

I. 45-DAY WRITTEN COMMENT PERIOD

The following written comments/objections/recommendations were received regarding the proposed text routed for the 45-day written comment period that commenced November 25, 2016, and ended January 9, 2017:

	Commenter	Comment	Response
1A	Kevin Lovitt 50/50 Central	<p>Section 2081 Definitions</p> <p>(r) <i>"Home game," for an affiliated sports team, means a live sports event held in California that is designated as a home game in an official schedule distributed by the league of which the Affiliated Sports Team is a member, including special events such as the game commonly known as the "All-Star Game," if held at a venue where an Affiliated Sports Team plays the majority of its scheduled games; for an affiliated association, "home game" means a live sports event of the association held in California.</i></p> <p>5050 Central submits that this definition should include a provision for all associated events held in connection with a home game or special event such as an All Star Game. For example, Major League Baseball holds the "Home Run Derby" the day before the All-Star Game, the National Hockey League holds the "NHL Skills Competition" and the National Basketball Association holds the "NBA Dunking and Long-Range Shooting Competition" all during their respective All-Star weekends. These events, which are part of the event and subject to ticketing, should be included as events eligible for raising charitable funds using the Major League Sports Raffle scheme.</p>	<p>The Bureau has interpreted "home games" to include the "All-Star Game" event. The enabling statute authorizes the conduct of raffles "only at a home game." (Pen. Code, § 320.6, subd. (j)).) The statutory authorization does not extend beyond home games to the types of events described by the commenter.</p>
1B		<p>Section 2086 Eligible Organization Registration</p> <p>(c) (2) <i>Remit a non-refundable registration fee of \$5,000.</i></p> <p>5050 Central submits that some allowance should be made for organizations/events that operate on only a limited number of days. For example, a NASCAR race that operates on only one day would be subject to the same \$5,000 license fee that an organization affiliated with a team in Major League Baseball that potentially could operate over 80 times per year. Requiring the organizations to pay the same fee could prove to be a barrier to entry and an onerous and unjust burden on those events that operate on a much more limited schedule.</p>	<p>This comment is rejected. The minimum annual registration fee for eligible organizations provided in the regulations are prescribed by the enabling statute. Penal Code section 320.6, subdivision (o)(1)(B)(i) reads, "[t]he department may require an eligible organization to pay a minimum annual registration fee of five thousand dollars (\$5,000) to cover the reasonable costs of the</p>

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			<p>department to administer and enforce this section.”</p> <p>The requirement for payment of an annual registration fee to cover the cost to administer and enforce the program is also mandated by the enabling statute. (See Pen. Code, § 320.6, subd. (o)(1)(B)(i).) The enabling statute does not authorize the Bureau to set fees based on the number of events an eligible organization will conduct. Notwithstanding the number of possible registered events, these regulations apply the statutorily mandated “minimum” fee to all eligible organizations uniformly and without exception.</p>
1C		<p>SECTION 2088 Fiduciary of Eligible Organization – Duties</p> <p>(g) <i>Ensuring affiliated persons engaged in the sale of raffle tickets are holders of a valid registration issued by the Bureau;</i></p> <p>Form BGC 201 MAJOR LEAGUE SPORTS RAFFLE UNPAID VOLUNTEER or INDIVIDUAL AFFILIATED PERSON ANNUAL REGISTRATION FORM</p> <p>5050 submits that each registered eligible organization have some flexibility in registering Unpaid Volunteers. Due to unplanned and unexcused absences, it is sometimes difficult for an organization to fully staff its sales staff on a given night. In those cases it may be necessary for the organization to utilize volunteers that may not have full registration under the proposed regulations and forms.</p>	<p>This comment is accepted. The Bureau is deleting the requirement to register affiliated persons other than the manual draw supervisor. Section 2088, subdivision (g) is deleted. Regulations section 2084, subdivision (d) requiring registration of all affiliated persons is deleted and replaced with the requirement to register only the manual draw supervisor.</p>
1D		<p>SECTION 2089 Raffle Registration; Registered Event</p> <p>(f) <i>The Bureau shall not register a raffle scheduled to encompass more than one calendar day</i></p> <p>5050 Central submits that some limited events that are conducted on consecutive days should be considered as a single event. For example, a</p>	<p>This comment is rejected. The Bureau has defined a calendar day to provide scope to the phrases “individual raffle” and “a home game.” The Bureau recognizes that entities wish to have the ability to</p>

