



Reprinted
April 12, 2011

ENGROSSED
SENATE BILL No. 340

DIGEST OF SB 340 (Updated April 11, 2011 4:43 pm - DI 92)

Citations Affected: IC 2-5; IC 4-32.2; noncode.

Synopsis: Charity gaming. Establishes the charity gaming study committee for the 2011 interim. Authorizes a qualified organization to use volunteer ticket agents (VTA). Requires a qualified organization to provide to the gaming commission a list containing: (1) the name, address, and telephone number of each retail establishment whose employees will serve as volunteer ticket agents; and (2) the name of the general manager of each retail establishment listed by the qualified organization. Provides that each ticket or entry sold by a volunteer ticket agent must have the name of the qualified organization, the date of the allowable event, and a valid license number for the allowable event. Requires all tickets sold by volunteer ticket agents to be numbered sequentially. Requires a qualified organization to provide to
(Continued next page)

Effective: July 1, 2011.

**Kruse, Yoder, Alting, Hume, Taylor,
Brodén, Randolph**
(HOUSE SPONSORS — DAVIS, CULVER, GIAQUINTA)

January 11, 2011, read first time and referred to Committee on Public Policy.
February 14, 2011, amended, reported favorably — Do Pass. Pursuant to Senate Rule 68(b); reassigned to Committee on Appropriations.
February 17, 2011, read second time, amended, reported favorably — Do Pass.
February 21, 2011, amended, ordered engrossed.
February 22, 2011, engrossed. Read third time, passed. Yeas 47, nays 2.
HOUSE ACTION
March 28, 2011, read first time and referred to Committee on Public Policy.
April 7, 2011, amended, reported — Do Pass.
April 11, 2011, read second time, amended, ordered engrossed.

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the gaming commission the name, address, and telephone number of each person who served as a volunteer ticket agent. Increases the number of days that a qualified organization can conduct charity gaming under a festival license from four to five days. Provides that a worker at a bingo event may participate as a player at the bingo event under certain circumstances. Authorizes a qualified organization to accept credit cards for certain sales occurring at an allowable event. Prohibits the acceptance of credit cards or extending credit for the chance to play a game of chance or to purchase a licensed supply at an allowable event. Excludes revenue from related activities occurring at an allowable event from the determination of a qualified organization's license renewal fee.

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Reprinted
April 12, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 340

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

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

1 SECTION 1. IC 2-5-31.9 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]:

4 **Chapter 31.9. Charity Gaming Study Committee**

5 **Sec. 1. The charity gaming study committee is established.**

6 **Sec. 2. (a) The committee consists of thirteen (13) members**
7 **appointed as follows:**

8 **(1) The chairperson of the house of representatives committee**
9 **on public policy.**

10 **(2) The ranking minority member of the house of**
11 **representatives committee on public policy.**

12 **(3) The chairperson of the senate committee on public policy.**

13 **(4) The ranking minority member of the senate committee on**
14 **public policy.**

15 **(5) One (1) member of the house of representatives appointed**
16 **by the speaker of the house of representatives.**

17 **(6) One (1) member of the house of representatives appointed**

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1 by the minority leader of the house of representatives.
 2 (7) One (1) member of the senate appointed by the president
 3 pro tempore of the senate.
 4 (8) One (1) member of the senate appointed by the minority
 5 leader of the senate.
 6 (9) One (1) individual who is not a member of the general
 7 assembly appointed by the speaker of the house of
 8 representatives.
 9 (10) One (1) individual who is not a member of the general
 10 assembly appointed by the minority leader of the house of
 11 representatives.
 12 (11) One (1) individual who is not a member of the general
 13 assembly appointed by the president pro tempore of the
 14 senate.
 15 (12) One (1) individual who is not a member of the general
 16 assembly appointed by the minority leader of the senate.
 17 (13) The executive director of the Indiana gaming
 18 commission, or the executive director's designee, who serves
 19 as an ex officio nonvoting member.
 20 (b) Each member of the committee who is not:
 21 (1) a member of the general assembly; or
 22 (2) appointed under subsection (a)(11);
 23 must be a member of a qualified organization (as defined under
 24 IC 4-32.2-2) that has engaged in charity gaming under a license
 25 issued after December 31, 2009.
 26 Sec. 3. The chairman of the legislative council shall appoint a
 27 legislative member of the committee to serve as chair of the
 28 committee. Whenever there is a new chairman of the legislative
 29 council, the new chairman may remove the chair of the committee
 30 and appoint another chair.
 31 Sec. 4. If a legislative member of the committee ceases to be a
 32 member of the chamber from which the member was appointed,
 33 the member also ceases to be a member of the committee.
 34 Sec. 5. A legislative member of the committee may be removed
 35 at any time by the appointing authority who appointed the
 36 legislative member.
 37 Sec. 6. If a vacancy exists on the committee, the appointing
 38 authority who appointed the former member whose position is
 39 vacant shall appoint an individual to fill the vacancy.
 40 Sec. 7. The committee shall submit a final report of the results
 41 of its study to the legislative council before November 1, 2011. The
 42 report must be in an electronic format under IC 5-14-6.

