age or older.

Note: Authority cited: Section 320.6, Penal Code. Reference: Section 320.6, Penal Code.

#### **SECTION 2099 Electronic Raffle System**

- (a) With the exception of the manual draw, an electronic raffle system may be used to sell raffle tickets and conduct a raffle as provided for in sections 2096 and 2097 of this article.
- (b) Any electronic raffle system used during a registered event must be in compliance with section 2101 of this article.
- (c) Raffle tickets generated by an electronic raffle system may be provided to a raffle player at a registered event only by an affiliated person.
- (d) An eligible organization may use a portable or wireless raffle sales unit to sell raffle tickets.
- (e) Electronic raffle systems for the sale of raffle tickets must be operated by an affiliated person.

Note: Authority cited: Section 320.6, subdivisions (d) and (g), Penal Code. Reference: Section 320.6, Penal Code.

#### **SECTION 2100 Raffle Tickets – Limitations; Requirements; Information On Raffle Tickets**

- (a) A person shall not be required to buy more than one raffle ticket, or to pay for anything more than the raffle ticket price to enter the raffle at a registered event.
- (b) Each sale of a raffle ticket must be recorded by a receipt issued to the raffle player containing the information required in this section, and a corresponding counterfoil must be printed or detached, and deposited into a container with all other counterfoils generated during the registered event.
- (c) An eligible organization may not print any word or phrase on promotional material or advertising that implies or expresses that a purchase of a raffle ticket is a charitable donation.

- (d) All raffle tickets for a registered event shall be sold at the same price or pursuant to a uniform discounted pricing structure as described in section 2096, subdivision (g), of this article. The eligible organization may not change raffle ticket prices or the pricing structure once sales of raffle tickets at a registered event have commenced.
- (e) All of the following shall be printed on every raffle ticket:
  - (1) The name of the eligible organization conducting the raffle;
  - (2) The Bureau-issued registration identification number for the eligible organization registration;
  - (3) The location, date and time of the corresponding raffle and manual draw;
  - (4) The unique number of the raffle ticket that must not be generated by a random number generator;
  - (5) If different than the eligible organization conducting the raffle, the name of the eligible recipient organization;
  - (6) The statement: "Ticket holders need not be present to win," and the contact information, including the name, phone number, and electronic mail address, of the eligible organization conducting the raffle;
  - (7) The toll-free telephone number approved by the Office of Problem Gambling (or its successors) that provides information and referral services for problem gamblers, currently "1-800-GAMBLER"; and
  - (8) The time limit for the player to claim the prize, as provided in Penal Code section 320.6.
- (f) An eligible organization may use a non-electronic raffle system that is a two-part, admission style raffle ticket based system, to conduct a raffle, provided that all of the following conditions are met:
  - (1) Two tickets, a raffle ticket and counterfoil, must be printed side by side on a roll with a consecutive number. Both tickets must contain the same draw number.
  - (2) The information required to be printed on the raffle ticket as provided in subdivision (e) of this section is included on the raffle ticket provided to the raffle player.
  - (3) The registered event is conducted in accordance with raffle rules established for the conduct of the raffle, this article, Penal Code section 320.6, and any other applicable federal or state laws.
  - (4) Non-electronic raffle tickets may only be sold to a raffle player at a registered event by an affiliated person.

Note: Authority cited: Section 320.6, subdivisions (l) and (m), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2101 Electronic Raffle Equipment Standards**

The electronic raffle system used for the sale of raffle tickets by an eligible organization at a registered event must be certified by an independent gaming test laboratory and must meet standards no less stringent than GLI-31, hereby incorporated by reference, and as amended from time to time.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

## **SECTION 2102 Accounting and Reporting**

- (a) The Bureau may audit the eligible organization's raffle records at any time.
- (b) The eligible organization shall follow the electronic raffle system reporting requirements no less stringent than the current version of GLI-31.
- (c) Within five calendar days of a registered event, the eligible organization shall generate a report containing all of the following information:
  - (1) The date and time of the registered event;
  - (2) Sales totals for the registered event, including the total number of raffle tickets sold, and the total money generated;
  - (3) Direct seller information, including the total number of direct sellers who conducted the sales, and the names and Bureau issued identification number of each;
  - (4) The time raffle ticket sales began and ended;
  - (5) Raffle draw numbers-in-play (series of sequential numbers in the sale of raffle tickets for that registered event);
  - (6) Prize winning raffle draw number;
  - (7) Total prize amount;
  - (8) Status of prize claim;
  - (9) Identification of the prize winner;
  - (10) A sample raffle ticket for the registered event; and
  - (11) The number of voided raffle tickets.
- (d) The eligible organization shall maintain a copy of the report required in (c) as part of the record of the registered event.
- (e) At the Bureau's request, within 72 hours, every eligible organization shall provide the following reports for a registered event:
  - (1) Exception Report – a report that includes system exception information, including but not limited to, changes to system parameters, corrections, voids, and/or overrides;
  - (2) Raffle Bearer Ticket Report – a report that includes a list of all electronic raffle tickets sold, including all associated raffle draw numbers, the selling price and raffle sales unit identifiers, and a detailed description of all raffle tickets sold at each price point, if applicable;
  - (3) Sales by Raffle Sales Unit – a report that includes a breakdown of each raffle sales unit's total ticket sales (including the raffle draw numbers) and any voided or misprinted tickets;
  - (4) Voided Draw Number Report – a report that includes a list of all draw numbers that have been voided, including their corresponding electronic raffle system generated validation numbers;
  - (5) Raffle Sales Unit Event Log – a report listing all events or disruptions recorded for each raffle sales unit, including the date, time and brief description of the event and/or identifying code;
  - (6) Raffle Sales Unit Corruption Log – a report that lists all raffle sales units unable to be reconciled to the system, including the raffle sales unit identifier, raffle sales unit operator, and the money collected;

