

# HOUSE BILL 598

C7  
HB 965/14 – W&M

5lr0389

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By: **Prince George's County Delegation**  
Introduced and read first time: February 12, 2015  
Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Raffles – Charitable Foundations and Repeal of**  
3 **Monetary Cap**

4 **PG 301–15**

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

27 BY repealing and reenacting, with amendments,  
28 Article – Criminal Law  
29 Section 13–1901, 13–1908, 13–1909, 13–1910, and 13–1911

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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 2014 Supplement)

3 BY repealing and reenacting, without amendments,  
4 Article – Criminal Law  
5 Section 13–1902  
6 Annotated Code of Maryland  
7 (2012 Replacement Volume and 2014 Supplement)

8 BY adding to  
9 Article – Criminal Law  
10 Section 13–1911.1  
11 Annotated Code of Maryland  
12 (2012 Replacement Volume and 2014 Supplement)

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

15 **Article – Criminal Law**

16 13–1901.

17 (a) In this subtitle the following words have the meanings indicated.

18 (b) “Benefit performance” includes an outdoor carnival, indoor carnival, fair,  
19 picnic, dance, card party, bingo party, bazaar, concert, contest, exhibition, lecture,  
20 barbecue, or dinner.

21 (c) **“DESIGNATED COUNTY AGENCY” MEANS AN AGENCY DESIGNATED BY**  
22 **THE PRINCE GEORGE’S COUNTY GOVERNMENT.**

23 [(c)] (d) (1) “Qualified organization” means an organization of a group of  
24 citizens of the county or a company, association, or corporation that is organized in good  
25 faith in the county to promote the purposes of a volunteer fire department or of a charitable,  
26 benevolent, patriotic, fraternal, educational, religious, or civic object.

27 (2) “Qualified organization” does not include a group organized for the  
28 private profit or gain of any member of the group, company, association, or corporation.

29 13–1902.

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

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

32 13–1908.

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

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

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

6                           (i) shall benefit the qualified organization; and

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

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

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

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

12 13-1909.

13           **(A) THIS SECTION DOES NOT APPLY TO A RAFFLE CONDUCTED UNDER §**  
14 **13-1911.1 OF THIS SUBTITLE.**

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

17 13-1910.

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

20           **[(a)] (B)** A qualified organization shall obtain a written permit from the  
21 **[Department of Environmental Resources] DESIGNATED COUNTY AGENCY** before  
22 conducting a raffle if the total cash value of the prize exceeds \$200.

23           **[(b)] (C)** (1) Before issuing a permit, the **[Department of Environmental**  
24 **Resources] DESIGNATED COUNTY AGENCY** shall ascertain the character of the qualified  
25 organization applying for a permit under this section to determine if the application  
26 complies with this subtitle.

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

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

1 13-1911.

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

4 (B) A qualified organization conducting a raffle may award prizes in money [not  
5 exceeding a total of \$5,000] IN ANY AMOUNT and in merchandise in any amount or the  
6 merchandise cash equivalent.

7 13-1911.1.

8 (A) A RAFFLE MAY BE CONDUCTED BY A CHARITABLE FOUNDATION THAT:

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

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

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

15 (B) (1) BEFORE CONDUCTING A RAFFLE, A CHARITABLE FOUNDATION  
16 SHALL OBTAIN A WRITTEN PERMIT FROM THE DESIGNATED COUNTY AGENCY.

17 (2) BEFORE ISSUING A PERMIT, THE DESIGNATED COUNTY AGENCY  
18 SHALL ASCERTAIN THE CHARACTER OF THE APPLICANT TO DETERMINE IF THE  
19 PERMIT SHOULD BE ISSUED.

20 (3) A PERMIT ISSUED TO A CHARITABLE FOUNDATION MAY NOT BE  
21 TRANSFERRED.

22 (4) THE DESIGNATED COUNTY AGENCY SHALL SET A FEE FOR  
23 ISSUANCE OF A PERMIT.

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

26 (C) (1) THE CHARITABLE FOUNDATION CONDUCTING A RAFFLE MAY:

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

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

1           **(2) THE AMOUNT OF A CASH AWARD OR THE RETAIL CASH**  
2 **EQUIVALENT OF A MERCHANDISE AWARD MAY NOT EXCEED 50% OF THE PROCEEDS**  
3 **OF A RAFFLE.**

4           **(D) (1) THE PROCEEDS OF A RAFFLE SHALL BE USED TO:**

5                   **(I) BENEFIT THE RESIDENTS OF PRINCE GEORGE'S COUNTY;**

6                   **(II) PAY FOR PRIZES AWARDED TO WINNERS; AND**

7                   **(III) PAY FOR REASONABLE COSTS FOR NECESSARY EQUIPMENT**  
8 **AND SUPPLIES.**

9           **(2) PROCEEDS OF A RAFFLE MAY NOT BE USED TO HELP COVER COSTS**  
10 **INVOLVED IN CONDUCTING THE RAFFLE, INCLUDING ANY COMPENSATION TO**  
11 **TICKET SELLERS OR INDIVIDUALS WHO OPERATE THE RAFFLE.**

12           **(E) (1) A RAFFLE SHALL BE HELD IN CONJUNCTION WITH A SPECIFIC**  
13 **PROFESSIONAL FOOTBALL GAME PLAYED IN PRINCE GEORGE'S COUNTY.**

14                   **(2) A PERMIT TO HOLD A RAFFLE IS VALID FOR NOT MORE THAN 24**  
15 **HOURS.**

16                   **(3) ALL RAFFLE TICKETS SHALL BE SOLD AND RECEIVED:**

17                           **(I) ON PROPERTY OWNED OR UNDER THE CONTROL OF THE**  
18 **PROFESSIONAL FOOTBALL TEAM WITH WHICH THE CHARITABLE FOUNDATION IS**  
19 **AFFILIATED; AND**

20                           **(II) MAY NOT BE SOLD ON THE INTERNET OR OTHERWISE TO AN**  
21 **INDIVIDUAL NOT PHYSICALLY PRESENT ON THE PROPERTY.**

22           **(F) ON OR BEFORE MARCH 30 OF EACH YEAR, THE CHARITABLE**  
23 **FOUNDATION SHALL SEND TO THE DESIGNATED COUNTY AGENCY A REPORT**  
24 **DETAILING THE AMOUNT AND DISPOSITION OF THE MONEY RAISED BY RAFFLES IN**  
25 **THE PREVIOUS CALENDAR YEAR.**

26           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
27 1, 2015.