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		NASCAR event that is comprised of different races on a designated race weekend or a PGA event that takes place between Thursday - Sunday of a scheduled week, should/could be considered as a single event. The reason for this allowance is that it is exceedingly difficult to build a meaningful draw without the ability to take advantage of the multiple days of a smaller event. 5050 Central submits that the DOJ take into consideration the timing and scope of the event in determining how the particular event is licensed or classified.	"roll over" prize pools to create larger pools over successive days. However, the enabling statute did not make an allowance for season long or multi-day raffles. In addition, allowing multi-day events as suggested would vitiate the statutory requirement to register "every individual raffle...to cover the reasonable costs of the department to administer and enforce" the statute. (Pen. Code, § 320.6, subd. (o)(1)(B)(ii).)
1E		<p>SECTION 2109 Proper Functioning of Raffle Equipment</p> <p>(d) If for any reason any parts of the electronic raffle system, such as the raffle sales unit, printers, or associated network, completely fail prior to, or during, the sale of any raffle ticket, the eligible organization must notify the Bureau immediately and may either use a non-electronic raffle system that is a two-part, admission-style raffle ticket based system, or cancel the registered event.</p> <p>5050 Central submits that this regulation be amended or further defined to acknowledge that at times there may be one part of the system e.g. ,one of the sales units, that might require replacement but that would not affect the integrity of the draw. 5050 Central submits that the regulations be clarified to require immediate notification and adjustment of the operation of the event to those parts of the system that would affect the integrity of the draw.</p>	<p>This comment is accepted. This subdivision is modified as follows:</p> <p>If for any reason any parts of the electronic raffle system, such as the raffle sales unit, printers, or associated network, do not fail to function properly prior to, or during, the sale of any raffle ticket, the eligible organization must notify the Bureau immediately and may either use a non-electronic raffle system that is a two-part, admission-style raffle ticket based system, or cancel the registered event.</p>
2A	David Sean Brennan LA Dodgers Foundation	Section 2081 Definitions section (ac): It would be beneficial if it could be clearer as to what a "raffle ticket" is considered. Is a raffle ticket considered a single number entered on the ticket or the entire ticket that comes out of the handheld printers? For example how we interpreted the information provided is we currently only sell one raffle ticket in-game but this raffle ticket can have 3 raffle numbers, 10 raffle numbers or 40 raffle numbers.	This comment is rejected. "Raffle ticket" means a record of entry into the raffle provided to a raffle player. When using an electronic raffle system this is the ticket that is given to the raffle player by the raffle ticket seller. The item described in this comment is a raffle ticket containing

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			more than one raffle draw number. The present definition of raffle ticket sufficiently describes the item that is provided to the person purchasing an entry or entries to win the prize. To eliminate any confusion, the Bureau has already defined the word "counterfoil" in section 2081, subdivision (h). A "counterfoil" means a printed electronic record or paper ticket stub, also known as a barrel ticket, which may by chance be selected during a manual draw to determine the winner of a raffle prize and contains a draw number matching the draw number on a raffle ticket purchased by a raffle player.
2B		Section 2090 Raffle Registration: Registered Event; Post Season Play (b): Having the required \$100 fee per registered event be refundable would be beneficial, especially during Postseason. For example of we start Postseason on road and sweep the team, we may not play one of our home games that we registered for. If \$100 can't be refunded, can it be allocated towards future home game?	This comment is rejected. The regulations minimize the occurrence of overpayments by allowing multiple registrations of post-season games with 24 hours notice.
2C		Section 2096 Registered Event; Ticket Sales (p): In regards to "No person affiliated with an eligible organization, affiliated sports team, affiliated association, eligible recipient organization, or a registered manufacturer and distributor of raffle-related products or services, including any affiliated person, any employee or agent, or their <u>his or her</u> immediate family member, may participate in any registered event as a raffle player or receive a raffle prize.," why can't employees or their family members of the team purchase? We have so many asking all the time and we have to tell them no. It would be a lot more revenue per game to benefit the LA Dodgers Foundation.	This comment is accepted in part. The regulations are amended to remove the prohibition against participation by immediate family members of the persons listed. The prohibition against participating in other eligible organizations raffles is also removed. The remaining prohibition is similar to the California State Lottery's definition of "Disqualified Persons." A "Disqualified Persons" means

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			<p>persons/Players prohibited by statute, regulation, or contract with the Lottery from purchasing a Lottery Ticket or Registered Play and/or winning a Lottery Prize or participating in a Promotion and/or receiving a Promotional Award and includes:(1)persons under the age of 18 years; (2) members of the Commission; (3) any officer or employee of the Lottery or the Commission; (4) any officer or employee of the California State Controller's Office who is designated in writing by the Controller as possibly having access to confidential Lottery information, programs, or systems; (5) any Contractor or subcontractor prohibited by the terms of a contract with the Lottery from playing Lottery games; and (6) any spouse, child, brother, sister, or parent who resides in the same household as any person described in numbers (2), (3), or (4) herein. Further, prize Claims resulting from winning California Lottery Tickets or Registered Plays purchased by Disqualified Persons are invalid, regardless of the identity of the Claimant.”¹</p> <p>The reason for the limitation is to</p>

¹ California Lottery Regulations <http://static.www.calottery.com/~media/Approved%20Regulations%2006-25-15.pdf>

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			protect the integrity of the registered events and to prevent the perception of collusion which would result if a person associated with the eligible organization (employees or unpaid volunteers), the affiliated team, or others affiliated with registered entities were to win the prize.
2D		Section 2096 Registered Event; Ticket Sales (aa): With such high jackpots, it is very easy for our sellers to carry more than \$1,000 at any given time before they do a cash drop. We think the amount should be raised to \$2,000 which will allow them to do their money drops when time permits instead of constantly having to go throughout the game. The more times they have to do money drops, the more time they are away from the selling areas to sell. We have a lot of stadium security throughout stadium and had no issues this past season if it's the safety of the raffle sellers that concerns you.	This comment is rejected. The Bureau is authorized by the enabling statute to ensure that charitable raffles are conducted "in the best interests of the public's health, safety, or general welfare." (Pen. Code, § 320.6, subd. (p).) The uniform value set in the subsection is necessary for the secure functioning of the raffle event at all venues, large and small.
2E		SECTION 2104 Retention of Raffle Records and Reports (a) In regards to "Every eligible organization must retain registered event counterfoil tickets for one month after awarding the prize or until alternative distribution has been made if no raffle player claims the prize pursuant to Penal Code section 320.6, subdivisions (m) or (n), as applicable.", can you clarify. Is it one-month from the date of the raffle, one-month from when the raffle winner turns in the raffle ticket or is one-month from the date we mail the raffle winner's check to them? Of course if no one claims the prize and they have 30 days, can we throw out counterfoils after those 30 days?	This comment is rejected. The meaning of the subsection is clear when the definition of "prize" is referenced. "'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." Therefore, counterfoils are required to be retained for one month after the winner is paid or the alternative distribution is made.
2F		SECTION 2109 Proper Functioning of Raffle Equipment (b) In regards to "The fiduciary or an affiliated person designated by the fiduciary must verify and document that the electronic raffle system is configured correctly, functioning properly, and fully operational by completing a BGC-	This comment is accepted in part. The Bureau has modified the forms associated with the Major League Sports Raffle Program. Form 207, has

