



# GOVERNOR'S STATE EMPLOYEES FOOD DRIVE

OREGON  
FOOD BANK  
NETWORK

## Gaming Events

The only gambling events allowed under Oregon law to raise funds for the Food Drive are:

**Bingo** –A game played on a purchased card printed with a grid of horizontal and vertical lines of numbers. Numbers are drawn from a receptacle holding no more than 90 numbers until there is a winner (or winners). Winners are determined by covering (or uncovering) the selected numbers in a designated combination, sequence, or pattern as they appear on the player's card.

**Raffles** – A form of lottery in which each participant buys a chance for a prize, and the winner is determined by a random drawing. As with all lotteries, a raffle includes the elements of consideration, chance and a prize. Consideration is presumed to be present unless it is clearly and conspicuously disclosed to prospective participants that tickets may be acquired without contributing something of economic value.

**Monte Carlo** - Players compete against the house on contests of chance using purchased imitation money. The event encompasses casino-style gambling, using cards, dice and roulette wheels. Players wager and win imitation money, chips, or tokens, and no cash is wagered or won. Players may exchange imitation money for non-cash prizes or use it for a chance to "purchase" prizes at an auction.

Events that do not fall under one of the above three events **are illegal** for state employees to conduct. Illegal events include guessing games such as guessing the number of candies in a jar.

Silent auctions are not gambling. You only pay if you make the highest bid, so it's not a "chance" to win. Therefore, silent auctions do not fall under the gaming rules.

Raffles are regulated gambling events and are the exclusive privilege of qualifying tax-exempt organizations. Each "Department" in the State of Oregon holds such authority. The issue of whether a Department needs a raffle gaming license is determined by the scope of its intended fundraising - and whether or not it will be making available more than \$10,000 worth of raffle tickets for sale throughout the course of any single calendar year (that's a cumulative number and covers all raffles, big and small alike).

One individual (usually in a Department's Administrative Office) must act as "point person" in charge of overseeing and reporting all gaming activity of the Department. To report raffle activity, the agency/university or site coordinator should email the Gaming Registrar at [charitable.activities@doj.state.or.us](mailto:charitable.activities@doj.state.or.us) with the following information:

1. Type of event
2. Total ticket sales
3. Cash prize amount
4. Amount paid for any non-cash prizes
5. Non-prize expenses

Also, there is a cap on the amount of CASH which may be awarded as a prize at any single raffle: \$5,000; this means that a 50/50 raffle may only make available up to \$10,000 worth of tickets per calendar year. The limit for bingo and Monte Carlo is \$2,000 per event and \$5,000 per calendar year

Please review the governing statutes and administrative rules (links provided below), as well as your Department's policies, as you consider events of a gaming nature for the Food Drive.

The Food Drive Committee cannot answer questions about gaming activities; you will need to contact the Gaming Registrar. If your Department does decide to pursue a gaming event, your Department Director should grant approval and the Chair of the Food Drive Statewide Planning Committee should be notified.

#### **Governing ORs**

[www.oregonlegislature.gov/bills\\_laws/ors/ors464.html](http://www.oregonlegislature.gov/bills_laws/ors/ors464.html)

[www.oregonlegislature.gov/bills\\_laws/ors/ors167.html](http://www.oregonlegislature.gov/bills_laws/ors/ors167.html) (See 167.108-167.170)

#### **Governing OARs**

<https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=246213>

NOTE: for deregulated raffle activities, the first qualifying criteria of holding tax-exempt status must be met; also, please consider compliance with 137-025-0310's raffle ticket disclosures as they afford much protection in the event of complaint by any disgruntled participant.

#### **DOJ's Rules, Forms, etc.**

[www.doj.state.or.us/charitable-activities/charitable-gaming/charitable-gaming-statutes-and-rules/](http://www.doj.state.or.us/charitable-activities/charitable-gaming/charitable-gaming-statutes-and-rules/)

Don't forget that winners of gambling activities may incur tax liability! Here's the URL for IRS (gambling winning tax) reporting information: [www.doj.state.or.us/charitable-activities/charitable-gaming/withholding-and-reporting-requirements/](http://www.doj.state.or.us/charitable-activities/charitable-gaming/withholding-and-reporting-requirements/)

#### **Gaming Registrar**

Suzi Stafford, (971) 673-1975

[charitable.activities@doj.state.or.us](mailto:charitable.activities@doj.state.or.us)