Fulton County Sheriff's Office

RULES FOR NONPROFIT TAX-EXEMPT ORGANIZATIONS TO OBTAIN A RAFFLE LICENSE IN FULTON COUNTY

PROUDLY SERVING THE CITIZENS OF FULTON COUNTY

RAFFLE1. REV. 08/09

FULTON COUNTY GEORGIA
OFFICE OF THE SHERIFF
PROCEDURES FOR ISSUANCE OF RAFFLE LICENSES TO NONPROFIT TAX-EXEMPT ORGANIZATION
REVISED AUGUST, 2009

The Sheriff of Fulton County is charged with the responsibility of issuing licenses to any nonprofit, tax-exempt organization desiring to operate raffles within the county. The Office of the Sheriff has compiled guidelines outlining the prerequisites and procedures for filing an application to operate raffles within the county. These procedures incorporate the provisions of the Official Code of Georgia Annotated (O.C.G.A.§ 16-12-22.1) as they relate to the qualifications and licensing requirements.

FULTON COUNTY SHERIFF'S OFFICE

Rules, Regulations and Requirements for Issuance of Licenses to Nonprofit Tax Exempt Organizations to Operate Raffles in Fulton County

1.0 **Purpose**

In order to establish procedures for nonprofit tax-exempt organizations to operate raffles in Fulton County and in accordance with the laws enacted by the state, the following rules and regulations shall be and hereby established.

1.1_ These rules and regulations shall, in no way, lessen the requirements placed upon nonprofit, tax-exempt organizations under Georgia law.

2.0 **Nonprofit, Tax-Exempt Organizations:**

2.1 Within the context of these Rules, and as defined by the State law, a nonprofit, tax-exempt organization means:

(1) churches, schools, civic organizations, or related support groups;
(2) nonprofit organization qualified under Section 501 (c) of the Internal Revenue Code as amended.
(3) bona fide nonprofit organization approved by the Sheriff, which are properly licensed pursuant to Ga. Code Section§16-12-22.1. Unless otherwise indicated, all references (O.C.G.A. §16-12-22.1).

3.0 **Authority to License:**

3.1 Georgia law authorizes the Sheriff to license any nonprofit tax-exempt organization wishing to operate raffles in Fulton County. To implement that authority, the Sheriff has issued these Rules and Regulations and Requirements (hereinafter referred to as "The Raffle License Rules").

4.0 **Raffle License Requirements:**

4.1 A Raffle License is required for any nonprofit, tax exempt church, school, civic organization or related support group desiring to a operate a raffle in Fulton County.

4.2 The organization must have been in existence at least 24 months prior to the issuance of a license.

4.3 The applicant must be eighteen 18 years of age or older.

4.4 The License is renewable annually unless the applicant has defaulted under these Rules, or has violated other local, state or federal laws.

4.5 No nonprofit, tax-exempt organization will be permitted to operate a raffle in Fulton County without a valid license issued by the Sheriff.

4.6 No nonprofit, tax-exempt organization shall be authorized to operate a raffle in Fulton County at any time while the License is suspended, revoked or has expired.

4.7 All License must be prominently displayed at the location of the raffle.

4.8 The licensee shall own or lease all of the equipment used to conduct a raffle from an organization that is also licensed to conduct a raffle.

4.9 The licensee shall conduct raffles only at the location specified in the application, and shall not conduct more than one raffle on any calendar day.

5.0 **Annual License Fee:**

5.1 A non-refundable annual filing fee of $100.00 must accompany the completed application. (Form FCSO-RL.100)

5.2 Exception to license requirements:

Any organization that operates raffle for residents and patients of a retirement, nursing home or hospital at which gross receipts are less than $100.00 and prizes are valued at $100.00 or less, none of the applicants are required to submit fingerprints or photographs as condition of being granted an license.

6.0 **Applicants:**

6.1 An applicants can be an individual, corporation, association or other similar legal entities.

7.0 **Application:**

7.1 In order to be considered for a Raffle License, the organization must submit an application to the Sheriff complete in detail (name, addresses, phone numbers, zip codes, etc.)

