

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 980

Introduced by Brandt, 32; Briese, 41.

Read first time January 14, 2020

Committee: General Affairs

1 A BILL FOR AN ACT relating to the Nebraska Lottery and Raffle Act; to
2 amend sections 9-426, 9-429, and 9-431, Reissue Revised Statutes of
3 Nebraska; to change the duration of validity for a special permit;
4 to change when the tax on gross proceeds is paid; to provide for
5 online sales and purchases by certain payment card transactions; and
6 to repeal the original sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 9-426, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 9-426 (1) A licensed organization may obtain from the department a
4 special permit to conduct one raffle and one lottery. The cost of the
5 special permit shall be ten dollars. The special permit shall exempt the
6 licensed organization from subsections (2) and (3) of section 9-427 and
7 from section 9-430. The organization shall comply with all other
8 requirements of the Nebraska Lottery and Raffle Act.

9 (2) The special permit shall be valid for one year ~~three calendar~~
10 ~~months~~ and shall be issued by the department upon the proper application
11 by the licensed organization. The special permit shall become invalid
12 upon termination, revocation, or cancellation of the organization's
13 license to conduct a lottery or raffle. The application shall be in such
14 form and contain such information as the department may prescribe. ~~No~~
15 ~~licensed organization may obtain more than one special permit for each~~
16 ~~twelve-month period commencing October 1 of each year or such other date~~
17 ~~as the department may prescribe by rule and regulation.~~

18 (3) No licensed organization conducting a raffle or lottery pursuant
19 to a special permit shall pay persons selling tickets or stubs for the
20 raffle or lottery, except that nothing in this subsection shall prohibit
21 the awarding of prizes to such persons based on ticket or stub sales.

22 Sec. 2. Section 9-429, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 9-429 Any licensed organization or any other organization or person
25 conducting a lottery or raffle activity required to be licensed pursuant
26 to the Nebraska Lottery and Raffle Act shall pay to the department a tax
27 of two percent of the gross proceeds of each lottery having gross
28 proceeds of more than one thousand dollars or raffle having gross
29 proceeds of more than five thousand dollars. Such tax shall be remitted
30 annually by September 30 each year ~~quarterly, within thirty days of the~~
31 ~~end of the quarter,~~ on forms approved and provided by the department. The

1 department shall remit the tax to the State Treasurer for credit to the
2 Charitable Gaming Operations Fund. All deficiencies of the tax imposed by
3 this section shall accrue interest and be subject to a penalty as
4 provided for sales and use taxes in the Nebraska Revenue Act of 1967.

5 Sec. 3. Section 9-431, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 9-431 Each licensed organization conducting a lottery or raffle
8 conducted pursuant to the Nebraska Lottery and Raffle Act shall have its
9 name and identification number clearly printed on each lottery or raffle
10 ticket or stub used in such lottery or raffle. No such ticket or stub
11 shall be sold unless such name and identification number is so printed
12 thereon. In addition, all lottery or raffle tickets or stubs shall bear a
13 number, which numbers shall be in sequence and clearly printed on the
14 ticket or stub.

15 Each ticket or stub shall have an equal chance of being chosen in
16 the drawing. Each ticket or stub shall be constructed of the same
17 material, shall have the same surface, and shall be substantially the
18 same shape, size, form and weight.

19 Each licensed organization conducting a lottery or raffle shall keep
20 a record of all locations where its tickets or stubs are sold. Tickets or
21 stubs may be sold online by the licensed organization on its web site and
22 may be purchased using a credit card or debit card online or at events.

23 Sec. 4. Original sections 9-426, 9-429, and 9-431, Reissue Revised
24 Statutes of Nebraska, are repealed.