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1 **Sec. 8. (a)** Except as provided in subsection (b), each member of
2 the committee is entitled to receive the same per diem, mileage, and
3 travel allowances paid to individuals who serve as legislative and
4 lay members, respectively, of interim study committees established
5 by the legislative council.

6 **(b)** Each member of the committee who is a state employee but
7 not a member of the general assembly is entitled to the following:

8 **(1)** Reimbursement for traveling expenses as provided under
9 IC 4-13-1-4.

10 **(2)** Other expenses actually incurred in connection with the
11 member's duties as provided in the state policies and
12 procedures established by the Indiana department of
13 administration and approved by the budget agency.

14 **Sec. 9.** The affirmative votes of a majority of the voting
15 members appointed to the committee are required for the
16 committee to take action on any measure, including the final
17 report.

18 **Sec. 10.** Except as otherwise specifically provided by this
19 chapter, the committee shall operate under the rules of the
20 legislative council. All funds necessary to carry out this chapter
21 shall be paid from appropriations to the legislative council and the
22 legislative services agency.

23 **Sec. 11. (a)** The committee shall study the following:

24 **(1)** The requirements for obtaining a charity gaming license.

25 **(2)** Whether qualified organizations should be permitted to
26 use charity gaming proceeds to pay the salaries and benefits
27 of the qualified organization's employees.

28 **(3)** The reporting requirements for conducting charity gaming
29 events.

30 **(4)** Whether qualified organizations should be permitted to
31 conduct charity gaming events more frequently.

32 **(5)** The hours in which charity gaming events may be
33 conducted.

34 **(6)** Issues related to licensing and regulating national
35 organizations and their affiliates.

36 **(b)** The committee may study other topics assigned by the
37 legislative council or as directed by the committee chair.

38 **Sec. 12.** This chapter expires January 1, 2012.

39 SECTION 2. IC 4-32.2-2-29.5 IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2011]: **Sec. 29.5. "Volunteer ticket agent"**
42 means a person acting on behalf of a qualified organization that:

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- 1 **(1) receives no compensation from the qualified organization;**
- 2 **(2) sells tickets to an allowable event held under a license**
- 3 **issued under IC 4-32.2-4-8, IC 4-32.2-10, or IC 4-32.2-4-12, or**
- 4 **a single event license issued under IC 4-32.2-4-16; and**
- 5 **(3) does not assist the qualified organization in conducting the**
- 6 **allowable event in any other way.**

7 SECTION 3. IC 4-32.2-2-30, AS AMENDED BY P.L.95-2008,
 8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2011]: Sec. 30. **(a)** Except as provided in ~~IC 4-32.2-5-14(b)~~,
 10 **subsection (b)**, "worker" means an individual who helps or participates
 11 in any manner in conducting or assisting in conducting an allowable
 12 event under this article.

13 **(b) The following are not considered workers for the purposes**
 14 **of this article:**

- 15 **(1) A patron dealing euchre cards under IC 4-32.2-5-14(b).**
- 16 **(2) A volunteer ticket agent.**

17 SECTION 4. IC 4-32.2-4-12, AS AMENDED BY P.L.227-2007,
 18 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2011]: Sec. 12. (a) The commission may issue a festival
 20 license to a qualified organization upon the organization's submission
 21 of an application and payment of a fee determined under IC 4-32.2-6.
 22 The license must authorize the qualified organization to conduct bingo
 23 events, charity game nights, raffle events, gambling events licensed
 24 under section 16 of this chapter, and door prize events and to sell pull
 25 tabs, punchboards, and tip boards. The license must state the location
 26 and the dates, not exceeding ~~four (4)~~ **five (5)** consecutive days, on
 27 which these activities may be conducted.

28 (b) Except as provided in IC 4-32.2-5-6(c), a qualified organization
 29 may not conduct more than one (1) festival each year.

30 (c) The raffle event authorized by a festival license is not subject to
 31 the prize limits set forth in this chapter. Bingo events, charity game
 32 nights, and door prize events conducted at a festival are subject to the
 33 prize limits set forth in this chapter.

