



February 17, 2012

**ENGROSSED
SENATE BILL No. 315**

DIGEST OF SB 315 (Updated February 15, 2012 12:43 pm - DI 14)

Citations Affected: IC 4-32.2.

Synopsis: Charity gaming. Establishes an annual comprehensive charity gaming license for national organizations and foundations meeting certain eligibility requirements. Permits the Indiana affiliates of a national organization or foundation to conduct raffle events and door prize events under a single annual comprehensive charity gaming license. Prescribes the following: (1) Who may serve as an operator or worker under the license. (2) The procedural requirements for obtaining the license. (3) The requirements for conducting particular events. (4) When a worker may purchase a raffle ticket at a raffle event conducted under the license. (5) Limits on the frequency of events. (6) (Continued next page)

Effective: July 1, 2012.

**Head, Buck, Randolph, Steele,
Leising**

(HOUSE SPONSORS — MESSMER, CHERRY)

January 5, 2012, read first time and referred to Committee on Public Policy.
January 26, 2012, amended, reported favorably — Do Pass.
January 30, 2012, read second time, amended, ordered engrossed.
January 31, 2012, engrossed. Read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

February 9, 2012, read first time and referred to Committee on Public Policy.
February 16, 2012, amended, reported — Do Pass.

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ES 315—LS 6673/DI 92+



Digest Continued

The method of determining an organization's initial license fee. (7) The method of determining an organization's license renewal fee. Reduces the time an organization must exist in Indiana before becoming eligible to obtain a charity gaming license from five years to three years. Provides that the initial license fee for a charity gaming license is \$50 for licenses other than the annual comprehensive charity gaming license. (Current law grants the IGC discretion to establish the initial license fee at an amount that may not exceed \$50, which is the amount the IGC has selected.) 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.) Prohibits a patron from playing at a table for which the patron deals the cards. Specifies rules applicable to games of Texas hold'em or Omaha poker in which a patron deals the cards. Requires the operator or a worker to deal the cards at the final table of a tournament.

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February 17, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 315

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 4-32.2-2-7.6 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2012]: **Sec. 7.6. "Bona fide national**
4 **foundation" refers to an organization that:**

- 5 (1) **operates without profit to the organization's members;**
- 6 (2) **is exempt from taxation under Section 501 of the Internal**
7 **Revenue Code;**
- 8 (3) **is related in both its mission and organization to a bona**
9 **fide national organization; and**
- 10 (4) **has provided grants to Indiana organizations in aggregate**
11 **amounts that annually exceed fifty thousand dollars (\$50,000)**
12 **in each of the three (3) calendar years preceding the calendar**
13 **year in which the organization applies for a license under this**
14 **article.**

15 SECTION 2. IC 4-32.2-2-7.7 IS ADDED TO THE INDIANA
16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2012]: **Sec. 7.7. "Bona fide national**

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1 **organization" refers to an organization that:**

- 2 (1) operates without profit to the organization's members;
 3 (2) is exempt from taxation under Section 501 of the Internal
 4 Revenue Code;
 5 (3) has a national membership; and
 6 (4) has been continuously in existence in Indiana for at least
 7 three (3) years.

8 SECTION 3. IC 4-32.2-2-18.6 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2012]: **Sec. 18.6. "Indiana affiliate" refers to**
 11 **either of the following:**

12 (1) An Indiana chapter or other subdivision of a bona fide
 13 national organization that:

14 (A) operates without profit to the organization's members;
 15 and

16 (B) is exempt from taxation under Section 501 of the
 17 Internal Revenue Code.

18 (2) An association, whether incorporated or not, or a
 19 committee of Indiana residents authorized by a bona fide
 20 national foundation to conduct allowable events and other
 21 fundraising events for the benefit of the bona fide national
 22 foundation.

23 SECTION 4. IC 4-32.2-2-23.3 IS ADDED TO THE INDIANA
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2012]: **Sec. 23.3. "Qualified card game"**
 26 **refers to any of the following card games:**

- 27 (1) Euchre.
 28 (2) Texas hold'em poker.
 29 (3) Omaha poker.

30 SECTION 5. IC 4-32.2-2-24, AS AMENDED BY P.L.108-2009,
 31 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2012]: **Sec. 24. (a) "Qualified organization" refers to any of**
 33 **the following:**

34 (1) A bona fide religious, educational, senior citizens, veterans,
 35 or civic organization operating in Indiana that:

- 36 (A) operates without profit to the organization's members;
 37 (B) is exempt from taxation under Section 501 of the Internal
 38 Revenue Code; and

39 (C) satisfies at least one (1) of the following requirements:

40 (i) The organization has been continuously in existence in
 41 Indiana for at least ~~five (5)~~ **three (3)** years.

