



February 14, 2011

SENATE BILL No. 340

DIGEST OF SB 340 (Updated February 10, 2011 9:16 am - DI 110)

Citations Affected: IC 4-32.2; noncode.

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. Requires that an annual charity game night license must specify the dates of the permitted events. Specifies that an annual charity game night event is considered to begin at noon of the calendar day specified on the license and end at 11:59 a.m. of the immediately following calendar day. Provides that facilities and locations may not be used for more than three annual charity game night events per calendar week. Provides that a particular
(Continued next page)

Effective: July 1, 2011.

Kruse, Yoder, Alting, Hume

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.

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SB 340—LS 6611/DI 92+



Digest Continued

annual charity game night event is attributed to the calendar week in which the event is considered to begin. Excludes annual charity game night events from the application of a statute prohibiting a location or facility to be rented for more than three calendar days for allowable events. Specifies that the amount of the rent for facilities, locations, and personal property used for an annual charity game night event may not be based on the revenue generated from the event. Allows patrons to deal the cards in card games conducted at a charity game night. (Current law allows patrons to deal only in euchre games.) Increases the number of days that a qualified organization can conduct charity gaming under a festival license from four to five days.

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February 14, 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.

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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 **(1) A patron dealing euchre cards under IC 4-32.2-5-14(b).**
 2 **(2) A volunteer ticket agent.**
 3 SECTION 3. IC 4-32.2-3-3, AS AMENDED BY P.L.95-2008,
 4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2011]: Sec. 3. (a) The commission shall adopt rules under
 6 IC 4-22-2 for the following purposes:
 7 (1) Administering this article.
 8 (2) Establishing the conditions under which charity gaming in
 9 Indiana may be conducted, including the manner in which a
 10 qualified organization may supervise a ~~euchre~~ **card** game
 11 conducted under IC 4-32.2-5-14(b).
 12 (3) Providing for the prevention of practices detrimental to the
 13 public interest and providing for the best interests of charity
 14 gaming.
 15 (4) Establishing rules concerning inspection of qualified
 16 organizations and the review of the licenses necessary to conduct
 17 charity gaming.
 18 (5) Imposing penalties for noncriminal violations of this article.
 19 (6) Establishing standards for independent audits conducted under
 20 IC 4-32.2-5-5.
 21 (b) The commission may adopt emergency rules under
 22 IC 4-22-2-37.1 if the commission determines that:
 23 (1) the need for a rule is so immediate and substantial that
 24 rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36
 25 are inadequate to address the need; and
 26 (2) an emergency rule is likely to address the need.
 27 SECTION 4. IC 4-32.2-4-7.5, AS AMENDED BY P.L.108-2009,
 28 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2011]: Sec. 7.5. (a) This section applies only to a qualified
 30 organization described in subsection (h). The commission may issue an
 31 annual charity game night license to a qualified organization if:
 32 (1) the provisions of this section are satisfied; and
 33 (2) the qualified organization:
 34 (A) submits an application; and
 35 (B) pays a fee set by the commission under IC 4-32.2-6.
 36 (b) The commission may hold a public hearing to obtain input on
 37 the proposed issuance of an annual charity game night license to an
 38 applicant that has never held an annual charity game night license
 39 under this article.
 40 (c) The first time that a qualified organization applies for an annual
 41 charity game night license, the qualified organization shall publish
 42 notice that the application has been filed by publication at least two (2)

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1 times, seven (7) days apart, as follows:

2 (1) In one (1) newspaper in the county where the qualified

3 organization is located.

4 (2) In one (1) newspaper in the county where the allowable events

5 will be conducted.

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

7 following:

8 (1) The name of the qualified organization and the fact that it has

9 applied for an annual charity game night license.

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

11 (3) The names of the operator and officers of the qualified

12 organization.

13 (4) A statement that any person can protest the proposed issuance

14 of the annual charity game night license.

15 (5) A statement that the commission shall hold a public hearing

16 if ten (10) written and signed protest letters are received by the

17 commission.

18 (6) The address of the commission where correspondence

19 concerning the application may be sent.

20 (e) If the commission receives at least ten (10) protest letters, the

21 commission shall hold a public hearing in accordance with IC 5-14-1.5.

22 The commission shall issue a license or deny the application not later

23 than sixty (60) days after the date of the public hearing.

