Reprinted
February 22, 2011

SENATE BILL No. 340

DIGEST OF SB 340 (Updated February 21, 2011 5:30 pm - DI 92)

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 reasonable salaries and benefits of a qualified organization's full-time 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 in the case of a license that authorizes a single event. Requires that an annual charity game night license must specify the day and location of the permitted events. 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

(Continued next page)

Effective: July 1, 2011.

Kruse, Yoder, Alting, Hume, Taylor, Broden

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, read second time, amended, ordered engrossed.

C o p y

Digest Continued

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 the gaming commission the name, address, and telephone number of each person who served as a volunteer ticket agent. 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 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.

C o p y

Reprinted
February 22, 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.

C o p y

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:

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

(1) receives no compensation from the qualified organization;

(2) sells tickets to an allowable event 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

(3) does not assist the qualified organization in conducting the allowable event in any other way.

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

(b) The following are not considered workers for the purposes

of this article:

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

(2) A volunteer ticket agent.

SECTION 3. IC 4-32.2-3-3, 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 ~~euchre~~ **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 under this article.

(c) The first time that a qualified organization applies for an annual charity game night license, the qualified organization shall publish

C o p y

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 ~~locations~~ **days and location** 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 the commission.

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

C o p y

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.

SECTION 6. 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

C o p y

and related activities may be used only for the lawful purposes of the qualified organization, **including paying the reasonable salaries and benefits of the full-time 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 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.

SECTION 8. 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 9. 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;

C o p y

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.

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

(1) participate in the sale and redemption of pull tabs, punchboards, and tip boards on the premises of the qualified organization; and

(2) receive the remuneration ordinarily provided to the employee in the course of the employee's employment.

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.

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

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

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

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

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

(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.

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

(1) food and beverages;

(2) merchandise; and

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

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

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

(2) licensed supply.

C o p y

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) **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.** The license fee that is charged to a qualified organization that renews the 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 qualified organization's total adjusted gross revenue from the allowable events conducted in the 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

C o p y

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

(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, or a single event license issued under IC 4-32.2-4-16. 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.

C o p y

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 ~~euchre~~ **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

C o p y

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

C o p y

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.".

C o p y

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

C o p y

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**

C o p y

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**

C o p y

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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