34 SECTION 5. IC 4-32.2-5-11, AS ADDED BY P.L.91-2006,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2011]: Sec. 11. An employee of the commission or a relative
 37 living in the same household with the employee of the commission may
 38 not be an operator, ~~or~~ a worker, **or a volunteer ticket agent.**

39 SECTION 6. IC 4-32.2-5-12, AS AMENDED BY P.L.227-2007,
 40 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2011]: Sec. 12. (a) Except as provided in subsection (b) or (c),
 42 an operator, ~~or~~ a worker, **or a volunteer ticket agent** who is not a

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1 full-time employee may not receive remuneration for:
 2 (1) conducting; or
 3 (2) assisting in conducting;
 4 an allowable event.
 5 (b) A qualified organization that conducts an allowable event may:
 6 (1) provide meals for the operators and workers during the
 7 allowable event; and
 8 (2) provide recognition dinners and social events for the operators
 9 and workers;
 10 if the value of the meals and social events does not constitute a
 11 significant inducement to participate in the conduct of the allowable
 12 event.
 13 (c) In the case of a qualified organization holding a PPT license, any
 14 employee of the qualified organization may:
 15 (1) participate in the sale and redemption of pull tabs,
 16 punchboards, and tip boards on the premises of the qualified
 17 organization; and
 18 (2) receive the remuneration ordinarily provided to the employee
 19 in the course of the employee's employment.
 20 SECTION 7. IC 4-32.2-5-14, AS AMENDED BY P.L.108-2009,
 21 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2011]: Sec. 14. (a) Except as provided by ~~subsection~~
 23 **subsections (c) and (d)**, an operator or a worker may not directly or
 24 indirectly participate, other than in a capacity as an operator or a
 25 worker, in an allowable event that the operator or worker is conducting.
 26 (b) A patron at a charity game night may deal the cards in a card
 27 game if:
 28 (1) the card game in which the patron deals the cards is a game of
 29 euchre;
 30 (2) the patron deals the cards in the manner required in the
 31 ordinary course of the game of euchre; and
 32 (3) the euchre game is played under the supervision of the
 33 qualified organization conducting the charity game night in
 34 accordance with rules adopted by the commission under
 35 IC 4-32.2-3-3.
 36 A patron who deals the cards in a euchre game conducted under this
 37 subsection is not considered a worker or an operator for purposes of
 38 this article.
 39 (c) A worker at a festival event may participate as a player in any
 40 gaming activity offered at the festival event except as follows:
 41 (1) A worker may not participate in any game during the time in
 42 which the worker is conducting or helping to conduct the game.

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1 (2) A worker who conducts or helps to conduct a pull tab,
2 punchboard, or tip board event during a festival event may not
3 participate as a player in a pull tab, punchboard, or tip board
4 event conducted on the same calendar day.

5 **(d) A worker at a bingo event:**

6 **(1) whose duties are limited to:**

7 **(A) selling bingo supplies;**

8 **(B) selling tickets for a door prize drawing or raffle
9 conducted at the bingo event; or**

10 **(C) the duties described in both clauses (A) and (B);**

11 **(2) who has completed all of the worker's duties before the
12 start of the first bingo game of the bingo event; and**

13 **(3) who is not engaged as a worker at any other time during
14 the bingo event;**

15 **may participate as a player in any gaming activity offered at the
16 bingo event following the completion of the worker's duties at the
17 bingo event.**

18 SECTION 8. IC 4-32.2-5-27 IS ADDED TO THE INDIANA CODE
19 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
20 1, 2011]: **Sec. 27. The following apply to a qualified organization's
21 use of a volunteer ticket agent:**

22 **(1) Before using volunteer ticket agents to sell tickets to an
23 allowable event, a qualified organization shall provide a list
24 containing the following information to the commission:**

25 **(A) The name, address, and telephone number of each
26 retail establishment whose employees will serve as
27 volunteer ticket agents.**

28 **(B) The name of the general manager of each retail
29 establishment listed under clause (A).**

30 **(2) A volunteer ticket agent may not sell pull tabs,
31 punchboards, or tip boards.**

32 **(3) A volunteer ticket agent is not required to be a member in
33 good standing of the qualified organization.**

34 **(4) A volunteer ticket agent may participate as a patron in any
35 allowable event conducted by the qualified organization.**

36 **(5) A qualified organization must include on each ticket or
37 entry sold by a volunteer ticket agent the name of the
38 qualified organization, the date of the allowable event, and a
39 valid license number for the allowable event.**

40 **(6) All tickets sold by volunteer ticket agents must be
41 numbered sequentially.**

42 **(7) After tickets to the allowable event are sold, the qualified**

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1 organization shall provide to the commission the name,
2 address, and telephone number of each person who served as
3 a volunteer ticket agent.

