

# HOUSE BILL 965

C7

4lr0570

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By: **Prince George's County Delegation**

Introduced and read first time: February 6, 2014

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Raffles – Charitable Foundation Affiliated With**  
3 **Professional Football Team**

4 **PG 303–14**

5 FOR the purpose of authorizing a 50/50 raffle to be conducted in Prince George's  
6 County by a certain charitable foundation that is affiliated with a professional  
7 football team that plays its home games in the county and that has an office and  
8 conducts operations in the county; requiring the foundation to obtain a written  
9 permit from a certain county agency before conducting the raffle; requiring the  
10 agency to ascertain the character of the applicant before issuing the permit;  
11 prohibiting the permit from being transferred; requiring the county agency to  
12 set a permit fee; providing for no limitation on the number of permits that may  
13 be issued in a year; authorizing the charitable foundation to set the price of  
14 raffle tickets and to award prizes in any amount in money or in merchandise,  
15 but prohibiting the amount from exceeding a certain percentage of the raffle  
16 proceeds; requiring that certain proceeds be used to benefit the residents of the  
17 county; prohibiting any proceeds from helping to cover certain costs in  
18 conducting the raffle; requiring that a 50/50 raffle be held in conjunction with a  
19 specific professional football game played in the county; providing that a permit  
20 is valid for not more than a certain number of hours; setting certain  
21 requirements concerning the conduct of the raffle and the selling of raffle  
22 tickets; requiring the charitable foundation to send to a certain county agency  
23 an annual report detailing the amount and disposition of the money raised by  
24 raffles in the previous calendar year; defining a certain term; making  
25 conforming changes; and generally relating to 50/50 raffles held in Prince  
26 George's County.

27 BY repealing and reenacting, without amendments,  
28 Article – Criminal Law  
29 Section 13–1902

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2012 Replacement Volume and 2013 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article – Criminal Law  
5 Section 13–1908, 13–1909, 13–1910, and 13–1911  
6 Annotated Code of Maryland  
7 (2012 Replacement Volume and 2013 Supplement)

8 BY adding to  
9 Article – Criminal Law  
10 Section 13–1911.1  
11 Annotated Code of Maryland  
12 (2012 Replacement Volume and 2013 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Criminal Law**

16 13–1902.

17 (a) This subtitle applies only in Prince George’s County.

18 (b) Subtitle 2 of this title applies in Prince George’s County.

19 13–1908.

20 **(A) THIS SECTION DOES NOT APPLY TO A 50/50 RAFFLE CONDUCTED**  
21 **UNDER § 13–1911.1 OF THIS SUBTITLE.**

22 **[(a)] (B)** Subject to subsection **[(b)] (C)** of this section, a qualified  
23 organization may conduct a raffle.

24 **[(b)] (C)** (1) The proceeds of a raffle:

25 (i) shall benefit the qualified organization; and

26 (ii) shall be used for the purposes of the qualified organization.

27 (2) Except for a bona fide raffle winner, an individual or group may  
28 not:

29 (i) benefit financially from the holding of a raffle; or

30 (ii) receive or be paid any proceeds from a raffle for personal use  
31 or benefit.

1 13-1909.

2 (A) THIS SECTION DOES NOT APPLY TO A 50/50 RAFFLE CONDUCTED  
3 UNDER § 13-1911.1 OF THIS SUBTITLE.

4 (B) A raffle shall be personally conducted and managed only by regular  
5 members of the qualified organization.

6 13-1910.

7 (A) THIS SECTION DOES NOT APPLY TO A 50/50 RAFFLE CONDUCTED  
8 UNDER § 13-1911.1 OF THIS SUBTITLE.

9 [(a)] (B) A qualified organization shall obtain a written permit from the  
10 Department of Environmental Resources before conducting a raffle if the total cash  
11 value of the prize exceeds \$200.

12 [(b)] (C) (1) Before issuing a permit, the Department of Environmental  
13 Resources shall ascertain the character of the qualified organization applying for a  
14 permit under this section to determine if the application complies with this subtitle.

15 (2) A permit issued to a qualified organization to conduct a raffle may  
16 not be transferred.

17 [(c)] (D) The permit fee for each raffle is \$15.

18 13-1911.

19 (A) THIS SECTION DOES NOT APPLY TO A 50/50 RAFFLE CONDUCTED  
20 UNDER § 13-1911.1 OF THIS SUBTITLE.

21 (B) A qualified organization conducting a raffle may award prizes in money  
22 not exceeding a total of \$5,000 and in merchandise in any amount or the merchandise  
23 cash equivalent.