8.0 **Corporation Application:**

8.1 If the applicant is a corporation, association, or other similar legal entity, the following information and documents are required.

a. The name, home address and phone number of the applicant.
b. A list of all duly elected officers of the organization;
c. A list of all duly elected members of the Board of Directors; (names, home addresses and phone numbers)
d. Names, addresses and phone numbers of persons authorized to operate, advertise or promote raffles, on behalf of the organization;
e. List of all persons or organizations or other legal entities that will act as surety for the

applicant or to which the applicant is financially indebted or to which any financial obligation is owed by the applicant;

f. A statement showing the convictions, if any, for criminal offenses other than minor traffic offenses of the applicant, elected officers, Board of Directors, each of the persons listed in (d) and (e) above;

g. A determination letter from the Internal Revenue Service certifying that the applicant is an organization exempt under federal tax law;

h. A statement affirming that the applicant that the applicant is exempt under the tax laws of this state;

i. Copy of licenses required by the state or any political subdivision;

j. Copy of lease or rental agreement; and

k. Such other relevant information that may be required by these rules.

9.0 **Raffle License Renewal:**

9.1 Renewal of Raffle Licenses shall be made on an annual basis, and the applicant or organization shall submit to the Sheriff a License Renewal application thirty (30) days prior to the expiration date of the current License and a non-refundable license renewal fee $100.00

9.2 Failure to apply for a license Renewal thirty (30) days prior to the expiration date of December 31, of the year license was issued; may delay the renewal process beyond the anniversary date for renewal. During this lapse of time, the license will become null and void, and the organization shall not be allowed to operate a raffle after the expiration date.

10.0 **Background Investigation:**

10.1 Applicants, operators and persons authorized to act on behalf of the organization, subsequent to the submission of their application of their application form, must agree to execute such releases as may be necessary in order to facilitate an investigation to be conducted by the Sheriff's Office to ascertain whether or not the requirements contained herein have been met.

11.0 **Annual Report:**

11.1 On or before April 15th of each year, every nonprofit, tax-exempt organization engaged in operating raffles shall file with the Sheriff, a report disclosing all receipts and expenditures relating to the operation of raffles in the previous year. The report shall be in addition to all other reports required by law. The reports shall be prepared and signed by a certified or registered public accountant competent to prepare such a report and shall be deemed a public record subject to public inspection.

11.2 The licensee must maintain the following records for a period of three years from the date of the raffle.

a. An itemized list of the gross receipts for each raffle;
b. An itemized list of all expenses other prizes that are incurred in conducting the raffle as well as the name of each person to whom the expenses are paid and a receipt for all of the expenses;
c. A list of all prizes awarded during the raffle and the names and addresses of all persons who are winners of prizes of $50.00 or more in value;
d. An itemized list of the recipients other than the licensee of the proceeds of the raffle, including the name and address of each recipient to whom such funds are distributed; and
e. A record of the number of persons who participated in any raffle conducted by the licensee.

12.0 **Sheriff's Authority:**

The Sheriff may come upon the premises of any licensee or upon premises on which any licensee is conducting a raffle for the purpose of examining the accounts and records.

13.0 **Suspension and Revocation**

13.1 The Sheriff shall have the specific authority to suspend or revoke any license for any violation of Code Section§16-12-22.1.

13.2 Any licensee accused of violating any provision of Code Section§16-12-22.1 shall be entitled to a hearing in accordance with Chapter 13 of Title 50, of the Georgia Administrative Procedure Act.

b. a suspension shall be a temporary withdrawal of the license without permanent loss of the authority, to operate a raffle until some specific deficiency is corrected.
c. a revocation shall be the permanent cancellation of the Raffle License.

14.0 **Penalties:**

14.1 Operating a raffle without a license is commercial gambling under Ga. Code Section§16-12-22 and punishable accordingly - felony conviction - 1-5 years and fine of no more than $20,000.

14.2 Violation of any other provision of this code section is a misdemeanor of a high and aggravated nature. A second offense of a felony -1 to 5 years and fine of no more than $10,000.00.

14.3 Any requirements herein made which shall be found to be void or unenforceable for any reason, shall be treated as separate and independent of all other qualifications and requirements, and shall not otherwise invalidate the remainder of these requirements as set forth in this order.