42 (ii) The organization is affiliated with a parent organization

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- 1 that has been in existence in Indiana for at least ~~five (5)~~
 2 **three (3)** years.
- 3 (iii) The organization has reorganized and is continuing its
 4 mission under a new name on file with the Indiana secretary
 5 of state and with a new tax identification number after
 6 having satisfied the requirements set forth in either item (i)
 7 or (ii).
- 8 (2) A bona fide political organization operating in Indiana that
 9 produces exempt function income (as defined in Section 527 of
 10 the Internal Revenue Code).
- 11 (3) A state educational institution (as defined in IC 21-7-13-32).
- 12 **(4) A bona fide national organization operating in Indiana.**
 13 **(5) A bona fide national foundation.**
- 14 (b) For purposes of IC 4-32.2-4-3, a "qualified organization"
 15 includes the following:
 16 (1) A hospital licensed under IC 16-21.
 17 (2) A health facility licensed under IC 16-28.
 18 (3) A psychiatric facility licensed under IC 12-25.
 19 (4) An organization defined in subsection (a).
- 20 (c) For purposes of IC 4-32.2-4-10, a "qualified organization"
 21 includes a bona fide business organization.
- 22 (d) Evidence that an organization satisfies subsection (a)(1)(C)(iii)
 23 includes:
 24 (1) evidence of the organization's continued use of a service mark
 25 or trademarked logo associated with the organization's former
 26 name;
 27 (2) evidence of the continuity of the organization's activities as
 28 shown in the federal income tax returns filed for the organization's
 29 ~~five (5)~~ **three (3)** most recent taxable years;
 30 (3) evidence of the continuity of the organization's activities as
 31 shown by the ~~five (5)~~ **three (3)** most recent annual external
 32 financial reviews of the organization prepared by a certified
 33 public accountant; or
 34 (4) any other information considered sufficient by the
 35 commission.
- 36 **(e) Unless the construction is plainly repugnant to the intent of**
 37 **the general assembly or the context of the statute, "qualified**
 38 **organization" refers to an Indiana affiliate of a bona fide national**
 39 **organization or bona fide national foundation.**
- 40 SECTION 6. IC 4-32.2-2-30, AS AMENDED BY P.L.104-2011,
 41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2012]: Sec. 30. (a) Except as provided in subsection (b),

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1 "worker" means an individual who helps or participates in any manner
 2 in conducting or assisting in conducting an allowable event under this
 3 article.

4 (b) The following are not considered workers for the purposes of
 5 this article:

- 6 (1) A patron dealing ~~each~~ cards under IC 4-32.2-5-14(b).
- 7 (2) A volunteer ticket agent.

8 SECTION 7. 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, 2012]: 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 ~~each~~ **qualified card**
 16 game conducted under IC 4-32.2-5-14(b).
- 17 (3) Providing for the prevention of practices detrimental to the
 18 public interest and providing for the best interests of charity
 19 gaming.
- 20 (4) Establishing rules concerning inspection of qualified
 21 organizations and the review of the licenses necessary to conduct
 22 charity gaming.
- 23 (5) Imposing penalties for noncriminal violations of this article.
- 24 (6) Establishing standards for independent audits conducted under
 25 IC 4-32.2-5-5.

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

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

32 SECTION 8. IC 4-32.2-4-4, AS ADDED BY P.L.91-2006,
 33 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2012]: Sec. 4. (a) Each organization applying for a bingo
 35 license, a special bingo license, a charity game night license, a raffle
 36 license, a door prize drawing license, a festival license, or a license to
 37 conduct any other gambling event approved by the commission must
 38 submit to the commission a written application on a form prescribed by
 39 the commission. **An organization applying for an annual
 40 comprehensive charity gaming license must submit an application
 41 under section 19 of this chapter.**

42 (b) Except as provided in subsection (c), the application must

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1 include the information that the commission requires, including the
2 following:

- 3 (1) The name and address of the organization.
- 4 (2) The names and addresses of the officers of the organization.
- 5 (3) The type of event the organization proposes to conduct.
- 6 (4) The location where the organization will conduct the
7 allowable event.
- 8 (5) The dates and times for the proposed allowable event.
- 9 (6) Sufficient facts relating to the organization or the
10 organization's incorporation or founding to enable the commission
11 to determine whether the organization is a qualified organization.
- 12 (7) The name of each proposed operator and sufficient facts
13 relating to the proposed operator to enable the commission to
14 determine whether the proposed operator is qualified to serve as
15 an operator.
- 16 (8) A sworn statement signed by the presiding officer and
17 secretary of the organization attesting to the eligibility of the
18 organization for a license, including the nonprofit character of the
19 organization.
- 20 (9) Any other information considered necessary by the
21 commission.

22 (c) This subsection applies only to a qualified organization that
23 conducts only one (1) allowable event in a calendar year. The
24 commission may not require the inclusion in the qualified
25 organization's application of the Social Security numbers of the
26 workers who will participate in the qualified organization's proposed
27 allowable event. A qualified organization that files an application
28 described in this subsection must attach to the application a sworn
29 statement signed by the presiding officer and secretary of the
30 organization attesting that:

- 31 (1) the workers who will participate in the qualified organization's
32 proposed allowable event are eligible to participate under this
33 article; and
- 34 (2) the organization has not conducted any other allowable events
35 in the calendar year.

36 SECTION 9. IC 4-32.2-4-14, AS AMENDED BY P.L.227-2007,
37 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2012]: Sec. 14. **Except as provided in IC 4-32.2-5-29**, a
39 qualified organization may hold more than one (1) license at a time.

