

1 ENGROSSED HOUSE  
2 BILL NO. 3319

By: Fetgatter of the House

3 and

4 Fields of the Senate

5  
6 An Act relating to controlled hunts; amending 29 O.S.  
7 2011, Section 4-137, which relates to controlled hunt  
8 application fees; modifying controlled hunt  
9 application fee; amending 21 O.S. 2011, Section 1051,  
which relates to definition of lottery; authorizing  
controlled hunt lotteries; and providing an effective  
date.

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

13 SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-137, is  
14 amended to read as follows:

15 Section 4-137. In addition to any other fees authorized by law,  
16 the Department of Wildlife Conservation is authorized to impose a  
17 ~~processing~~ fee of not more than ~~Five Dollars (\$5.00)~~, Ten Dollars  
18 (\$10.00) per ~~calendar year, per person, for~~ controlled hunts  
19 ~~applications~~ hunt choice pursuant to the ~~O.A.C. 800:25-9-3~~ rules  
20 promulgated by the Department.

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

23 Section 1051. A. A lottery is any scheme for the disposal or  
24 distribution of property by chance among persons who have paid, or

1 promised, or agreed to pay any valuable consideration for the chance  
2 of obtaining such property, or a portion of it, or for any share of  
3 or interest in such property, upon any agreement, understanding or  
4 expectation that it is to be distributed or disposed of by a lot or  
5 chance, whether called a lottery, a raffle, or a gift enterprise, or  
6 by whatever name the same may be known. "Valuable consideration"  
7 shall be construed to mean money or goods of actual pecuniary value.  
8 Provided, it shall not be a violation of the lottery or gambling  
9 laws of this state for:

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

12 2. A bona fide resident merchant or merchants of a city or  
13 town, acting in conjunction with the Chamber of Commerce or  
14 Commercial Club of this state thereof, to issue free of charge  
15 numbered tickets on sales of merchandise, the corresponding stub of  
16 one or more of which tickets to be drawn or chosen by lot by a  
17 representative or representatives of the Chamber of Commerce or of  
18 the Commercial Club in the manner set forth on the tickets, the  
19 numbered stub or stubs so drawn to entitle the holder of the  
20 corresponding numbered issued ticket to a valuable prize donated by  
21 the merchant;

22 3. A bona fide community chest welfare fund on a military post  
23 or reservation to issue numbered tickets in conjunction with  
24 voluntary contributions to the fund, the corresponding stub or stubs

1 of one or more of the tickets to be drawn by lot under the  
2 supervision of a military commander, the stub or stubs so drawn  
3 entitling the ticket holder to a prize of some value. Provided,  
4 however, that no person shall sell tickets or receive contributions  
5 to the fund off the military reservation; ~~or~~

6 4. a. A qualified organization to raise funds by issuing  
7 numbered tickets in conjunction with voluntary  
8 contributions to the qualified organization, the  
9 corresponding stub or stubs of one or more of the  
10 tickets to be drawn by lot under the supervision of an  
11 official of the qualified organization, the stub or  
12 stubs so drawn entitling the ticket holder to a prize.  
13 As used in this paragraph, "qualified organization"  
14 means:

15 (1) a church,

16 (2) a public or private school accredited by the  
17 State Department of Education or registered by  
18 the State Board of Education for purposes of  
19 participating in federal programs,

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

23 (4) a parent-teacher association or organization  
24 affiliated with a public or private school

qualified pursuant to division (2) of this  
subparagraph,

(5) fire departments,

(6) police departments,

(7) organizations that are exempt from taxation

pursuant to the provisions of subsection (c) of

Section 501 of the United States Internal Revenue

Code, as amended, 26 U.S.C., Section 501(c) et

seq., or

(8) an "organization" as such term is defined in

paragraph 20 of Section 402 of Title 3A of the

Oklahoma Statutes.

b. Any raffle conducted by a qualified organization shall  
be conducted by members of the qualified organization  
without compensation to any member. The organization  
shall not hire or contract with any person or business  
association, corporation, partnership, limited  
partnership or limited liability company to conduct a  
raffle, to sell raffle tickets or to solicit  
contributions in connection with a raffle on behalf of  
the organization; or

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

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

SECTION 3. This act shall become effective November 1, 2018.

Passed the House of Representatives the 14th day of March, 2018.

Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2018.

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Presiding Officer of the Senate