Fulton County Sheriff's Office

RAFFLE LICENSE APPLICATION
FOR
NON-PROFIT TAX - EXEMPT ORGANIZATIONS

Name of Organization _____
Address of Organization _____
Original [ ] Renewal [ ] **Date of Raffle**: _____

FOR OFFICE USE ONLY	FILE NO.
Date Received: _____ Investigated By: _____ _Date: _____ License Issued By: _____ License Number: _____ Date Issued: _____	

PROUDLY SERVING THE CITIZENS OF FULTON COUNTY

Return to: Fulton County Sheriff's Office
Bonding Administration Division
185 Central Avenue 9th Floor
Atlanta, Georgia 30303
404-612-5136

RAFFLE LICENSE REQUIREMENTS

Any nonprofit tax-exempt organization desiring to obtain a license to operate a raffle must submit an application to the Sheriff complete in details (names, addresses, phone numbers, zip code, etc.); the organization must have been in existence at least 24 months prior to submitting the application and the applicant must be 18 years of age or older.

All of the listed items one (1) through twelve (12) must accompany the completed application:

1. An application (Form FCSO RL-100) completely filled out in detail (the person filling out this application is the applicant).
2. List of Elected Officers.
3. List of Members of the Board of Directors.
4. List of persons authorized to operate the raffles on behalf of the organization.
5. List of all persons or organizations or other legal entities that will act as surety (what person (s)or organizations will be providing the prizes for the raffle).
6. Affidavit of any person convicted of a criminal offense.
7. (x) A determination letter from the Internal Revenue Service certifying that the organization is exempt under federal tax law. Contact: John Jennewein @ 1-877-829-5500
8. (x) A statement affirming that the applicant/organization is exempt under the income tax laws of this state under Code Section 48-7-25. [**This statement should be on letterhead from the organization and signed by the President of the organization/or Board of Directors.**]
9. (x) Copy of licenses required by the state or any political subdivision.
10. () Copy of lease or rental agreement. () Not applicable.

Corporations must also submit the following items:

11. (x) Certified copy of articles of incorporation.
12. (x) Certificate of Existence from the Secretary of State.

(x) Denotes documents needed to be attached with application, if applicable

Annual License Fee

All application packages must be accompanied by non-refundable annual filing fee of $100.00.
(License expires December 31, of each year).

MAKE CHECKS OR U.S. POSTAL MONEY ORDERS PAYABLE TO:
FULTON COUNTY SHERIFF'S OFFICE
(No personal checks please)

Return to: Fulton County Sheriff's Office
Bonding Administration Division
185 Central Avenue 9th Floor
Atlanta, Georgia 30303

RAFFLE LICENSE APPLICATION
FULTON COUNTY

1. Name of Applicant_____ DOB _____
   (The person who is filling out this application is the applicant)

2. Address of Applicant _____

3. City _____ County _____ State _____ Zip Code _____

4. Res. Phone _____ Bus. Phone _____ Other _____

5. Attach a copy of applicant's driver's license or birth certificate.

6. Name of organization _____

7. Address of organization _____

8. City _____ County _____ State _____ Zip Code _____

9. How long has organization been in existence? _____

10. Address where raffles will be held _____

11. City _____ County _____ State _____ Zip Code _____

12. List owner of property where raffle (s) will be held

CHECK THE APPROPRIATE BOXES

13. Original License [ ] Renewal License [ ]

14. Association [ ] Corporation [ ]

15. Other similar legal entities _____

_____

_____

ELECTED OFFICERS

II. List all elected officers of the organization. If space provided is inadequate, you may make copies of this sheet and attach it to the application.

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

BOARD OF DIRECTORS

III. List all board of directors.

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

AUTHORIZED PERSONS

IV. List all persons who will be authorized to operate, advertise or promote raffles on behalf of the organization. If space provided is inadequate, you may make copies of this sheet and attach it to the application.

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

Name _____ Office Held _____

Res. Address _____ Phone _____

City _____ State _____ Zip Code _____

****

SURETY

V. List all persons, organizations or other legal entities that will act as surety for the applicant. (the person(s) or organizations who will be providing the prizes for the raffle). If space provided is inadequate, you may make copies of this sheet and attach it to the application.

