

ENGROSSED HOUSE
BILL NO. 1471

BY: HENSHAW of the HOUSE

and

LONG (Lewis) of the
SENATE

AN ACT RELATING TO CRIMES AND PUNISHMENTS; AMENDING
21 O.S. 1981, SECTION 1051, WHICH RELATES TO
LOTTERIES; EXCEPTING CERTAIN NONPROFIT
ORGANIZATIONS FROM BEING IN VIOLATION OF LOTTERY
AND GAMBLING LAWS FOR HOLDING INTRA-MEMBER RAFFLES;
RESTRICTING TO WHOM RAFFLE TICKETS MAY BE SOLD; AND
PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 1981, Section 1051, is
amended to read as follows:

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

laws of this state for (1) a bona fide resident merchant or merchants of a city or town, acting in conjunction with the Chamber of Commerce or Commercial Club of this state thereof, to issue free of charge numbered tickets on sales of his merchandise, the corresponding stub of one or more of which tickets to be drawn or chosen by lot by a representative or representatives of said Chamber of Commerce or of said Commercial Club in the manner set forth on said tickets, the numbered stub or stubs so drawn to entitle the holder of the corresponding numbered issued ticket to a valuable prize donated by said merchant; (2) any organization that is a bona fide fraternal organization or any branch, lodge, chapter or auxiliary thereof of any veterans organization which operates without profit to its members, has a national charter and is tax exempt from tax under Section 501(c)(8), (10), or (19) of the Internal Revenue Code, to hold intra-member raffles to raise funds, and sell tickets only to the membership of the particular organization sponsoring the fund raising event and not to the general public at large; (3) a bona fide community chest welfare fund on a military post or reservation to issue numbered tickets in conjunction with voluntary contributions to said fund, the corresponding stub or stubs of one or more of said tickets to be drawn by lot under the supervision of a military commander, the stub or stubs so drawn entitling the ticket holder to a prize of some value. Provided however, that no person shall sell tickets or receive contributions to said fund off the military reservation.

SECTION 2. This act shall become effective September 1, 1991.

Passed the House of Representatives the 6th day of March, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate