



SPONSOR: Rep. Bush & Sen. Hoffner

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 389

AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO CHARITABLE GAMING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

1 Section 1. Amend Chapter 15, Title 28 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 1535A. Annual raffle license.

4 (a) A person or organization may apply for an annual raffle license that allows the applicant to hold up to 20 raffle
5 events per year.

6 (b) The cost of an annual raffle license is \$300.

7 (c) A person or organization that obtains a license under this section must provide notice to the Board at least 7
8 days prior to a raffle event. Notwithstanding any other provision of this chapter to the contrary, the notice required under
9 this subsection (c) of this section does not need to include information about the specific prizes or the value of prizes that
10 will be awarded during the raffle event, but must include the following:

11 (1) The name, address, and phone number of the sponsoring person or organization.

12 (2) The date the prize will be awarded.

13 (3) The fact that a raffle event will take place.

14 (d) A raffle event held by a person or organization holding a license under this section is not subject to Board
15 approval.

16 (e) Within 60 days after the conclusion of a raffle event under this section, the person or organization that
17 conducted the raffle and its member or members who were in charge of the raffle must furnish to the Board a duly sworn
18 statement containing all of the following:

19 (1) All information required to be included in a report after a game under § 1521 of this title.

20 (2) The name and address of each person to whom a prize was awarded.

21 Section 2. Amend § 1521, Title 28 of the Delaware Code by making deletions as shown by strike through and
22 insertions as shown by underline as follows:

23 § 1521. Reports after games; records; examinations; applicability.

24 (a) Within 30 days after the conclusion of any game, or within 60 days if the game is a raffle event conducted by a
25 person or organization holding an annual raffle license under § 1535A of this title, the organization which conducted the
26 game and its member or members who were in charge shall furnish to the Board a duly sworn statement showing:

27 (1) The gross receipts derived from each game;

28 (2) Each item of expense incurred or paid;

29 (3) The name and address of each person to whom each such item has been, or is to be paid, with a description
30 of the merchandise purchased or the services rendered therefor;

31 (4) The net profit derived for each such game;

32 (5) The general uses to which such net profit has been or is to be applied; and

33 (6) A list of prizes offered and given, with the respective values thereof.

34 Section 3. This Act takes effect 6 months after its enactment into law.

SYNOPSIS

This Substitute for House Bill No. 389, like House Bill No. 389, provides for an annual raffle license that will allow a licensee to hold up to 20 raffle events each year, requires the licensee to notify the Board at least 7 days prior to a raffle event, and requires a report to the Board after a raffle is conducted.

This Substitute differs from House Bill No. 389 as follows:

-It corrects the vote requirement. This Act requires a greater than majority vote for passage because § 11 of Article VIII of the Delaware Constitution requires the affirmative vote of three-fifths of the members elected to each house of the General Assembly to impose or levy a tax or license fee.

-It changes the annual raffle license fee from \$100 to \$300.

-It adds a requirement that the report to the Board following the conclusion of a raffle must include all of the information required in a report after a game under section 1521 of Title 28.

-It clarifies that the number of days in which a report after a game must be filed with the Board is increased from 30 to 60 if the game in question is a raffle event conducted by the holder of an annual raffle license.

-It makes technical changes to conform with the standards of the Delaware Legislative Drafting Manual.

-It specifies that the Act takes effect 6 months after its enactment into law.