Name _____

Address _____

City _____ County _____State _____ Zip Code _____

Contact Person _____

Raffle Item(s) _____

****

Name _____

Address _____

City _____ County _____State _____ Zip Code _____

Contact Person _____

Raffle Item(s) _____

****

Name _____

Address _____

City _____ County _____State _____ Zip Code _____

Contact Person _____

Raffle Item(s)_____

****

Name _____

Address _____

City _____ County _____State _____ Zip Code _____

Contact Person _____

Raffle Item(s):_____

****

Criminal Convictions

VI. All applicants, officer of the organization, members of the board of directors and/or persons operating the raffle(s) convicted of any criminal offense other than a minor traffic offense, must submit this form filled out completely. (If space provided is inadequate, add a sheet and identify additional information by item number).

Name _____
____ Last First Middle Maiden

Address _____ Phone _____
__City _____ County _____ State _____ Zip Code
_____Race _____ Sex _____ DOB _____ Driver's Lic.
_____

List any other names used by you _____

Offense Charged _____ Date _____
__Police Agency_____
Disposition of Case_____
_____
_____
_____
_____
_____

****

AFFIDAVIT

I, _____ do hereby certify that the information given in this application is to the best of my knowledge true and complete and I understand that any false statements will be grounds for disqualification and/or revocation of the organization's license.

Signature: _____ Date: _____

Before me personally appeared the said _____ who says that he/she executed the above instrument of his/her own free will and accord with full knowledge of the purpose thereof.

Sworn to and subscribed in my presence

This _____ day of _____200

_____

Notary Public

*** Note: If this is not applicable, please notarized this form and indicate that it is not applicable.**

APPLICANT AFFIDAVIT

VII. I, _____ do hereby certify that the information given in this application is to the best of my knowledge true and complete and I understand that any false statements will be grounds for disqualification and/or revocation of the organization's license.

_____

Signature **Date**

Before me personally appeared the said _____ who says that he/she executed the above instrument of his/her own free will and accord with full knowledge of the purpose thereof.

Sworn to and subscribed in my presence

This _____ day of _____ 200 _____

_____

Notary Public

****

FOR OFFICE USE ONLY

File No. _____

Recommend **Approval [ ]** **Denial [ ]**

Bond Administrator _____ Date _____

Comments _____

****

Sheriff _____ Date _____

Comments _____

License issued by _____ Date

Fulton County Sheriff's Office

Theodore Jackson, Sheriff

Justice Center Tower, 9th Floor
185 Central Ave., SW
Atlanta, Georgia 30303
404-612-5136

CONSENT FORM

I hereby authorize Fulton County Sheriff's Bonding Administration to receive any criminal history record information pertaining to me which may be in the files of any state or local criminal justice agency.

Last Name First Name Middle ***(Maiden Name - If applicable)***

Address_____

City State Zip Code Telephone/Contact#:

Sex Race Hgt. Wgt. Date of Birth

Driver's License# State Expires Social Security#:

Signature Date

DO NOT WRITE BELOW THIS LINE (OFFICIAL USE ONLY)

[ ] BAIL RECOVERY/BONDS AGENT [ ] RAFFLE LICENSE [ ] ELECTRONIC MONITORING COMPANY

Requesting Person's Signature Date

Fulton County Sheriff's Office

Theodore Jackson, Sheriff

Justice Center Tower, 9th Floor
185 Central Ave., SW
Atlanta, Georgia 30303
404-612-5136

To apply for a Raffle License:

1. You must complete the enclosed application

2. Include the fee of ($100.00)/ **Cashier's** check or **U.S. Postal** money order payable to:
   Fulton County Sheriff's Office

3. Send completed application to:

   Fulton County Sheriff's Office
   Bonding Administration
   185 Central Avenue 9th Floor
   Atlanta, Georgia 30303

4. Allow thirty (30) business days to process.

For additional information contact Bonding Administration @ 404-612-5136.

Georgia Code Section in Reference to Raffle License

Official Code of Georgia Annotated 16-12-22.1.

(a) It is the intention of the General Assembly that only nonprofit, tax-exempt churches, schools, civic organizations, or related support groups; nonprofit organizations qualified under Section 501(c) of the Internal Revenue Code, as amended; or bona fide nonprofit organizations approved by the sheriff, which are properly licensed pursuant to this Code section shall be allowed to operate raffles.