40 SECTION 10. IC 4-32.2-4-19 IS ADDED TO THE INDIANA
41 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2012]: **Sec. 19. (a) An organization applying**

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1 for an annual comprehensive charity gaming license must submit
 2 to the commission a written application on a form prescribed by
 3 the commission.

4 (b) The application must include the information the
 5 commission requires, including the following:

6 (1) The name and address of the organization.

7 (2) The names and addresses of the officers of the
 8 organization.

9 (3) The mailing address of each Indiana affiliate of the
 10 organization.

11 (4) An estimate of the number and approximate locations of
 12 the raffle events and door prize events the organization's
 13 Indiana affiliates plan to conduct.

14 (5) Sufficient facts relating to the organization or the
 15 organization's incorporation or founding to enable the
 16 commission to determine whether the organization is a bona
 17 fide national organization or a bona fide national foundation.

18 (6) The name of each proposed operator and sufficient facts
 19 relating to the proposed operator to enable the commission to
 20 determine whether the proposed operator is qualified to serve
 21 as an operator.

22 (7) A sworn statement signed by the presiding officer and
 23 secretary of the organization attesting to the eligibility of the
 24 organization for a license, including the nonprofit character
 25 of the organization.

26 SECTION 11. IC 4-32.2-4-20 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2012]: Sec. 20. (a) This section applies only
 29 to a qualified organization that is a:

30 (1) bona fide national organization; or

31 (2) bona fide national foundation.

32 (b) The commission may issue an annual comprehensive charity
 33 gaming license to a qualified organization if:

34 (1) the provisions of this section are satisfied; and

35 (2) the organization:

36 (A) submits an application in compliance with section 19 of
 37 this chapter; and

38 (B) pays a fee in the amount set by IC 4-32.2-6.

39 (c) A license issued under this section:

40 (1) may authorize the qualified organization to conduct raffle
 41 events and door prize events through the organization's
 42 Indiana affiliates on more than one (1) occasion during a

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- 1 **period of one (1) year;**
- 2 **(2) must state the expiration date of the license; and**
- 3 **(3) may be reissued annually upon the submission of an**
- 4 **application for reissuance on the form established by the**
- 5 **commission and upon the licensee's payment of a fee in the**
- 6 **amount set by IC 4-32.2-6.**

7 **(d) A license issued under this section authorizes a qualified**
 8 **organization to:**

9 **(1) conduct door prize drawings at a raffle event held under**
 10 **the license; and**

11 **(2) conduct raffles at a door prize event held under the license.**

12 SECTION 12. IC 4-32.2-5-1.5, AS ADDED BY P.L.95-2008,
 13 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2012]: Sec. 1.5. **(a)** For each allowable event conducted under
 15 this article, a qualified organization shall designate an individual to
 16 serve as the operator of the allowable event. An individual designated
 17 under this section:

18 **(1) must be qualified to serve as an operator under this article;**
 19 **and**

20 **(2) in the case of a qualified organization holding an annual**
 21 **comprehensive charity gaming license issued under**
 22 **IC 4-32.2-4-20, must be a member of the Indiana affiliate**
 23 **conducting the particular event.**

24 **(b) A qualified organization holding an annual comprehensive**
 25 **charity gaming license may do the following:**

26 **(1) Designate an individual qualified under subsection (a)(2)**
 27 **to serve as the operator of raffle events and door prize events**
 28 **conducted by two (2) or more Indiana affiliates of the**
 29 **qualified organization.**

30 **(2) Designate a full-time employee of the qualified**
 31 **organization as the operator of a raffle or door prize event**
 32 **conducted by an Indiana affiliate of the qualified organization**
 33 **if the employee is qualified under subsection (a)(2).**

34 SECTION 13. IC 4-32.2-5-5, AS AMENDED BY P.L.60-2009,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 5. (a) A qualified organization shall maintain
 37 accurate records of all financial aspects of an allowable event under
 38 this article. A qualified organization shall make accurate reports of all
 39 financial aspects of an allowable event to the commission within the
 40 time established by the commission. The commission may prescribe
 41 forms for this purpose. **A qualified organization conducting raffle**
 42 **events and door prize events under an annual comprehensive**

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1 **charity gaming license issued under IC 4-32.2-4-20 shall comply**
 2 **with the reporting requirements of this subsection in the manner**
 3 **specified by subsection (d).** For purposes of this section, a qualified
 4 organization is not required to record the name, signature, driver's
 5 license number, or other identifying information of a prize winner
 6 unless the qualified organization is required to withhold adjusted gross
 7 income tax from the prize winner under IC 6-3-4-8.2(d).

8 (b) The commission shall, by rule, require a qualified organization
 9 to deposit funds received from an allowable event in a separate and
 10 segregated account set up for that purpose. **A qualified organization**
 11 **conducting raffle events and door prize events under an annual**
 12 **comprehensive charity gaming license shall deposit the funds**
 13 **received from each raffle or door prize event conducted by its**
 14 **separate Indiana affiliates into a single account maintained by a**
 15 **financial institution physically located in Indiana.** All expenses of
 16 the qualified organization with respect to an allowable event shall be
 17 paid from the separate account.

18 (c) The commission may require a qualified organization to submit
 19 any records maintained under this section for an independent audit by
 20 a certified public accountant selected by the commission. A qualified
 21 organization must bear the cost of any audit required under this section.