- (7) Raffle Seller Report – a report that lists the total raffle tickets sold, the amount of money collected, any overages or shortages in money collected, and the actions taken to correct overages/shortages; and
- (8) Any other report listed in the Electronic Accounting and Reporting Section of the GLI-31 but not listed above.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2103 Eligible Organization's Raffle Rules**

- (a) Raffle rules must be posted at kiosk locations and, where available, on the eligible organization's website.
- (b) Every eligible organization shall establish and adhere to its raffle rules for the conduct of the raffle. At a minimum, the raffle rules shall contain all of the following information:
  - (1) The eligible organization's name;
  - (2) The registration number issued by the Bureau for the eligible organization;
  - (3) The price of the raffle ticket, including, if applicable, the price points for the purchase of tickets at a discounted rate;
  - (4) The method by which the prize winner will be determined;
  - (5) The manner for how a prize may be claimed;
  - (6) The contingency plan in the event that any aspects of the registered event is unable to be conducted (weather delay, power outage, emergency, or other reasonably unforeseeable event);
  - (7) The prize redemption claim period for the registered event;
  - (8) The alternate prize distribution if the winning ticket holder fails to claim the prize from the registered event;
  - (9) Eligibility information for raffle players;
  - (10) Eligibility information for the recipient of a raffle prize;
  - (11) Prize restriction;
  - (12) Identification of locations where raffle tickets may be purchased at the registered event;
  - (13) Any disclaimers;
  - (14) Publicity release;
  - (15) Choice of law and jurisdiction; and
  - (16) The effective date of the raffle rules.
- (c) Every eligible organization must: (i) post its raffle rules on its website and in a conspicuous place at the registered event; and (ii) print the raffle rules in a sufficient number for distribution to all interested persons who are eligible to purchase a raffle ticket at the registered event.

Note: Authority cited: Section 320.6, subdivision (h), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2104 Retention of Raffle Records and Reports**

- (a) Every eligible organization must retain registered event counterfoil tickets for one month after awarding the prize or until alternative distribution has been made if no raffle player claims the prize pursuant to Penal Code section 320.6, subdivisions (m) or (n), as applicable.
- (b) Every eligible organization must retain following the end of the registered event, server data, any electronic reports or records, and any records stored externally from the server on durable electronic media for five years.
- (c) Records pertaining to every registered event shall be completed and maintained in a current and accurate manner in accordance with these regulations for a period of five years.
- (d) Reports and all documents supporting entries made in any reports required by this article for a registered event shall be available to the Bureau on site at the venue.

Note: Authority cited: Section 320.6, subdivisions (m), (n), and (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2105 Accountability; Lawful Use of Proceeds**

- (a) Every eligible organization shall be accountable for all cash, raffle-related products for a registered event, financial statements, bank-validated deposit slips for all proceeds from the registered event, and bank statements from all financial accounts where proceeds from the registered event were deposited or transferred.
- (b) In accordance with Penal Code section 320.6, all proceeds generated by any registered event shall be devoted exclusively to the lawful purposes.
- (c) To ensure that all proceeds are used for the lawful purposes of the eligible organization or the eligible recipient organization, all financial accounts into which proceeds from the registered event are deposited or transferred shall be open for review and inspection by the Bureau.
- (d) All moneys derived from the conduct of the registered event shall be deposited into the eligible organization's financial account within one business day of the registered event.
- (e) Prize payments and distributions for the lawful purposes of the eligible organization or eligible recipient organization are the only allowable expenditures from the proceeds of the registered event.

Note: Authority cited: Section 320.6, subdivisions (b) and (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2106 Advertising**

- (a) Any advertising in printed media, television, radio, or internet for a registered event shall include all of the following information:
  - (1) The name of the eligible organization conducting the raffle;
  - (2) The Bureau-issued registration identification number for the eligible organization;
  - (3) The location, date and time of the corresponding manual draw for the raffle;
  - (4) The price of the raffle ticket;
  - (5) If different than the eligible organization conducting the raffle, the name of the eligible recipient organization;

- (6) The statement: “Ticket holders need not be present to win,” and the contact information, including the name, phone number, and electronic mail address, of the eligible organization conducting the raffle; and
- (7) The toll-free telephone number approved by the Office of Problem Gambling (or its successors) that provides information and referral services for problem gamblers, currently “1-800-GAMBLER.”
- (b) Any advertisement on the Internet must comply with Penal Code section 320.6, subdivision (h)(2).