(b) As used in this Code section, the term:

(1) "Nonprofit, tax-exempt organization" means churches, schools, civic organizations, or related support groups; nonprofit organizations qualified under Section 501(c) of the Internal Revenue Code, as amended; or bona fide nonprofit organizations approved by the sheriff.

(2) "Operate," "operated," or "operating" means the direction, supervision, management, operation, control, or guidance of activity.

(3) "Raffle" means any scheme or procedure whereby one or more prizes are distributed by chance among persons who have paid or promised consideration for a chance to win such prize. Such term shall also include door prizes which are awarded to persons attending meetings or activities provided that the cost of admission to such meetings or activities does not exceed the usual cost of similar activities where such prizes are not awarded.

(4) "Sheriff" means the sheriff of the county in which the nonprofit tax-exempt organization is located.

(c) Any other law to the contrary notwithstanding, no nonprofit, tax-exempt organization shall be permitted to operate a raffle until the sheriff issues a license to the organization authorizing it to do so. The license described in this subsection is in addition to and not in lieu of any other licenses which may be required by this state or any political subdivision thereof, and no raffle shall be operated until such time as all requisite licenses have been obtained. In the event a nonprofit, tax-exempt organization desires to conduct a raffle in more than one county, such organization shall not be required to obtain a license under this Code section in each county in which such raffle is to be conducted and shall only be required to obtain such license from the sheriff of the county in which the state headquarters of such organization are located.

(d)(1) Any nonprofit, tax-exempt organization desiring to obtain a license to operate raffles shall make application to the sheriff on forms prescribed by the sheriff. The sheriff may require the payment of an annual fee not to exceed $100.00. No license shall be issued to any nonprofit, tax-exempt organization unless the organization has been in existence for 24 months immediately prior to the issuance of the license. The license will expire at 12:00 Midnight on December 31 following the granting of the license. Renewal applications for each calendar year shall be filed with the sheriff prior to January 1 of each year and shall be on a form prescribed by the sheriff.

(2) Each application for a license and each application for renewal of a license shall contain the following information:

(A) The name and home address of the applicant and, if the applicant is a corporation, association, or other similar legal entity, the names and home addresses of each of the officers of the organization as well as the names and addresses of the directors, or other persons similarly situated, of the organization;

(B) The names and home addresses of each of the persons who will be operating, advertising, or promoting the raffle;

(C) The names and home addresses of any persons, organizations, or other legal entities that will act as surety for the applicant or to which the applicant is financially indebted or to which any financial obligation is owed by the applicant;

(D) A determination letter from the Internal Revenue Service certifying that the applicant is an organization exempt under federal tax law;

(E) A statement affirming that the applicant is exempt under the income tax laws of this state under Code Section 48-7-25;

(F) The location at which the applicant will conduct the raffles and, if the premises on which the raffles are to be conducted is to be leased, a copy of the lease or rental agreement; and

(G) A statement showing the convictions, if any, for criminal offenses other than minor traffic offenses of each of the persons listed in subparagraphs (A), (B), and (C) of this paragraph.

(3) The sheriff shall refuse to grant a raffle license to any applicant who fails to provide fully the information required by this Code section.

(4) When a nonprofit, tax-exempt organization which operates or intends to operate raffles for residents and patients of a retirement home, nursing home, or hospital operated by that organization at which gross receipts are or will be limited to $100.00 or less during each raffle and pays or will pay prizes having a value of $100.00 or less during each raffle, then, notwithstanding any other provision of this Code section or any rule or regulation promulgated by the sheriff pursuant to the provisions of subsection (l) of this Code section, neither the applicant nor any of the persons whose names and addresses are required under subparagraphs (A) and (B) of paragraph (2) of this subsection shall be required to submit or provide fingerprints or photographs as a condition of being granted a license.

(e)(1) The sheriff shall have the specific authority to suspend or revoke any license for any violation of this Code section. Any licensee accused of violating any provision of this Code section shall be entitled, unless waived, to a hearing on the matter of the alleged violation conducted in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act."

(2) By making application for a license under this Code section, every applicant consents that the sheriff, as well as any of his agents, together with any prosecuting attorney, as well as any of his agents, may come upon the premises of any licensee or upon any premises on which any licensee is conducting a raffle for the purpose of examining the accounts and records of the licensee to determine if a violation of this Code section has occurred.

