

1 **5929-S NOT ADOPTED 3/18/91.472**

2 **SSB 5929** - S AMD

3 By Senators Cantu, McDonald, von Reichbauer and West

4 RULED OUT OF ORDER 3/18/91

5 On page 3, after line 7, strike the remainder of the bill and
6 insert the following:

7 "NEW SECTION. **Sec. 4.** A new section is added to chapter
8 82.04 RCW to read as follows:

9 (1) This chapter does not apply to amounts derived by a
10 nonprofit organization as a result of conducting or participating
11 in a fundraising auction.

12 (2) For purposes of this section, "nonprofit organization"
13 means an organization that meets all of the following criteria:

14 (a) The members, stockholders, officers, directors, or
15 trustees of the organization do not receive any part of the
16 organization's gross income, except as payment for services
17 rendered;

18 (b) The compensation received by any person for services
19 rendered to the organization does not exceed an amount reasonable
20 under the circumstances; and

21 (c) The activities of the organization do not include a
22 substantial amount of political activity, including but not limited
23 to influencing legislation and participation in any campaign on
24 behalf of any candidate for political office."

1 "NEW SECTION. Sec. 5. A new section is added to chapter
2 82.08 RCW to read as follows:

3 (1) The tax levied by RCW 82.08.020 shall not apply to
4 fundraising auction sales conducted or participated in by nonprofit
5 organizations.

6 (2) For purposes of this section, "nonprofit organization"
7 means an organization that meets all of the following criteria:

8 (a) The members, stockholders, officers, directors, or
9 trustees of the organization do not receive any part of the
10 organization's gross income, except as payment for services
11 rendered;

12 (b) The compensation received by any person for services
13 rendered to the organization does not exceed an amount reasonable
14 under the circumstances; and

15 (c) The activities of the organization do not include a
16 substantial amount of political activity, including but not limited
17 to influencing legislation and participation in any campaign on
18 behalf of any candidate for political office."

19 "NEW SECTION. Sec. 6. A new section is added to chapter
20 82.12 RCW to read as follows:

21 (1) The provisions of this chapter shall not apply in respect
22 to the use of tangible personal property that has been purchased
23 from a nonprofit organization at a fundraising auction sale that
24 was conducted by the nonprofit organization or in which the
25 nonprofit organization participated.

1 (2) For purposes of this section, "nonprofit organization"
2 means an organization that meets all of the following criteria:

3 (a) The members, stockholders, officers, directors, or
4 trustees of the organization do not receive any part of the
5 organization's gross income, except as payment for services
6 rendered;

7 (b) The compensation received by any person for services
8 rendered to the organization does not exceed an amount reasonable
9 under the circumstances; and

10 (c) The activities of the organization do not include a
11 substantial amount of political activity, including but not limited
12 to influencing legislation and participation in any campaign on
13 behalf of any candidate for political office."

14 "NEW SECTION. **Sec. 7.** This act is necessary for the
15 immediate preservation of the public peace, health, or safety, or
16 support of the state government and its existing public
17 institutions, and shall take effect immediately."