

1 ENGROSSED HOUSE
2 BILL NO. 3886

By: Caldwell (Chad) of the
House

3 and

4 Murdock of the Senate
5
6

7 An Act relating to banking; defining term;
8 authorizing savings promotion raffles; amending 21
9 O.S. 2011, Section 1051, as amended by Section 2,
10 Chapter 123, O.S.L. 2018 (21 O.S. Supp. 2019, Section
11 1051), which relates to the lottery; allowing for
12 savings promotion raffles; providing for
13 codification; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 908 of Title 6, unless there is
17 created a duplication in numbering, reads as follows:

18 A. As used in this section, the term "savings promotion raffle"
19 means a contest in which the sole consideration required for a
20 chance of winning designated prizes is obtained by the deposit of a
21 specified amount of money in a savings account or other savings
22 program and each ticket or entry has an equal chance of being drawn,
23 with such contest being subject to regulations that may from time to
24 time be promulgated by the bank's or credit union's primary
regulator.

1 B. Oklahoma banks and credit unions are authorized to offer
2 savings promotion raffles.

3 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1051, as
4 amended by Section 2, Chapter 123, O.S.L. 2018 (21 O.S. Supp. 2019,
5 Section 1051), is amended to read as follows:

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

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

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

1 the Commercial Club in the manner set forth on the tickets, the
2 numbered stub or stubs so drawn to entitle the holder of the
3 corresponding numbered issued ticket to a valuable prize donated by
4 the merchant;

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

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

20 As used in this paragraph, "qualified organization"
21 means:

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

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; ~~or~~

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

7 6. Savings promotion raffle accounts or programs pursuant to
8 Section 1 of this act.

9 B. If the Oklahoma Education Lottery Act ceases to have the
10 force and effect of law pursuant to Section 735 of Title 3A of the
11 Oklahoma Statutes, the provisions of paragraph 3 of subsection A of
12 this section shall cease to have the force and effect of law.

13 SECTION 3. This act shall become effective November 1, 2020.

14 Passed the House of Representatives the 5th day of March, 2020.

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16 _____
17 Presiding Officer of the House
18 of Representatives

19 Passed the Senate the ___ day of _____, 2020.

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22 Presiding Officer of the Senate
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