

Brownsburg Band and
Orchestra Parents, Inc.

2023 Raffle

to benefit

Brownsburg Band, Guard
and Orchestra Programs

Official Rules & Regulations

By purchasing a raffle ticket and participating in the 2023 Raffle, you as a raffle entrant agree that (1) the Brownsburg Band and Orchestra Parents, Inc. 2023 Raffle (the "Raffle") is a fundraising activity conducted by the Brownsburg Band and Orchestra Parents, Inc. (hereinafter "BBOP") in support of the Brownsburg Band, Guard and Orchestra Programs; (2) these Official Rules & Regulations below govern the conduct of the Raffle and together with the decisions of BBOP, including resolutions of any disputes, are binding and final on everyone who purchases a Raffle ticket and/or presents a winning Raffle ticket; (3) it is the responsibility of the ticket purchaser or person named on the Raffle ticket to review the Official Rules for modifications or supplements; (4) no modification of these official contest rules shall be effective and enforceable unless made by BBOP in writing and approved by the Board of Directors; and (5) the Raffle is subject to all applicable Indiana laws and regulations, specifically, to the provisions of Indiana Code governing charity gaming found at Indiana Code section 4-32.3 as well as to oversight by the Indiana Gaming Commission.

1. Tickets. The price per one (1) ticket is \$5.00. Tickets will also be offered for sale in multiple units to include five (5) for \$20.00, Lucky Seven (7) Pack for \$25.00, twelve (12) for \$40.00 and forty (40) for \$100.00. There is no limit to the number of tickets that can be sold. There is no limit on the number of raffle tickets an individual may purchase. **All raffle ticket purchases must be made in cash**, and all purchases are final--no refunds or replacements will be issued.

Tickets may be purchased beginning Friday, September 15, 2023, and through and including Saturday, December 16, 2023 (the "Entry Period"). A cut-off time for Saturday, December 16, 2023, will be advertised on the Band website (www.brownsburgbands.com) which will determine the end of the Entry Period after which tickets may not be purchased. BBOP has the right to shorten or extend the Entry Period. BBOP will conduct all drawings in accordance with Raffle rules contained herein. The winning tickets will be drawn at random from a drum containing all eligible Raffle tickets. The drawing for prizes is open to the public; however, the winner does not need to be present to win. The odds of winning will depend on the number of eligible entries received and accepted.

2. Eligibility. Raffle ticket purchasers and the person claiming a prize must be a legal U.S. citizen or legal resident and at least 18 years of age at the time of purchase. Raffle tickets may not be purchased in the name of a business, trust, corporation, or other entity, or wherever prohibited by applicable law. Members of the Board of Directors of BBOP or persons related by blood or marriage living in the same household of members of the Board of Directors of BBOP are not eligible to win the Raffle. Prize winners may be required to sign an affidavit of eligibility. Offer void where prohibited by law.

3. Prizes and Drawings. The Grand Prize will constitute one-half (½) of the gross sales of all eligible tickets sold by the end of the Entry Period (the “Half Pot Winnings”). BBOP shall retain the other one-half (½) of the gross sales of all eligible tickets.

The Grand Prize drawing will be conducted at Brownsburg High School, 1000 S Odell St, Brownsburg, IN 46112. The winning raffle ticket number for the Grand Prize will be posted on the Band website (www.brownsburgbands.com) and the Band Facebook page (www.facebook.com/Brownsburgbands) within twenty-four (24) hours of the drawing. The winner need not be present when the winner is announced to win.

4. Claiming Prizes. The winner may contact BBOP through its legal counsel, the office of J. Kirk LeBlanc, LeBlanc Nettles Law, LLC, 401 East Main Street, Brownsburg, Indiana 46112 Phone: 317-858-3200 within thirty (30) days of the end of the Entry Period, or by close of business on January 16, 2024, in order to receive more information on how to claim the prize. All winners shall provide BBOP with a completed IRS Form W-9 and any other necessary tax information before receiving winnings and failure to provide a correctly completed form shall be grounds for forfeiting prizes. BBOP shall have no responsibility to replace lost tickets nor maintain records of individuals purchasing tickets.

The holder of a winning ticket must provide BBOP with a valid State-issued photo ID verifying their identity, in addition to all requested tax identification information. In the event: (i) the winner does not contact BBOP within thirty (30) days of the end of the Entry Period (by close of business on January 16, 2024); (ii) the winner is ruled ineligible for any reason; or (iii) the winner declines the prize, then in those events **the prize will be forfeited** and will be retained by BBOP. **BBOP has no obligation to contact potential winners.**

Winners will be required to sign a Declaration of Eligibility attesting to the fact that he/she is 18 years of age or older, as well as other terms and conditions as designated by BBOP. Winners also agree to the use of his/her name, photograph or videotape likeness and statements for

publicity purposes by BBOP and consent to the use of his/her likeness in order to collect the prize.

