

HOUSE BILL No. 4092

February 6, 1991, Introduced by Reps. Niederstadt and O'Neill
and referred to the Committee on State Affairs.

A bill to amend section 3 of Act No. 382 of the Public Acts
of 1972, entitled as amended

"Traxler-McCauley-Law-Bowman bingo act,"

as amended by Act No. 229 of the Public Acts of 1981, being sec-
tion 432.103 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 382 of the Public Acts of
2 1972, as amended by Act No. 229 of the Public Acts of 1981, being
3 section 432.103 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) "Educational organization" means an organi-
6 zation within this state, not for pecuniary profit, whose primary
7 purpose is educational in nature and designed to develop the
8 capabilities of individuals by instruction in any public or
9 private elementary or secondary school which complies with THE

1 SCHOOL CODE OF 1976, Act No. 451 of the Public Acts of 1976, as
2 amended, being sections 380.1 to 380.1852 of the Michigan
3 Compiled Laws, ~~or any private or public~~ college or universi-
4 ty, OR ANY PRIVATE COLLEGE OR UNIVERSITY, not for pecuniary
5 profit, and approved by the state board of education.

6 (2) "Fraternal organization" means an organization within
7 this state, except college fraternities OR SORORITIES, not for
8 pecuniary profit, which is a branch, lodge, or chapter of a
9 national or state organization and exists for the common busi-
10 ness, brotherhood, OR SISTERHOOD, or other interests of its
11 members. A FRATERNAL ORGANIZATION INCLUDES AN ORGANIZATION
12 WITHIN THIS STATE, NOT FOR PECUNIARY PROFIT, WHICH IS NOT A
13 BRANCH, LODGE, OR CHAPTER OF A NATIONAL OR STATE ORGANIZATION AND
14 EXISTS FOR THE COMMON BUSINESS, BROTHERHOOD, SISTERHOOD, OR OTHER
15 INTERESTS OF ITS MEMBERS, WHICH HAS HAD AN ACTIVE BANK ACCOUNT IN
16 THE ORGANIZATION'S NAME FOR AT LEAST 5 CONTINUOUS YEARS, AND
17 WHOSE CONSTITUTION, CHARTER, ARTICLES OF INCORPORATION, OR BYLAWS
18 CONTAIN A PROVISION FOR THE PERPETUATION OF THE ORGANIZATION AS A
19 NONPROFIT ORGANIZATION AND A PROVISION THAT ALL ASSETS, REAL
20 PROPERTY, AND PERSONAL PROPERTY SHALL REVERT TO THE BENEFIT OF A
21 CHARITABLE PURPOSE UPON DISSOLUTION OF THE ORGANIZATION, AND NOT
22 LESS THAN 25% OF ITS ANNUAL EXPENDITURES ARE FOR CHARITABLE
23 PURPOSES.

24 (3) "Licensee" means a qualified organization licensed pur-
25 suant to this act.

26 (4) "Member" means an individual who qualified for
27 membership in a qualified organization pursuant to its bylaws,

1 articles of incorporation, charter, rules, or other written
2 statement.

3 (5) "Person" means a natural person, firm, association, cor-
4 poration, or other legal entity.

5 (6) "Qualified organization" means a bona fide religious,
6 educational, service, senior citizens, fraternal, or veterans'
7 organization which operates without profit to its members and
8 which either has been in existence continuously as such an orga-
9 nization for a period of 5 years or is exempt from taxation
10 imposed by THE SINGLE BUSINESS TAX ACT, Act No. 228 of the
11 Public Acts of 1975, as amended, being sections 208.1 to 208.145
12 of the Michigan Compiled Laws. Qualified organization ~~shall~~
13 also ~~include~~ INCLUDES a candidate committee as defined by, and
14 ~~which is~~ organized pursuant to, THE MICHIGAN CAMPAIGN FINANCE
15 ACT, Act No. 388 of the Public Acts of 1976, as amended, being
16 sections 169.201 to 169.282 of the Michigan Compiled Laws.

17 (7) "Religious organization" means an organization, church,
18 body of communicants, or group, not for pecuniary profit, gath-
19 ered in common membership for mutual support and edification in
20 piety, worship, and religious ~~observances~~ OBSERVANCES; or any
21 society, not for pecuniary profit, of individuals united for
22 religious purposes at a definite place; or a church related pri-
23 vate school, not for pecuniary profit.

24 (8) "Senior citizens organization" means an organization
25 within this state, not for pecuniary profit, which consists of at
26 least 15 members who are 60 years of age or older and exists for

1 their mutual support and advancing the causes of elderly or
2 retired persons.

3 (9) "Service organization" means a branch, lodge, or chapter
4 of a national or state organization, not for pecuniary profit,
5 which is authorized by its written constitution, charter, arti-
6 cles of incorporation, or bylaws to engage in a fraternal, civic,
7 or service purpose within the state ~~and~~ OR a local civic
8 organization, not for pecuniary profit and not affiliated with a
9 state or national organization, which is recognized by resolution
10 adopted by the city in which the organization conducts its prin-
11 cipal activities, whose constitution, charter, articles of incor-
12 poration, or bylaws contain a provision for the perpetuation of
13 the organization as a nonprofit organization whose entire assets
14 are pledged to charitable purposes, and whose constitution,
15 charter, articles of incorporation, or bylaws contain a provision
16 that all assets, real property, and personal property ~~shall~~
17 revert to the benefit of the city government upon dissolution of
18 the organization.

19 (10) "Veterans' organization" means an organization within
20 this state, or a branch, or lodge, or chapter within this state
21 of a state organization or of a national organization chartered
22 by the congress of the United States, not for pecuniary profit,
23 the membership of which consists of individuals who were members
24 of the armed services or forces of the United States.