
SENATE BILL No. 340

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-32.2.

Synopsis: Charity gaming. Authorizes a qualified organization to use volunteer ticket agents (VTA) and specifies the conditions applying to the use of a VTA. Specifies that charity gaming proceeds may be used to pay the salaries and benefits of a qualified organization's employees. 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. Provides that license renewal fees are capped at \$1,000 per event in the case of a license that authorizes multiple events or \$1,000 in the case of a license that authorizes a single event.

Effective: July 1, 2011.

Kruse, Yoder

January 11, 2011, read first time and referred to Committee on Public Policy.

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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.

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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 4-32.2-2-29.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2011]: **Sec. 29.5. "Volunteer ticket agent"**
4 **means a person acting on behalf of a qualified organization that:**
5 **(1) receives no compensation from the qualified organization;**
6 **(2) sells tickets to an allowable event or raffle tickets for a**
7 **drawing to be conducted at an allowable event; and**
8 **(3) does not assist the qualified organization in conducting the**
9 **allowable event in any other way.**

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

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



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(1) **A patron dealing euchre cards under IC 4-32.2-5-14(b).**

(2) **A volunteer ticket agent.**

SECTION 3. IC 4-32.2-5-3, AS AMENDED BY P.L.227-2007, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) All net proceeds from an allowable event and related activities may be used only for the lawful purposes of the qualified organization, **including paying the salaries and benefits of the employees of the qualified organization.**

(b) To determine the net proceeds from an allowable event, a qualified organization shall subtract the following from the gross receipts received from the allowable event:

- (1) An amount equal to the total value of the prizes, including door prizes, awarded at the allowable event.
- (2) The sum of the purchase prices paid for licensed supplies dispensed at the allowable event.
- (3) An amount equal to the qualified organization's license fees attributable to the allowable event.
- (4) An amount equal to the advertising expenses incurred by the qualified organization to promote the allowable event.
- (5) An amount not to exceed two hundred dollars (\$200) per day for rent paid for facilities leased for an allowable event.

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

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

- (1) conducting; or
- (2) assisting in conducting;

an allowable event.

(b) A qualified organization that conducts an allowable event may:

- (1) provide meals for the operators and workers during the allowable event; and
- (2) provide recognition dinners and social events for the operators and workers;

if the value of the meals and social events does not constitute a significant inducement to participate in the conduct of the allowable event.

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1 (c) In the case of a qualified organization holding a PPT license, any
2 employee of the qualified organization may:

- 3 (1) participate in the sale and redemption of pull tabs,
- 4 punchboards, and tip boards on the premises of the qualified
- 5 organization; and
- 6 (2) receive the remuneration ordinarily provided to the employee
- 7 in the course of the employee's employment.

8 SECTION 6. IC 4-32.2-5-27 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2011]: **Sec. 27. The following apply to a qualified organization's**
11 **use of a volunteer ticket agent:**

- 12 (1) **A qualified organization is not required to prequalify a**
- 13 **person to serve as a volunteer ticket agent.**
- 14 (2) **A volunteer ticket agent may not sell pull tabs,**
- 15 **punchboards, tip boards, or tickets to a qualified drawing.**
- 16 (3) **A volunteer ticket agent is not required to be a member in**
- 17 **good standing of the qualified organization.**
- 18 (4) **A volunteer ticket agent may participate as a patron in any**
- 19 **allowable event conducted by the qualified organization.**

20 SECTION 7. IC 4-32.2-5-28 IS ADDED TO THE INDIANA CODE
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2011]: **Sec. 28. (a) Subject to subsection (b), a qualified**
23 **organization may accept credit cards at an allowable event for the**
24 **purchase of:**

- 25 (1) **food and beverages;**
- 26 (2) **merchandise; and**
- 27 (3) **retail goods and services offered at a benefit auction.**
- 28 (b) **A qualified organization may not accept credit cards or**
- 29 **extend credit to a player for the purchase of a:**
- 30 (1) **chance to play any game of chance offered at an allowable**
- 31 **event; or**
- 32 (2) **licensed supply.**

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

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

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

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

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

12 (c) **This subsection does not apply to the renewal of a license**
 13 **issued under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8,**
 14 **IC 4-32.2-4-10, or IC 4-32.2-4-12.** The license fee that is charged to
 15 a qualified organization that renews the license ~~must be based on the~~
 16 ~~adjusted gross revenue of the qualified organization from allowable~~
 17 ~~events and related activities in the preceding year; or, if the qualified~~
 18 ~~organization held a license under IC 4-32.2-4-6, IC 4-32.2-4-7,~~
 19 ~~IC 4-32.2-4-8, IC 4-32.2-4-10, or IC 4-32.2-4-12, the fee must be based~~
 20 ~~on the adjusted gross revenue of the qualified organization from the~~
 21 ~~preceding event; and related activities; according to the following~~
 22 ~~schedule: is equal to the lesser of the following:~~

- 23 (1) **The product of:**
 24 (A) **the number of allowable events conducted by the**
 25 **qualified organization under the license; multiplied by**
 26 **(B) one thousand dollars (\$1,000).**
 27 (2) **The amount determined according to the following**
 28 **schedule using the qualified organization's total adjusted**
 29 **gross revenue from the allowable events conducted in the**
 30 **preceding year under a license renewed under this subsection:**

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

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1	K	\$ 400,000	\$ 500,000	\$ 5,000
2	L	\$ 500,000	\$ 750,000	\$ 6,750
3	M	\$ 750,000	\$ 1,000,000	\$ 9,000
4	N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
5	O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
6	P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
7	Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
8	R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
9	S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
10	T	\$ 2,500,000	\$ 3,000,000	\$ 24,000
11	U	\$ 3,000,000		\$ 26,000

(d) This subsection applies only 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. The license fee that is charged to a qualified organization that renews the license is equal to the lesser of the following:

(1) One thousand dollars (\$1,000).

(2) The amount determined according to the following schedule using the qualified organization's adjusted gross revenue from the preceding event:

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		\$ 1,000

SECTION 9. [EFFECTIVE JULY 1, 2011] (a) IC 4-32.2-6-3, as amended by this act, applies to a license renewed after June 30, 2011.

(b) This SECTION expires July 1, 2012.

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