5. Tickets and Purchasing. Tickets may be purchased from members of BBOP, or at locations to be announced on Brownsburg Bands Facebook Page and/or website during the Entry Period, **at the discretion of BBOP**. All listed ticket sale locations and times are subject to change at the discretion of BBOP.

6. Rules and Authorization for Use. By participating in this Raffle, all ticket purchasers and the person named on each Raffle ticket accept and agree (1) to be bound by all the rules, limitations and restrictions set forth here, and (2) that their names and/or likenesses may be disclosed to and used by the news media and may otherwise be used by BBOP, for publicity purposes and naming of the prize winners to be published in area newspapers or other media including television, radio, web and print. The prize winners may be published on the Band website, Facebook and other social media. Names of the winners may be obtained by sending a written request plus a self-addressed, stamped envelope to Brownsburg Band & Orchestra Parents, Inc., PO Box 538, Brownsburg, IN 46112.

7. Release by Participants. By participating in this Raffle, each participant releases BBOP and the Brownsburg Band, Guard and Orchestra Programs, and each of their respective directors, officers, contractors and agents, from any and all liability for injuries, losses or damages of any kind caused by any prize or resulting from acceptance, possession, use or misuse of any prize, and each winner agrees to fully indemnify and hold BBOP and Brownsburg Band, Guard and Orchestra Programs and each of their respective directors, officers, contractors and agents harmless from any and all losses, damages, costs, expenses, rights, claims and actions of any kind arising in connection with this Raffle or as a result of the winner's acceptance or use of any prize. Each Participant by participating in the Raffle acknowledges that no other party is associated with the Raffle, including without limitation Brownsburg High School, the Brownsburg Community School Corporation, or any of its teachers, educators, administrators, staff, agents, officers, employees, or representatives and each participant fully indemnifies and holds those parties harmless from any and all losses, damages, costs, expenses, rights, claims and actions of any kind arising in connection with this Raffle or as a result of the winner's acceptance or use of any prize. A Raffle participant's sole and exclusive remedy for BBOP breach of these Rules and Regulations shall be limited to the return of the purchase price paid for his or her Raffle ticket(s). In no event shall Band Boosters, or their respective directors, officers, contractors, members, committee members, agents, advisors, or representatives be liable to any party for any loss or injuries to earnings, profits or goodwill, or for any incidental, special, punitive or consequential damages of any person or entity.

8. Disclaimers. BBOP does not undertake to give advice on the legal or tax consequences of the purchase of Raffle tickets or the claiming of prizes by its winners. However, it understands that the IRS position is 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. The winner assumes and must pay all fees and charges and income taxes (local, state and federal taxes), if applicable. BBOP reserves the right to withhold standard rates for federal and/or Indiana state taxes as may be required by applicable law or the Indiana Gaming Commission, but by reason of that reservation BBOP assumes no responsibility for a prizewinner's ultimate tax obligations and suggests you consult your tax advisor. If taxes are withheld the prize winner remains obligated for the full payment of any and all fees and taxes for his or her prize winnings. Forms W-2G & 941 will be filed with the Internal Revenue Service to report the value of the prizes won. All required forms will also be filed with the state of Indiana Department of Revenue and Gaming Commission. This offer is void where prohibited by law and all federal, state and local laws and regulations apply.

THE WINNERS ARE STRONGLY ADVISED TO SEEK PROFESSIONAL LEGAL AND/OR TAX ADVICE. AWARDS COULD HAVE INCOME OR OTHER TAX CONSEQUENCES, ADVERSE AFFECTS ON GOVERNMENT ENTITLEMENTS OR OTHER BENEFITS, AND MAY HAVE OTHER LEGAL, FINANCIAL OR TAX

CONSEQUENCES.

9. Registration with the State of Indiana Gaming Commission. This Raffle is conducted for the benefit of the Brownsburg High School Band Program by the Brownsburg Band and Orchestra Parents, Inc., under strict conformity and compliance with the Indiana Gaming Commission, and the rules and regulations of the Charity Gaming Division. The Raffle is licensed by the Indiana Gaming Commission, Indiana Annual Raffle License No. 014574 which is on file with BBOP.

Any questions regarding the Raffle or the purchase of Raffle tickets may be directed info@brownsburgbands.com, subject line "Split Pot Raffle"

*Approved by the Brownsburg Band and
Orchestra Parents, Inc. Board of Directors on
July 26, 2023*