

1 ENGROSSED SENATE
2 BILL NO. 1808

By: Howard of the Senate

3 and

4 Kannady of the House

5
6 [lotteries - organizations permitted to issue
7 tickets - effective date]
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9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1051, is
11 amended to read as follows:

12 Section 1051. A. A lottery is any scheme for the disposal or
13 distribution of property by chance among persons who have paid, or
14 promised, or agreed to pay any valuable consideration for the chance
15 of obtaining such property, or a portion of it, or for any share of
16 or interest in such property, upon any agreement, understanding or
17 expectation that it is to be distributed or disposed of by a lot or
18 chance, whether called a lottery, a raffle, or a gift enterprise, or
19 by whatever name the same may be known. "Valuable consideration"
20 shall be construed to mean money or goods of actual pecuniary value.
21 Provided, it shall not be a violation of the lottery or gambling
22 laws of this state for:

23 1. The Oklahoma Lottery Commission to conduct a lottery
24 pursuant to the provisions of the Oklahoma Education Lottery Act;

1 2. A bona fide resident merchant or merchants of a city or
2 town, acting in conjunction with the Chamber of Commerce or
3 Commercial Club of this state thereof, to issue free of charge
4 numbered tickets on sales of merchandise, the corresponding stub of
5 one or more of which tickets to be drawn or chosen by lot by a
6 representative or representatives of the Chamber of Commerce or of
7 the Commercial Club in the manner set forth on the tickets, the
8 numbered stub or stubs so drawn to entitle the holder of the
9 corresponding numbered issued ticket to a valuable prize donated by
10 the merchant;

11 3. A bona fide community chest welfare fund on a military post
12 or reservation to issue numbered tickets in conjunction with
13 voluntary contributions to the fund, the corresponding stub or stubs
14 of one or more of the tickets to be drawn by lot under the
15 supervision of a military commander, the stub or stubs so drawn
16 entitling the ticket holder to a prize of some value. Provided,
17 however, that no person shall sell tickets or receive contributions
18 to the fund off the military reservation;

19 4. a. A qualified organization to raise funds by issuing
20 numbered tickets in conjunction with ~~voluntary~~
21 contributions to the qualified organization, the
22 corresponding ~~stub or stubs~~ numbered ticket or tickets
23 of one or more of the tickets to be drawn by lot under
24 the supervision of an official of the qualified

1 organization, the ~~stub or stubs~~ corresponding numbered
2 ticket or tickets so drawn entitling the ticket holder
3 to a prize. As used in this paragraph, "qualified
4 organization" means:

- 5 (1) a church,
- 6 (2) a public or private school accredited by the
7 State Department of Education or registered by
8 the State Board of Education for purposes of
9 participating in federal programs,
- 10 (3) a student group or organization affiliated with a
11 public or private school qualified pursuant to
12 division (2) of this subparagraph,
- 13 (4) a parent-teacher association or organization
14 affiliated with a public or private school
15 qualified pursuant to division (2) of this
16 subparagraph,
- 17 (5) fire departments,
- 18 (6) police departments,
- 19 (7) organizations that are exempt from taxation
20 pursuant to the provisions of subsection (c) of
21 Section 501 of the United States Internal Revenue
22 Code, as amended, 26 U.S.C., Section 501(c) et
23 seq., or
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1 (8) an "organization" as such term is defined in
2 paragraph 20 of Section 402 of Title 3A of the
3 Oklahoma Statutes.

4 b. Any raffle conducted by a qualified organization shall
5 be conducted by employees or members of the qualified
6 organization without compensation to any member or
7 employees of an affiliate, subsidiary, or parent
8 company of the qualified organization, whether paid or
9 not paid; provided, that such persons shall not be
10 provided with additional compensation, incentives, or
11 bonuses based on the number of tickets sold. The
12 qualified organization shall not hire or contract with
13 any person or business association, corporation,
14 partnership, limited partnership or limited liability
15 company to conduct a raffle, to sell raffle tickets or
16 to solicit contributions in connection with a raffle
17 on behalf of the organization;

18 5. The ~~Oklahoma~~ Department of Wildlife Conservation to conduct
19 controlled, draw, lottery or raffle hunts; or

20 6. Savings promotion raffle accounts or programs pursuant to
21 ~~Section 1 of this act~~ 908 of Title 6 of the Oklahoma Statutes.

22 B. If the Oklahoma Education Lottery Act ceases to have the
23 force and effect of law pursuant to Section 735 of Title 3A of the
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1 Oklahoma Statutes, the provisions of paragraph 3 of subsection A of
2 this section shall cease to have the force and effect of law.

3 SECTION 2. This act shall become effective November 1, 2022.

4 Passed the Senate the 22nd day of March, 2022.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,
9 2022.

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Presiding Officer of the House
of Representatives

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