

Conference Engrossed

State of Arizona
Senate
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 325

SENATE BILL 1460

AN ACT

AMENDING SECTION 13-3302, ARIZONA REVISED STATUTES; RELATING TO GAMBLING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3302, Arizona Revised Statutes, is amended to
3 read:

4 13-3302. Exclusions

5 A. The following conduct is not unlawful under this chapter:

6 1. Amusement gambling.

7 2. Social gambling.

8 3. Regulated gambling if the gambling is conducted in accordance with
9 the statutes, rules or orders governing the gambling.

10 4. Gambling THAT IS conducted at state, county or district
11 fairs, ~~which~~ AND THAT complies with the ~~provisions~~ of section 13-3301,
12 paragraph 1, subdivision (d).

13 B. An organization ~~which~~ THAT has qualified for an exemption from
14 taxation of income under section 43-1201, paragraph 1, 2, 4, 5, 6, 7, 10 or
15 11 may conduct a raffle that is subject to the following restrictions:

16 1. The nonprofit organization shall maintain this status and no
17 member, director, officer, employee or agent of the nonprofit organization
18 may receive any direct or indirect pecuniary benefit other than being able
19 to participate in the raffle on a basis equal to all other participants.

20 2. The nonprofit organization has been in existence continuously in
21 this state for a five year period immediately before conducting the raffle.

22 3. No person except a bona fide local member of the sponsoring
23 organization may participate directly or indirectly in the management, sales
24 or operation of the raffle.

25 4. NOTHING IN PARAGRAPH 1 OR 3 OF THIS SUBSECTION PROHIBITS A LICENSED
26 GENERAL HOSPITAL OR A LICENSED SPECIAL HOSPITAL THAT IS EXEMPT FROM TAXATION
27 OF INCOME UNDER SECTION 43-1201, PARAGRAPH 4 OR SECTION 501(c)(3) OF THE
28 INTERNAL REVENUE CODE FROM CONTRACTING WITH AN OUTSIDE AGENT WHO PARTICIPATES
29 IN THE MANAGEMENT, SALES OR OPERATION OF THE RAFFLE IF THE PROCEEDS OF THE
30 RAFFLE ARE USED TO FUND MEDICAL RESEARCH, GRADUATE MEDICAL EDUCATION OR
31 INDIGENT CARE, PROVIDED THAT THE RAFFLES ARE CONDUCTED NO MORE THAN THREE
32 TIMES PER CALENDAR YEAR. THE MAXIMUM FEE FOR AN OUTSIDE AGENT SHALL NOT BE
33 GREATER THAN FIFTEEN PER CENT OF THE NET PROCEEDS OF THE RAFFLE.

34 C. A state, county or local historical society designated by this
35 state or a county, city or town to conduct a raffle may conduct the raffle
36 subject to the following conditions:

37 1. No member, director, officer, employee or agent of the historical
38 society may receive any direct or indirect pecuniary benefit other than being
39 able to participate in the raffle on a basis equal to all other participants.

40 2. The historical society must have been in existence continuously in
41 this state for a five year period immediately before conducting the raffle.

42 3. No person except a bona fide local member of the sponsoring
43 historical society may participate directly or indirectly in the management,
44 sales or operation of the raffle.

APPROVED BY THE GOVERNOR MAY 30, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 30, 2002.

Passed the House May 2, 2002,

Passed the Senate March 27, 2002,

by the following vote: 40 Ayes,

by the following vote: 26 Ayes,

14 Nays, 6 Not Voting

4 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

Approved this _____ day of

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

S.B. 1460

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 20, 2002,

by the following vote: 42 Ayes,
15 Nays, 3 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 16, 2002,

by the following vote: 25 Ayes,
2 Nays, 3 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 21 day of May, 2002,

at 10:21 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 30 day of

May, 2002,

at 11:50 o'clock A M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30 day of May, 2002,

at 3:49 o'clock P. M.

[Signature]
Secretary of State

S.B. 1460