Note: Authority cited: Section 320.6, subdivisions (h), (l) and (m), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2107 Eligible Organization – Annual Financial Report**

Every eligible organization shall submit a completed Major League Sports Raffle Eligible Organization Annual Report (BGC 204; Orig. 01/2016) documenting the information required pursuant to Penal Code section 320.6, subdivision (o)(12)(A). The reports required by this section shall be available to the public via the online search portal of the Attorney General’s Registry of Charitable Trusts maintained pursuant to Government Code section 12584.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2108 Electronic Raffle System, Venue Requirements**

- (a) If the electronic raffle system relies on computer networks and/or wireless (Wi-Fi) services provided at the venue, the equipment must be housed in a permanent, secure location, under constant surveillance, and the network must be stable.
- (b) The fiduciary or an affiliated person designated by the fiduciary person who is qualified to address technical problems must be available before, during, and after the manual draw to provide technical support for the networks.
- (c) Computer network or Wi-Fi equipment utilized at an outdoor event must be located in a non-public, supervised area during the conduct of the registered event.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2109 Proper Functioning of Raffle Equipment**

- (a) Prior to each registered event, the fiduciary or an affiliated person designated by the fiduciary, shall ensure that any electronic raffle system used to conduct a raffle is configured correctly, functioning properly, and fully operational.
- (b) The fiduciary or an affiliated person designated by the fiduciary must verify and document that the electronic raffle system is configured correctly, functioning properly, and fully operational by completing a BGC-207 Major League Sports Raffle Electronic Raffle System and Equipment Checklist and Test Draw prior to each registered event. Every



eligible organization shall maintain the form required to be completed by this subdivision for a period of three years.

- (c) Affiliated persons are not permitted to restart a raffle sales unit or otherwise adjust any associated network equipment for any reason without the oversight of the fiduciary or the oversight of an affiliated person designated by the fiduciary.
- (d) If for any reason any parts of the electronic raffle system, such as the raffle sales unit, printers, or associated network, do not function properly prior to, or during, the sale of any raffle ticket, the eligible organization must notify the Bureau immediately and may either use a non-electronic raffle system that is a two-part, admission-style raffle ticket based system, or cancel the registered event.

Note: Authority cited: Section 320.6, subdivision (o), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2130 Violations**

- (a) All authorizations granted to eligible organizations by the Bureau pursuant to this article are granted on condition that the eligible organization will operate the registered event in a manner suitable to protect the public health, safety, and general welfare of the residents of the state. The responsibility for the employment and maintenance of suitable methods of operation rests with the eligible organization, and willful or persistent use or toleration of methods of operation deemed unsuitable by the Bureau shall constitute grounds for registration revocation or other disciplinary action.
- (b) No registrant shall conduct a raffle in violation of any provision of Penal Code section 320.6, or this article.
- (c) No registered manufacturer or distributor of raffle-related products or services shall provide equipment or services for the conduct of a raffle in violation of Penal Code section 320.6 or this article.
- (d) No registrant shall fail to meet the disclosure and reporting requirements set forth in this article.
- (e) Each eligible organization shall maintain security controls over the venue to protect the public health, safety, and general welfare of the raffle players, and to protect the operations related to the conduct of the registered event.

Note: Authority cited: Section 320.6, subdivisions (o) and (p), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2131 Discipline**

- (a) Administrative actions commenced by the Bureau, pursuant to subdivisions (p) and (q), of Penal Code section 320.6 shall proceed under chapter 5 (commencing with section 11500) of part 1 of division 3 of title 2 of the Government Code.
- (b) The Bureau, in its discretion, may issue to a registrant warning notices, notices to cure, advisory letters regarding violations or possible violations of law, or withdraw any notice or letter upon further investigation.

Note: Authority cited: Section 320.6, subdivisions (p) and (q), Penal Code. Reference: Section 320.6, Penal Code.

### **SECTION 2132 Penalties**

For any administrative actions based on a violation of Penal Code section 320.6, this article, previously imposed disciplinary or registration condition, or laws materially related to suitability for registration, the Bureau may seek one or more of the following remedies:

- (a) Revoke the registration or approval;
- (b) Suspend the registration or approval;
- (c) Impose any condition, limitation, order, or directive on the registration or approval;
- (d) Impose any fine or monetary penalty on a registrant;
- (e) Stay, in whole or in part, the imposition of a revocation or suspension against the holder of a registration or approval;
- (f) Order the registration or approval holder to pay a monetary penalty in lieu of all or a portion of a revocation or suspension; or
- (g) Impose recovery of costs incurred in investigating or prosecuting an action against a registrant or applicant.

Note: Authority cited: Section 320.6, subdivisions (p) and (q), Penal Code. Reference: Section 320.6, Penal Code.