24 13-1911.1.

25 (A) IN THIS SECTION, "COUNTY AGENCY" MEANS AN AGENCY  
26 DESIGNATED BY THE PRINCE GEORGE'S COUNTY GOVERNMENT.

27 (B) A 50/50 RAFFLE MAY BE CONDUCTED BY A CHARITABLE  
28 FOUNDATION THAT:

1           (1) IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE  
2 INTERNAL REVENUE CODE;

3           (2) IS AFFILIATED WITH A PROFESSIONAL FOOTBALL TEAM THAT  
4 PLAYS ITS HOME GAMES IN PRINCE GEORGE'S COUNTY; AND

5           (3) HAS AN OFFICE AND CONDUCTS OPERATIONS IN PRINCE  
6 GEORGE'S COUNTY.

7           (C) (1) BEFORE CONDUCTING A 50/50 RAFFLE, A CHARITABLE  
8 FOUNDATION SHALL OBTAIN A WRITTEN PERMIT FROM THE COUNTY AGENCY.

9           (2) BEFORE ISSUING A PERMIT, THE COUNTY AGENCY SHALL  
10 ASCERTAIN THE CHARACTER OF THE APPLICANT TO DETERMINE IF THE PERMIT  
11 SHOULD BE ISSUED.

12           (3) A PERMIT ISSUED TO A CHARITABLE FOUNDATION MAY NOT  
13 BE TRANSFERRED.

14           (4) THE COUNTY AGENCY SHALL SET A FEE FOR ISSUANCE OF A  
15 PERMIT.

16           (5) THERE IS NO LIMIT ON THE NUMBER OF PERMITS THAT THE  
17 COUNTY AGENCY MAY ISSUE IN A YEAR.

18           (D) (1) THE CHARITABLE FOUNDATION CONDUCTING A 50/50 RAFFLE  
19 MAY:

20                   (I) SET THE PRICE OF RAFFLE TICKETS; AND

21                   (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,  
22 AWARD PRIZES IN ANY AMOUNT IN MONEY OR IN MERCHANDISE.

23           (2) THE AMOUNT OF A CASH AWARD OR THE RETAIL CASH  
24 EQUIVALENT OF A MERCHANDISE AWARD MAY NOT EXCEED 50% OF THE  
25 PROCEEDS OF A 50/50 RAFFLE.

26           (E) (1) THE PROCEEDS OF A 50/50 RAFFLE SHALL BE USED TO:

27                   (I) BENEFIT THE RESIDENTS OF PRINCE GEORGE'S  
28 COUNTY;

29                   (II) PAY FOR PRIZES AWARDED TO WINNERS; AND

1                   (III) PAY FOR REASONABLE COSTS FOR NECESSARY  
2 EQUIPMENT AND SUPPLIES.

3                   (2) PROCEEDS OF A 50/50 RAFFLE MAY NOT BE USED TO HELP  
4 COVER COSTS INVOLVED IN CONDUCTING THE 50/50 RAFFLE, INCLUDING ANY  
5 COMPENSATION TO TICKET SELLERS OR INDIVIDUALS WHO OPERATE THE 50/50  
6 RAFFLE.

7                   (F) (1) A 50/50 RAFFLE SHALL BE HELD IN CONJUNCTION WITH A  
8 SPECIFIC PROFESSIONAL FOOTBALL GAME PLAYED IN PRINCE GEORGE'S  
9 COUNTY.

10                   (2) A PERMIT TO HOLD A 50/50 RAFFLE IS VALID FOR NOT MORE  
11 THAN 24 HOURS.

12                   (3) ALL 50/50 RAFFLE TICKETS SHALL BE SOLD AND RECEIVED:

13                   (I) ON PROPERTY OWNED OR UNDER THE CONTROL OF THE  
14 PROFESSIONAL FOOTBALL TEAM WITH WHICH THE CHARITABLE FOUNDATION IS  
15 AFFILIATED; AND

16                   (II) MAY NOT BE SOLD ON THE INTERNET OR OTHERWISE TO  
17 AN INDIVIDUAL NOT PHYSICALLY PRESENT ON THE PROPERTY.

18                   (G) ON OR BEFORE MARCH 30 OF EACH YEAR, THE CHARITABLE  
19 FOUNDATION SHALL SEND TO THE COUNTY AGENCY A REPORT DETAILING THE  
20 AMOUNT AND DISPOSITION OF THE MONEY RAISED BY 50/50 RAFFLES IN THE  
21 PREVIOUS CALENDAR YEAR.

22                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 July 1, 2014.