
HOUSE BILL No. 1092

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-32.2.

Synopsis: Charity gaming. Allows patrons to deal the cards in certain poker games conducted at a charity game night. (Current law allows patrons to deal only in euchre games.) Specifies certain rules of play for poker played with patron dealers.

Effective: July 1, 2011.

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January 5, 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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HOUSE BILL No. 1092

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 4-32.2-2-23.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2011]: **Sec. 23.3. "Qualified card game"**
4 **refers to any of the following card games:**

- 5 (1) **Euchre.**
 - 6 (2) **Texas hold'em poker.**
 - 7 (3) **Omaha poker.**
- 8 SECTION 2. IC 4-32.2-3-3, AS AMENDED BY P.L.95-2008,
9 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2011]: Sec. 3. (a) The commission shall adopt rules under
11 IC 4-22-2 for the following purposes:
- 12 (1) Administering this article.
 - 13 (2) Establishing the conditions under which charity gaming in
14 Indiana may be conducted, including the manner in which a
15 qualified organization may supervise a ~~euchre~~ **qualified card**
16 **game** conducted under IC 4-32.2-5-14(b).
 - 17 (3) Providing for the prevention of practices detrimental to the



1 public interest and providing for the best interests of charity
 2 gaming.
 3 (4) Establishing rules concerning inspection of qualified
 4 organizations and the review of the licenses necessary to conduct
 5 charity gaming.
 6 (5) Imposing penalties for noncriminal violations of this article.
 7 (6) Establishing standards for independent audits conducted under
 8 IC 4-32.2-5-5.

9 (b) The commission may adopt emergency rules under
 10 IC 4-22-2-37.1 if the commission determines that:
 11 (1) the need for a rule is so immediate and substantial that
 12 rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36
 13 are inadequate to address the need; and
 14 (2) an emergency rule is likely to address the need.

15 SECTION 3. IC 4-32.2-5-14, AS AMENDED BY P.L.108-2009,
 16 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2011]: Sec. 14. (a) Except as provided by subsection (c), an
 18 operator or a worker may not directly or indirectly participate, other
 19 than in a capacity as an operator or a worker, in an allowable event that
 20 the operator or worker is conducting.

21 (b) A patron at a charity game night may deal the cards in a card
 22 game if:
 23 (1) the card game in which the patron deals the cards is a
 24 **qualified card game**; ~~of euchre~~;
 25 (2) the patron deals the cards in the manner required:
 26 **(A) by this article; and**
 27 **(B) in the ordinary course of the qualified card game; ~~of~~**
 28 **~~euchre~~; and**
 29 (3) the ~~euchre~~ **qualified card** game is played under the
 30 supervision of the qualified organization conducting the charity
 31 game night in accordance with rules adopted by the commission
 32 under IC 4-32.2-3-3.

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

36 (c) A worker at a festival event may participate as a player in any
 37 gaming activity offered at the festival event except as follows:
 38 (1) A worker may not participate in any game during the time in
 39 which the worker is conducting or helping to conduct the game.
 40 (2) A worker who conducts or helps to conduct a pull tab,
 41 punchboard, or tip board event during a festival event may not
 42 participate as a player in a pull tab, punchboard, or tip board

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1 event conducted on the same calendar day.
2 SECTION 4. IC 4-32.2-5-14.5 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2011]: **Sec. 14.5. The following rules of play**
5 **apply to a game of Texas hold'em poker or Omaha poker**
6 **conducted by a qualified organization under section 14(b) of this**
7 **chapter:**
8 (1) **The deck of cards must have a blank card on the bottom**
9 **of the deck.**
10 (2) **The dealer shall offer the deck of cards to the nearest**
11 **player on the dealer's right who must cut the deck.**
12 (3) **A permanent dealer shall deal the cards at the final table**
13 **of a tournament.**

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