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		<p>207 Major League Sports Raffle Electronic Raffle System and Equipment Checklist and Test Draw <u>(BGC-207 Orig. 01/2016)</u> prior to each registered event.,” we feel the Checklist and Test Draw document needs to be reworked. How it is currently set up by order now, does not actually work. <u>Here is our suggested revisions for how the document should be written and what order.</u></p> <ul style="list-style-type: none"> • a. = This part is OK how it is written. • b. = This part is OK how it is written. • c. = This part is OK how it is written. Question - Is it 15 tickets sold or for example X amount of tickets that equals 15 raffle numbers? • n. = Since this is asking the same thing as point r. below, where you disable all counterfoil printers by removing the paper rolls, you could remove this and just have r. • o. = You need to jump to point o. next due to the fact you can’t sell additional tickets when the raffle is closed as instructed in point d. You can’t close all sales on device at this point. • r. = You may want to have us disable all the printers, attempt to sell a ticket and document the error signs on the server. Remove the reference to “if low paper is not possible”. • tii. = Verify all sales have been uploaded by final syncing our devices. Take photos • d. = Now you can close sales on central server • e. = this part is OK how it is written • f. = this part is OK how it is written • h. = this part is OK how it is written • i. = this part is OK how it is written • j. = this part is OK how it is written • k. = this part is OK how it is written 	<p>been modified and renumbered to 206. The “Test Draw” portion of Form 206 was modified, changing the requirement to print 100 tickets to 50 (section b); testing low paper conditions (section j); and deleting remote access restrictions. It is believed that the modifications to the form better achieve the desired result of comprehensive testing of systems and equipment while providing a more streamlined and more economical approach to documenting the process.</p>
3A	Shaunna Caampbell LA Kings	Allow for an electronic tally and draw. The manual draw is extremely time consuming to print out all of the counterfoils and we go through an	This comment is rejected. Penal Code section 320.6, subdivision (d)

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		immense amount of paper. It is not a very environmentally friendly way of conducting the draw. On a night where we have \$12,000 in sales we can expect to go through 35-40 rolls of paper with the counterfoil printers alone.	requires a "manual draw" and prohibits the use of a random number generator for the manual draw or to sell raffle tickets.
3B		Allow for registration to be submitted online, especially affiliated persons. We submitted multiple affiliated persons forms over the last 3 months due to continuous hiring for our program. It would be more efficient to be able to submit the information over an online forum and even have the ability to pay online.	This comment is accepted in part and rejected in part. See comment 1C. Ticket sellers are no longer required to be registered. The comment regarding online forms and payments is rejected because developing such capacity for a two-year program would not be cost effective.
3C		Being able to remove affiliated persons from our program. Based on our season, we have individuals who might be registered for 2017 not come back to work for us the next season. With the current regulations, even if that person severs employment they are still considered an affiliated person until the end of the calendar year and would not be able to participate in a raffle.	This comment is rejected. By definition, an affiliated person would not be one who has severed all employment relationships with the registered organization. In addition, the amendment to section 2096, subdivision (p) would not prohibit the person described from participating as a raffle player.
3D		Allowing annual reports to be submitted based on fiscal year. All of our bookkeeping is based off of a fiscal year, not the calendar year.	This comment is rejected. The regulatory requirement comports with the requirement for the submission of annual reports provided in the enabling statute. Failure to submit the annual report to the department "shall be grounds for denial of the annual registration." (Pen. Code, § 320.6, subd. (o)(12)(B).) Eligible organizations are free to submit annual reports at the time they choose to apply for their annual registration.

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4A	Sue Petersen Giants Community Fund	<p>Section 2109, form 207</p> <p>The requirement to complete the form is excessively burdensome, requiring several hours to complete before each game and is unnecessary to achieve the state goal of ensuring the system is configured correctly, functioning properly, and fully operational. Most burdensome elements: (g), (m), (o), (t)</p> <p>Suggestions:</p> <ul style="list-style-type: none"> • Require test draw and checklist completion based on a calendar (monthly, bi-monthly during the season) • Streamlined process that ensures operability of the devices and printers only 	<p>This comment is rejected. The Bureau is authorized by the enabling statute to investigate and ensure that charitable raffles are conducted "in the best interests of the public's health, safety, or general welfare." (Pen. Code, § 320.6, subds. (o)(10) & (p).) The requirements in Form 207 are necessary to ensure that the electronic raffle system is configured correctly, functioning properly, and fully operational.</p>
4B		<p>Section 2096(p) - prohibited entrants</p> <p>Prohibiting person affiliated with the organization, sports team, association, eligible recipient organization, employees, and immediate family members is overly broad, ambiguous, and difficult to enforce. Recommend that the prohibition apply only to employees, Board members, and owners of eligible organizations, affiliated sports teams, and the manufacturers/distributors of equipment or immediate family members residing in the same households of such persons. In particular, recommend deleting references to "person[s] affiliated" and "affiliated associations"</p>	<p>See response to comment 2C.</p>
4C		<p>Section 2092(a) Registration of Affiliated Persons</p> <p>Believe the regulation should follow the statute and not impose the requirement that ticket sellers register annually. Recommend that ticket sellers register once, not each year.</p> <p>Recommend eligible organizations submit a list of returning sellers each year rather than requiring the repeated registration of ticket sellers.</p>	<p>This comment was accepted. See response to comment 1C.</p>
4D		<p>Section 2104(a) - Retention of Counterfoil Tickets</p> <p>Retaining counterfoil tickets for one month after distribution of the prize is burdensome and unnecessary. It is difficult to find space to store so much paper.</p> <p>Recommend require storage of counterfoil tickets only until the prize is claimed or distributed.</p>	<p>This comment is rejected.</p> <p>Counterfoil retention, for the time period required by the regulations, is necessary in the event of a challenge by any raffle player to the integrity of the manual draw, and to provide the Bureau with the ability to conduct a meaningful audit of the raffle</p>

