



726812

LEGISLATIVE ACTION

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|------------|---|-------|
| Senate     | . | House |
| Comm: WD   | . |       |
| 03/03/2010 | . |       |
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The Committee on Regulated Industries (Wise) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 21 and 22  
insert:

Section 2. Subsections (1) and (2) of section 849.0935, Florida Statutes, are amended to read:

849.0935 Charitable, nonprofit organizations; drawings by chance; required disclosures; unlawful acts and practices; penalties.—

(1) As used in this section, the term:

(a) "Drawing by chance" or "drawing" means an enterprise in which, from the entries submitted by the public to the



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13 organization conducting the drawing, one or more entries are  
14 selected by chance to win a prize. The term "drawing" does not  
15 include those enterprises, commonly known as "matching,"  
16 "instant winner," or "preselected sweepstakes," which involve  
17 the distribution of winning numbers, previously designated as  
18 such, to the public.

19 (b) "Organization" means an organization that ~~which~~ is  
20 exempt from federal income taxation pursuant to 26 U.S.C. s.  
21 501(c)(3), (4), (7), (8), (10), or (19) or a chamber of commerce  
22 that is exempt from federal income taxation pursuant to 26  
23 U.S.C. s. 501(c)(6), and that ~~which~~ has a current determination  
24 letter from the Internal Revenue Service, and its bona fide  
25 members or officers.

26 (2) The provisions of s. 849.09 shall not be construed to  
27 prohibit an organization qualified under 26 U.S.C. s. 501(c)(3),  
28 (4), (7), (8), (10), or (19) or a chamber of commerce qualified  
29 under 26 U.S.C. s. 501(c)(6) from conducting drawings by chance  
30 pursuant to the authority granted by this section, provided the  
31 organization has complied with all applicable provisions of  
32 chapter 496.

33  
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete line 6

37 and insert:

38 information; amending s. 849.0935, F.S.; exempting  
39 certain chambers of commerce from a prohibition  
40 against conducting drawings by chance; providing an  
41 effective date.