4 SECTION 9. IC 4-32.2-5-28 IS ADDED TO THE INDIANA CODE
5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
6 1, 2011]: **Sec. 28. (a) Subject to subsection (b), a qualified
7 organization may accept credit cards at an allowable event for the
8 purchase of:**

- 9 (1) food and beverages;
10 (2) merchandise; and
11 (3) retail goods and services offered at a benefit auction.

12 (b) A qualified organization may not accept credit cards or
13 extend credit to a player for the purchase of a:

- 14 (1) chance to play any game of chance offered at an allowable
15 event; or
16 (2) licensed supply.

17 SECTION 10. IC 4-32.2-6-3, AS AMENDED BY P.L.227-2007,
18 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2011]: **Sec. 3. (a) ~~In the case of a qualified organization that~~
20 ~~is not subject to subsection (b); the~~ This subsection does not apply to
21 the renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7,
22 IC 4-32.2-4-8, IC 4-32.2-4-10, or IC 4-32.2-4-12, or a single event
23 license issued under IC 4-32.2-4-16. A qualified organization's
24 adjusted gross revenue is an amount equal to the difference between:**

- 25 (1) the qualified organization's total gross revenue from allowable
26 events ~~and related activities~~ in the preceding year; minus
27 (2) the sum of any amounts deducted under IC 4-32.2-5-3(b)(5)
28 in the preceding year.

29 (b) ~~This subsection applies only to a qualified organization that held~~
30 ~~the renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7,~~
31 ~~IC 4-32.2-4-8, IC 4-32.2-4-10, or IC 4-32.2-4-12, or a single event~~
32 ~~license issued under IC 4-32.2-4-16. The~~ A qualified organization's
33 adjusted gross revenue is an amount equal to the difference between:

- 34 (1) the qualified organization's total gross revenue from the
35 preceding event; ~~and related activities~~; minus
36 (2) any amount deducted under IC 4-32.2-5-3(b)(5) for the
37 preceding event.

38 (c) The license fee that is charged to a qualified organization that
39 renews ~~the a license must be based on the adjusted gross revenue of the~~
40 ~~qualified organization from allowable events and related activities in~~
41 ~~the preceding year; or, if the qualified organization held a license under~~
42 ~~IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8, IC 4-32.2-4-10, or~~

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1 ~~IC 4-32.2-4-12~~; the fee must be based on the adjusted gross revenue of
 2 the qualified organization from the preceding event, and related
 3 activities, according to the following schedule: is equal to the amount
 4 **determined according to the following schedule using the adjusted**
 5 **gross revenue of the qualified organization as specified by**
 6 **subsection (a) or (b), as applicable:**

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
A	\$ 0	\$ 15,000	\$ 50
B	\$ 15,000	\$ 25,000	\$ 100
C	\$ 25,000	\$ 50,000	\$ 300
D	\$ 50,000	\$ 75,000	\$ 400
E	\$ 75,000	\$ 100,000	\$ 700
F	\$ 100,000	\$ 150,000	\$ 1,000
G	\$ 150,000	\$ 200,000	\$ 1,500
H	\$ 200,000	\$ 250,000	\$ 1,800
I	\$ 250,000	\$ 300,000	\$ 2,500
J	\$ 300,000	\$ 400,000	\$ 3,250
K	\$ 400,000	\$ 500,000	\$ 5,000
L	\$ 500,000	\$ 750,000	\$ 6,750
M	\$ 750,000	\$ 1,000,000	\$ 9,000
N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
T	\$ 2,500,000	\$ 3,000,000	\$ 24,000
U	\$ 3,000,000		\$ 26,000

30 SECTION 11. [EFFECTIVE JULY 1, 2011] (a) **IC 4-32.2-6-3, as**
 31 **amended by this act, applies to a license renewed after June 30,**
 32 **2011.**

33 (b) **This SECTION expires July 1, 2012.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 340, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 3. IC 4-32.2-3-3, AS AMENDED BY P.L.95-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) The commission shall adopt rules under IC 4-22-2 for the following purposes:

- (1) Administering this article.
- (2) Establishing the conditions under which charity gaming in Indiana may be conducted, including the manner in which a qualified organization may supervise a ~~electre~~ card game conducted under IC 4-32.2-5-14(b).
- (3) Providing for the prevention of practices detrimental to the public interest and providing for the best interests of charity gaming.
- (4) Establishing rules concerning inspection of qualified organizations and the review of the licenses necessary to conduct charity gaming.
- (5) Imposing penalties for noncriminal violations of this article.
- (6) Establishing standards for independent audits conducted under IC 4-32.2-5-5.

