

HOUSE BILL No. 4557

March 10, 2009, Introduced by Rep. Green and referred to the Committee on Regulatory Reform.

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending section 3 (MCL 432.103), as amended by 2008 PA 401.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Educational organization" means an organization within
3 this state that is organized not for pecuniary profit, whose
4 primary purpose is educational in nature and designed to develop
5 the capabilities of individuals by instruction in any public or
6 private elementary or secondary school that complies with the
7 revised school code, 1976 PA 451, MCL 380.1 to 380.1852, or any
8 private or public college or university that is organized not for
9 pecuniary profit and that is approved by the state board of
10 education.

1 (b) "Fraternal organization" means an organization within this
2 state, ~~except~~**OTHER THAN** a college fraternity or sorority, that ~~is~~
3 **MEETS ALL OF THE FOLLOWING CRITERIA:**

4 (i) **IS** organized not for pecuniary profit. ~~; that is~~

5 (ii) **IS** a branch, lodge, or chapter of a national or state
6 organization. ~~; and that exists~~**THIS SUBDIVISION DOES NOT APPLY TO**
7 **AN ORGANIZATION THAT ONLY CONDUCTS A RAFFLE.**

8 (iii) **EXISTS** for the common purpose, brotherhood, or other
9 interests of its members.

10 (c) "Licensee" means a person or qualified organization
11 licensed under this act.

12 (d) "Member" means an individual who qualified for membership
13 in a qualified organization under its bylaws, articles of
14 incorporation, charter, rules, or other written statement.

15 (e) "Michigan national guard" and "military" mean those terms
16 as defined in section 105 of the Michigan military act, 1967 PA
17 150, MCL 32.505.

18 (f) "Person" means a natural person, firm, association,
19 corporation, or other legal entity.

20 (g) "Qualified organization" means, subject to subdivision

21 (h), either of the following:

22 (i) A bona fide religious, educational, service, senior
23 citizens, fraternal, or veterans' organization that operates
24 without profit to its members and that either has been in existence
25 continuously as an organization for a period of 5 years or is
26 exempt from taxation under 26 USC 501(c).

27 (ii) Only for the purpose of conducting a small raffle or a

1 large raffle under this act, a component of the military or the
2 Michigan national guard whose members are in active service or
3 active state service.

4 (h) "Qualified organization" does not include a candidate
5 committee, political committee, political party committee, ballot
6 question committee, independent committee, or any other committee
7 as defined by, and organized under, the Michigan campaign finance
8 act, 1976 PA 388, MCL 169.201 to 169.282.

9 (i) "Religious organization" means any of the following:

10 (i) An organization, church, body of communicants, or group
11 that is organized not for pecuniary profit and that gathers in
12 common membership for mutual support and edification in piety,
13 worship, and religious observances.

14 (ii) A society of individuals that is organized not for
15 pecuniary profit and that unites for religious purposes at a
16 definite place.

17 (iii) A church related private school that is organized not for
18 pecuniary profit.

19 (j) "Senior citizens organization" means an organization
20 within this state that is organized not for pecuniary profit, that
21 consists of at least 15 members who are 60 years of age or older,
22 and that exists for their mutual support and for the advancement of
23 the causes of elderly or retired persons.

24 (k) "Service organization" means either of the following:

25 (i) A branch, lodge, or chapter of a national or state
26 organization that is organized not for pecuniary profit and that is
27 authorized by its written constitution, charter, articles of

1 incorporation, or bylaws to engage in a fraternal, civic, or
2 service purpose within the state.

3 (ii) A local civic organization that is organized not for
4 pecuniary profit; that is not affiliated with a state or national
5 organization; that is recognized by resolution adopted by the local
6 governmental subdivision in which the organization conducts its
7 principal activities; whose constitution, charter, articles of
8 incorporation, or bylaws contain a provision for the perpetuation
9 of the organization as a nonprofit organization; whose entire
10 assets are used for charitable purposes; and whose constitution,
11 charter, articles of incorporation, or bylaws contain a provision
12 that all assets, real property, and personal property shall revert
13 to the benefit of the local governmental subdivision that granted
14 the resolution upon dissolution of the organization.

15 (l) "Veterans' organization" means an organization within this
16 state, or a branch, lodge, or chapter within this state of a state
17 organization or of a national organization chartered by the
18 congress of the United States, that is organized not for pecuniary
19 profit, the membership of which consists of individuals who were
20 members of the armed services or armed forces of the United States.