**South Carolina General Assembly**

123rd Session, 2019-2020

**A148, R157, S719**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree, Fanning and Campsen

Document Path: l:\council\bills\jn\3062cz19.docx

Companion/Similar bill(s): 4353, 4937

Introduced in the Senate on March 28, 2019

Introduced in the House on March 19, 2020

Last Amended on September 16, 2020

Adopted by the General Assembly on September 22, 2020

Governor's Action: September 28, 2020, Signed

Summary: Raffles

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/28/2019 Senate Introduced and read first time ([Senate Journal‑page 2](file:///h%3A%5Csj%5C20190328.docx))

 3/28/2019 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 2](file:///h%3A%5Csj%5C20190328.docx))

 2/7/2020 Senate Referred to Subcommittee: Campsen (ch), Massey, McElveen, Fanning, Loftis

 3/4/2020 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20200304.docx))

 3/5/2020 Scrivener's error corrected

 3/10/2020 Senate Committee Amendment Adopted ([Senate Journal‑page 50](file:///h%3A%5Csj%5C20200310.docx))

 3/10/2020 Senate Read second time ([Senate Journal‑page 50](file:///h%3A%5Csj%5C20200310.docx))

 3/10/2020 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 50](file:///h%3A%5Csj%5C20200310.docx))

 3/11/2020 Scrivener's error corrected

 3/11/2020 Senate Read third time and sent to House ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20200311.docx))

 3/19/2020 House Introduced and read first time ([House Journal‑page 24](file:///h%3A%5Chj%5C20200319.docx))

 3/19/2020 House Referred to Committee on **Ways and Means** ([House Journal‑page 24](file:///h%3A%5Chj%5C20200319.docx))

 5/12/2020 House Recalled from Committee on **Ways and Means**

 9/15/2020 House Read second time ([House Journal‑page 110](file:///h%3A%5Chj%5C20200915.docx))

 9/15/2020 House Roll call Yeas‑103 Nays‑0 ([House Journal‑page 110](file:///h%3A%5Chj%5C20200915.docx))

 9/16/2020 House Reconsidered ([House Journal‑page 5](file:///h%3A%5Chj%5C20200916.docx))

 9/16/2020 House Amended ([House Journal‑page 7](file:///h%3A%5Chj%5C20200916.docx))

 9/16/2020 House Read second time ([House Journal‑page 7](file:///h%3A%5Chj%5C20200916.docx))

 9/16/2020 House Roll call Yeas‑112 Nays‑0 ([House Journal‑page 7](file:///h%3A%5Chj%5C20200916.docx))

 9/22/2020 Scrivener's error corrected

 9/22/2020 House Read third time and returned to Senate with amendments ([House Journal‑page 22](file:///h%3A%5Chj%5C20200922.docx))

 9/22/2020 Senate Concurred in amendment ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20200922.docx))

 9/22/2020 Senate Roll call Ayes‑40 Nays‑0 ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20200922.docx))

 9/22/2020 Senate Ordered enrolled for ratification ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20200922.docx))

 9/25/2020 Ratified R 157

 9/28/2020 Signed By Governor

 10/2/2020 Effective date 09/28/20

 10/2/2020 Act No.  148

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**VERSIONS OF THIS BILL**

[3/28/2019](file:///p%3A%5Cpprever%5C2019-20%5C719_20190328.docx)

[3/4/2020](file:///p%3A%5Cpprever%5C2019-20%5C719_20200304.docx)

[3/5/2020](file:///p%3A%5Cpprever%5C2019-20%5C719_20200305.docx)

[3/10/2020](file:///p%3A%5Cpprever%5C2019-20%5C719_20200310.docx)

[3/11/2020](file:///p%3A%5Cpprever%5C2019-20%5C719_20200311.docx)

[5/12/2020](file:///p%3A%5Cpprever%5C2019-20%5C719_20200512.docx)

[9/16/2020](file:///p%3A%5Cpprever%5C2019-20%5C719_20200916.docx)

[9/22/2020](file:///p%3A%5Cpprever%5C2019-20%5C719_20200922.docx)

(A148, R157, S719)

**AN ACT TO AMEND SECTION 33‑57‑140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STANDARDS FOR RAFFLES CONDUCTED BY NONPROFIT ORGANIZATIONS, SO AS TO INCREASE THE MAXIMUM FAIR MARKET VALUE OF AN INDIVIDUAL PRIZE; TO AMEND SECTION 33‑57‑150, RELATING TO ALLOWABLE EXPENSES FOR A RAFFLE, SO AS TO ADJUST CERTAIN RECORDING REQUIREMENTS AND ALLOW A NONPROFIT ORGANIZATION TO SUBMIT A SINGLE REPORT FOR ALL RAFFLES CONDUCTED; AND TO REPEAL SECTION 33‑57‑200 RELATING TO THE REPEAL OF CHAPTER 57, TITLE 33.**

Be it enacted by the General Assembly of the State of South Carolina:

**Raffle prize value increased**

SECTION 1. Section 33‑57‑140(L) of the 1976 Code is amended to read:

 “(L) An individual prize awarded to each winner in a raffle shall not exceed a maximum fair market value of eighty thousand dollars. No real property shall be offered as a prize in a raffle. For each raffle event, the total fair market value of all prizes offered by any nonprofit organization shall not exceed three hundred thousand dollars.”