24 (f) A license issued under this section:

25 (1) may authorize the qualified organization to conduct charity

26 game night events on more than one (1) occasion during a period

27 of one (1) year;

28 (2) must state the **dates and** locations of the permitted charity

29 game night events;

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

31 (4) may be reissued annually upon the submission of an

32 application for reissuance on the form established by the

33 commission and upon the licensee's payment of a fee set by the

34 commission.

35 (g) Notwithstanding subsection (f)(4), the commission may hold a

36 public hearing for the reissuance of an annual charity game night

37 license if at least one (1) of the following conditions is met:

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

39 the commission.

40 (2) The commission receives at least ten (10) protest letters

41 concerning the qualified organization's charity game night

42 operation.

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1 (3) A public hearing is considered necessary by the commission.
 2 (h) A qualified organization may apply for an annual charity game
 3 night license under this section if the qualified organization is:
 4 (1) a bona fide fraternal organization; or
 5 (2) a bona fide veterans organization;
 6 that has been continuously in existence in Indiana for ten (10) years.
 7 (i) A facility or location may not be used for purposes of conducting
 8 ~~an more than three (3)~~ annual charity game night ~~event on more than~~
 9 ~~three (3) calendar days events~~ per calendar week regardless of the
 10 number of qualified organizations conducting an annual charity game
 11 night event at the facility or location. **For purposes of this subsection,**
 12 **a particular annual charity game night event is attributed to the**
 13 **calendar week in which the event is considered to begin.**
 14 (j) **An annual charity game night event is considered to:**
 15 (1) **begin at noon of the calendar day specified on the qualified**
 16 **organization's annual charity game night license; and**
 17 (2) **end at 11:59 a.m. of the immediately following calendar**
 18 **day.**
 19 (k) **The following apply to an annual charity game night event:**
 20 (1) **IC 4-32.2-5-8(a).**
 21 (2) **IC 4-32.2-5-8(c).**
 22 SECTION 5. IC 4-32.2-4-12, AS AMENDED BY P.L.227-2007,
 23 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2011]: Sec. 12. (a) The commission may issue a festival
 25 license to a qualified organization upon the organization's submission
 26 of an application and payment of a fee determined under IC 4-32.2-6.
 27 The license must authorize the qualified organization to conduct bingo
 28 events, charity game nights, raffle events, gambling events licensed
 29 under section 16 of this chapter, and door prize events and to sell pull
 30 tabs, punchboards, and tip boards. The license must state the location
 31 and the dates, not exceeding ~~four (4)~~ **five (5)** consecutive days, on
 32 which these activities may be conducted.
 33 (b) Except as provided in IC 4-32.2-5-6(c), a qualified organization
 34 may not conduct more than one (1) festival each year.
 35 (c) The raffle event authorized by a festival license is not subject to
 36 the prize limits set forth in this chapter. Bingo events, charity game
 37 nights, and door prize events conducted at a festival are subject to the
 38 prize limits set forth in this chapter.
 39 SECTION 6. IC 4-32.2-5-3, AS AMENDED BY P.L.227-2007,
 40 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2011]: Sec. 3. (a) All net proceeds from an allowable event
 42 and related activities may be used only for the lawful purposes of the

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1 qualified organization, **including paying the salaries and benefits of**
2 **the employees of the qualified organization.**

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

6 (1) An amount equal to the total value of the prizes, including
7 door prizes, awarded at the allowable event.

8 (2) The sum of the purchase prices paid for licensed supplies
9 dispensed at the allowable event.

10 (3) An amount equal to the qualified organization's license fees
11 attributable to the allowable event.

12 (4) An amount equal to the advertising expenses incurred by the
13 qualified organization to promote the allowable event.

14 (5) An amount not to exceed two hundred dollars (\$200) per day
15 for rent paid for facilities leased for an allowable event.

16 SECTION 7. IC 4-32.2-5-8, AS AMENDED BY P.L.108-2009,
17 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2011]: Sec. 8. (a) If a facility or location is leased for an
19 allowable event, the rent may not be based in whole or in part on the
20 revenue generated from the event.

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

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

30 SECTION 8. IC 4-32.2-5-11, AS ADDED BY P.L.91-2006,
31 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2011]: Sec. 11. An employee of the commission or a relative
33 living in the same household with the employee of the commission may
34 not be an operator, ~~or~~ a worker, **or a volunteer ticket agent.**

35 SECTION 9. IC 4-32.2-5-12, AS AMENDED BY P.L.227-2007,
36 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2011]: Sec. 12. (a) Except as provided in subsection (b) or (c),
38 an operator, ~~or~~ a worker, **or a volunteer ticket agent** who is not a
39 full-time employee may not receive remuneration for:

40 (1) conducting; or

41 (2) assisting in conducting;

42 an allowable event.

