

# 2021 Raffle Rules & Regulations

## **2021 St. Clement RAFFLE OFFICIAL RULES AND REGULATIONS**

St. Clement Parish, a tax-exempt organization under Section 501(c)(3) of the United States Internal Revenue Code and Section 23701d of the California Revenue and Tax Code, is conducting this raffle pursuant to California Penal Code Section 320.5, to raise funds for ongoing charitable purposes. By purchasing a raffle ticket, the purchaser agrees to be bound by the following rules and regulations, limitations, and restrictions as set forth below.

### **DRAWING**

The drawing for the St. Clement Raffle will be held on Sunday, September 26, 2021, 5:00pm PST at the St. Clement Parish Festival. In the event that the Parish Festival is cancelled, the drawing will be held at the Parish Office in Hayward, California. Tickets will be sold until Sunday, September 26, 2021 3:00 p.m. To be eligible, tickets must be returned with payment to the St. Clement Parish Office no later than September 26, 2021 by 3:00pm PST. However, tickets may sell out before that time. The winner does not need to be present to win.

### **ODDS**

A maximum of 5500 tickets will be sold. The chances of winning are based on this number. If fewer tickets are sold, the chances of winning improves. The IRS has taken the position that amounts paid for chances in raffles, lotteries, or similar drawings for valuable prizes are not gifts, and consequently do not qualify as deductible charitable contributions.

### **WAIVER**

By entering this raffle, entrants accept and agree that their names, voices, and/or likenesses may be disclosed to and used by the news media and may otherwise be used by St. Clement for publicity purposes, used in lists of prize winners to be published in area newspapers and brochures, and announced on the St. Clement website.

### **LIMITATIONS OF LIABILITY**

By entering this raffle, each participant releases St. Clement, its clergy, staff, directors, officers, employees, volunteers, board members, and agents from any and all liability for injuries, losses, or damages of any kind caused by participating in the raffle or winning any prize or resulting from acceptance, possession, and use or misuse of any prize, and each winner agrees to indemnify and hold St. Clement, its clergy, staff, directors, officers, employees, volunteers, board members, and agents harmless from any and all losses, damages, rights, claims and actions of any kind arising out of, in connection with, or as a result of participating in the raffle or the winner's acceptance or use of any prize. Each participant hereby waives the provisions of civil code section 1542, which states the following: "a general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

### **TICKETS**

Tickets are \$20.00 each. Although a participant may purchase as many tickets as he or she wishes and therefore submit multiple entries under his or her name, only one eligible person's name may be submitted for each ticket sold. If more than one person's name is submitted with a ticket, and that ticket is selected as a winning ticket, the person named first will be deemed the holder of record of that ticket and declared the winner. Division of a prize by a group purchasing a winning ticket will be to the sole responsibility of the person named as the holder of record of that ticket.

St. Clement reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds." All entry forms submitted by a person or entity outside of California will be automatically disqualified. All defective or physically altered entry tickets will be immediately disqualified. Prior to the drawing, St. Clement will make a reasonable effort to notify the person that submits a disqualified ticket or one which has been rejected because the credit card or check did not clear. St. Clement will attempt to make contact through the information provided in the ticket. St. Clement assumes no responsibility for lost, late, misdirected or non-delivered mail, e-mail, or fax messages, or any other failure to receive orders or deliver receipts prior to the drawing deadlines.

A raffle participant's sole and exclusive remedy for any alleged breach by St. Clement shall be limited to the return of the purchase price of the raffle ticket(s). In no event shall St. Clement, its clergy, staff, directors, officers, employees, board members, volunteers, agents, or representatives be liable to any party for any loss or injuries or for any incidental, special, punitive or consequential damages of any person or entity whether arising in contract, tort, or otherwise, even if advised of the possibility of such damages.

## **HOW TO PURCHASE**

Purchasers may purchase as many tickets as they wish, subject to availability as set forth herein.

### **Option A – St. Clement School Families**

Tickets will be distributed to ALL St. Clement School Families – each family is required to purchase or sell a minimum of five tickets per family. Payment for these tickets as well as the ticket stub should be returned to St. Clement School.

### **Option B – After Mass**

Tickets will be available for purchase after many Masses on Saturday and Sunday from April 18, 2021 through Sunday September 26, 2021 or until all available tickets have been sold.

### **Option C – Visit the Parish Office**

Tickets are available for purchase at the St. Clement Parish Office  
510-582-7282 x "0"

**Option D – From volunteer members of the community selling tickets.** It is the sole responsibility of the volunteer to return all money and stubs for tickets sold. The volunteers also accept responsibility to return all unsold tickets by October 31, 2021 to the St. Clement Parish Office.

**Option E – Check the Parish Website for updated information**

Tickets cannot be purchased online or by email. Any ticket requests submitted by email will be rejected. All ticket purchases must include payment by cash, check, money order, or credit card.

No refunds will be made except in the event that the raffle is canceled, or for any ticket purchased with payment received after 5500 tickets have been sold and/or after 3:00 p.m. PST on Sunday, September 26, 2021. No other refunds are available except at the exclusive discretion of the St. Clement Pastor.

## **SELECTION OF WINNERS**

The St. Clement Festival raffle drawing will be held from all eligible raffle tickets on Sunday, September 26, 2021. Winners need not be present to win. Winners will be notified according to the contact information provided to St. Clement at the time of ticket purchase. If the winners cannot be located by 5 p.m. PST, October 08, 2021, after attempting to make contact through the information the winners provided at the time of purchasing the ticket, such winners will be deemed to have rejected the prize, and St. Clement will select an alternate winner(s).

## **ELIGIBILITY**

The raffle is open to California residents only. Anyone 18 years of age or older at the time of ticket purchase may enter. All federal, state, and local laws and regulations apply. The raffle is void where prohibited or restricted by law.

In order to collect his or her prize, a ticket winner must sign and deliver to St. Clement: (a) an affidavit of eligibility and a release of liability; (b) such written information as is required by any applicable tax laws, including without limitation his or her Social Security Number and/or Tax Identification Number; (c) proof of identity in forms satisfactory to St. Clement to prove that the person claiming the prize is the same person named on the winning raffle ticket.; and (d) the winning ticket stub. Winner of the Grand Prize will receive a W-2G, Form 5754 or similar tax form provided by St. Clement for tax purposes.

## **TAXES AND IRS RULES**

The winner is solely responsible for all State and Federal income taxes. St. Clement takes no responsibility for any tax liabilities. Consult your tax advisor. This offer is void where prohibited by law, and all federal, state and local laws and regulations apply.

## **PRIZES**

Grand Prize - 2021 Nissan Rogue MSRP \$27,465.00 or \$20,000.00 Cash

Second Prize - \$2500.00 Cash

Third Prize - \$1000.00 Cash

A minimum of 1500 tickets must be sold by 5 p.m., August 31, 2021, for the raffle to take place. If fewer than 1500 tickets are sold by that date and time, the raffle will be canceled, and refunds will be given to all ticket purchasers.

## **GENERAL TERMS AND CONDITIONS**

The prize winner assumes full responsibility for all federal and state income taxes based on the value of the prizes as set forth above. St. Clement takes no responsibility for any tax liabilities. Consult your tax advisor.