(b) The commission may adopt emergency rules under IC 4-22-2-37.1 if the commission determines that:

- (1) the need for a rule is so immediate and substantial that rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 are inadequate to address the need; and
- (2) an emergency rule is likely to address the need.

SECTION 4. IC 4-32.2-4-7.5, AS AMENDED BY P.L.108-2009, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 7.5. (a) This section applies only to a qualified organization described in subsection (h). The commission may issue an annual charity game night license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
 - (A) submits an application; and
 - (B) pays a fee set by the commission under IC 4-32.2-6.

(b) The commission may hold a public hearing to obtain input on the proposed issuance of an annual charity game night license to an applicant that has never held an annual charity game night license

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under this article.

(c) The first time that a qualified organization applies for an annual charity game night license, the qualified organization shall publish notice that the application has been filed by publication at least two (2) times, seven (7) days apart, as follows:

(1) In one (1) newspaper in the county where the qualified organization is located.

(2) In one (1) newspaper in the county where the allowable events will be conducted.

(d) The notification required by subsection (c) must contain the following:

(1) The name of the qualified organization and the fact that it has applied for an annual charity game night license.

(2) The location where the charity game night events will be held.

(3) The names of the operator and officers of the qualified organization.

(4) A statement that any person can protest the proposed issuance of the annual charity game night license.

(5) A statement that the commission shall hold a public hearing if ten (10) written and signed protest letters are received by the commission.

(6) The address of the commission where correspondence concerning the application may be sent.

(e) If the commission receives at least ten (10) protest letters, the commission shall hold a public hearing in accordance with IC 5-14-1.5. The commission shall issue a license or deny the application not later than sixty (60) days after the date of the public hearing.

(f) A license issued under this section:

(1) may authorize the qualified organization to conduct charity game night events on more than one (1) occasion during a period of one (1) year;

(2) must state the **dates and** locations of the permitted charity game night events;

(3) must state the expiration date of the license; and

(4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

(g) Notwithstanding subsection (f)(4), the commission may hold a public hearing for the reissuance of an annual charity game night license if at least one (1) of the following conditions is met:

(1) An applicant has been cited for a violation of law or a rule of

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the commission.

(2) The commission receives at least ten (10) protest letters concerning the qualified organization's charity game night operation.

(3) A public hearing is considered necessary by the commission.

(h) A qualified organization may apply for an annual charity game night license under this section if the qualified organization is:

(1) a bona fide fraternal organization; or

(2) a bona fide veterans organization;

that has been continuously in existence in Indiana for ten (10) years.

(i) A facility or location may not be used for purposes of conducting ~~an~~ **more than three (3)** annual charity game night ~~event on more than three (3) calendar days events~~ per calendar week regardless of the number of qualified organizations conducting an annual charity game night event at the facility or location. **For purposes of this subsection, a particular annual charity game night event is attributed to the calendar week in which the event is considered to begin.**

(j) **An annual charity game night event is considered to:**

(1) **begin at noon of the calendar day specified on the qualified organization's annual charity game night license; and**

(2) **end at 11:59 a.m. of the immediately following calendar day.**

(k) **The following apply to an annual charity game night event:**

(1) **IC 4-32.2-5-8(a).**

(2) **IC 4-32.2-5-8(c).**

SECTION 5. IC 4-32.2-4-12, AS AMENDED BY P.L.227-2007, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 12. (a) The commission may issue a festival license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must authorize the qualified organization to conduct bingo events, charity game nights, raffle events, gambling events licensed under section 16 of this chapter, and door prize events and to sell pull tabs, punchboards, and tip boards. The license must state the location and the dates, not exceeding ~~four (4)~~ **five (5)** consecutive days, on which these activities may be conducted.

(b) Except as provided in IC 4-32.2-5-6(c), a qualified organization may not conduct more than one (1) festival each year.

(c) The raffle event authorized by a festival license is not subject to the prize limits set forth in this chapter. Bingo events, charity game nights, and door prize events conducted at a festival are subject to the prize limits set forth in this chapter."

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Page 2, between lines 21 and 22, begin a new paragraph and insert:
"SECTION 7. IC 4-32.2-5-8, AS AMENDED BY P.L.108-2009, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 8. (a) If a facility or location is leased for an allowable event, the rent may not be based in whole or in part on the revenue generated from the event.