22 **(d) The following reports must be submitted to the commission**
 23 **with respect to the raffle events and door prize events conducted**
 24 **under an annual comprehensive charity gaming license:**

25 **(1) An event summary report for each raffle or door prize**
 26 **event conducted under the license. Reports required under**
 27 **this subdivision may be submitted by the Indiana affiliate of**
 28 **the qualified organization.**

29 **(2) One (1) annual license financial report.**

30 **(3) One (1) annual license gross receipts report.**

31 SECTION 14. IC 4-32.2-5-6, AS AMENDED BY P.L.95-2008,
 32 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2012]: Sec. 6. (a) Except as provided in **section 29 of this**
 34 **chapter**, IC 4-32.2-4-9, and IC 4-32.2-4-16.5, a qualified organization
 35 may not conduct more than three (3) allowable events during a
 36 calendar week and not more than one (1) allowable event each day.

37 (b) Except as provided in **section 29 of this chapter**, IC 4-32.2-4-9,
 38 IC 4-32.2-4-12, and IC 4-32.2-4-16.5, allowable events may not be held
 39 on more than two (2) consecutive days.

40 (c) A qualified organization may conduct one (1) additional festival
 41 event during each six (6) months of a calendar year.

42 SECTION 15. IC 4-32.2-5-13, AS AMENDED BY P.L.60-2009,

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1 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 13. **(a) For purposes of this section, the Indiana
3 affiliates of a qualified organization holding an annual
4 comprehensive charity gaming license issued under IC 4-32.2-4-20
5 are not considered separate qualified organizations.**

6 ~~(a)~~ **(b)** An individual may not be an operator for more than three (3)
7 qualified organizations during a calendar month.

8 ~~(b)~~ **(c)** If an individual has previously served as an operator for
9 another qualified organization, the commission may require additional
10 information concerning the proposed operator to satisfy the
11 commission that the individual is a bona fide member of the qualified
12 organization.

13 SECTION 16. IC 4-32.2-5-14, AS AMENDED BY P.L.104-2011,
14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2012]: Sec. 14. (a) Except as provided by subsections (c) ~~and~~
16 ~~(d)~~, **through (e)**, an operator or a worker may not directly or indirectly
17 participate, other than in a capacity as an operator or a worker, in an
18 allowable event that the operator or worker is conducting.

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

- 21 (1) the card game in which the patron deals the cards is a
22 **qualified card game**; ~~of euchre~~;
- 23 (2) the patron deals the cards in the manner required in the
24 ordinary course of the **qualified card game**; ~~of euchre~~; and
- 25 (3) the ~~euchre~~ **qualified card game** is played under the
26 supervision of the qualified organization conducting the charity
27 game night in accordance with **section 14.5 of this chapter (in**
28 **the case of a game of Texas hold'em poker or Omaha poker)**
29 **and any** rules adopted by the commission under IC 4-32.2-3-3.

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

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

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

41 (d) A worker at a bingo event:

- 42 (1) whose duties are limited to:

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- 1 (A) selling bingo supplies;
- 2 (B) selling tickets for a door prize drawing or raffle conducted
- 3 at the bingo event; or
- 4 (C) the duties described in both clauses (A) and (B);
- 5 (2) who has completed all of the worker's duties before the start
- 6 of the first bingo game of the bingo event; and
- 7 (3) who is not engaged as a worker at any other time during the
- 8 bingo event;
- 9 may participate as a player in any gaming activity offered at the bingo
- 10 event following the completion of the worker's duties at the bingo
- 11 event.

12 (e) **A worker at a raffle event conducted by a qualified**

13 **organization holding an annual comprehensive charity gaming**

14 **license issued under IC 4-32.2-4-20 may purchase a raffle ticket for**

15 **a particular drawing at the raffle event unless:**

- 16 (1) **the worker personally sold tickets for; or**
- 17 (2) **the worker otherwise personally participated in the**
- 18 **conduct of;**

19 **that particular drawing.**

20 SECTION 17. IC 4-32.2-5-14.5 IS ADDED TO THE INDIANA

21 CODE AS A NEW SECTION TO READ AS FOLLOWS

22 [EFFECTIVE JULY 1, 2012]: **Sec. 14.5. The following rules apply**

23 **when a patron at a charity game night deals the cards in a game of**

24 **Texas hold'em poker or Omaha poker under section 14(b) of this**

25 **chapter:**

- 26 (1) **Patrons may take turns dealing, but a patron may not play**
- 27 **in a hand for which the patron deals the cards.**
- 28 (2) **The dealer shall submit the deck of cards to be cut to the**
- 29 **nearest player to the right of the dealer.**
- 30 (3) **A blank card must be at the bottom of the deck of cards.**
- 31 (4) **The operator or a worker shall deal the cards at the final**
- 32 **table of a tournament.**

33 SECTION 18. IC 4-32.2-5-15, AS ADDED BY P.L.91-2006,

34 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

35 JULY 1, 2012]: **Sec. 15. Except as provided in section 15.5 of this**

36 **chapter,** an operator must be a member in good standing of the

37 qualified organization that is conducting the allowable event for at least

38 one (1) year at the time of the allowable event.

