**§1837-C. Raffle entry by payment management system**

**1. Definitions.**  As used in this section, unless the context indicates otherwise, the following terms have the following meanings.

A. "Geolocation technology" means a computer program or data collection system that can be used to identify the geographic location of a person interacting with that computer program or data collection system through the Internet. [PL 2021, c. 636, §3 (NEW).]

B. "Payment management system" means a mobile application or other digital platform and the accompanying computer software used to accept payment for a raffle chance or ticket through the Internet. [PL 2021, c. 636, §3 (NEW).]

[PL 2021, c. 636, §3 (NEW).]

**2. Use of payment management system.**  When conducting a raffle under section 1837‑A that is not an Internet raffle, an eligible organization may accept payment for a raffle chance or ticket from a payment management system if:

A. The payment management system is approved by the director under subsection 3; [PL 2021, c. 636, §3 (NEW).]

B. The raffle chance or ticket is purchased by a person who is at least 18 years of age; and [PL 2021, c. 636, §3 (NEW).]

C. The raffle chance or ticket is purchased by a person who is physically located in the State or another state where the purchase of that raffle chance or ticket would be legal under the laws of that state. [PL 2021, c. 636, §3 (NEW).]

If the eligible organization determines that the purchase of a raffle chance or ticket is made in violation of paragraph B or C, the organization shall immediately refund the payment and void the raffle chance or ticket associated with the purchase.

If the eligible organization conducts a raffle in which a winner receives a firearm, the transfer of that firearm to the winner must be processed through a holder of a federal license for a dealer in firearms who is not a dealer in destructive devices under 18 United States Code, Section 923(a)(3)(B).

An eligible organization that fails to comply with this subsection commits a civil violation punishable by a fine of not less than $500 and not more than $5,000.

[PL 2021, c. 636, §3 (NEW).]

**3. Approval of payment management system.**  Upon request from an eligible organization, the director may approve a payment management system for use by the organization in conducting a raffle that is not an Internet raffle only if the director determines that the payment management system:

A. Does not permit the extension of credit from the eligible organization to a person who purchases a raffle chance or ticket; [PL 2021, c. 636, §3 (NEW).]

B. Does not permit a person to initiate a transaction to purchase a raffle chance or ticket and finalize the transaction by providing payment by mail; [PL 2021, c. 636, §3 (NEW).]

C. Includes adequate measures to ensure that a person who purchases a raffle chance or ticket is at least 18 years of age; [PL 2021, c. 636, §3 (NEW).]

D. Includes geolocation technology to determine with a reasonable degree of certainty the state in which a person who purchases a raffle chance or ticket is physically located at the time the purchase is made and allows an eligible organization to prevent a person from purchasing a raffle chance or ticket while the person is physically located in a state where the purchase of that raffle chance or ticket would not be legal under the laws of that state; [PL 2021, c. 636, §3 (NEW).]

E. Provides for the immediate refund of any payment to purchase a raffle chance or ticket made by a person who the organization discovers is under 18 years of age at the time of purchase or was physically located in a state where the raffle being conducted is not legally permitted at the time of purchase; [PL 2021, c. 636, §3 (NEW).]

F. Includes adequate measures to protect the privacy and security of payment information submitted by persons who purchase raffle chances or tickets during the purchase process; and [PL 2021, c. 636, §3 (NEW).]

G. Enables the eligible organization to satisfy the record-keeping and reporting requirements in subsection 6 as well as any other requirements established by the Gambling Control Unit by rule. [PL 2021, c. 636, §3 (NEW).]

[PL 2021, c. 636, §3 (NEW).]

**4. Payment.**  A payment management system approved by the director under this section may permit the use of a debit card or other payment method that the eligible organization uses to accept membership dues from out-of-state members and may allow a member of the eligible organization to request that payment for a raffle chance or ticket be made using the member's funds already within the possession of the eligible organization.

[PL 2021, c. 636, §3 (NEW).]

**5. Guidance for raffle operators.**  Upon receipt of a request to approve a payment management system under subsection 3, the director shall provide the eligible organization with a guidance document including any information the director determines necessary to assist the eligible organization in complying with the requirements of this section.

[PL 2021, c. 636, §3 (NEW).]

**6. Record-keeping and reporting requirements.**  In addition to the record-keeping requirements under section 1839, an eligible organization that uses a payment management system to conduct a raffle shall:

A. Retain for a period of 3 years an electronic copy of each receipt for the sale of a raffle chance or ticket sold using the payment management system; [PL 2021, c. 636, §3 (NEW).]

B. Retain for a period of one year a physical copy of each raffle ticket stub generated by the sale of a chance or ticket for a raffle sold using the payment management system; [PL 2021, c. 636, §3 (NEW).]

C. Maintain raffle ticket stubs retained under paragraph A or B separately for each individual raffle; [PL 2021, c. 636, §3 (NEW).]

D. Provide receipts for raffle chances or tickets and raffle ticket stubs retained under this subsection to the Gambling Control Unit on request; and [PL 2021, c. 636, §3 (NEW).]

E. Submit an annual report to the Gambling Control Unit that includes the number of raffles conducted using a payment management system during the year covered by the report and the amount of gross receipts for each of those raffles. [PL 2021, c. 636, §3 (NEW).]

An eligible organization that fails to comply with this subsection commits a civil violation punishable by a fine of not less than $500 and not more than $5,000.

[PL 2021, c. 636, §3 (NEW).]

SECTION HISTORY

PL 2021, c. 636, §3 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.