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			procedures employed.
4E		<p>Use of Raffle Revenues for Raffle Costs</p> <p>Statute does not prohibit the use of raffle revenues to cover costs to conduct the raffle. If an eligible organization cannot use funds generated from the raffle to pay for the raffle expenses, it must use funds it has generated from other fund raising endeavors. Restricting the use of raffle funds for raffle costs does not result in additional funds going towards charitable purposes.</p> <p>Recommend that eligible organizations be allowed to use revenues generated from the sale of raffle tickets to pay expenses related to conducting the raffle, which should be considered as supportive of a beneficial or charitable purpose.</p>	<p>This comment is rejected. The Bureau is not authorized by the enabling statute to make the change suggested by this commenter. Penal Code section 320.6, subdivision (d)(2)(D) provides that the prize paid to the winner is comprised of one-half or 50 percent of the gross receipts generated from the sale of raffle tickets for a raffle.</p> <p>In addition, Penal Code section 320.6, subdivision (d)(4)(A) provides that fifty percent of the gross receipts generated from the sale of raffle tickets for any given manual draw are used by the eligible organization conducting the raffle to benefit or provide support for beneficial or charitable purposes, or used to benefit another private, nonprofit organization.</p> <p>The latter subdivision also states that an eligible organization is not precluded from using funds from sources other than the sale of raffle tickets to pay for the administration or other costs of conducting a raffle. Taken together, the statutory language does not permit the payment of costs for the conduct or operation of raffles from the moneys generated from the sale of raffle tickets.</p>

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5A	Travis Gorsch Oakland Athletics Community Fund	Section 2081(r) - home game Recommend definition be clarified to include all pre-season, regular season, post season home games	See response to comment 1A.
5B		<p>Section 2086 (c)(2) and Section 2089 (d)(2) - To apply for annual registration, an eligible organization must: Remit a non-refundable registration fee of \$5,000. To register the raffle as a registered event, an eligible organization must: Remit the required non-refundable fee of \$100 per registered event.</p> <ul style="list-style-type: none"> Comments: We recommend that the registration fee for eligible organizations be reviewed. We also recommend that the annual registration be moved from a calendar year to the eligible organization's season, eliminating the need for teams to need to register twice in one season (e.g. NBA and NHL). 	<p>This comment is rejected. See response to comment 1B. In addition, the minimum annual and event registration fees provided in the regulations are prescribed by the enabling statute. The requirement for payment of an annual registration fee to cover the cost to administer and enforce the program is also mandated by the enabling statute, as is the registered event fee. (See Pen. Code, § 320.6, subd. (o)(1)(B)(i) & (ii).)</p> <p>The comment regarding the annual registration date is also rejected. The enabling statute requires eligible organizations to file an annual registration, and failure to submit the annual report to the department "shall be grounds for denial of the annual registration." (Pen. Code, § 320.6, subd. (o)(12)(B).) Given the variance in the beginning and ending dates of the respective affiliated sports teams' and affiliated associations' seasons, the Bureau selected a uniform date (once every calendar year) for all eligible organizations. Also, pursuant to section 2086, subdivision (b) of these regulations, every eligible organization is required to annually register "prior to" conducting a raffle.</p>

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			This provision provides eligible organizations sufficient flexibility and certainty to manage annual registration filings.
5C		<p>Section 2089(e) - Every eligible organization must submit a map of the event location, identifying any family section; 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.</p> <p>○ Comments: The regulations are unclear as to what is considered a designated family section. For example, do the player and front office designated sections constitute family sections or is it an area that is marked as a family section such a kids zone (e.g. Stomper Fun Zone). We recommend 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 submit a map of the event location for each individual adjustment.</p>	<p>This comment is rejected. Penal Code section 320.6, subdivision (k) prohibits the sale of raffle tickets “in any seating area designated as a family section.” Section 2089, subdivision (e) of the regulations effectuate this requirement by requiring an eligible organization to obtain designated seating area maps and submit them to the Bureau. The map required to be submitted must also designate other raffle related activities to enable the Bureau to fulfill its compliance and enforcement responsibilities as provided in the enabling statute. To do so, designated staff from the Bureau may conduct site inspections at registered events. In order to ensure that the sales of raffle tickets are only occurring at the locations approved for a registered event, it is necessary for the Bureau’s inspectors to know in advance where raffle sales will occur. These regulations do not impede an eligible organizations ability to “adjust selling locations.” Should an eligible organization wish to change the location where sales were to occur, a new map of the locations would need to be submitted.</p>