39 SECTION 19. IC 4-32.2-5-15.5 IS ADDED TO THE INDIANA

40 CODE AS A NEW SECTION TO READ AS FOLLOWS

41 [EFFECTIVE JULY 1, 2012]: **Sec. 15.5. (a) This section applies only**

42 **to a qualified organization that is a bona fide national foundation.**

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1 (b) For purposes of section 15 of this chapter, an individual is
2 considered a member in good standing of the qualified
3 organization and an Indiana affiliate of the qualified organization
4 if the individual meets the following criteria:

- 5 (1) The individual is an Indiana resident.
- 6 (2) The individual has been a member in good standing of a
7 bona fide national organization that is related to the bona fide
8 national foundation for at least one (1) year.
- 9 (3) The individual's authority to serve as an operator for the
10 qualified organization has been acknowledged by the qualified
11 organization on a form prescribed by the commission.

12 (c) For purposes of section 16(a) of this chapter, an individual
13 is considered a member in good standing of the qualified
14 organization and an Indiana affiliate of the qualified organization
15 if the individual meets the following criteria:

- 16 (1) The individual is an Indiana resident.
- 17 (2) The individual has been a member in good standing of a
18 bona fide national organization that is related to the bona fide
19 national foundation for at least thirty (30) days.
- 20 (3) The individual's authority to serve as a worker for the
21 qualified organization has been acknowledged by the qualified
22 organization on a form prescribed by the commission.

23 SECTION 20. IC 4-32.2-5-16, AS AMENDED BY P.L.60-2009,
24 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2012]: Sec. 16. (a) Except as provided in:

- 26 (1) section 12(c) of this chapter;
- 27 (2) **section 15.5 of this chapter**; and
- 28 (3) subsection (b);

29 a worker at an allowable event must be a member in good standing of
30 the qualified organization that is conducting the allowable event for at
31 least thirty (30) days at the time of the allowable event.

32 (b) A qualified organization may allow an individual who is not a
33 member of the qualified organization to participate in an allowable
34 event as a worker if the individual is a full-time employee of the
35 qualified organization that is conducting the allowable event; or if:

- 36 (1) the individual is a member of another qualified organization;
37 and
- 38 (2) the individual's participation is approved by the commission.

39 A qualified organization may apply to the commission on a form
40 prescribed by the commission for approval of the participation of a
41 nonmember under this subsection. A qualified organization may share
42 the proceeds of an allowable event with the qualified organization in

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1 which a worker participating in the allowable event under this
 2 subsection is a member. The tasks that will be performed by an
 3 individual participating in an allowable event under this subsection and
 4 the amounts shared with the individual's qualified organization must be
 5 described in the application and approved by the commission.

6 (c) For purposes of:

- 7 (1) the licensing requirements of this article; and
 8 (2) section 9 of this chapter;

9 a qualified organization that receives a share of the proceeds of an
 10 allowable event described in subsection (b) is not considered to be
 11 conducting an allowable event.

12 SECTION 21. IC 4-32.2-5-29 IS ADDED TO THE INDIANA
 13 CODE AS A NEW SECTION TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2012]: **Sec. 29. (a) This section applies only**
 15 **to a qualified organization holding an annual comprehensive**
 16 **charity gaming license issued under IC 4-32.2-4-20.**

17 (b) **An Indiana affiliate of a qualified organization may conduct**
 18 **a raffle or door prize event without obtaining a separate license for**
 19 **itself. A raffle or door prize event conducted by the Indiana**
 20 **affiliate is considered an event conducted by the qualified**
 21 **organization.**

22 (c) **A qualified organization may conduct events under an**
 23 **annual comprehensive charity gaming license on more than two (2)**
 24 **consecutive days.**

25 (d) **An Indiana affiliate of the qualified organization may not**
 26 **conduct a raffle or door prize event under an annual**
 27 **comprehensive charity gaming license until the affiliate has been**
 28 **in existence in Indiana for three (3) years.**

29 (e) **Unless otherwise expressly provided, a requirement imposed**
 30 **upon the conduct of an allowable event by:**

- 31 (1) **this article; or**
 32 (2) **the rules of the commission;**

33 **applies to the conduct of a raffle or door prize event under an**
 34 **annual comprehensive charity gaming license.**

35 (f) **The following limitations apply to a qualified organization**
 36 **holding an annual comprehensive charity gaming license:**

- 37 (1) **The qualified organization may not conduct more than ten**
 38 **(10) events under the annual comprehensive charity gaming**
 39 **license per week through any combination of its Indiana**
 40 **affiliates.**

- 41 (2) **The qualified organization may not hold another license**
 42 **issued under IC 4-32.2-4-8, IC 4-32.2-4-9, IC 4-32.2-4-10, or**

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IC 4-32.2-4-11 while holding the annual comprehensive charity gaming license.

(3) Except as provided by section 31 of this chapter, the Indiana affiliates of the qualified organization may not hold another license issued under IC 4-32.2-4-8, IC 4-32.2-4-9, IC 4-32.2-4-10, or IC 4-32.2-4-11 while the qualified organization holds the annual comprehensive charity gaming license.

