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SENATE BILL NO. 426

Offered January 21, 2000

A BILL to amend and reenact § 18.2-340.23 of the Code of Virginia, relating to the Charitable Gaming Commission; volunteer fire departments and rescue squads.

Patrons—Couric, Edwards, Marye, Newman, Potts, Puckett, Reynolds and Trumbo

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-340.23 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-340.23. Organizations exempt from certain permit, financial reporting and audit requirements.

A. No organization that reasonably expects, based on prior charitable gaming annual results or any other quantifiable method, to realize gross receipts of \$25,000 or less in any twelve-month period shall be required to (i) notify the Commission of its intention to conduct charitable gaming, (ii) file a resolution of its board of directors as required by subsection B, or (iii) comply with Commission regulations. If any organization's actual gross receipts for the twelve-month period exceed \$25,000, the Commission may require the organization to file by a specified date the report required by § 18.2-340.30.

B. Any volunteer fire department or rescue squad or auxiliary unit thereof which has been recognized in accordance with § 15.1-26.01 by an ordinance or resolution of the political subdivision where the volunteer fire department or rescue squad is located as being part of the safety program of such political subdivision shall be exempt from the requirements of § 18.2-340.25 if, prior to conducting charitable gaming, it notifies the Commission, on a form prescribed by the Commission, that it will conduct charitable gaming. The organization must receive notification of its exempt status from the Commission prior to conducting charitable gaming. Any such organization also shall be exempt from the financial reporting requirements of this article and the payment of audit fees but shall file with the Commission, at such time as may be required by the Commission, a resolution of its board of directors stating that the organization has complied with the provisions of this article. *Volunteer fire departments or rescue squads shall be exempt from the requirements of § 18.2-340.30, but shall keep records of all charitable gaming conducted in conformance with generally accepted accounting principles. The Commission shall perform an audit of the records maintained by volunteer fire departments or rescue squads every five years.* Nothing in this subsection shall be construed as exempting volunteer fire departments and rescue squads from any other provisions of this article or other Commission regulations.

C. Nothing in this section shall prevent the Commission from conducting any investigation or audit it deems appropriate to ensure an organization's compliance with the provisions of this article and, to the extent applicable, Commission regulations.

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