

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 979**

Introduced by Lambert, 2.

Read first time January 12, 2012

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Pickle Card Lottery Act; to amend  
2 section 9-326, Reissue Revised Statutes of Nebraska; to  
3 change provisions relating to requirements for licensure;  
4 and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

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

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

9                   (2) Prior to applying for any license, an organization  
10 shall:

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

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

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

20                   (d) Operate without profit to its members, and no part of  
21 the net earnings of such organization shall inure to the benefit of  
22 any private shareholder or individual; and

23                   (e) With the exception of a an incorporated or  
24 unincorporated volunteer fire company or volunteer first-aid, rescue,  
25 ambulance, or emergency squad, have been in existence in this state

1 for five years immediately preceding its application for a license  
2 and have had during that five-year period a bona fide membership  
3 actively engaged in furthering a lawful purpose. A society defined in  
4 section 21-608 which is chartered in Nebraska under a state, grand,  
5 supreme, national, or other governing body may use the charter date  
6 of its parent organization to satisfy such five-year requirement.

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