SECTION 22. IC 4-32.2-5-30 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 30. (a) A qualified organization conducting a raffle or door prize event under an annual comprehensive charity gaming license issued under IC 4-32.2-4-20 shall provide notice of the allowable event to the commission at least twenty-one (21) days before the day of the raffle or door prize event. The notice provided under this section must be on a form prescribed by the commission and must include the following information:**

- (1) The name and address of the Indiana affiliate conducting the raffle or door prize event.
- (2) The names and addresses of the officers of the Indiana affiliate.
- (3) Whether the Indiana affiliate will conduct a raffle event or a door prize event.
- (4) The location where the Indiana affiliate will conduct the raffle or door prize event.
- (5) The dates and times for the raffle or door prize event.
- (6) The name of the operator of the raffle or door prize event.
- (7) The signature of the presiding officer of the Indiana affiliate conducting the raffle or door prize event.

(b) A qualified organization conducting a raffle or door prize event under an annual comprehensive charity gaming license issued under IC 4-32.2-4-20 may not sell tickets for the raffle or door prize event before providing notice of the raffle or door prize event to the commission under subsection (a).

SECTION 23. IC 4-32.2-5-31 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 31. (a) This section applies only to an organization that is an Indiana affiliate of a bona fide national organization.**

(b) An organization may elect not to participate in charity gaming under an annual comprehensive charity gaming license

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1 obtained by the organization's parent bona fide national
2 organization under IC 4-32.2-4-20. The organization shall provide
3 notice of the election to the commission on a form prescribed by
4 the commission.

5 (c) An election under this section disqualifies the organization
6 from conducting a raffle event or door prize event under the
7 parent organization's annual comprehensive charity gaming
8 license for the term of the license.

9 (d) An organization making an election under this section may
10 participate in charity gaming if qualified and licensed under this
11 article in its own right. Except as provided in subsection (e), an
12 organization making an election under this section:

- 13 (1) is considered a separate qualified organization from its
- 14 parent bona fide national organization; and
- 15 (2) is not considered an Indiana affiliate of the parent bona
- 16 fide national organization.

17 (e) For purposes of determining under IC 4-32.2-6-2(b) or
18 IC 4-32.2-6-3(d) and IC 4-32.2-6-3.5, the amount of the fee for the
19 issuance or renewal of an annual comprehensive charity gaming
20 license, an organization making an election under this section is
21 considered an Indiana affiliate of the parent bona fide national
22 organization.

23 SECTION 24. IC 4-32.2-6-2, AS ADDED BY P.L.91-2006,
24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2012]: Sec. 2. (a) ~~The commission shall establish an initial~~
26 ~~license fee schedule. However, the license fee that is charged to a~~
27 ~~qualified organization in the first year that the qualified organization~~
28 ~~applies for a license may not exceed is:~~

- 29 (1) fifty dollars (\$50); or
- 30 (2) the amount determined under subsection (b) for a
- 31 qualified organization issued an annual comprehensive
- 32 charity gaming license for the first time.

33 (b) When a qualified organization is issued an annual
34 comprehensive charity gaming license under IC 4-32.2-4-20 for the
35 first time, the initial license fee is determined as follows:

- 36 (1) The fee is an amount equal to fifty dollars (\$50) per
- 37 Indiana affiliate in the case of a qualified organization that:
 - 38 (A) has not previously conducted an allowable event; and
 - 39 (B) consists of Indiana affiliates that have not previously
 - 40 conducted any allowable events.
- 41 (2) In the case of a qualified organization that includes at least
- 42 one (1) Indiana affiliate that conducted an allowable event

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before the date the qualified organization applies for an annual comprehensive charity gaming license, the fee is equal to the greatest of the following:

(A) An amount equal to the sum of the license renewal fees determined under section 3(c) of this chapter for the organization's Indiana affiliates in 2011.

(B) An amount equal to the sum of the license renewal fees determined under section 3(c) of this chapter for the organization's Indiana affiliates during the twelve (12) month period ending on the date the qualified organization's license application is filed.

(C) Fifty dollars (\$50) per Indiana affiliate.

SECTION 25. IC 4-32.2-6-3, AS AMENDED BY P.L.104-2011, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) 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 IC 4-32.2-4-20**, 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 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 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 the preceding event; 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 an annual comprehensive charity gaming license issued under IC 4-32.2-4-20.

The license fee that is charged to a qualified organization that renews a license 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	
A	\$ 0	\$ 15,000	\$ 50

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1	B	\$ 15,000	\$ 25,000	\$ 100
2	C	\$ 25,000	\$ 50,000	\$ 300
3	D	\$ 50,000	\$ 75,000	\$ 400
4	E	\$ 75,000	\$ 100,000	\$ 700
5	F	\$ 100,000	\$ 150,000	\$ 1,000
6	G	\$ 150,000	\$ 200,000	\$ 1,500
7	H	\$ 200,000	\$ 250,000	\$ 1,800
8	I	\$ 250,000	\$ 300,000	\$ 2,500
9	J	\$ 300,000	\$ 400,000	\$ 3,250
10	K	\$ 400,000	\$ 500,000	\$ 5,000
11	L	\$ 500,000	\$ 750,000	\$ 6,750
12	M	\$ 750,000	\$ 1,000,000	\$ 9,000
13	N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
14	O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
15	P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
16	Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
17	R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
18	S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
19	T	\$ 2,500,000	\$ 3,000,000	\$ 24,000
20	U	\$ 3,000,000		\$ 26,000

(d) This subsection applies only to the renewal of an annual comprehensive charity gaming license issued under IC 4-32.2-4-20. The license fee that is charged to a qualified organization that renews a license is equal to the amount determined according to the following schedule using the aggregate adjusted gross revenue of the Indiana affiliates of the qualified organization as specified by section 3.5 of this chapter:

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



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

9 SECTION 26. IC 4-32.2-6-3.5 IS ADDED TO THE INDIANA
10 CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2012]: Sec. 3.5. (a) This section applies only
12 to the renewal of an annual comprehensive charity gaming license
13 issued under IC 4-32.2-4-20.