(b) ~~Subject to the additional restrictions on the use of a facility or location that are set forth in IC 4-32.2-4-7.5(i);~~ **This subsection does not apply to a facility or location used to conduct an annual charity game night event under IC 4-32.2-4-7.5.** A facility or location may not be rented for more than three (3) **calendar** days during a calendar week for an allowable event.

(c) If personal property is leased for an allowable event, the rent may not be based in whole or in part on the revenue generated from the event."

Page 3, between lines 7 and 8, begin a new paragraph and insert:
"SECTION 10. IC 4-32.2-5-14, AS AMENDED BY P.L.108-2009, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 14. (a) Except as provided by subsection (c), an operator or a worker may not directly or indirectly participate, other than in a capacity as an operator or a worker, in an allowable event that the operator or worker is conducting.

(b) A patron at a charity game night may deal the cards in a card game if:

- ~~(1) the card game in which the patron deals the cards is a game of euchre;~~
- ~~(2) (1) the patron deals the cards in the manner required in the ordinary course of the card game; of euchre; and~~
- ~~(3) (2) the euchre card game is played under the supervision of the qualified organization conducting the charity game night in accordance with rules adopted by the commission under IC 4-32.2-3-3.~~

A patron who deals the cards in a ~~euchre card~~ game conducted under this subsection is not considered a worker or an operator for purposes of this article.

(c) A worker at a festival event may participate as a player in any gaming activity offered at the festival event except as follows:

- (1) A worker may not participate in any game during the time in which the worker is conducting or helping to conduct the game.
- (2) A worker who conducts or helps to conduct a pull tab, punchboard, or tip board event during a festival event may not participate as a player in a pull tab, punchboard, or tip board

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event conducted on the same calendar day."
Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.
(Reference is to SB 340 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 8, Nays 0.

Report of the President
Pro Tempore

Madam President: Pursuant to Senate Rule 68(b), I hereby report that, subsequent to the adoption of the Public Policy Committee Report on February 14, 2011, Senate Bill 340 was reassigned to the Committee on Appropriations.

LONG

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 340, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 6, delete "or raffle tickets for a" and insert "**held under a license issued under IC 4-32.2-4-8, IC 4-32.2-10, or IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16; and**".

Page 1, delete line 7.

Page 1, line 12, after "30." insert "**(a)**".

Page 3, line 28, delete "dates and".

Page 3, line 28, strike "locations" and insert "**days and location**".

Page 5, line 1, after "the" insert "**reasonable**".

Page 5, line 2, before "employees" insert "**full-time**".

Page 7, delete lines 5 through 6, begin a new line block indented and insert:

"(1) Prior to using volunteer ticket agents to sell tickets to an allowable event, a qualified organization must provide to the commission the name, address, and telephone number of the

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general manager of each retail establishment whose employees will serve as volunteer ticket agents."

Page 7, between lines 12 and 13, begin a new line block indented and insert:

"(5) A qualified organization must include on each ticket or entry sold by a volunteer ticket agent the name of the qualified organization, the date of the allowable event, and a valid license number for the allowable event.

(6) All tickets sold by volunteer ticket agents must be numbered sequentially.

(7) After tickets to the allowable event are sold, the qualified organization shall provide to the commission the name, address, and telephone number of each person who served as a volunteer ticket agent."

Page 7, line 31, delete "IC 4-32.2-4-12." and insert **"IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16."**

Page 7, line 40, after "IC 4-32.2-4-12" delete "." and insert **", or a single event license issued under IC 4-32.2-4-16."**

Page 8, line 7, delete "IC 4-32.2-4-12." and insert **"IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16."**

Page 8, line 15, delete "lesser of the following:"

Page 8, delete lines 16 through 19.

Page 8, line 20, delete "(2) The".

Page 8, run in lines 15 through 23.

Page 9, line 7, delete "IC 4-32.2-4-12." and insert **"IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16."**

and when so amended that said bill do pass.

(Reference is to SB 340 as printed February 14, 2011.)

KENLEY, Chairperson

Committee Vote: Yeas 12, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 340 be amended to read as follows:

Page 7, delete lines 6 through 10, begin a new line block indented and insert:

"(1) Before using volunteer ticket agents to sell tickets to an allowable event, a qualified organization shall provide a list

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containing the following information to the commission:

(A) The name, address, and telephone number of each retail establishment whose employees will serve as volunteer ticket agents.

(B) The name of the general manager of each retail establishment listed under clause (A)."

