

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 979
Final Reading

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 volunteer fire company, a or
24 volunteer first-aid, rescue, ambulance, or emergency squad, or a not-
25 for-profit corporation whose primary purpose is to support a

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

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10 of Nebraska, is repealed.