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- 1 (b) A qualified organization that conducts an allowable event may:
- 2 (1) provide meals for the operators and workers during the
- 3 allowable event; and
- 4 (2) provide recognition dinners and social events for the operators
- 5 and workers;

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

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

- 11 (1) participate in the sale and redemption of pull tabs,
- 12 punchboards, and tip boards on the premises of the qualified
- 13 organization; and
- 14 (2) receive the remuneration ordinarily provided to the employee
- 15 in the course of the employee's employment.

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

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

- 24 ~~(1) the card game in which the patron deals the cards is a game of~~
- 25 ~~euchre;~~
- 26 ~~(2) (1) the patron deals the cards in the manner required in the~~
- 27 ~~ordinary course of the card game; of euchre; and~~
- 28 ~~(3) (2) the euchre card game is played under the supervision of~~
- 29 ~~the qualified organization conducting the charity game night in~~
- 30 ~~accordance with rules adopted by the commission under~~
- 31 ~~IC 4-32.2-3-3.~~

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

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

- 37 (1) A worker may not participate in any game during the time in
- 38 which the worker is conducting or helping to conduct the game.
- 39 (2) A worker who conducts or helps to conduct a pull tab,
- 40 punchboard, or tip board event during a festival event may not
- 41 participate as a player in a pull tab, punchboard, or tip board
- 42 event conducted on the same calendar day.

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

5 (1) A qualified organization is not required to prequalify a
 6 person to serve as a volunteer ticket agent.

7 (2) A volunteer ticket agent may not sell pull tabs,
 8 punchboards, tip boards, or tickets to a qualified drawing.

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

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

13 SECTION 12. IC 4-32.2-5-28 IS ADDED TO THE INDIANA
 14 CODE AS A NEW SECTION TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2011]: **Sec. 28. (a) Subject to subsection (b),**
 16 **a qualified organization may accept credit cards at an allowable**
 17 **event for the purchase of:**

18 (1) food and beverages;

19 (2) merchandise; and

20 (3) retail goods and services offered at a benefit auction.

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

23 (1) chance to play any game of chance offered at an allowable
 24 event; or

25 (2) licensed supply.

26 SECTION 13. IC 4-32.2-6-3, AS AMENDED BY P.L.227-2007,
 27 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2011]: **Sec. 3. (a) ~~In the case of a qualified organization that~~**
 29 **is not subject to subsection (b); ~~the~~ This subsection does not apply to**
 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. A qualified**
 32 **organization's adjusted gross revenue is an amount equal to the**
 33 **difference between:**

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

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

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

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

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

- 16 (1) **The product of:**
- 17 (A) **the number of allowable events conducted by the**
- 18 **qualified organization under the license; multiplied by**
- 19 **(B) one thousand dollars (\$1,000).**
- 20 (2) **The amount determined according to the following**
- 21 **schedule using the qualified organization's total adjusted**
- 22 **gross revenue from the allowable events conducted in the**
- 23 **preceding year under a license renewed under this subsection:**

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
26 A	\$ 0	\$ 15,000	\$ 50
27 B	\$ 15,000	\$ 25,000	\$ 100
28 C	\$ 25,000	\$ 50,000	\$ 300
29 D	\$ 50,000	\$ 75,000	\$ 400
30 E	\$ 75,000	\$ 100,000	\$ 700
31 F	\$ 100,000	\$ 150,000	\$ 1,000
32 G	\$ 150,000	\$ 200,000	\$ 1,500
33 H	\$ 200,000	\$ 250,000	\$ 1,800
34 I	\$ 250,000	\$ 300,000	\$ 2,500
35 J	\$ 300,000	\$ 400,000	\$ 3,250
36 K	\$ 400,000	\$ 500,000	\$ 5,000
37 L	\$ 500,000	\$ 750,000	\$ 6,750
38 M	\$ 750,000	\$ 1,000,000	\$ 9,000
39 N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
40 O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
41 P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
42 Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000

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1	R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
2	S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
3	T	\$ 2,500,000	\$ 3,000,000	\$ 24,000
4	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 14. [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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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.

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