Page 7, line 12, after "punchboards," insert "or".

Page 7, line 12, delete ", or tickets to a qualified drawing." and insert ".".

(Reference is to SB 340 as printed February 18, 2011.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 340, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-5-31.9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]:

Chapter 31.9. Charity Gaming Study Committee

Sec. 1. The charity gaming study committee is established.

Sec. 2. (a) The committee consists of eleven (11) members appointed as follows:

- (1) The chairperson of the house of representatives committee on public policy.
- (2) The ranking minority member of the house of representatives committee on public policy.
- (3) The chairperson of the senate committee on public policy.
- (4) The ranking minority member of the senate committee on public policy.
- (5) One (1) member of the house of representatives appointed by the speaker of the house of representatives.
- (6) One (1) member of the senate appointed by the president pro tempore of the senate.
- (7) One (1) individual who is not a member of the general assembly appointed by the speaker of the house of



representatives.

(8) One (1) individual who is not a member of the general assembly appointed by the minority leader of the house of representatives.

(9) One (1) individual who is not a member of the general assembly appointed by the president pro tempore of the senate.

(10) One (1) individual who is not a member of the general assembly appointed by the minority leader of the senate.

(11) The executive director of the Indiana gaming commission, or the executive director's designee, who serves as an ex officio nonvoting member.

(b) Each member of the committee who is not:

(1) a member of the general assembly; or

(2) appointed under subsection (a)(11);

must be a member of a qualified organization (as defined under IC 4-32.2-2) that has engaged in charity gaming under a license issued after December 31, 2009.

Sec. 3. The chairman of the legislative council shall appoint a legislative member of the committee to serve as chair of the committee. Whenever there is a new chairman of the legislative council, the new chairman may remove the chair of the committee and appoint another chair.

Sec. 4. If a legislative member of the committee ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the committee.

Sec. 5. A legislative member of the committee may be removed at any time by the appointing authority who appointed the legislative member.

Sec. 6. If a vacancy exists on the committee, the appointing authority who appointed the former member whose position is vacant shall appoint an individual to fill the vacancy.

Sec. 7. The committee shall submit a final report of the results of its study to the legislative council before November 1, 2011. The report must be in an electronic format under IC 5-14-6.

Sec. 8. (a) Except as provided in subsection (b), each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.

(b) Each member of the committee who is a state employee but not a member of the general assembly is entitled to the following:

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(1) Reimbursement for traveling expenses as provided under IC 4-13-1-4.

(2) Other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 9. The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including the final report.

Sec. 10. Except as otherwise specifically provided by this chapter, the committee shall operate under the rules of the legislative council. All funds necessary to carry out this chapter shall be paid from appropriations to the legislative council and the legislative services agency.

Sec. 11. (a) The committee shall study the following:

(1) The requirements for obtaining a charity gaming license.

(2) Whether qualified organizations should be permitted to use charity gaming proceeds to pay the salaries and benefits of the qualified organization's employees.

(3) The reporting requirements for conducting charity gaming events.

(4) Whether qualified organizations should be permitted to conduct charity gaming events more frequently.

(5) The hours in which charity gaming events may be conducted.

(6) Issues related to licensing and regulating national organizations and their affiliates.

(b) The committee may study other topics assigned by the legislative council or as directed by the committee chair."

Page 2, delete lines 4 through 42.

Delete page 3.

Page 4, delete lines 1 through 22.

Page 4, delete lines 40 through 42.

Page 5, delete lines 1 through 30.

Page 6, reset in roman lines 25 through 26.

Page 6, line 27, reset in roman "(2)".

Page 6, line 27, delete "(1)".

Page 6, line 28, delete "card game;" and insert "game".

Page 6, line 28, reset in roman "of euchre;"

Page 6, line 29, reset in roman "(3)".

Page 6, line 29, delete "(2)".

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Page 6, line 29, reset in roman "euchre".

Page 6, line 29, delete "card".

Page 6, line 33, reset in roman "euchre".

Page 6, line 33, delete "card".

Page 6, line 36, after "festival" insert "**or bingo**".

Page 6, line 37, after "festival" insert "**or bingo**".

Page 6, line 41, after "festival" insert "**or bingo**".

Page 7, after line 42, begin a new paragraph and insert:

"SECTION 13. IC 4-32.2-6-3, AS AMENDED BY P.L.227-2007, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) ~~In the case of a qualified organization that is not subject to subsection (b); the~~ **This subsection does not apply to the renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8, IC 4-32.2-4-10, or IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16.** A qualified organization's adjusted gross revenue is an amount equal to the difference between:

(1) the qualified organization's total gross revenue from allowable events ~~and related activities~~ in the preceding year; minus

(2) the sum of any amounts deducted under IC 4-32.2-5-3(b)(5) in the preceding year.