14 (b) A qualified organization's adjusted gross revenue is an
15 amount equal to the difference between:

16 (1) the qualified organization's total gross revenue from
17 events conducted under the annual comprehensive charity
18 gaming license in the preceding year; minus
19 (2) the sum of any amounts deducted under
20 IC 4-32.2-5-3(b)(5) with respect to the events described in
21 subdivision (1) in the preceding year.

22 (c) For purposes of determining its adjusted gross revenue
23 under subsection (b), a qualified organization must aggregate:

24 (1) the gross revenue from all events conducted by the
25 qualified organization's Indiana affiliates under the qualified
26 organization's annual comprehensive charity gaming license
27 in a particular year; and
28 (2) the deductions taken with respect to the events described
29 in subdivision (1) by all of the qualified organization's Indiana
30 affiliates in a particular year.

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COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 315, 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, delete lines 6 through 7.

Page 1, line 8, delete "(3)" and insert "(2)".

Page 1, line 9, delete "(4)" and insert "(3)".

Page 1, line 11, delete "(5)" and insert "(4)".

Page 1, line 13, delete "(6)" and insert "(5)".

Page 2, delete lines 6 through 7.

Page 2, line 8, delete "(3)" and insert "(2)".

Page 2, line 9, delete "(4)" and insert "(3)".

Page 2, line 11, delete "(5)" and insert "(4)".

Page 2, line 12, delete "(6)" and insert "(5)".

Page 2, delete lines 20 through 21.

Page 2, line 22, delete "(B)" and insert "(A)".

Page 2, line 24, delete "(C)" and insert "(B)".

Page 5, delete lines 21 through 42.

Page 6, delete lines 1 through 6.

Page 6, delete line 22.

Page 6, line 23, delete "(4)" and insert "(3)".

Page 6, line 25, delete "(5) A description of the location and type of allowable" and insert "**(4) An estimate of the number and approximate locations of the raffle events and door prize**".

Page 6, line 27, delete "(6)" and insert "(5)".

Page 6, line 31, delete "(7)" and insert "(6)".

Page 6, line 35, delete "(8)" and insert "(7)".

Page 7, delete lines 10 through 13.

Page 7, line 14, delete "(d)" and insert "(c)".

Page 7, line 16, delete "allowable" and insert "**raffle events and door prize**".

Page 7, delete lines 23 through 27, begin a new paragraph and insert:

"(d) A license issued under this section authorizes a qualified organization to:

(1) conduct door prize drawings at a raffle event held under the license; and

(2) conduct raffles at a door prize event held under the license."

Page 8, line 1, delete "allowable" and insert "**raffle events and door**

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prize".

Page 8, line 4, delete "an allowable" and insert "**a raffle or door prize**".

Page 8, line 15, delete "allowable" and insert "**raffle events and door prize**".

Page 8, line 26, delete "allowable" and insert "**raffle events and door prize**".

Page 8, line 28, delete "allowable events" and insert "**each raffle or door prize event**".

Page 8, line 29, delete "." and insert "**maintained by a financial institution physically located in Indiana.**".

Page 8, line 36, delete "allowable" and insert "**raffle events and door prize**".

Page 8, line 38, delete "allowable" and insert "**raffle or door prize**".

Page 12, line 16, delete "an allowable" and insert "**a raffle or door prize**".

Page 12, line 17, delete "An allowable" and insert "**A raffle or door prize**".

Page 12, line 19, delete "allowable".

Page 12, line 19, after "events" insert "**under an annual comprehensive charity gaming license**".

Page 12, line 21, after "may" insert "**not conduct a raffle or door prize event under an annual comprehensive charity gaming license until the affiliate has been in existence in Indiana for three (3) years.**".

Page 12, delete lines 22 through 23.

Page 12, line 27, after "commission" insert ";".

Page 12, line 27, delete "(as in effect on January 1,".

Page 12, delete line 28.

Page 12, line 29, delete "an allowable" and insert "**a raffle or door prize**".

Page 12, line 34, delete "allowable".

Page 12, line 34, after "events" insert "**under the annual comprehensive charity gaming license**".

Page 12, line 34, delete "." and insert "**through any combination of its Indiana affiliates.**".

Page 12, delete lines 37 through 41.

Page 12, line 42, delete "(5)" and insert "(3)".

Page 13, line 1, delete "this article" and insert "**IC 4-32.2-4-8, IC 4-32.2-4-9, or IC 4-32.2-4-10**".

