

RAFFLE LICENSE APPLICATION

KANSAS DEPARTMENT OF REVENUE

Charitable Gaming
Docking State Office Building
915 SW Harrison Street
Topeka, Kansas 66612-1588
Phone: 785-368-8222 Facsimile: 785-296-4993
Website: ksrevenue.org/bustaxtypesbingo.html

FOR OFFICE USE ONLY

FEE _____
Statutory Registration Fee

RAFFLE LICENSE NO. _____

APPR. _____ ISSUED _____

New License Application

Renewal License Application

Raffle License No. _____

1. Organization's Name and Mailing Address for Notices and Forms:

Name

Street, Route or P.O. Box No.

City

State

Zip

The Kansas Department of Revenue reserves the right to request additional information as necessary.

2. Organization's Employer Identification Number - EIN: _____

3. Individual Contact Name and Title for this Organization: _____

Contact Email Address: _____ Daytime Phone Number: _____

4. Type of Non-Profit: Charitable Educational Fraternal Religious Veteran

5. Does this organization have a non-profit status from the Internal Revenue Service? Yes No Pending

6. Does the organization have by-laws? Yes No Pending

7. Has this organization been in existence for 18 months or longer? Yes No

8. Name of Organization's Financial Institution: _____

9. Organization's Officers and Raffle Personnel:

Name of President - Executive Officer

Phone Number

Date of Birth

Social Security Number

Name of Secretary

Phone Number

Date of Birth

Social Security Number

Name of Raffle Coordinator

Phone Number

Date of Birth

Social Security Number

10. Have any of the officers, directors or officials been convicted of, pleaded guilty to or pleaded nolo contendere to a violation of gambling laws of any state or the gambling laws of the U.S. or have forfeited bond to appear in court to answer charges for any such violation, or have been convicted or pleaded guilty or pleaded nolo contendere to the violation of any law of this or any other state which is classified as a felony under the laws of such state? Yes No

11. Estimate your gross receipts for all raffle ticket sales during the fiscal year July 1st - June 30th and check the appropriate box below:

- Annual gross receipts exceeding \$25,000 but do not exceed \$50,000 License fee: \$25
- Annual gross receipts exceeding \$50,000 but do not exceed \$75,000 License fee: \$50
- Annual gross receipts exceeding \$75,000 but do not exceed \$100,000 License fee: \$75
- Annual gross receipts exceeding \$100,000 License fee: \$100

Raffle Dates and Revenue:

Date of Raffle(s)	Start Date of Ticket Sales	Location of Drawing - List complete address and city

Include payment for the license fee indicated above. It should be noted the gross receipts must be certified/reconciled with the Kansas Department of Revenue after the raffle or by July 25, to ensure the proper license fee was paid.

Under penalties of law, I declare that I have examined this application, and to the best of my knowledge and belief, it is correct and complete. I will comply with all of the provisions of the Kansas Charitable Gaming Act, and the regulations adopted under such Act.

Furthermore, I have not been convicted of, pleaded guilty to or pleaded nolo contendere to a violation of gambling laws of any state or of the United States, and have not forfeited any bond to appear in court to answer charges for any such violation, and have not been convicted of, or pleaded guilty to or pleaded nolo contendere to the violation of any law of this or any other state which is classified as a felony under the laws of such state.

SIGN
HERE

Presiding Officer

Title

Date

Daytime Phone Number

SIGN
HERE

Secretary of Organization

Title

Date

Daytime Phone Number

INSTRUCTIONS FOR RAFFLE LICENSE APPLICATION

Only those nonprofit charitable organizations that have raffle gross receipts exceeding \$25,000 shall apply for a raffle license. A raffle application must be submitted to the Department of Revenue and a license must be received by the nonprofit charitable organization before the organization may sell any raffle tickets.

To save postage this application and the payment of a fees due the Kansas Department of Revenue can be completed at: <https://www.kdor.org/TaxCenter/>

NEW APPLICATION: If a new application, check the box at the top of the form. All questions must be completed. The Department reserves the right to request additional information or deny the application.

The organization must inform the department within 30 days of any changes in the information supplied in its most recent application filed with the department.

