

# HOUSE BILL No. 5918

March 3, 2010, Introduced by Rep. Calley 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 2009 PA 41.

## 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

1 education.

2 (b) "Fraternal organization" means an organization within this  
3 state, except a college fraternity or sorority, that is organized  
4 not for pecuniary profit; that is a branch, lodge, or chapter of a  
5 national or state organization; and that exists for the common  
6 purpose, brotherhood, or other interests of its members.

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

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

12 (e) "Michigan national guard" and "military" mean those terms  
13 as defined in section 105 of the Michigan military act, 1967 PA  
14 150, MCL 32.505.

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

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

18 (h), either of the following:

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

24 (ii) Only for the purpose of conducting a small raffle or a  
25 large raffle under this act, a component of the military or the  
26 Michigan national guard whose members are in active service or  
27 active state service.

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

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

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

11 (ii) A society of individuals that is organized not for  
12 pecuniary profit and that unites for religious purposes at a  
13 definite place.

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

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

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

22 (i) A branch, lodge, or chapter of a national or state  
23 organization that is organized not for pecuniary profit and that is  
24 authorized by its written constitution, charter, articles of  
25 incorporation, or bylaws to engage in a fraternal, civic, or  
26 service purpose within the state.

27 (ii) A local civic organization ~~that~~ **TO WHICH ALL OF THE**

**FOLLOWING APPLY:**

(A) IT is organized not for pecuniary profit. ~~that~~

(B) IT is not affiliated with a state or national organization. ~~that~~

(C) IT is recognized by A resolution adopted by the local governmental subdivision in which the organization conducts its principal activities. ~~whose~~

(D) ITS constitution, charter, articles of incorporation, or bylaws contain a provision for the perpetuation of the organization as a nonprofit organization. ~~whose~~

(E) ITS entire assets are used for charitable purposes. ~~and whose~~

(F) ITS constitution, charter, articles of incorporation, or bylaws contain a provision that all assets, real property, and personal property shall revert to the benefit of ~~the~~ **EITHER OF THE**

**FOLLOWING ON DISSOLUTION OF THE ORGANIZATION:**

(I) **THE** local governmental subdivision that granted the resolution ~~upon dissolution of the organization.~~ **REFERRED TO IN SUB-SUBPARAGRAPH (C).**

(II) **IF THE ORGANIZATION IS EXEMPT FROM TAX UNDER SECTION 501(C) (3) OF THE INTERNAL REVENUE CODE OF 1986, 26 USC 501, EITHER THE LOCAL GOVERNMENT SUBDIVISION THAT GRANTED THE RESOLUTION REFERRED TO IN SUB-SUBPARAGRAPH (C) OR ANOTHER ORGANIZATION EXEMPT FROM TAX UNDER SECTION 501(C) (3) OF THE INTERNAL REVENUE CODE OF 1986.**

(I) "Veterans' organization" means an organization within this state, or a branch, lodge, or chapter within this state of a state

1 organization or of a national organization chartered by the  
2 congress of the United States, that is organized not for pecuniary  
3 profit, the membership of which consists of individuals who were  
4 members of the armed services or armed forces of the United States.  
5 Veterans' organization includes an auxiliary of a veterans'  
6 organization that is a national organization chartered by the  
7 congress of the United States.