

SENATE BILL NO. 445

2/18 Introduced
2/18 Referred to Business & Industry
2/22 Hearing
2/22 Tabled in Committee

1 *Senate* BILL NO. *445*
2 INTRODUCED BY *Christian Miller*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING NONPROFIT
5 SERVICE, CIVIC, FRATERNAL, RELIGIOUS, AND CHARITABLE
6 ORGANIZATIONS FROM CERTAIN GAMBLING LAWS; PROVIDING SPECIAL
7 LICENSING REQUIREMENTS; AND AMENDING SECTIONS 23-5-202 AND
8 23-5-503, MCA."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Charitable organizations
12 conducting card games. (1) Conducting or participating in
13 card games by nonprofit service, civic, fraternal,
14 religious, and charitable organizations is lawful, and the
15 card games are exempt from the provisions of 23-5-321 and
16 23-5-322.

17 (2) The premises upon which card games are conducted
18 under this section must be licensed by the secretary of
19 state upon payment of a license fee in an amount
20 commensurate with the cost of processing and issuing the
21 license.

22 NEW SECTION. Section 2. Statewide raffles by certain
23 organizations authorized. (1) The conducting of statewide
24 raffles by nonprofit service, civic, fraternal, religious,
25 and charitable organizations and participation in the

1 raffles is lawful, and the raffles are exempt from the
2 provisions of part 2 of this chapter. Such conducting and
3 participation are also exempt from the provisions of this
4 part, except that 23-5-402(1)(b) and (2)(b), 23-5-416, and
5 23-5-423 apply.

6 (2) Each raffle must be licensed by the secretary of
7 state upon payment of a license fee in an amount
8 commensurate with the cost of processing and issuing the
9 license.

10 (3) A person who knowingly violates this section or a
11 provision of this part applying to statewide raffles commits
12 a criminal offense and may be fined not to exceed \$1,000,
13 imprisoned in the county jail not to exceed 3 months, or
14 both.

15 Section 3. Section 23-5-202, MCA, is amended to read:

16 "23-5-202. Application. This part shall not apply to
17 the provisions of part 4 of this chapter; to nonprofit
18 service, civic, fraternal, religious, and charitable
19 organizations; or to the giving away of cash or merchandise
20 attendance prizes or premiums by public drawings at
21 agricultural fairs or rodeo associations in this state, and
22 the county fair commissioners of agricultural fairs or rodeo
23 associations in this state may give away at such fairs cash
24 or merchandise attendance prizes or premiums by public
25 drawings."

INTRODUCED BILL

SB 445

1 Section 4. Section 23-5-503, MCA, is amended to read:

2 "23-5-503. Rules. (1) The card used for recording the
3 pool and upon which the squares or spaces appear shall
4 clearly state in advance of the sale of any chances the
5 number of chances to be sold in that specific pool, the name
6 of the event, the consideration to be paid for each chance,
7 and the total amount to be paid to the winners.

8 (2) No chance to participate in a sports pool may be
9 sold other than upon the premises in which the sports pool
10 is conducted. No individual chance to participate in a
11 sports pool shall be sold for a consideration in excess of
12 \$1, and the total amount to be paid to the winners of any
13 individual sports pool shall not exceed the value of \$100.
14 The winner of any sports pool shall receive a 100% payout of
15 the value of the sports pool, except that a nonprofit
16 service, civic, fraternal, religious, or charitable
17 organization conducting a sports pool may retain up to
18 one-half the value and pay out the rest."

19 NEW SECTION. Section 5. Codification instruction.
20 Sections 1 and 2 are intended to be codified as an integral
21 part of Title 23, chapter 5, and the provisions of Title 23,
22 chapter 5, apply to sections 1 and 2, except as otherwise
23 stated in sections 1 and 2.

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