**Raffle allowable expenses**

SECTION 2. Section 33‑57‑150 of the 1976 Code is amended to read:

 “Section 33‑57‑150. (A) Expenses that are reasonable and necessary to operate and conduct raffles, as authorized by this chapter, are allowable.

 (B) Allowable expenses include only reasonable and necessary expenses incurred for:

 (1) advertising, including the cost of printing raffle tickets and gift certificates, provided that costs of advertising are reasonable and the services are not provided, directly or indirectly, in connection with any other service related to operating or conducting a nonprofit raffle regardless of whether those services are compensated;

 (2) office supplies, copying, and minor office equipment costs incurred in conducting or operating a nonprofit raffle;

 (3) reasonable postage, parking, and shipping costs;

 (4) costs of food and beverages, including corkage and gratuity fees, provided to the attendees and volunteers of the event;

 (5) costs of materials and supplies for decorating a facility used for a nonprofit raffle drawing;

 (6) entertainment‑related costs, such as disc jockeys, music bands, auctioneers, waiters, bartenders, and wait staff incurred during the conducting or operating of a nonprofit raffle drawing;

 (7) repairs to premises and equipment related to conducting or operating a nonprofit raffle;

 (8) door prizes or raffle prizes;

 (9) stated premises’ rental or insurance expenses;

 (10) security expenses incurred in conducting or operating a nonprofit raffle;

 (11) bookkeeping, accounting, or legal services utilized in connection with a nonprofit raffle including, but not limited to, the registration fees and the required financial reports;

 (12) permit costs, fees, or taxes required by local or state government to conduct and operate a nonprofit raffle; and

 (13) janitorial services and supplies incurred in conducting or operating a nonprofit raffle.

 (C) A report shall be submitted annually to the secretary no later than the fifteenth day of the fifth month after the end of the nonprofit organization’s fiscal year. The report must be signed under penalty of perjury and must contain the following information for each raffle conducted within the preceding year:

 (1) the amount of the gross receipts;

 (2) the amount of adjusted gross receipts;

 (3) the total amount of expenses incurred in conducting the raffle;

 (4) the amount of the net receipts;

 (5) the total value of cash prizes awarded;

 (6) the total value of noncash prizes awarded; and

 (7) the number of tickets sold.

 (D) A nonprofit organization that has affiliates or subsidiaries that are registered to conduct raffles pursuant to the provisions of this chapter may submit a single report that contains all of the required information for each raffle conducted by the affiliate or subsidiary to the secretary provided that the report is submitted in a format authorized by the secretary.

 (E) Records required by this chapter shall be preserved for three years, and organizations shall make available their records relating to operations of raffles at any time at the request of a member of the organization, or investigators from the secretary or from law enforcement. For each raffle conducted, the nonprofit organization must maintain records of the following information:

 (1) a list of prizes offered and given with an estimate of their respective values;

 (2) an itemized list of expenses incurred or paid, including the name of each person, company, or governmental entity to whom an expense was paid;

 (3) each item of an expenditure made or to be made, with a detailed description of the merchandise purchased or the services rendered, and the name of each person, company, or governmental entity to whom the expenditure is to be made; and

 (4) the use to which the net receipts have been applied.

 (F) No new registration shall be issued to an organization that fails to file its report as required by this section until all reports are filed, and the secretary has confirmed that the information in the reports is in compliance with the provisions of this chapter. An organization that fails to file a timely annual report required by this section may be assessed by the secretary administrative fines of ten dollars for each day of noncompliance for each delinquent report not to exceed two thousand dollars for each separate violation. In addition to the assessed fines, the secretary may revoke an organization’s registration for failure to file an annual report and bring an action before an administrative law judge to enjoin the organization from conducting raffles until the required reports are filed with the secretary.”

**Repeal**

SECTION 3. A. Section 33‑57‑200 of the 1976 Code is repealed.

B. This SECTION takes effect upon approval by the Governor. The provisions of Chapter 57, Title 33 of the 1976 Code, as they existed on June 30, 2020, are reenacted. The reenactment discharges, releases, and extinguishes any penalty, forfeiture, or liability incurred after July 1, 2020, but before the effective date of this SECTION. This SECTION shall continue to apply until such time as Chapter 57, Title 33, or parts thereof, are otherwise repealed, mutatis mutandis.

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 25th day of September, 2020.

Approved the 28th day of September, 2020.

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