RENEWAL APPLICATION: If this is a renewal application, check the box at the top of the form and enter your raffle license number. The raffle license will expire June 30. Please make any necessary revisions to the application. This would include any new dates of raffles, estimated gross receipts, and officer or coordinator changes. Update the Signature portion of the license application. If the organization has not made the decision to host raffles in the succeeding fiscal year they may wait until that decision has been made before renewing the application. All information must be updated at least 30 days before any raffle ticket may be sold.

Line 1. This basic information regarding the organization is necessary for communications with the applicant.

Line 2. Enter your EIN here or if you do not have an EIN, you can obtain one from the IRS by going to www.irs.gov.

Line 3. Provide the name of the person that the Department of Revenue may contact to answer questions regarding your raffle license. The email address and daytime phone number for that contact person should also be provided.

Line 4. Check **one** type of non-profit organization. Definitions of the five types of non-profits per Kansas House Bill 2155:

Nonprofit religious organization - any organization, church, body of communicants, or group, gathered in common membership for mutual support and edification in piety, worship, and religious observances, or a society of individuals united for religious purposes at a definite place and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization, and which religious organization maintains an established place of worship within this state and has a regular schedule of services or meetings at least on a weekly basis and has been determined by the administrator to be organized and created as a bona fide religious organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(3) or section 501(d) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit religious organization by the administrator.

Nonprofit charitable organization - means any organization which is organized and operated for: (1) The relief of poverty, distress, or other condition of public concern within this state; (2) financially supporting the activities of a charitable organization as defined in paragraph (1); or (3) conferring direct benefits on the community at large; and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization and has been determined by the administrator to be organized and operated as a bona fide charitable organization and which has been exempted from the payment of federal income taxes as provided by sections 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6) and 501(c)(7) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit charitable organization by the administrator.

Nonprofit fraternal organization - any organization within this state which exists for the common benefit, brotherhood, or other interests of its members; and is authorized by its written constitution, charter, articles of incorporation or bylaws to engage in a fraternal, civic or service purpose within this state and has been determined by the administrator to be organized and operated as a bona fide fraternal organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(8) or section 501(c)(10) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit fraternal organization by the administrator.

Nonprofit educational organization - any public or private elementary or secondary school or institution of higher education which has been determined by the administrator to be organized and operated as a bona fide educational organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(3) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit educational organization by the administrator.

Nonprofit veterans' organization - any organization within this state or any branch, lodge or chapter of a national or state organization within this state, the membership of which consists exclusively of individuals who qualify for membership because they were or are members of the armed services or forces of the United States, or an auxiliary unit or society of such a nonprofit veterans' organization, the membership of which consists exclusively of individuals who were or are members of the armed services or forces of the United States, or are cadets, or are spouses, widows or widowers of individuals who were or are members of the armed services or forces of the United States, and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization, and has been determined by the administrator to be organized and operated as a bona fide veterans' organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(4) or 501(c)(19) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit veterans' organization by the administrator.

Line 5. If the organization does not have a letter from the IRS with a non-profit status, check NO. If the organization is in the process of applying to the IRS for this status, check PENDING.

Line 6. Check yes or no or if developing by-law's for the organization.

Line 7. Check yes or no if the organization has been in existence more than 18 months.

Line 8. Enter name of the bank, credit union or financial institution used by the organization.

Line 9. All three positions and information must be completed in this section. If there is not a Raffle Coordinator at the time of application then another officer or staff member working with the raffle must be listed.

Line 10. This information is required by statute.

Line 11. If the estimate goes over or under the gross receipts and a change in the licensee fee occurs, the amount must be reconciled on form BI-75, Raffle Return and Reconciliation. If a refund is in order, the amount will be applied to the next year's license fee. If the organization does not expect to conduct a raffle the following year and a refund is in order, the request must be made in writing to the Kansas Department of Revenue. This information may either be amended immediately after the raffle or by the end of the fiscal year. Renewals will not be processed unless all information is current.

SIGNATURE REQUIRED: This must be completed with the knowledge and consent of both the Presiding Officer and the Secretary of the Organization whether a new or renewal application is being filed.

RAFFLE RETURN AND RECONCILIATION: The Raffle Return and Reconciliation can be completed after each raffle and amended as necessary. However, all raffle gross receipts must be documented on the Raffle Return and Reconciliation form by July 25 for each licensing period.

