

AMENDMENTS TO LB 979

Introduced by General Affairs

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 9-326, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 9-326 (1) Any nonprofit organization holding a
6 certificate of exemption under section 501(c)(3), (c)(4), (c)(5),
7 (c)(7), (c)(8), (c)(10), or (c)(19) of the Internal Revenue Code
8 or any volunteer fire company or volunteer first-aid, rescue,
9 ambulance, or emergency squad may apply for a license to conduct a
10 lottery by the sale of pickle cards.

11 (2) Prior to applying for any license, an organization
12 shall:

13 (a) Be incorporated in this state as a not-for-profit
14 corporation or organized in this state as a religious or
15 not-for-profit organization. For purposes of this subsection,
16 a domesticated foreign corporation shall not be considered
17 incorporated in this state as a not-for-profit corporation;

18 (b) Conduct activities within this state in addition to
19 the conduct of lottery by the sale of pickle cards;

20 (c) Be authorized by its constitution, articles, charter,
21 or bylaws to further in this state a lawful purpose;

22 (d) Operate without profit to its members, and no part of
23 the net earnings of such organization shall inure to the benefit of

1 any private shareholder or individual; and

2 (e) With the exception of a volunteer fire company, a
3 ~~or~~ volunteer first-aid, rescue, ambulance, or emergency squad, or
4 a not-for-profit corporation whose primary purpose is to support
5 a volunteer fire company, first-aid squad, rescue squad, ambulance
6 squad, or emergency squad, have been in existence in this state
7 for five years immediately preceding its application for a license
8 and have had during that five-year period a bona fide membership
9 actively engaged in furthering a lawful purpose. A society defined
10 in section 21-608 which is chartered in Nebraska under a state,
11 grand, supreme, national, or other governing body may use the
12 charter date of its parent organization to satisfy such five-year
13 requirement.

14 Sec. 2. Original section 9-326, Reissue Revised Statutes
15 of Nebraska, is repealed.