

BULLET BACKGROUND PAPER

ON

WHY RAFFLES ARE NOT PERMITTED AT SHAW AFB

DISCUSSION

- There is a general prohibition on DoD employees engaging in “gambling activities,” either while on duty or while on Federally owned or leased lands (see paragraph 2-203 of the Joint Ethics Regulation, DoD 5500.7-R)

-- 5 C.F.R. 735.201(a) defines “gambling activities” as including the following: lotteries, pools, participating in any game for money or property, or any activity that includes selling or purchasing a ticket or a slip with a number on it

-- One narrow exception to the general prohibition on gambling is for private organizations that are operating an on base raffle primarily for the benefit of DoD personnel or their family members, but they may do so only if the raffle also complies with local state law (DoD 5500.7-R, paragraph 2-203(a)(2)).

--- Though many organizations use raffles and other forms of drawings as fundraising tools, they have long been, and continue to be, illegal in South Carolina. In recent years, there have been efforts to make charitable raffles legal and provide SC nonprofits with an effective fundraising tool used in all but four states.

--- Under State law ([Sections 16-19-10 through 16-19-30](#)), only the State is allowed to legally operate a lottery. [Opinions issued from the SC Attorney General](#) have consistently opined that raffles are lotteries because raffles contain the three elements of a lottery:

- a prize is offered;
- there is payment of some consideration for the raffle ticket;
- the winner is determined by chance.

Other opinions have also held that “casino nights” and “poker runs” would constitute a lottery and would be illegal under SC law. Similarly, “rubber duck races” and other types of games of chance fit within the definition of a lottery.

CONCLUSION

- Because private organizations have to be certified to conduct raffles under South Carolina law, and certification is exceptionally difficult to acquire and maintain, they do **not** qualify for the narrow exception to the general prohibition on gambling under the Joint Ethics Regulation.