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**BUMP
50=50**

A Division of  **Sportech**
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VIA FEDERAL EXPRESS and Email

April 14, 2016

Department of Justice
Bureau of Gambling Control
Attn: Susanne George
4949 Broadway, Rm. E231
Sacramento, CA 95820
(Susanne.George@doj.ca.gov)

Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

**RE: Proposed Adoption of Emergency Regulations, Title 11, Division 3,
Article (Major League Sports Raffle Program)**

Ladies and Gentlemen:

Bump Worldwide Inc. ("Bump 50/50") hereby provides its written comments to the proposed emergency regulations regarding the Major League Sports Raffle Program in the State of California. We appreciate the thought and effort that has been undertaken to take a first step in the right direction towards implementing sound and well-reasoned regulations, which will benefit charitable organizations, as well as the sports raffle industry as a whole.

In general, we agree with the approach taken in the draft of the Major League Sports Raffle Program and the fundamental goal of ensuring that there exists a proper regulatory and administrative framework in place for the implementation of major league sports event raffles. With that said, we offer the following comments specific to certain of the proposed regulations:

Article 8. Major League Sports Raffle Program

I. Section 2081 Definitions

(b) "Affiliated sports team" means a team from Major League Baseball, National Hockey League, National Basketball Association, National Football League, Women's National Basketball Association, or Major League Soccer.

(c) "Affiliated association" means the Professional Golfers' Association of America, Ladies Professional Golf Association, or National Association of Stock Car Auto Racing.

COMMENT: Bump 50/50 recommends the definition of "Affiliated sports team" and/or "Affiliated association", as applicable, be amended to include minor league properties, including teams in the AFL, AHL, MiLB, TCBL, WBL, WCHL, and other minor sports leagues.

(v) "Prize" means the money paid to the raffle winner and is comprised of one-half or 50 percent of the gross receipts generated from the sale of raffle tickets at a registered event.

COMMENT: Bump 50/50 recommends that the definition be amended to allow for the deduction of direct costs incurred by the Eligible Organization from the operation of raffles prior to the calculation of the Prize. As drafted, the definition of Prize precludes the deduction of expenses from gross receipts. This proposed amendment would properly align with the Eligible Organization Annual Report, BGC 204, section (ii).

II. Section 2088 Fiduciary of Eligible Organization – Duties

(l) Ensuring that prior to the manual draw, the gross receipts are tallied and the prize amount is announced;

COMMENT: Bump 50/50 recommends that an eligible organization that uses an electronic raffle system be permitted to utilize electronic calculation of gross ticket sales.

III. Section 2089 Raffle Registration; Registered Event

(e) Every eligible organization must also submit a map of the event location, identifying any family section; the locations where direct sellers will be conducting sales at the registered event; the locations of affiliated person-attended kiosks; the location where count and reconciliation functions will be performed; the location where raffle system management functions will be performed; and the location where the manual draw will be conducted.

COMMENT: Bump 50/50 recommends that an eligible organization be permitted to adjust selling locations (mobile seller or kiosk) on a game-by-game basis, within the established map of the event location, without the requirement to resubmit a map of the event location for each individual adjustment.

IV. Section 2090 Raffle Registration; Registered Event; Post-Season Play

Every eligible organization must register every raffle it plans to conduct for post-season home games at least 72 hours prior to holding the raffle.

COMMENT: Bump 50/50 recommends an eligible organization be permitted to register a raffle it plans to conduct for post-season home game a minimum of 24 hours prior to holding the raffle. Scheduling information for post-season home games are not always available 72 hours prior to such games.

V. Section 2091 Equipment Registration

(a) Every eligible organization must annually register with the Bureau any equipment to be used in the sale and distribution of raffle tickets by submitting a completed Major League Sports Raffle Eligible Organization – Equipment Registration Form (BGC 206; Orig. 01/2016).

COMMENT: Bump 50/50 recommends an eligible organization be permitted to register replacement equipment (for damaged and/or unusable equipment), and/or additional equipment that will be used to supplement existing, registered equipment for special events such as All-Star game(s) and post-season game(s) within a reasonable period of time after activation of such replacement and/or additional equipment.

VI. Section 2092 Affiliated Person Registration

(a) An affiliated person must register annually with the Bureau. To apply for a registration as an affiliated person, an applicant must:

- (1) Be at least 18 years of age;
- (2) Be an affiliated person;
- (3) Submit completed applications as appropriate:
 - A. Major League Sports Raffle Unpaid Volunteer or Affiliated Person Individual Annual Registration Form (BGC 201; Orig. 01/2016); or
 - B. Major League Sports Raffle Affiliated Person Annual Registration Form (BGC 203; Orig. 01/2016) submitted to the Bureau on behalf of the affiliated person;and
- (4) Remit the required non-refundable fee of \$10.

(b) Nothing in this section precludes an eligible organization from having other eligibility requirements in place for affiliated persons.

