

HOUSE BILL NO. 36
INTRODUCED BY SCHYE

IN THE HOUSE

DECEMBER 30, 1988	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 2, 1989	FIRST READING.
JANUARY 13, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 14, 1989	POSTED ON CONSENT CALENDAR. ENGROSSING REPORT.
JANUARY 17, 1989	CONSENT CALENDAR, QUESTIONS AND ANSWERS. THIRD READING, PASSED. AYES, 96; NOES, 3. TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 18, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
JANUARY 25, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
JANUARY 27, 1989	ON MOTION, CONSIDERATION PASSED UNTIL THE 26th LEGISLATIVE DAY.
JANUARY 31, 1989	ON MOTION, CONSIDERATION PASSED UNTIL THE 27th LEGISLATIVE DAY.
FEBRUARY 1, 1989	SECOND READING, CONCURRED IN.
FEBRUARY 3, 1989	THIRD READING, CONCURRED IN. AYES, 47; NOES, 3.- RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 4, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 36
2 INTRODUCED BY SCHYE
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A NONPROFIT
5 ORGANIZATION TO RETAIN UP TO 50 PERCENT OF THE VALUE OF A
6 SPORTS POOL; AND AMENDING SECTIONS 23-5-501 AND 23-5-503,
7 MCA."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 **Section 1.** Section 23-5-501, MCA, is amended to read:
11 "23-5-501. Sports-pool-defined Definitions. As used
12 in this part, unless the context clearly requires otherwise,
13 the following definitions apply:
14 (1) "Nonprofit organization" means a charitable,
15 religious, scholastic, educational, veterans', fraternal,
16 beneficial, civic, or service organization, other than one
17 established for the purpose of conducting or participating
18 in a sports pool.
19 (2) "Sports pool" means a card divided into squares or
20 spaces, with the names of the participants in the pool
21 written within such squares or spaces, for which
22 consideration in money is paid by the person playing for
23 each square or space for the chance to win money or other
24 items of value on any sports event wherein the participants
25 in such sports event are natural persons or animals."

1 **Section 2.** 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 Except as provided in subsection (3), the winner of any
15 sports pool shall receive a 100% payout of the value of the
16 sports pool.
17 (3) A nonprofit organization that maintains and opens
18 to inspection upon reasonable demand records to verify that
19 the retained portion is used to support charitable
20 activities, scholarships or educational grants, or community
21 service projects may retain up to 50% of the value of a
22 sports pool."

-End-

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22 consideration in money is paid by the person playing for
23 each square or space for the chance to win money or other
24 items of value on any sports event wherein the participants
25 in such sports event are natural persons or animals."

1 **Section 2.** 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
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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A NONPROFIT ORGANIZATION TO RETAIN UP TO 50 PERCENT OF THE VALUE OF A SPORTS POOL; AND AMENDING SECTIONS 23-5-501 AND 23-5-503, MCA."

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

Section 1. Section 23-5-501, MCA, is amended to read:

"23-5-501. Sports-pool-defined Definitions. As used in this part, unless the context clearly requires otherwise, the following definitions apply:

(1) "Nonprofit organization" means a charitable, religious, scholastic, educational, veterans', fraternal, beneficial, civic, or service organization, other than one established for the purpose of conducting or participating in a sports pool.

(2) "Sports pool" means a card divided into squares or spaces, with the names of the participants in the pool written within such squares or spaces, for which consideration in money is paid by the person playing for each square or space for the chance to win money or other items of value on any sports event wherein the participants in such sports event are natural persons or animals."

Section 2. Section 23-5-503, MCA, is amended to read:

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

(2) No chance to participate in a sports pool may be sold other than upon the premises in which the sports pool is conducted. No individual chance to participate in a sports pool shall be sold for a consideration in excess of \$1, and the total amount to be paid to the winners of any individual sports pool shall not exceed the value of \$100. The Except as provided in subsection (3), the winner of any sports pool shall receive a 100% payout of the value of the sports pool.

(3) A nonprofit organization that maintains and opens to inspection upon reasonable demand records to verify that the retained portion is used to support charitable activities, scholarships or educational grants, or community service projects may retain up to 50% of the value of a sports pool."

-End-