

General Information Letter: Licensing of raffles is a local government function, not a state government function.

March 27, 2009

Dear:

This is in response to your letter dated January 30, 2009 in which you request information regarding raffles conducted in Illinois. The nature of your request and the information provided require that we respond with a General Information Letter (GIL). A GIL is designed to provide general information, is not a statement of Department policy and is not binding on the Department, See 86 Ill. Adm. Code 1200.120(b) and (c), which may be found on the Department's website at www.revenue.state.il.us.

In your letter you have stated the following:

Regarding licensed fraternal, charitable organizations conducting raffles, in Illinois, what parameters have been set forth from a state level? It's my understanding that the individual cities and municipalities who issue the raffle permits are responsible for monitoring the charities whom they have issued licenses to. Is there a clearer definition of what specifically constitutes a raffle? My customers are licensed fraternal, charitable organizations and there is much confusion amongst them on what they can and cannot do to meet their fund raising goals. I appreciate your help on this.

RULING

For your convenience please find enclosed a copy of the Illinois Raffles Act, 230 ILCS 15/0.01 *et seq.* The Illinois Department of Revenue does not administer the Raffles Act. As indicated in that Act, licensing is done locally.

As stated above, this is a GIL which does not constitute a statement of policy that applies, interprets or prescribes the tax laws, and it is not binding on the Department. If you are not under audit and you wish to obtain a binding Private Letter Ruling regarding your factual situation, please submit all of the information set out in items one through eight of 86 Ill. Adm. Code 1200.110(b). If you have additional questions regarding this GIL, you may contact me at (217) 782-7055.

Sincerely,

Brian L. Stocker
Staff Attorney (Income Tax)