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5D		<p>Section 2092(a) - An affiliated person must register annually with the Bureau. To apply for a registration as an affiliated person, an applicant must:</p> <ul style="list-style-type: none"> (1) Be at least 18 years of age; (2) Be an affiliated person; (3) Submit completed applications as appropriate; (4) Remit the required non-refundable fee of \$10 <p>○ Comments: Pursuant to Section 2081 (a) and (n), an Affiliated Person, once registered by one Eligible Organization, should be qualified to sell for any Eligible Organization. The Bureau of Gambling should also establish a reasonable review deadline for submitting affiliated persons (e.g., two business days before a game). We also recommend the elimination of registration requirements and payment for registration of unpaid volunteers.</p>	<p>This comment is accepted in part. See response to comment 1C. The \$10 fee required of the manual draw supervisor is authorized by Penal Code section 320.6, subdivision (o)(4)(B).</p>
5E		<p>Section 2096(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.</p> <p>○ Comments: We recommend that, as used in this clause, "raffle ticket" be replaced with "raffle draw number". Multiple numbers may be listed on a single raffle ticket or 'receipt' issued by an electronic raffle system. We also recommend the elimination of the manual draw and printing counterfoil tickets. Moving to a Random Number Generator would save paper costs and ensure the integrity and equal opportunity for each raffle ticket purchased to be drawn as a winner.</p>	<p>This comment is rejected for the reasons provided in comments 2A & 3A.</p>
5F		<p>In Section 2096 (l) and Sections 2100 (a) - A raffle player may purchase one or more raffle tickets at a registered event. A person shall not be required to buy more than one raffle ticket</p> <p>○ Comments: This language does not clarify whether an eligible organization is required to offer a one raffle draw number or one raffle ticket. The raffle draw numbers and raffle ticket definitions are different by definition. Are eligible organizations required to provide a one raffle draw number option or a one raffle ticket option? For example, do organizations have to offer a one raffle draw number option (e.g. 1 for \$2) or can they start their pricing at three raffle draw numbers on the single raffle ticket (e.g. 3 for \$5)?</p>	<p>This comment is accepted. Section 2100, subdivision (a) is amended to remove the "buy more than one raffle ticket" requirement. Regulations section 2096, subdivision (g) further clarifies this point. It provides, in part, "[a]n eligible organization may, at its discretion, sell raffle tickets with price points allowing for the purchase of multiple raffle tickets at a discounted rate."</p>

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			Therefore, an eligible organization may set price points at its discretion.
5G		<p>Section 2096(p) - No person affiliated with an eligible organization, affiliated sports team, affiliated association, eligible recipient organization, or a registered manufacturer and distributor of raffle-related products or services, including any affiliated person, any employee or agent, or his or her immediate family member, may participate in any registered event as a raffle player or receive a raffle prize.</p> <p>○ Comments: We ask that the Bureau of Gambling provide clarity on eligibility of players in a registered event. For example, would a person who works for an affiliated association (i.e. NASCAR) be ineligible to participate in a registered event as a raffle player at another affiliated sports team or association (i.e. Athletics game).</p>	<p>This comment is accepted in part. See response to comment 2C. This subdivision now provides:</p> <p>No person employed by or affiliated with the eligible organization, affiliated sports team or affiliated association holding the registered event, or the eligible recipient organization benefiting from the registered event, or the registered manufacturer and distributor of raffle-related products or services whose products or services are used during the registered event, may participate in any registered event as a raffle player or receive a raffle prize.</p>
5H		<p>Section 2096 (t) – Reconciliation of monetary transactions and reconciliation of raffle ticket transactions must be conducted in a secure location and under constant security and surveillance at the venue.</p> <p>○ Comments: The regulations should clarify what “constant surveillance” requires.</p>	<p>This comment is accepted. The requirement for “constant security and surveillance” is deleted. The amended subdivision provides:</p> <p>Reconciliation of monetary transactions and reconciliation of raffle ticket transactions must be conducted in a secure location.</p>
5I		<p>Section 2096 (z) - Every eligible organization must establish and publish the duration of time during which raffle tickets will be sold for each registered event, and provide its affiliated persons sufficient time to ensure that all sales reconciliation, eligible counterfoil verification, and winning counterfoil and raffle ticket verification procedures can be conducted following the manual draw.</p> <p>○ Comments: This section conflicts with Section 2088 (l) and Section 2097 (c) which states that all sales reconciliation is to take place prior to the manual draw.</p>	<p>This comment is rejected. The requirements of the subdivisions mentioned in the comment are not in conflict. The timing requirements of section 2096, subdivision (z) are there to ensure that the eligible organization has sufficient time to complete the administrative functions of the raffle event prior to</p>

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			announcing the winning counterfoil draw number.
5J		<p>Section 2100 (e) (4) - The unique number of the raffle ticket that must not be generated by a random number generator;</p> <ul style="list-style-type: none"> Comments: Whether the unique number on the raffle ticket is sequential or randomly generated does not affect the outcome of the raffle in any way as long as the numbers on the raffle ticket correspond with the counterfoils being printed. 	<p>This comment is rejected.</p> <p>Penal Code section 320.6, subdivision (d)(2)(C) prohibits the use of a random number generator "to sell tickets."</p>
5K		<p>Section 2105 (d) - All moneys derived from the conduct of the registered event shall be deposited into the eligible organization's financial account within one business day of the registered event.</p> <ul style="list-style-type: none"> Comments: This time restriction is not always under the control of the eligible organization. For example, credit card merchants typically take 3-7 days to deposit the funds into the organization's financial account. 	<p>This comment is accepted. The subdivision is amended to provide: "All cash moneys derived from the conduct of the registered event shall be deposited into the eligible organization's financial account within one business day of the registered event."</p>
5L		<p>Section 2106 - The regulations do not describe what is considered "advertising."</p> <ul style="list-style-type: none"> Comments: Are directions to our official rules on our website where all of this information is available acceptable? During a 15 to 30 second television or radio drop it doesn't seem feasible to mention all of the required information as well as deliver the original advertising message for the registered event. 	<p>This comment is rejected. The categories of advertising requiring certain disclosures are delineated with specificity in section 2106 of these regulations. The regulation does not prohibit a reference in the advertising to the official rules on the organization's Web site.</p>
5M		<p>Section 2108(a) - if the electronic raffle system relies on computer networks and/or wireless (Wi-Fi) services provided at the venue, the equipment must be housed in a permanent, secure location, under constant surveillance, and the network must be stable.</p> <ul style="list-style-type: none"> Comments: The regulations should clarify what "constant surveillance" requires. 	<p>This comment is accepted. The constant surveillance requirement is deleted. Section 2108, subdivision (a) is amended to provide: "If the electronic raffle system relies on computer networks and/or wireless (Wi-Fi) services provided at the venue, the equipment must be housed in a permanent, secure location, and the network must be stable."</p>

