



HENRY McMASTER  
ATTORNEY GENERAL

June 5, 2009

The Honorable Bill Herbkersman  
Member, House of Representatives  
151 Gascoigne Bluff  
Bluffton, South Carolina 29910

Dear Representative Herbkersman:

You have requested an opinion regarding the legality of door prizes for charity functions. You also requested copies of prior opinions dealing with raffles or lotteries for charity events and nonprofits.

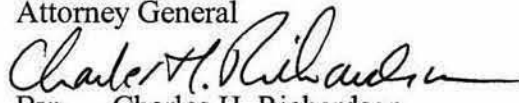
Enclosed are copies of prior opinions of this office dealing with raffles or lotteries. As set forth in these opinions, only the State may conduct lotteries and a raffle or lottery conducted by a nonprofit or charitable organization is prohibited. These opinions set forth clearly what constitutes a raffle or lottery. As stated in the enclosed June 23, 2004 opinion, "raffles generally constitute a lottery (because elements of prize, chance and consideration are present) and are thus prohibited by the Constitution of South Carolina."

As to door prizes, as long as they do not involve a scheme similar to a raffle and the presence of the elements of prize, chance and consideration, I am unaware of any prohibition to awarding door prizes for charity functions.

With kind regards, I am,

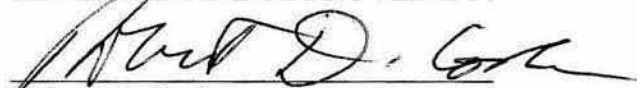
Very truly yours,

Henry McMaster  
Attorney General

  
By: Charles H. Richardson

Senior Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook

Deputy Attorney General