

(B) DETERMINATION.

THE COUNTY COMMISSIONERS SHALL DETERMINE WHETHER AN ORGANIZATION QUALIFIES FOR A PERMIT UNDER THIS SECTION.

(C) ORGANIZATION IN COUNTY REQUIRED.

AN ORGANIZATION MUST BE ORGANIZED IN AND SERVE THE RESIDENTS OF THE COUNTY TO BE ELIGIBLE FOR A PERMIT UNDER THIS SECTION.

(D) BONA FIDE CHARITY.

AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE IS A BONA FIDE CHARITY UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 251B(a)(2), (3), and (4).

Subsection (a) of this section is restated as an affirmative grant of authority to certain organizations to conduct a fundraiser for clarity.

In the introductory language of subsection (a) of this section, the reference to a "fundraiser" is substituted for the former reference to a "fund-raising affair" for consistency with the terminology used throughout this part.

Also in the introductory language of subsection (a) of this section, the reference to "gaming devices" is substituted for the former reference to "devices commonly known as paddle wheels, wheels of fortune, chance books, raffles, or ... any other gaming device" for brevity.

Also in the introductory language of subsection (a) of this section, the former limitation "[n]otwithstanding any other provision of this article," is deleted in light of § 13-101 of this title and the reorganization of material derived from the former "Gaming" subheading of Article 27 in Titles 12 and 13 of this article.

In subsection (a)(2) of this section, the reference to a volunteer fire company unit "that is supported by the county or a municipal corporation in the county" is substituted for the former reference to a "county or municipally supported" volunteer fire company or auxiliary unit for clarity and accuracy.

In subsection (a)(3) of this section, the reference to members who are directly associated with the organization "or auxiliary unit" is added for consistency within this subsection.

In subsection (a)(5)(ii) of this section, the reference to operating "as a nonprofit organization" is substituted for the former reference to operating "on a nonprofit basis" for clarity and consistency with § 13-2606(5)(ii) of this subtitle.

In subsection (c) of this section, the former reference to an organization "under paragraph (2) of this subsection" is deleted as implicit.