	Commenter	Comment	Response
5N		<p>Section 2120 - Within 30 calendar days after the date of receipt of a registration application, the Bureau shall either inform the registrant, in writing, that the application is complete and accepted for filing, or shall return the application as deficient and specify how the application is deficient and what additional information is required.</p> <ul style="list-style-type: none"> ○ Comments: We would appreciate clarity on which registration applications this applies to or if it encompass all of the registration applications. We recommend a shorter review period on registration applications such as BGC 201, BGC 203, and BGC 205. We also recommend providing an online submission option for these forms to expedite the process. 	<p>The comment is accepted. Section 2120 is amended to apply to BGC 200 and 202 only. Other registration applications are excluded from this section and do not include a time limit because eligible organizations need flexibility in processing those applications, and the Bureau will endeavor to process those applications to meet the needs of the eligible organizations.</p>
5O		<p>Major League Sports Raffle Electronic Raffle System and Equipment Checklist and Test Draw (BGC 207)</p> <ul style="list-style-type: none"> ● Passwords and Access - Deny Remote Access During a Game ○ Comments: We recommend that remote access be allowed to permit immediate technical support to the eligible organization if required during a raffle. ● Passwords and Access - Non-routable IP address ○ Comments: We recommend that the use of a public IP address be accepted to allow for remote access. In addition, 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. ● Test Draw (b) and (c) - Sell 100 tickets from portable devices (if in use) and/or kiosk (if in use). Void 15 tickets. ○ Comments: We recommend that this reads “100 raffle draw numbers” and “15 raffle draw numbers”. Selling 100 individual tickets is wasteful and takes a very long time to process. ● Test Draw (o) through (t) (vi) ○ Comments: After closing the sales on the RSU devices and closing the test draw on the central server in step (d), it is not possible to complete steps after (o) without reopening the draw. That would result in having to cancel the winning number that was selected in step (e) and recorded in (e)(i). Need to address this. In addition, selling tickets until the paper runs out in step (o) is wasteful and expensive. This can be rejected as necessary to maintain the integrity of the registered event. 	<p>This comment is accepted in part, as follows:</p> <p>Remote access and non-routable IP address: As outlined in response to comment 2F, the form was modified concerning these requirements. However, subdivision (c)(12) of Section 2102 was added to require documentation of the number of times remote access was granted to the electronic raffle system during the conduct of the raffle.</p> <p>Test Draw (b) and (c) – see response to comment 2F</p> <p>Test draw (o) through (t)(vi) - see response to comment 2F</p>

	Commenter	Comment	Response
6A	Travis Gorsch Golden State Warriors Community Foundation	<p>Section 2081 (b) and (c) - definitions of “Affiliated sports teams” and “Affiliated association”</p> <ul style="list-style-type: none"> Comments: We recommended expanding this definition to include additional leagues such as MiLB, NBA D-League, AHL, NASL, USL, etc. 	<p>This comment is accepted in part. (b) “Affiliated sports team” means a team from Major League Baseball, the National Hockey League, the National Basketball Association, the National Football League, the Women’s National Basketball Association, and Major League Soccer, or their minor league affiliate teams.</p> <p>(c) “Affiliated association” means the Professional Golfers’ Association of America, the Ladies Professional Golf Association, and the National Association of Stock Car Auto Racing, or their affiliate associations.</p>
6B		<p>Section 2081 (r) - “Home game,” for an affiliated sports team, means a live sports event held in California that is designated as a home game in an official schedule distributed by the league of which the Affiliated Sports Team is a member, including the game commonly known as the “All-Star Game,” if held at a venue where an affiliated sports team plays the majority of its scheduled games; for an affiliated association, “home game” means a live sports event of the association held in California</p> <ul style="list-style-type: none"> Comments: This should be clarified to include all pre-season, regular season, post-season home games. 	<p>This comment is rejected. See response to comment 1A. In addition, all pre-season, regular season, and post-season home games, if they are “designated as a home game in an official schedule distributed by the league of which the Affiliated Sports Team is a member,” are included in the definition of a “home game.”</p>
6C		<p>Section 2086 (c)(2) and Section 2089 (d)(2) - To apply for annual registration, an eligible organization must: Remit a non-refundable registration fee of \$5,000. To register the raffle as a registered event, an eligible organization must: Remit the required non-refundable fee of \$100 per registered event.</p> <ul style="list-style-type: none"> Comments: We recommend that the registration fee for eligible organizations be reviewed. We also recommend that the annual registration be moved from a calendar year to the eligible organization's season, eliminating the need for teams to need to register twice in one season (e.g. NBA and NHL). 	<p>This comment is rejected. On the fee issue raised, see response to comment 1B. The annual registration issue is addressed by the response to comment 3D.</p>

