

**Carmel High School Band Boosters, Inc.**  
**2023 Car Raffle**  
**to benefit Carmel High School Band Program**  
**Official Rules & Regulations**

**By participating in the Raffle, you agree that:**

The Carmel High School Band Boosters Car Raffle (the "Raffle") is a fundraising activity conducted by the **Carmel High School Band Boosters, Inc.** (hereinafter "CHS Band Boosters") in support of the **Carmel High School Band Program**. These Official Rules & Regulations govern the conduct of the Raffle and together with the decisions of CHS Band Boosters are binding on everyone who purchases a Raffle ticket and/or who is named on a Raffle ticket. It is the responsibility of the ticket purchaser or person named on the Raffle Ticket to review the Official Rules for modifications or supplements. These Official Contest Rules may not be waived, modified or supplemented except by the CHS Band Boosters in writing. No modification of these official contest rules shall be enforceable unless made by the CHS Band Boosters in writing and approved by the Board. These rules apply to any and all individuals purchasing or selling Raffle tickets, the Board of Directors and anyone on the raffle committee.

**Tickets – Prices and Other Information**

**Tickets:** The price per one (1) ticket is \$20.00; for three (3) tickets sold to the same person is \$50; and for seven (7) tickets sold to the same person is \$100. For sale of multiple tickets (3 for \$50 and 7 for \$100) to individuals, the individual's name, as purchaser and all contact information must appear the same on all tickets. A maximum of 7,500 tickets will be sold. Ticket sales will cease when the maximum number of qualified entries is reached. Any requests and payments received following the cut off time or after the sale of 7,500 tickets will be returned to the sender. The ratio of Grand Prizes to tickets is approximately 1 to 7,500 if all tickets are sold. You may buy as many tickets as you wish, subject to availability, until all 7,500 are sold. Each Raffle ticket will be entered separately in the drawing. Each Raffle ticket is a separate and equal chance to win the Grand Prize or any of the other prizes offered.

CHS Band Boosters does not undertake to give advice on the legal or tax consequences of the Raffle, or its winner. 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.

A minimum of 3,500 tickets must be sold for the Grand Prize to be awarded. If fewer than 3,500 raffle tickets are sold the CHS Band Boosters, reserves the right in its absolute discretion to substitute 50% of the gross sales revenue from the tickets sold as of the time of the entry deadline up to a maximum of \$25,000, as the prize in lieu of the car. CHS Band Boosters reserves the right to cancel this Raffle contest at any time, in which event liability is limited to the refund of the ticket price to all participants.

Tickets can be purchased directly from marching band members, their parents or guardians or other family members. To order tickets by mail, use a ticket request form which can be downloaded from [www.carmelbands.org/carraffle](http://www.carmelbands.org/carraffle). Ticket requests must include payment by check, made payable to "CHS Band Boosters", or debit card information to be eligible along with all information required on the ticket including printed name, address, phone number and email address. Send completed forms to Carmel High School Band Boosters c/o Car Raffle, P.O. Box 65, Carmel, IN 46082-0065.

All entries must be fully completed in order to be eligible including the printed name, address, phone number, and email of the entrant.

You have not entered the Raffle until your entry submission, with full payment has been accepted by the CHS Band Boosters. If a submission is accepted it will be deemed to have been accepted on the date and time on which the submission was received by CHS Band Boosters regardless of the date that CHS Band Boosters notifies you of the acceptance of your submission.

**Ticket Orders and Payment Verification:** CHS Band Boosters reserves the right to reject any ticket request form that is submitted with payment that does not constitute "good funds". All defective or physically altered request forms are subject to disqualification at the discretion of CHS Band Boosters. Prior to the Grand Prize drawing, CHS Band Boosters will make a reasonable effort to notify any individual who submits such an entry form, or one which has been rejected because the check did not clear, that the entry has been rejected. All requests for tickets for the drawing must be received and/or purchased by the indicated deadline(s).

All sales are final. If for any reason the check or debit card payment does not clear the bank, the ticket purchase is null and void, the purchaser will be notified immediately of the problem and any cure to the problem shall be considered a new order and processed in the order received.

When a Raffle ticket order is placed by mail and funds have cleared, CHS Band Boosters will complete the raffle ticket for the purchaser by filling in the name, address, email address and phone number. CHS Band Boosters will then place each completed raffle ticket stub in the secured raffle barrel or other secure container and mail the ticket(s) to the purchaser. The purchaser will receive a letter or an email from CHS Band Boosters, confirming the ticket purchase and providing the ticket number(s).