If an organization exceeds or falls short of the projected gross receipts as reported on the Application for Raffle License, adjustments in the annual fee will be completed at the end of each licensing period. If an overpayment for the license fee has occurred, the amount of overpayment will be applied to the renewal fee for the raffle license. If an organization desires to have a refund issued in the amount of the overpayment, a request may be made in writing to the Department of Revenue within 60 days of the end of the licensing period. The raffle license number must be included with the request.

A renewal of a raffle license will not be approved until the reconciliation has been completed.

COMPLETED APPLICATION AND FEE: Mail your completed application, fee and any documentation to: Kansas Department of Revenue, Charitable Gaming, 915 SW Harrison St., Topeka, KS 66612-1588

KANSAS CHARITABLE RAFFLE

The Kansas Charitable Gaming Act legislation (2015 House Bill 2155) may be found here <http://kslegislature.org/li/>

LICENSE FEE SCHEDULE FOR CHARITABLE GAMING LICENSES:

RAFFLE - Nonprofit organization where annual gross receipts:

- exceed \$25,000 but do not exceed \$50,000 shall pay a license fee of \$25.
- exceed \$50,000 but do not exceed \$75,000 shall pay a license fee of \$50.
- exceed \$75,000 but do not exceed \$100,000 shall pay a license fee of \$75.
- exceed \$100,000 shall pay a license fee of \$100.

Renewals for all charitable gaming licenses are the same as the original license. All charitable gaming licenses expire yearly on June 30.

DEFINITIONS:

- Gambling** - A bargain in which the parties agree that, dependent upon chance, one stands to win or lose something of value specified in the agreement. (K.S.A. 21-6403)
- Raffle** - A game of chance in which each participant buys a ticket or tickets from a nonprofit organization with each ticket providing an equal chance to win a prize and the winner being determined by a random drawing. (Kansas House Bill 2155)
- Gross Receipts** - The total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property. (K.S.A. 79-6303).
- Licensing Period** - Means the 12-month period ending at midnight on June 30. The raffle license is valid from July 1 through June 30. (K.S.A. 47-1701 and Kansas House Bill 2155)

QUESTIONS AND ANSWERS REGARDING KANSAS CHARITABLE RAFFLES:

- Question 1: A group of friends will be sponsoring a raffle for medical expenses for a family in our community. Is that legal?
Answer: Under the constitutional amendment approved by the voters of Kansas only a qualified non-profit may legally conduct raffles in Kansas. This would not be legal.
- Question 2: Must the organization be a non-profit in order to qualify for a raffle license?
Answer: Yes, and it must meet the state requirements of a non-profit.
- Question 3: Can school districts conduct raffles?
Answer: Yes, each school within the district is considered a separate entity when conducting a raffle.
- Question 4: Does the organization need a separate license every time they conduct a raffle?
Answer: The raffle license is valid for one year. There are no limitations on the number of raffles a licensee may conduct during that time period.
- Question 5: When will the license expire?
Answer: All charitable gaming licenses expire June 30. This includes bingo and raffle licenses.
- Question 6: What if the organization did not have a license and gross receipts exceeded \$25,000?
Answer: The organization must contact the Kansas Department of Revenue.
- Question 7: What if I apply for a license and it is denied?
Answer: Licenses may be denied by the state. If that is the case and an organization has paid the licensee fee it may be refunded upon request.
- Question 8: Is a 50/50 drawing considered a raffle?
Answer: Yes.
- Question 9: Can an organization hire a professional company to conduct their raffle?
Answer: The state statutes do not allow for this to occur.
- Question 10: What if the organization has their license suspended by the state, is there a refund?
Answer: No.
- Question 11: What if the organization receives a raffle license and then does not host one? Can they receive a refund?
Answer: Contact the Kansas Department of Revenue at 785-368-8222.
- Question 12: Can a business hold a raffle and donate the money to a non-profit?
Answer: Only a non-profit may legally hold a raffle. Businesses do not qualify.
- Question 13: Can I file my Raffle Application and pay electronically?
Answer: Yes, the Department of Revenue encourages all taxpayers to do this. It saves time and postage. To complete the online application or pay the fee due, go to <https://www.kdor.org/taxcenter/>