(f) The sheriff shall, upon the request of any prosecuting attorney or such prosecuting attorney's designee, certify the status of any organization as to that organization's exemption from payment of state income taxes as a nonprofit organization. The sheriff shall also upon request issue a certificate indicating whether

any particular organization holds a currently valid license to operate a raffle. Such certificates properly executed shall be admissible in evidence in any prosecution, and Code Section 48-7-60, relative to the disclosure of income tax information, shall not apply to the furnishing of such certificate.

(g) Notwithstanding the other provisions of this Code section, the sheriff, upon receiving written evidence of the bona fide nonprofit, tax-exempt status of the applicant organization, shall be authorized to issue a special limited license to a nonprofit, tax-exempt organization which will allow it to operate up to three raffles during a calendar year. In such cases, the sheriff shall waive the application and license fee provided for in subsection (d) of this Code section and the annual report provided for in subsection (j) of this Code section.

(h) Raffles shall be operated only on premises owned by the nonprofit, tax-exempt organization operating the raffle, on property leased by the nonprofit, tax-exempt organization and used regularly by that organization for purposes other than the operation of a raffle, or on property leased by the nonprofit, tax-exempt organization operating the raffle from another nonprofit, tax-exempt organization.

(i) No person under the age of 18 years shall be permitted to play any raffle conducted pursuant to any license issued under this Code section unless accompanied by an adult.

(j) On or before April 15 of each year, every nonprofit, tax-exempt organization engaged in operating raffles shall file with the sheriff a report disclosing all receipts and expenditures relating to the operation of raffles in the previous year. The report shall be in addition to all other reports required by law. The report shall be prepared and signed by a certified public accountant competent to prepare such a report and shall be deemed a public record subject to public inspection.

(k)(1) A licensee that conducts or operates a raffle shall maintain the following records for at least three years from the date on which the raffle is conducted:

(A) An itemized list of the gross receipts for each raffle;

(B) An itemized list of all expenses other than prizes that are incurred in the conducting of the raffle as well as the name of each person to whom the expenses are paid and a receipt for all of the expenses;

(C) A list of all prizes awarded during the raffle and the name and address of all persons who are winners of prizes of $50.00 or more in value;

(D) An itemized list of the recipients other than the licensee of the proceeds of the raffle, including the name and address of each recipient to whom such funds are distributed; and

(E) A record of the number of persons who participate in any raffle conducted by the licensee.

(2) A licensee shall:

(A) Own all the equipment used to conduct a raffle or lease such equipment from an organization that is also licensed to conduct a raffle;

(B) Display its raffle license conspicuously at the location where the raffle is conducted;

(C) Conduct raffles only as specified in the licensee's application; and

(D) Not conduct more than one raffle during any one calendar day.

(3) No nonprofit, tax-exempt organization shall enter into any contract with any individual, firm, association, or corporation to have such individual, firm, association, or corporation operate raffles or concessions on behalf of the nonprofit, tax-exempt organization.

(4) A nonprofit, tax-exempt organization shall not lend its name nor allow its identity to be used by any individual, firm, association, or corporation in the operating or advertising of a raffle in which said nonprofit, tax-exempt organization is not directly and solely operating the raffle.

(5) No person shall pay consulting fees to any person for any services performed in relation to the operation or conduct of a raffle.

(6) A person who is a member of more than one nonprofit, tax-exempt organization shall be permitted to participate in the raffle operations of only two organizations of which such person is a member; provided, however, that such person shall not receive more than $30.00 per day for assisting in the conduct of raffles regardless of whether such person assists both organizations in the same day.

(l) The sheriff is authorized to promulgate rules and regulations which the sheriff deems necessary for the proper administration and enforcement of this Code section which are not in conflict with any provision of this Code section.

(m) Any person who operates a raffle without a valid license issued by the sheriff as provided in this Code section commits the offense of commercial gambling as defined in Code Section **16-12-22** and, upon conviction thereof, shall be punished accordingly. Any person who knowingly aids, abets, or otherwise assists in the operation of a raffle for which a license has not been obtained as provided in this Code section similarly commits the offense of commercial gambling. Any person who violates any other provision of this Code section shall be guilty of a misdemeanor of a high and aggravated nature. Any person who commits any such violation after having previously been convicted of any violations of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years or by a fine not to exceed $10,000.00, or both.