(b) ~~This subsection applies only to a qualified organization that held the renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8, IC 4-32.2-4-10, or IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16. The~~ **A** qualified organization's adjusted gross revenue is an amount equal to the difference between:

(1) the qualified organization's total gross revenue from the preceding event; ~~and related activities;~~ minus

(2) any amount deducted under IC 4-32.2-5-3(b)(5) for the preceding event.

(c) ~~The license fee that is charged to a qualified organization that renews the a license must be based on the adjusted gross revenue of the qualified organization from allowable events and related activities in the preceding year; or, if the qualified organization held a license under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8, IC 4-32.2-4-10, or IC 4-32.2-4-12, the fee must be based on the adjusted gross revenue of the qualified organization from the preceding event; and related activities, according to the following schedule: is equal to the amount determined according to the following schedule using the adjusted gross revenue of the qualified organization as specified by subsection (a) or (b), as applicable:~~

Class	Adjusted Gross Revenues	Fee
	At Least	But Less Than



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A	\$	0	\$	15,000	\$	50
B	\$	15,000	\$	25,000	\$	100
C	\$	25,000	\$	50,000	\$	300
D	\$	50,000	\$	75,000	\$	400
E	\$	75,000	\$	100,000	\$	700
F	\$	100,000	\$	150,000	\$	1,000
G	\$	150,000	\$	200,000	\$	1,500
H	\$	200,000	\$	250,000	\$	1,800
I	\$	250,000	\$	300,000	\$	2,500
J	\$	300,000	\$	400,000	\$	3,250
K	\$	400,000	\$	500,000	\$	5,000
L	\$	500,000	\$	750,000	\$	6,750
M	\$	750,000	\$	1,000,000	\$	9,000
N	\$	1,000,000	\$	1,250,000	\$	11,000
O	\$	1,250,000	\$	1,500,000	\$	13,000
P	\$	1,500,000	\$	1,750,000	\$	15,000
Q	\$	1,750,000	\$	2,000,000	\$	17,000
R	\$	2,000,000	\$	2,250,000	\$	19,000
S	\$	2,250,000	\$	2,500,000	\$	21,000
T	\$	2,500,000	\$	3,000,000	\$	24,000
U	\$	3,000,000			\$	26,000".

Delete page 8.

Page 9, delete lines 1 through 35.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 340 as reprinted February 22, 2011.)

DAVIS, Chair

Committee Vote: yeas 10, nays 0.

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 340 be amended to read as follows:

Page 1, line 6, delete "eleven (11)" and insert "**thirteen (13)**".

Page 1, between lines 16 and 17, begin a new line block indented and insert:

"(6) One (1) member of the house of representatives appointed by the minority leader of the house of representatives."

Page 1, line 17, delete "(6)" and insert "(7)".

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Page 2, between lines 1 and 2, begin a new line block indented and insert:

"(8) One (1) member of the senate appointed by the minority leader of the senate."

Page 2, line 2, delete "(7)" and insert "(9)".

Page 2, line 5, delete "(8)" and insert "(10)".

Page 2, line 8, delete "(9)" and insert "(11)".

Page 2, line 11, delete "(10)" and insert "(12)".

Page 2, line 13, delete "(11)" and insert "(13)".

Page 3, between lines 33 and 34, begin a new paragraph and insert:
"Sec. 12. This chapter expires January 1, 2012."

(Reference is to ESB 340 as printed April 8, 2011.)

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 340 be amended to read as follows:

Page 5, line 17, strike "subsection" and insert **"subsections"**.

Page 5, line 17, delete "(c)," and insert **"(c) and (d),"**.

Page 5, line 34, delete "or bingo".

Page 5, line 35, delete "or bingo".

Page 5, line 40, delete "or bingo".

Page 5, after line 42, begin a new paragraph and insert:

"(d) A worker at a bingo event:

(1) whose duties are limited to:

(A) selling bingo supplies;

(B) selling tickets for a door prize drawing or raffle conducted at the bingo event; or

(C) the duties described in both clauses (A) and (B);

(2) who has completed all of the worker's duties before the start of the first bingo game of the bingo event; and

(3) who is not engaged as a worker at any other time during the bingo event;

may participate as a player in any gaming activity offered at the bingo event following the completion of the worker's duties at the bingo event."

(Reference is to ESB 340 as printed April 8, 2011.)

DAVIS

