

SENATE BILL No. 108

January 28, 2009, Introduced by Senators KAHN, GARCIA, VAN WOERKOM, KUIPERS and PAPPAGEORGE and referred to the Committee on Economic Development and 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 a college fraternity or sorority, that is organized
3 not for pecuniary profit; that is a branch, lodge, or chapter of a
4 national or state organization; and that exists for the common
5 purpose, brotherhood, or other interests of its members.

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

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

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

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

16 (g) "Qualified organization" means, subject to subdivision
17 (h), either of the following:

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

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

27 (h) "Qualified organization" does not include a candidate

1 committee, political committee, political party committee, ballot
2 question committee, independent committee, or any other committee
3 as defined by, and organized under, the Michigan campaign finance
4 act, 1976 PA 388, MCL 169.201 to 169.282.

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

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

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

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

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

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

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

26 (ii) A local civic organization that is organized not for
27 pecuniary profit; that is not affiliated with a state or national

1 organization; that is recognized by resolution adopted by the local
2 governmental subdivision in which the organization conducts its
3 principal activities; whose constitution, charter, articles of
4 incorporation, or bylaws contain a provision for the perpetuation
5 of the organization as a nonprofit organization; whose entire
6 assets are used for charitable purposes; and whose constitution,
7 charter, articles of incorporation, or bylaws contain a provision
8 that all assets, real property, and personal property shall revert
9 to the benefit of the local governmental subdivision that granted
10 the resolution upon dissolution of the organization.

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

17 **VETERANS' ORGANIZATION INCLUDES AN AUXILIARY OF A VETERANS'**
18 **ORGANIZATION THAT IS A NATIONAL ORGANIZATION CHARTERED BY THE**
19 **CONGRESS OF THE UNITED STATES.**