

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WITTMAN, ROBERT OF VIRGINIA OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

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AMENDMENT TO H.R. 4173

OFFERED BY MR. WYTTMAN OF VIRGINIA

Add at the end the following new title (and update the table of contents accordingly):

1 TITLE VII—BANK LOTTERY PRO-
2 VISIONS CLARIFICATION ACT

3 SECTION 9001. SHORT TITLE.

4 This Act may be cited as the “Bank Lottery Provi-
5 sions Clarification Act of 2009”.

6 SEC. 9002. AMENDMENTS CLARIFYING APPLICATION OF
7 VARIOUS BANKING LAWS.

8 (a) REVISED STATUTES.—Subsection (d) of section
9 5136B of the Revised Statutes of the United States (12
10 U.S.C. 25a(d)) is amended to read as follows:

11 “(d) EXCEPTIONS.—No provision of this section shall
12 be construed as prohibiting a national bank from—

13 “(1) accepting deposits or cashing or otherwise
14 handling checks or other negotiable instruments, or
15 performing other lawful banking services for a State
16 operating a lottery, or for an officer or employee of
17 that State who is charged with the administration of
18 the lottery; or

1 “(2) announcing, advertising, publicizing, or
2 dealing in any lottery where the money or credit ob-
3 tained in connection with such lottery primarily ben-
4 efits 1 or more charitable organizations exempt from
5 taxation under section 501(c)(3) of the Internal Rev-
6 enue Code of 1986.”.

7 (b) FEDERAL RESERVE ACT.—Subsection (d) of sec-
8 tion 9A of the Federal Reserve Act (12 U.S.C. 339(d))
9 is amended to read as follows:

10 “(d) EXCEPTIONS.—No provision of this section shall
11 be construed as prohibiting a State member bank from—

12 “(1) accepting deposits or cashing or otherwise
13 handling checks or other negotiable instruments, or
14 performing other lawful banking services for a State
15 operating a lottery, or for an officer or employee of
16 that State who is charged with the administration of
17 the lottery; or

18 “(2) announcing, advertising, publicizing, or
19 dealing in any lottery where the money or credit ob-
20 tained in connection with such lottery primarily ben-
21 efits 1 or more charitable organizations exempt from
22 taxation under section 501(c)(3) of the Internal Rev-
23 enue Code of 1986.”.

1 (c) FEDERAL DEPOSIT INSURANCE ACT.—Sub-
2 section (d) of section 20 of the Federal Deposit Insurance
3 Act (12 U.S.C. 1829a(d)) is amended to read as follows:

4 “(d) EXCEPTIONS.—No provision of this section shall
5 be construed as prohibiting a State nonmember insured
6 bank from—

7 “(1) accepting deposits or cashing or otherwise
8 handling checks or other negotiable instruments, or
9 performing other lawful banking services for a State
10 operating a lottery, or for an officer or employee of
11 that State who is charged with the administration of
12 the lottery; or

13 “(2) announcing, advertising, publicizing, or
14 dealing in any lottery where the money or credit ob-
15 tained in connection with such lottery primarily ben-
16 efits 1 or more charitable organizations exempt from
17 taxation under section 501(c)(3) of the Internal Rev-
18 enue Code of 1986.”

19 (d) HOME OWNERS’ LOAN ACT.—Paragraph (4) of
20 section 4(e) of the Home Owners’ Loan Act (U.S.C.
21 1463(e)(4)) is amended to read as follows:

22 “(4) EXCEPTIONS.—No provision of this sub-
23 section shall be construed as prohibiting any savings
24 association from—

1 “(A) accepting deposits or cashing or oth-
2 erwise handling checks or other negotiable in-
3 struments, or performing other lawful banking
4 services for a State operating a lottery, or for
5 an officer or employee of that State who is
6 charged with the administration of the lottery;
7 or

8 “(B) announcing, advertising, publicizing,
9 or dealing in any lottery where the money or
10 credit obtained in connection with such lottery
11 primarily benefits 1 or more charitable organi-
12 zations exempt from taxation under section
13 501(e)(3) of the Internal Revenue Code of
14 1986.”