**Eligibility:** Raffle ticket purchasers and the person named on a raffle ticket must be 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 and officers of CHS Band Boosters, or persons related by blood or marriage living in the same household are not eligible to win

the Raffle. Prizewinners may be required to sign an affidavit of eligibility. Offer void where prohibited by law.

**Refunds:** All Raffle ticket sales are final. No refunds will be made except any ticket request with verified payment received after 7,500 tickets have been sold or after the deadlines set forth hereinabove will be returned or destroyed with notice to the purchaser. No other refunds are available. CHS Band Boosters assumes no responsibility for lost, late, misdirected or non-delivered 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 CHS Band Boosters breach shall be limited to the return of the purchase price paid for his or her Raffle ticket(s). In no event shall CHS 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.

### **Prize Drawings – Dates and Locations**

**Grand Prize Drawing:** The Grand Prize drawing for the CHS Band Boosters, Car Raffle will be held on Friday, October 13, 2023, at approximately 9:00 PM on the Carmel High School ("CHS") Stadium running track inside the CHS stadium, except this date and all other dates stated in these rules may be extended at the absolute discretion of the CHS Band Boosters. Ticket requests by mail must be received before 5:00 PM EDT Thursday, October 12, 2023 or 5:00 PM the evening prior to the date of the Raffle, if extended. Tickets may be purchased at the event until approximately 7:00 PM EDT, October 13, 2023, or the date of the drawing if extended. In order to be eligible for the Grand Prize Drawing, tickets sold by members must be turned in by 7:00 PM EDT, October 13, 2023, or the date of the drawing if extended.

Tickets may sell out before that time. The odds of winning will depend on the number of eligible entries received and accepted but will be no greater than 7,500 to 1. The CHS Band Boosters will conduct all drawings in accordance with Raffle rules contained herein. The winning ticket will be drawn at random from a drum containing all eligible Raffle Tickets. The Grand Prize Drawing winner does not need to be present to win.

**Early Bird Drawings:** In addition to the Grand Prize Drawing the Raffle will include two (2) Early Bird Drawings. The first will be held at the CHS Stadium at approximately 6:00pm on Saturday August 26, 2023. The second will be held at the CHS Stadium at approximately 6:00pm on Saturday September 23, 2023. The winning tickets will be drawn at random from a drum containing all eligible tickets purchased and accepted up to the date and time of the drawing. Ticket requests by mail must be received by 5:00 PM the day prior to the Early Bird Drawings to be eligible. Tickets may be purchased in person until approximately 1:00 PM EDT the day of each Early Bird Drawing. In order to be eligible

for the Early Bird Drawings, tickets sold by members must be turned in by 1:00 PM EDT the day of each Early Bird Drawing.

Early Bird drawing winners will be eligible for all subsequent drawings and the Grand Prize Drawing on October 13, 2023. The odds of winning will depend on the number of eligible entries received and accepted but will be no greater than 7,500 to 1. For each Early Bird Drawing the winner will receive a check for the cash sum of five hundred dollars (\$500). The Early Bird Drawings winner need not be present to win.

### **Grand Prize Information**

The Grand Prize is either a 2023-24 BMW or Mini Cooper automobile with a value not to exceed \$37,500, to be purchased at Dreyer & Reinbold BMW Mini or a cash payout of \$25,000. Depictions of cars shown in informational materials on the CHS Band Boosters, website and elsewhere can be found on [www.bmw.com](http://www.bmw.com) or [www.miniusa.com](http://www.miniusa.com). The vehicles shown in Raffle promotional photos are only representative of the make and models available for selection as the Grand Prize; the actual cars to be made available for selection by the Grand Prize winner may be viewed at Dreyer and Reinbold at 9375 Whitley Dr, Indianapolis, IN 46240-1349, at various CHS Band Booster events during the year.

**Grand Prize Value:** The grand prize value of the selected 2023-24 BMW or Mini Cooper automobile is the amount paid by the CHS Band Boosters, not to exceed \$37,500. The grand prize value of the cash option is \$25,000. The grand prize value of the 50%-50% payout, if applicable, will be the dollar amount of the payout, as determined the night of the drawing, not to exceed \$25,000. The Internal Revenue Service and the Indiana Department of Revenue will accept these grand prize values for the purpose of determining any income tax that may be payable by the Grand Prize winner.

