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# SENATE BILL No. 478

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-30; IC 10-16-19.

**Synopsis:** Lottery drawing to support the national guard. Requires the state lottery commission to annually conduct a special drawing on Veteran's Day. Establishes the national guard trust fund. Requires revenues received from the drawing to be deposited in the fund. Provides that money in the fund may be used to: (1) upgrade and supplement armament, safety equipment, and other equipment of the national guard; and (2) provide special death benefits for guard members killed in the line of duty. Requires the adjutant general to submit proposed expenditures from the fund to the budget agency for review by the budget agency and the budget committee.

**Effective:** July 1, 2005.

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January 18, 2005, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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# SENATE BILL No. 478



A BILL FOR AN ACT to amend the Indiana Code concerning gaming and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-30-10-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) Each retailer is  
3 liable to the commission for any and all tickets accepted or generated  
4 by an employee or representative of that retailer. These tickets are  
5 considered to have been purchased by the retailer, unless returned to  
6 the commission within the time and in the manner prescribed by the  
7 commission.

8 (b) Except as provided in subsection (c), all money received by  
9 retailers from the sale of lottery tickets, less the amount retained as  
10 compensation for the sale of the tickets and the amount paid out as  
11 prizes by the retailer, shall be held in trust until its delivery to the  
12 commission or electronic transfer to the administrative trust fund.

13 (c) Money received by retailers from the sale of lottery tickets,  
14 less the amount retained as compensation for the sale of the tickets,  
15 for a drawing conducted under IC 4-30-20, shall be held in trust  
16 until its delivery to the commission or electronic transfer to the  
17 national guard trust fund established by IC 10-16-19-5.



1 SECTION 2. IC 4-30-15-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) There is created  
3 an administrative trust fund to be administered by the commission in  
4 accordance with this article.

5 (b) Except as provide in subsection (c), all money received by the  
6 commission shall be deposited into the fund. All money in the fund is  
7 continually appropriated to the commission for the purposes specified  
8 in this article.

9 (c) Money received by the commission from the sale of lottery  
10 tickets for a drawing held under IC 4-30-20 shall be deposited in  
11 the national guard trust fund established by IC 10-16-19-5.

12 SECTION 3. IC 4-30-20 IS ADDED TO THE INDIANA CODE AS  
13 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
14 1, 2005]:

15 Chapter 20. Lottery Drawings to Support the Indiana National  
16 Guard

17 Sec. 1. The commission shall conduct a special drawing each  
18 Veteran's Day to raise money to support the Indiana National  
19 Guard.

20 Sec. 2. The commission shall adopt rules under IC 4-22-2  
21 governing the implementation of this chapter.

22 SECTION 4. IC 10-16-19 IS ADDED TO THE INDIANA CODE  
23 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2005]:

25 Chapter 19. National Guard Trust Fund

26 Sec. 1. As used in this chapter, "dies in the line of duty" refers  
27 to a death that occurs as a direct result of personal injury or illness  
28 resulting from any action that a guard member performs in the  
29 course of fulfilling the guard member's military duty.

30 Sec. 2. As used in this chapter, "fund" refers to the national  
31 guard trust fund established by section 5 of this chapter.

32 Sec. 3. As used in this chapter, "guard member" means a  
33 commissioned officer or enlisted person of the Indiana National  
34 Guard.

35 Sec. 4. As used in this chapter, "military duty" means any duty  
36 required under IC 10-16-7.

37 Sec. 5. (a) The national guard trust fund is established. The fund  
38 consists of the lottery revenues transferred to the fund under  
39 IC 4-30-10-3(c) or deposited in the fund under IC 4-30-15-1. The  
40 fund shall be administered by the adjutant general of the Indiana  
41 National Guard. The expenses of administering the fund shall be  
42 paid from money in the fund.

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1 (b) The adjutant general shall invest the money in the fund not  
2 currently needed to meet the obligations of the fund in the same  
3 manner as other public funds may be invested. Interest that  
4 accrues from these investments shall be deposited in the fund.

5 (c) Money in the fund at the end of a state fiscal year does not  
6 revert to the state general fund.

7 (d) Money in the fund is continuously appropriated for purposes  
8 of this chapter.

9 Sec. 6. (a) The adjutant general may use the money in the fund  
10 for the following purposes:

11 (1) To upgrade and supplement armament, safety equipment,  
12 and other equipment of the Indiana National Guard.

13 (2) To provide special death benefits under section 7 of this  
14 chapter.

15 (b) The adjutant general shall submit each proposed  
16 expenditure of money in the fund to the budget agency for review.  
17 The budget agency shall review each proposed expenditure. The  
18 budget agency, after review by the budget committee, may  
19 approve, deny, or modify the amount of an expenditure proposed  
20 by the adjutant general.

21 Sec. 7. Subject to section 6 of this chapter, a special death  
22 benefit of one hundred fifty thousand dollars (\$150,000) for an  
23 Indiana National Guard member who dies in the line of duty after  
24 December 31, 2005, may be paid in a lump sum from the fund to  
25 the following relative or relatives of a guard member who dies in  
26 the line of duty:

27 (1) To the surviving spouse.

28 (2) If there is no surviving spouse, to the surviving children in  
29 equal shares.

30 (3) If there is no surviving spouse and there are no surviving  
31 children, to the parent or parents in equal shares.

32 Sec. 8. A special death benefit provided by this chapter is in  
33 addition to any other benefits provided by state or federal law.

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