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AUG 17 1983



ADMINISTRATIVE OFFICE  
OF THE COURTS  
**ANTHONY M. WILHOIT**  
Court of Appeals

COMMONWEALTH OF KENTUCKY  
**ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY**  
403 WAPPING STREET  
FRANKFORT, KENTUCKY 40601

**THOMAS J. KNOPF**  
District Court

**JOSEPH H. ECKERT**  
Circuit Court

**B. M. WESTBERRY, CHAIRMAN**  
Attorney

**UHEL O. BARRICKMAN**  
Attorney

**JUDICIAL ETHICS OPINION JE-46**

Formal

**QUESTION:** May the campaign committee of a judicial candidate sponsor a raffle as a means of raising campaign funds?

**ANSWER:** No.

**REFERENCE:** Ky. Const. sec. 226; KRS 528.010(5); SCR 4.300, Canon 2A.

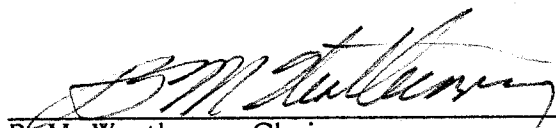
**OPINION (July 1983):**

Lotteries are expressly forbidden in the Kentucky Constitution, section 226, which states, "Lotteries and gift enterprises are forbidden. . . .The General Assembly shall enforce this section by proper penalties."

The General Assembly has implemented that section in KRS ch. 528, Gambling. KRS 528.010(5) defines "Lottery and gift enterprise" as a gambling scheme in which:

1. The players pay or agree to pay something of value for chances, represented and differentiated by numbers or by combinations of numbers or by some other media, one or more of which are to be designated the winning ones; and
2. The winning chances are to be determined by a drawing or by some other method based upon the element of chance; and
3. The holders of the winning chances are to receive something of value.

The raffle contemplated here would seem to fall squarely within the above definition and would therefore be illegal. If a judge were to engage in an illegal activity, he would run afoul of SCR 4.300, Canon 2A, which states in part, "A judge should respect and comply with the law. . . ." A judicial candidate and his campaign committee must be held to equally high standards. For that reason, we think the campaign committee should refrain from sponsoring a raffle.

  
B. M. Westberry, Chairman  
Ethics Committee of the Kentucky Judiciary