**Grand Prize Winner:** In order to claim any prize, including the Grand Prize, the winner must provide proper identification to the satisfaction of CHS Band Boosters and in accordance with the requirements set forth by the Indiana Charity Gaming Commission. A representative of CHS Band Boosters will assist in coordinating all the details with the winner regarding the delivery, tags and registration of the Grand Prize automobile. Winner agrees to the use of his/her name, photograph or videotape likeness and statements for publicity purposes by CHS Band Boosters and Carmel High School Band and agrees to sign a publicity release without any further compensation.

In order for the Grand Prize winner to receive the car (subject to the other provisions in these rules), the Grand Prize winner must elect to receive the car by delivering written notice of that election to Carmel High School Band Boosters, by 4:00 p.m. on November 13, 2023 (30 days from date of original drawing). If the winner is not present at the drawing, CHS Band Boosters will contact the winner by phone or email as soon as possible. If unable to make contact with the winner the CHS Band Boosters, shall notify the winner by certified mail within seven (7) days of the drawing. In all cases the winner will be

notified that they shall claim the prize within thirty (30) days of the original drawing at the event or each time a winner is drawn should the winner decline for any reason.

If a winner does not wish to claim the prize but wishes to donate it to the CHS Band Boosters, the winner shall provide the CHS Band Boosters, a written and notarized statement within the thirty (30) day period stating that the winner wishes to donate the prize to the CHS Band Boosters. The donor will then be required to sign a Donation Document created by CHS Band Boosters. A prize winner shall not donate the prize back to the CHS Band Boosters, if to do so would violate Indiana state law.

If a Raffle winner does not claim the prize or donate it to the organization within thirty (30) days after the drawing, the organization shall notify the Office of Charitable Gaming and draw another ticket in the presence of "Office" personnel. The tickets shall remain under the control of CHS Band Boosters until a winner is identified and accepts the prize.

The car, if selected, will be transferred to the Grand Prize winner in "AS IS, WHERE IS" condition by CHS Band Boosters. CHS Band Boosters and Carmel High School Band do not provide any guarantee or warranty, expressed or implied, in connection with the car. CHS Band Boosters accepts no liability or responsibility regarding the manufacturing or condition of the car. No warranties express or implied, of any type or nature are made or offered by CHS Band Boosters or Carmel High School Band.

**The Grand Prize winner assumes and must pay all fees and charges (including, but not limited to, tags and license), income taxes (local, state and federal taxes) when the car is transferred to the winner. In addition, all costs of car ownership, including but not limited to insurance, are the Grand Prize winner's sole responsibility. CHS Band Boosters assumes no responsibility for a prizewinner's tax obligations and suggests you consult your tax advisor. Forms W-2G & 941 will be filed with the Internal Revenue Service to report the value of the prize won and income taxes paid/withheld. All required forms will also be filed with the state of Indiana Department of Revenue and Gaming Commission. The winner will also receive a copy of these forms. This offer is void where prohibited by law and all federal, state and local laws and regulations apply.**

**THE GRAND PRIZE WINNER IS STRONGLY ADVISED TO SEEK PROFESSIONAL LEGAL TAX ADVICE. AWARD OF THE GRAND PRIZE COULD HAVE MATERIAL ADVERSE CONSEQUENCES ON THE GRAND PRIZE WINNER INCLUDING WITHOUT LIMITATION, WITH RESPECT TO TAXES, INCOME, GOVERNMENT ENTITLEMENTS OR OTHER BENEFITS, OR OTHER LEGAL, FINANCIAL OR OTHER MATTERS.**

By participating in this Raffle, each participant releases CHS Band Boosters, 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 indemnify and hold CHS Band Boosters and Carmel High School Band 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 or as a result of the winner's acceptance or use of any prize.

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 CHS Band Boosters, 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 winner will be published on the CHS Band Booster website (carmelbands.org). Names of the winners may be obtained by sending a written request plus a self-addressed, stamped envelope to CHS Band Boosters, P.O. Box 65, Carmel, IN 46082-0065. CHS Booster's interpretation and application of the rules and regulations shall be final.

Any questions regarding the Raffle or the purchase of Raffle tickets can be directed to [carraffle@carmelbands.org](mailto:carraffle@carmelbands.org).

### **Registration with the State of Indiana**

This Raffle is conducted for the benefit of the **Carmel High School Band Program** by CHS Band Boosters and licensed by the Indiana Gaming Commission, Indiana Annual Activity License No. 011377.