

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 332

By: Griffin

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5  
6 AS INTRODUCED

7 An Act relating to lotteries; repealing 3A O.S. 2011,  
8 Sections 701, 702, 703, 704, 705, 706, 707, 708, 709,  
9 710, 711, 711, 712, 713, as amended by Section 27,  
Chapter 304, O.S.L. 2012, 714, 715, 716, 717, 718,  
10 719, as amended by Section 28, Chapter 304, O.S.L.  
2012, 720, 721, 722, 723, 724, as amended by Section  
11 1, Chapter 161, O.S.L. 2013, 724.1, 724.2, 724.3,  
12 724.4, 725, 726, 727, 728, 729, 730, 731, 732, 733,  
as amended by Section 29, Chapter 304, O.S.L. 2012,  
13 734 and 735 (3A O.S. Supp. 2014, Sections 713, 719,  
14 724 and 733), which relate to the Oklahoma Education  
Lottery Act; amending 21 O.S. 2011, Section 1051,  
15 which relates to prohibitions against lotteries;  
deleting permission for Oklahoma Lottery Commission  
16 to conduct lottery; providing an effective date; and  
declaring an emergency.

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

18 SECTION 1. REPEALER 3A O.S. 2011, Sections 701, 702,  
19 703, 704, 705, 706, 707, 708, 709, 710, 711, 711, 712, 713, as  
20 amended by Section 27, Chapter 304, O.S.L. 2012, 714, 715, 716, 717,  
21 718, 719, as amended by Section 28, Chapter 304, O.S.L. 2012, 720,  
22 721, 722, 723, 724, as amended by Section 1, Chapter 161, O.S.L.  
23 2013, 724.1, 724.2, 724.3, 724.4, 725, 726, 727, 728, 729, 730, 731,  
24 732, 733, as amended by Section 29, Chapter 304, O.S.L. 2012, 734

1 and 735 (3A O.S. Supp. 2014, Sections 713, 719, 724 and 733), are  
2 hereby repealed.

3 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1051, is  
4 amended to read as follows:

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

16 1. ~~The Oklahoma Lottery Commission to conduct a lottery~~  
17 ~~pursuant to the provisions of the Oklahoma Education Lottery Act;~~

18 2. A bona fide resident merchant or merchants of a city or  
19 town, acting in conjunction with the Chamber of Commerce or  
20 Commercial Club of this state thereof, to issue free of charge  
21 numbered tickets on sales of merchandise, the corresponding stub of  
22 one or more of which tickets to be drawn or chosen by lot by a  
23 representative or representatives of the Chamber of Commerce or of  
24 the Commercial Club in the manner set forth on the tickets, the

1 numbered stub or stubs so drawn to entitle the holder of the  
2 corresponding numbered issued ticket to a valuable prize donated by  
3 the merchant;

4 ~~3.~~ 2. A bona fide community chest welfare fund on a military  
5 post or reservation to issue numbered tickets in conjunction with  
6 voluntary contributions to the fund, the corresponding stub or stubs  
7 of one or more of the tickets to be drawn by lot under the  
8 supervision of a military commander, the stub or stubs so drawn  
9 entitling the ticket holder to a prize of some value. Provided,  
10 however, that no person shall sell tickets or receive contributions  
11 to the fund off the military reservation; or

12 ~~4.~~ 3. a. A qualified organization to raise funds by  
13 issuing numbered tickets in conjunction with voluntary  
14 contributions to the qualified organization, the  
15 corresponding stub or stubs of one or more of the  
16 tickets to be drawn by lot under the supervision of an  
17 official of the qualified organization, the stub or  
18 stubs so drawn entitling the ticket holder to a prize.  
19 As used in this paragraph, "qualified organization"  
20 means:

- 21 (1) a church,  
22 (2) a public or private school accredited by the  
23 State Department of Education or registered by  
24

1 the State Board of Education for purposes of  
2 participating in federal programs,

3 (3) a student group or organization affiliated with a  
4 public or private school qualified pursuant to  
5 division (2) of this subparagraph,

6 (4) a parent-teacher association or organization  
7 affiliated with a public or private school  
8 qualified pursuant to division (2) of this  
9 subparagraph,

10 (5) fire departments,

11 (6) police departments,

12 (7) organizations that are exempt from taxation  
13 pursuant to the provisions of subsection (c) of  
14 Section 501 of the United States Internal Revenue  
15 Code, as amended, 26 U.S.C., Section 501(c) et  
16 seq., or

17 (8) an "organization" as such term is defined in  
18 paragraph 20 of Section 402 of Title 3A of the  
19 Oklahoma Statutes.

20 b. Any raffle conducted by a qualified organization shall  
21 be conducted by members of the qualified organization  
22 without compensation to any member. The organization  
23 shall not hire or contract with any person or business  
24 association, corporation, partnership, limited

1 partnership or limited liability company to conduct a  
2 raffle, to sell raffle tickets or to solicit  
3 contributions in connection with a raffle on behalf of  
4 the organization.

5 ~~B. If the Oklahoma Education Lottery Act ceases to have the~~  
6 ~~force and effect of law pursuant to Section 36 of the Oklahoma~~  
7 ~~Education Lottery Act, the provisions of paragraph 3 of subsection A~~  
8 ~~of this section shall cease to have the force and effect of law.~~

9 SECTION 3. This act shall become effective July 1, 2015.

10 SECTION 4. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

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