



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

May 2, 1975

Opinion No. 75- 195

Mr. Larry D. Ehrlich
Russell County Attorney
Russell, Kansas 67665

Dear Mr. Ehrlich:

You have inquired whether charitable organizations may raise money for charity purposes by conducting raffles.

K.S.A. 21-4302(2) defines a lottery as:

"an enterprise wherein for consideration the participants are given an opportunity to win a prize, the award of which is determined by chance." [emphasis supplied]

As a raffle contains all three of these elements, prize, chance and consideration, it falls within the definition of a lottery. K.S.A. 21-4304(d) states that commercial gambling is conducting a lottery, and makes said conduct a class E felony. Unfortunately, the statutes do not make an exception for lotteries as conducted by charitable or religious groups, except in the conduct of lottery bingo. Therefore, we suggest that you advise those organizations in your county which have inquired that to conduct a raffle would be in violation of the criminal laws of this state.

Yours very truly,

CURT T. SCHNEIDER
Attorney General

CTS/GFW/cgm