	Commenter	Comment	Response
6D		<p>Section 2089(e) - Every eligible organization must submit a map of the event location, identifying any family section; 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.</p> <p>○ Comments: The regulations are unclear as to what is considered a designated family section. For example, do the player and front office designated sections constitute family sections or is it an area that is marked as a family section such a kids zone (e.g. Stomper Fun Zone). We recommend 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 submit a map of the event location for each individual adjustment.</p>	See response to comment 5C.
6E		<p>Section 2091(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 form BGC 206</p> <p>○ Comments: We recommend allowing an eligible Manufacturer to be permitted to register replacement equipment and/or additional equipment that will be used to supplement existing, registered equipment for special events within a reasonable period of time after activation of such replacement and/or additional equipment.</p>	This comment is rejected. Eligible organizations register equipment, not manufacturers. There is no limitation to how many pieces of equipment or variety of equipment an eligible organization may register. In the event that additional equipment is required, an eligible organization may register them by filing an amended BGC 206.
6F		<p>Section 2092(a) - An affiliated person must register annually with the Bureau. To apply for a registration as an affiliated person, an applicant must:</p> <ol style="list-style-type: none"> (1) Be at least 18 years of age; (2) Be an affiliated person; (3) Submit completed applications as appropriate; (4) Remit the required non-refundable fee of \$10 <p>○ Comments: Pursuant to Section 2081 (a) and (n), an Affiliated Person, once registered by one Eligible Organization, should be qualified to sell for any Eligible Organization. The Bureau of Gambling should also establish a reasonable review deadline for submitting affiliated persons (e.g., two business days before a game). We also recommend the</p>	See response to comment 1C and 5D.

	Commenter	Comment	Response
		elimination of registration requirements and payment for registration of unpaid volunteers. We also recommend providing an online submission option for these forms to expedite the process.	
6G		<p>Section 2096(d) - Raffle tickets shall be sold only in areas where an event ticket is required for admission to view the game or sporting event.</p> <p>○ Comments: We recommend that, in addition to areas where an event ticket is required for admission to view the game or sporting event, raffle tickets 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. We also recommend allowing tickets to be sold to groups of fans that may be granted special access to the arena before doors officially open to the general public.</p>	<p>This comment is rejected. The Bureau is authorized by the enabling statute to investigate and ensure that charitable raffles are conducted “in the best interests of the public’s health, safety, or general welfare.” (Pen. Code, § 320.6, subs. (o)(10) & (p).) The geographic limitation imposed by this subdivision is necessary to ensure safety in the conduct of the registered event. It is anticipated that moneys generated under this new statute could generate prize pools that range from low thousands to hundreds of thousands of dollars or more. Ticket sellers may be required to handle hundreds of dollars in cash transactions and carry on their persons hundreds of dollars in cash. Because there is such a high volume of cash transactions conducted by ticket sellers at registered events, their security is of concern to the Bureau. Permitting sales outside of the area where a ticket to the event is required for access puts the ticket seller in potential jeopardy and makes monitoring their activities difficult for the Bureau and the eligible organization.</p>

	Commenter	Comment	Response
6H		<ul style="list-style-type: none"> • In Section 2096(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. <ul style="list-style-type: none"> ○ Comments: We recommend that, as used in this clause, "raffle ticket" be replaced with "raffle draw number". Multiple numbers may be listed on a single raffle ticket or 'receipt' issued by an electronic raffle system. We also recommend the elimination of the manual draw and printing counterfoil tickets. Moving to a Random Number Generator would save paper costs and ensure the integrity and equal opportunity for each raffle ticket purchased to be drawn as a winner. 	This comment is rejected. See response to comments 2A and 5E.
6I		<p>Section 2096 (l) and Sections 2100 (a) - A raffle player may purchase one or more raffle tickets at a registered event. A person shall not be required to buy more than one raffle ticket</p> <ul style="list-style-type: none"> ○ Comments: This language does not clarify whether an eligible organization is required to offer a one raffle draw number or one raffle ticket. The raffle draw numbers and raffle ticket definitions are different by definition. Are eligible organizations required to provide a one raffle draw number option or a one raffle ticket option? For example, do organizations have to offer a one raffle draw number option (e.g. 1 for \$2) or can they start their pricing at three raffle draw numbers on the single raffle ticket (e.g. 3 for \$5)? 	See response to comment 5F.
6J		<p>Section 2096(p) - No person affiliated with an eligible organization, affiliated sports team, affiliated association, eligible recipient organization, or a registered manufacturer and distributor of raffle-related products or services, including any affiliated person, any employee or agent, or his or her immediate family member, may participate in any registered event as a raffle player or receive a raffle prize.</p> <ul style="list-style-type: none"> ○ Comments: Applying this to persons affiliated with the registered eligible organization is understandable. However, we would appreciate clarity on the eligibility of the other parties listed. The definition of agent is also not clear if it encompasses third party organizations such as those workers who may be hired through the facility to work in concessions, parking, security, or the actual facilities employees that may be under a different organization than the team (e.g. AEG and the Warriors). 	See response to comment 2C.

