
SENATE BILL 5034

State of Washington

55th Legislature

1997 Regular Session

By Senator Roach

Read first time 01/13/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to gambling; and amending RCW 9.46.0209.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 9.46.0209 and 1987 c 4 s 4 are each amended to read as
4 follows:

5 "Bona fide charitable or nonprofit organization," as used in this
6 chapter, means: (1) Any organization duly existing under the
7 provisions of chapters 24.12, 24.20, or 24.28 RCW, any agricultural
8 fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or
9 any nonprofit corporation duly existing under the provisions of chapter
10 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic,
11 patriotic, political, social, fraternal, athletic or agricultural
12 purposes only, or any nonprofit organization, whether incorporated or
13 otherwise, when found by the commission to be organized and operating
14 for one or more of the aforesaid purposes only, all of which in the
15 opinion of the commission have been organized and are operated
16 primarily for purposes other than the operation of gambling activities
17 authorized under this chapter; or (2) any corporation which has been
18 incorporated under Title 36 U.S.C. and whose principal purposes are to
19 furnish volunteer aid to members of the armed forces of the United

1 States and also to carry on a system of national and international
2 relief and to apply the same in mitigating the sufferings caused by
3 pestilence, famine, fire, floods, and other national calamities and to
4 devise and carry on measures for preventing the same. Such an
5 organization must have been organized and continuously operating for at
6 least twelve calendar months immediately preceding making application
7 for any license to operate a gambling activity, or the operation of any
8 gambling activity authorized by this chapter for which no license is
9 required. It must have not less than ((fifteen)) nine bona fide active
10 members each with the right to an equal vote in the election of the
11 officers, or board members, if any, who determine the policies of the
12 organization in order to receive a gambling license. An organization
13 must demonstrate to the commission that it has made significant
14 progress toward the accomplishment of the purposes of the organization
15 during the twelve consecutive month period preceding the date of
16 application for a license or license renewal. The fact that
17 contributions to an organization do not qualify for charitable
18 contribution deduction purposes or that the organization is not
19 otherwise exempt from payment of federal income taxes pursuant to the
20 internal revenue code of 1954, as amended, shall constitute prima facie
21 evidence that the organization is not a bona fide charitable or
22 nonprofit organization for the purposes of this section.

23 Any person, association or organization which pays its employees,
24 including members, compensation other than is reasonable therefor under
25 the local prevailing wage scale shall be deemed paying compensation
26 based in part or whole upon receipts relating to gambling activities
27 authorized under this chapter and shall not be a bona fide charitable
28 or nonprofit organization for the purposes of this chapter.

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