

HOUSE BILL NO. 506

INTRODUCED BY TASH, SWYSGOOD, GRINDE, MASON,
M. HANSON, FAGG, KNOX, SAYLES, D. BROWN, WANZENRIED

IN THE HOUSE

FEBRUARY 6, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
FEBRUARY 17, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 18, 1993	PRINTING REPORT.
FEBRUARY 19, 1993	SECOND READING, DO PASS.
FEBRUARY 20, 1993	ENGROSSING REPORT.
FEBRUARY 22, 1993	THIRD READING, PASSED. AYES, 83; NOES, 16.
FEBRUARY 23, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 1, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 23, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 25, 1993	SECOND READING, CONCURRED IN.
MARCH 26, 1993	THIRD READING, CONCURRED IN. AYES, 46; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 27, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 (iii) the proposed prizes and their value.

2 (b) The proceeds from the sale of tickets for a raffle
3 conducted by a religious corporation sole or a nonprofit
4 organization may be used only for charitable purposes or to
5 pay for prizes. Proceeds may not be used for the
6 administrative cost of conducting the raffle.

7 (c) (i) The value of a prize awarded for an individual
8 ticket for a raffle conducted by a religious corporation
9 sole or a nonprofit organization may equal or exceed \$5,000
10 if the prize is in the form of:

11 (A) tangible personal property; or

12 (B) real property the fair market value of which has
13 been certified in writing by an appraiser licensed under
14 37-54-201.

15 (ii) If the value of the prize is less than \$5,000, the
16 prize may be in the form of cash, other intangible personal
17 property, tangible personal property, or real property."

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

1 *House* BILL NO. *506*
 2 INTRODUCED BY *Bill Tarkenton* *Shirley* *Genove Mason*
 3 *7th House* *James* *Rox* *Stacy* *Dave*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A RELIGIOUS
 5 GROUP OR NONPROFIT ORGANIZATION TO HOLD A RAFFLE FOR WHICH
 6 THE PRIZE IS REAL PROPERTY CERTIFIED IN WRITING BY A
 7 LICENSED APPRAISER TO BE WORTH MORE THAN \$5,000; AND
 8 AMENDING SECTION 23-5-413, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 23-5-413, MCA, is amended to read:

12 "23-5-413. Raffle prizes -- permits -- exception.

13 (1) (a) Except as provided in subsection (1)(b), a permit
 14 must be issued by the board of county commissioners for each
 15 raffle conducted within its jurisdiction. The permit must be
 16 issued before the raffle may be conducted. The board of
 17 county commissioners may not charge a permit fee or an
 18 investigative fee for a raffle conducted by a religious
 19 corporation sole or a nonprofit organization if the
 20 organization presents sufficient documentation of its
 21 nonprofit status.

22 (b) If tickets for a raffle are to be sold in more than
 23 one county, a permit must be obtained only in the county
 24 where the winners of the raffle are to be determined.

25 (2) Except for a religious corporation sole or a

1 nonprofit organization, a person or organization conducting
 2 a raffle shall own all prizes to be awarded as part of the
 3 raffle before the sale of any tickets.

4 (3) A person who has conducted a raffle must submit an
 5 accounting to the board of county commissioners within 30
 6 days following the completion of the raffle.

7 (4) The sale of raffle tickets authorized by this part
 8 is restricted to events and participants within the
 9 geographic confines of the state.

10 (5) The value of a prize awarded for an individual
 11 ticket for a raffle conducted by a person or an
 12 organization, other than a religious corporation sole or a
 13 nonprofit organization, may not exceed \$5,000. The prize may
 14 be in the form of cash, other intangible personal property,
 15 tangible personal property, or real property. Prizes may not
 16 be combined in any manner to increase the ultimate value of
 17 the prize awarded for each ticket.

18 (6) (a) In addition to complying with the requirements
 19 of subsections (1) through (5), a religious corporation sole
 20 or a nonprofit organization as defined in 23-5-112 shall
 21 provide the following information to the board of county
 22 commissioners when applying for a raffle permit:

23 (i) the cost and number of raffle tickets to be sold;
 24 (ii) the charitable purposes the proceeds of the raffle
 25 are intended to benefit; and

1 (iii) the proposed prizes and their value.

2 (b) The proceeds from the sale of tickets for a raffle
3 conducted by a religious corporation sole or a nonprofit
4 organization may be used only for charitable purposes or to
5 pay for prizes. Proceeds may not be used for the
6 administrative cost of conducting the raffle.

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13 been certified in writing by an appraiser licensed under
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16 prize may be in the form of cash, other intangible personal
17 property, tangible personal property, or real property."

-End-

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INTRODUCED BY Bill Tarkenton, Surgeon General Mason
M. H. Hume, J. J. Knox, S. L. Taylor, Dave Brown
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