	Commenter	Comment	Response
6K		<p>Section 2096 (t) – Reconciliation of monetary transactions and reconciliation of raffle ticket transactions must be conducted in a secure location and under constant security and surveillance at the venue.</p> <ul style="list-style-type: none"> ○ Comments: The regulations should clarify what “constant surveillance” requires. 	See response to comment 5H.
6L		<ul style="list-style-type: none"> ● In Section 2096 (z) - Every eligible organization must establish and publish the duration of time during which raffle tickets will be sold for each registered event, and provide its affiliated persons sufficient time to ensure that all sales reconciliation, eligible counterfoil verification, and winning counterfoil and raffle ticket verification procedures can be conducted following the manual draw. ○ Comments: This section conflicts with Section 2088 (l) and Section 2097 (c) which states that all sales reconciliation is to take place prior to the manual draw. 	See response to comment 5I.
6M		<p>Sections 2100(e)(3) and 2106 (a)(3) - The location, date, and time of the corresponding raffle and manual draw;</p> <ul style="list-style-type: none"> ○ Comments: The team may not allow the eligible organization comply with a specific time (e.g., 3:00pm) because a game is unpredictable. So, the “time” should be a point in the game (e.g., at the conclusion of the 3rd quarter). 	<p>This comment is accepted. The language of the subdivisions is amended. Section 2100, subdivision (e)(3) is amended to provide:</p> <p>“The location, date and time, or point in the registered event, of the corresponding raffle and manual draw.”</p> <p>Section 2106, subdivision (a)(3) is amended to provide:</p> <p>“The location, date and time, or point in the registered event, of the corresponding manual draw for the raffle;”</p>
6N		<p>Section 2100 (e) (4) - The unique number of the raffle ticket that must not be generated by a random number generator;</p> <ul style="list-style-type: none"> ○ Comments: Whether the unique number on the raffle ticket is sequential or randomly generated does not affect the outcome of the raffle in any way as long as the numbers on the raffle ticket correspond with the counterfoils being printed. 	See response to comment 5J.

	Commenter	Comment	Response
6O		<p>Section 2104 (a) - Every organization must retain registered event counterfoil tickets for one month after awarding the prize or until alternative distribution has been made if no raffle player claims the prize</p> <ul style="list-style-type: none"> Comments: Retaining counterfoils after a prize has been claimed holds no value and requires a large amount of storage space. Once a winner is identified and claims the prize, an eligible organization should be allowed to discard the counterfoil tickets. Even if no raffle player claims the prize there is no need to store counterfoil tickets because we would not hold a second chance drawing. The information pertaining to the printing of counterfoil tickets for a registered event can be found on the server. 	See response to comment 2E.
6P		<p>Section 2105 (d) - All moneys derived from the conduct of the registered event shall be deposited into the eligible organization's financial account within one business day of the registered event.</p> <ul style="list-style-type: none"> Comments: This time restriction is not always under the control of the eligible organization. For example, credit card merchants typically take 3-7 days to deposit the funds into the organization's financial account. 	See response to comment 5K.
6Q		<p>Section 2105(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.</p> <ul style="list-style-type: none"> Comments: Not allowing eligible organizations to offset direct costs incurred as an allowable expenditure from the proceeds of the registered event puts a burden on the eligible organization's overall budget in other areas. We recommend the payment of the direct costs be named as a lawful purpose of expenditures. 	See response to comment 4E.
6R		<p>Section 2106 - The regulations do not describe what is considered "advertising."</p> <ul style="list-style-type: none"> Comments: Are directions to our official rules on our website where all of this information is available acceptable? During a 15 to 30 second television or radio drop it doesn't seem feasible to mention all of the required information as well as deliver the original advertising message for the registered event. 	See response to comment 5L.
6S		<p>Section 2107 - Once registered, every eligible organization shall file annually thereafter with the Bureau a completed Major League Sports Raffle Eligible Organization Annual Report (BGC 204; Rev. 08/2016)</p>	See response to comment 3D.

	Commenter	Comment	Response
		<ul style="list-style-type: none"> Comments: For those teams that have a season that takes place during two calendar years (e.g. NHL and NBA) we recommend setting the deadline to 30-60 days after the final game of the eligible organization's season concludes. 	
6T		<p>Section 2108(a) - if the electronic raffle system relies on computer networks and/or wireless (Wi-Fi) services provided at the venue, the equipment must be housed in a permanent, secure location, under constant surveillance, and the network must be stable.</p> <ul style="list-style-type: none"> Comments: The regulations should define what "constant surveillance" requires. 	See response to comment 5M.
6U		<p>Section 2120 - Within 30 calendar days after the date of receipt of a registration application, the Bureau shall either inform the registrant, in writing, that the application is complete and accepted for filing, or shall return the application as deficient and specify how the application is deficient and what additional information is required.</p> <ul style="list-style-type: none"> Comments: We would appreciate clarity on which registration applications this applies to or if it encompass all of the registration applications. We recommend a shorter review period on registration applications such as BGC 201, BGC 203, and BGC 205. We also recommend providing an online submission option for these forms to expedite the process 	See response to comments 5N and 6F.
6V		<p>Major League Sports Raffle Electronic Raffle System and Equipment Checklist and Test Draw (BGC 207)</p> <ul style="list-style-type: none"> <ul style="list-style-type: none"> Passwords and Access - Deny Remote Access During a Game Comments: We recommend that remote access be allowed to permit immediate technical support to the eligible organization if required during a raffle. <ul style="list-style-type: none"> Passwords and Access - Non-routable IP address Comments: We recommend that the use of a public IP address be accepted to allow for remote access. In addition, 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. <ul style="list-style-type: none"> Test Draw (b) and (c) - Sell 100 tickets from portable devices (if in use) and/or kiosk (if in use). Void 15 tickets. Comments: We recommend that this reads "100 raffle draw numbers" and "15 raffle draw numbers". Selling 100 individual tickets is 	See response to comment 2F and 5O.

	Commenter	Comment	Response
		<p>wasteful and takes a very long time to process.</p> <ul style="list-style-type: none">● Test Draw (o) through (t) (vi)○ Comments: After closing the sales on the RSU devices and closing the test draw on the central server in step (d), it is not possible to complete steps after (o) without reopening the draw. That would result in having to cancel the winning number that was selected in step (e) and recorded in (e)(i). In addition, selling tickets until the paper runs out in step (o) is wasteful and expensive.	