Bump 50/50 recommends for Unpaid Volunteers the elimination of registration requirements and payment of registration.

VII. Section 2093 Affiliated Person Training

(a) – Every affiliated person shall be trained to effectively operate the equipment they will be assigned to operate during the conduct of a registered event. Every eligible organization shall maintain a record of training provided to every affiliated person for three years.

COMMENT: Bump 50/50 recommends that training for an affiliated person be permitted to occur via the following methods; in-person training, webinar, user manual, and/or training video.

VIII. Section 2096 Registered Event; Ticket Sales

(d) – Raffle tickets shall be sold only in areas where an event ticket is required for admission to view the game or sporting event.

COMMENT: Bump 50/50 recommends that, in addition to areas where an event ticket is required for admission to view the game or sporting event, raffle ticket be permitted to be sold within areas of the properties of the affiliated sports team or affiliated association that include tailgate areas, fan zones, and/or areas where marketing or promotional activity associated with the game or sporting event occurs, but for which an event ticket is not required.

(i) Each raffle ticket purchased shall represent one entry in the drawing for a winner. The equipment used to conduct raffles and the method of play shall ensure that each and every raffle ticket sold shall have an equal opportunity to be drawn as a winner.

COMMENT: Bump 50/50 recommends that, as used in this clause, "raffle ticket" be replaced with "raffle ticket number". Multiple numbers may be listed on a single raffle ticket or 'receipt' issued by an electronic raffle system.

(u) No revenues generated from the sale of raffle tickets may be used to defray costs incurred by the eligible organization for the conduct of the raffle.

COMMENT: Bump 50/50 recommends that Eligible Organizations be allowed to defray the direct costs incurred for the conduct of the raffle. Eligible Organizations conduct the raffles for the benefit of Eligible Recipient Organizations (charities). Disallowing the deduction of costs and expenses incurred in the conduct of the raffles provides a disincentive to the Eligible Organizations, as it would otherwise force the Eligible Organization to unilaterally fund the raffle—including but not limited to raffle equipment costs and management fees.

(v) The total prize amount of a raffle shall be one-half or 50 percent of the gross proceeds collected from the sale of the raffle tickets.

COMMENT: Bump 50/50 recommends that the direct costs incurred by the Eligible Organization be deducted from the gross raffle proceeds prior to the calculation of the total prize amount. This approach would allow the direct costs to be shared equally amongst the Prize Winner and Eligible Organization.

(w) All proceeds collected from the sale of raffle tickets, that are not distributed as a prize, shall be used to benefit the organization named on the Major League Sports Raffle Eligible Organization Registered Event Registration Form submitted to the Bureau.

COMMENT: Bump 50/50 recommends that the costs incurred by the Eligible Organization be deducted from the gross raffle proceeds prior to the calculation of the total prize amount. This approach would allow the direct costs to be shared equally amongst the Prize Winner and Eligible Organization.

IX. Section 20976 2097 Winner Determination

(c) Prior to conducting the manual draw, the gross receipts from the registered event must be tallied, and the prize amount of the raffle must be determined and publicly announced.

COMMENT: Bump 50/50 recommends that an eligible organization that uses an electronic raffle system be permitted to utilize electronic calculation to determine gross receipts.

X. Section 2105 Accountability; Lawful Use of Proceeds

(e) Prize payments and distributions for the lawful purposes of the eligible organization or eligible recipient organization are the only allowable expenditures from the proceeds of the registered event.

COMMENT: Bump 50/50 recommends that direct costs incurred by the Eligible Organization be included as an allowable expenditure from the proceeds of the registered event, and that the payment of the direct costs be named as a lawful purpose.

XI. FORMS:

Major League Sports Raffle Electronic Raffle System and Equipment Checklist and Test Draw (Passwords and Access)

Deny Remote Access During a Game

Bump 50/50 recommends that remote access be allowed to permit immediate technical support to the eligible organization if required during a raffle. It is recommended that such remote access require a recorded login; including login name, timestamp, and command(s) executed while connected during any remote session.

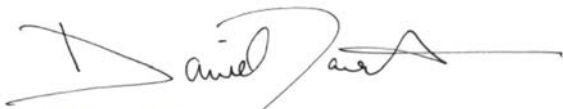
Non-routable IP address

Bump 50/50 recommends that the use of a public IP address be accepted to allow for remote access. In addition, Bump 50/50 recommends that any and all communication to the server be required to take place over a secured connection using SSL certificates to encrypt all data in motion.

On behalf of the entire Bump 50/50 team, thank you for the opportunity to participate in this process by providing comments to the proposed Major League Sports Raffle Program regulations. Bump 50/50 supports the implementation of well-reasoned regulations that will benefit eligible charities.

Please feel free to contact us if you have any questions or if we can be of further assistance to you.

Best regards,



Daniel Tanenbaum
President
Bump Worldwide Inc.