Page 13, line 3, delete "(6)" and insert "(4)".

Page 13, line 5, delete "this article" and insert "**IC 4-32.2-4-8,**



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IC 4-32.2-4-9, or IC 4-32.2-4-10".

Page 13, delete lines 8 through 9.

Page 13, line 13, delete "an allowable" and insert "**a raffle or door prize**".

Page 13, line 16, delete "allowable" and insert "**raffle or door prize**".

Page 13, line 20, delete "allowable" and insert "**raffle or door prize**".

Page 13, line 23, delete "The type of allowable event" and insert "**Whether**".

Page 13, line 24, delete "." and insert "**a raffle event or a door prize event**".

Page 13, line 26, delete "allowable" and insert "**raffle or door prize**".

Page 13, line 27, delete "allowable" and insert "**raffle or door prize**".

Page 13, line 28, delete "allowable" and insert "**raffle or door prize**".

Page 13, line 30, delete "allowable" and insert "**raffle or door prize**".

Page 13, line 31, delete "an allowable" and insert "**a raffle or door prize**".

Page 13, line 33, after "may" insert "**not**".

Page 13, line 33, delete "allowable" and insert "**raffle or door prize**".

Page 13, line 34, delete "allowable" and insert "**raffle or door prize**".

Page 14, line 6, delete "any allowable" and insert "**a raffle event or door prize**".

Page 17, line 17, delete "allowable".

Page 17, line 17, after "events" insert "**conducted under the annual comprehensive charity gaming license**".

Page 17, line 19, after "IC 4-32.2-5-3(b)(5)" insert "**with respect to the events described in subdivision (1)**".

Page 17, line 22, delete "allowable".

Page 17, line 23, after "affiliates" insert "**under the qualified organization's annual comprehensive charity gaming license**".

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Page 17, line 25, after "taken" insert "**with respect to the events described in subdivision (1)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 315 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 9, Nays 1.

SENATE MOTION

Madam President: I move that Senate Bill 315 be amended to read as follows:

Page 4, delete lines 39 through 42.

Page 5, delete lines 1 through 14.

Page 12, delete lines 5 through 6.

Page 12, line 7, delete "(3)" and insert "(2)".

Page 12, line 8, delete "or".

Page 12, line 8, after "IC 4-32.2-4-10" insert ", or IC 4-32.2-4-11".

Page 12, line 11, delete "(4)" and insert "(3)".

Page 12, line 13, delete "or".

Page 12, line 14, after "IC 4-32.2-4-10" insert ", or IC 4-32.2-4-11".

Renumber all SECTIONS consecutively.

(Reference is to SB 315 as printed January 27, 2012.)

HEAD

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 315, 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, delete line 5.

Page 1, line 6, delete "(2)" and insert "(1)".

Page 1, line 7, delete "(3)" and insert "(2)".

Page 1, line 9, delete "(4)" and insert "(3)".

Page 1, line 11, delete "(5)" and insert "(4)".

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Page 2, delete line 3.

Page 2, line 4, delete "(2)" and insert "(1)".

Page 2, line 5, delete "(3)" and insert "(2)".

Page 2, line 7, delete "(4)" and insert "(3)".

Page 2, line 8, delete "(5)" and insert "(4)".

Page 2, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 4. IC 4-32.2-2-23.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2012]: **Sec. 23.3. "Qualified card game" refers to any of the following card games:**

(1) Euchre.

(2) Texas hold'em poker.

(3) Omaha poker."

Page 3, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 6. IC 4-32.2-2-30, AS AMENDED BY P.L.104-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 30. (a) Except as provided in 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 7. IC 4-32.2-3-3, AS AMENDED BY P.L.95-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: 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~~ **qualified 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.

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(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."

Page 8, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 16. IC 4-32.2-5-14, AS AMENDED BY P.L.104-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) Except as provided by subsections (c) ~~and (d)~~, **through (e)**, 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 **qualified card** game; ~~of euchre~~;
- (2) the patron deals the cards in the manner required in the ordinary course of the **qualified card** game; ~~of euchre~~; and
- (3) the ~~euchre~~ **qualified card** game is played under the supervision of the qualified organization conducting the charity game night in accordance with **section 14.5 of this chapter (in the case of a game of Texas hold'em poker or Omaha poker) and any** rules adopted by the commission under IC 4-32.2-3-3.

A patron who deals the cards in a ~~euchre~~ **qualified 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 event conducted on the same calendar day.

(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);



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(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.

(e) A worker at a raffle event conducted by a qualified organization holding an annual comprehensive charity gaming license issued under IC 4-32.2-4-20 may purchase a raffle ticket for a particular drawing at the raffle event unless:

(1) the worker personally sold tickets for; or

(2) the worker otherwise personally participated in the conduct of;

that particular drawing.

SECTION 17. IC 4-32.2-5-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 14.5. The following rules apply when a patron at a charity game night deals the cards in a game of Texas hold'em poker or Omaha poker under section 14(b) of this chapter:**

(1) Patrons may take turns dealing, but a patron may not play in a hand for which the patron deals the cards.

(2) The dealer shall submit the deck of cards to be cut to the nearest player to the right of the dealer.

(3) A blank card must be at the bottom of the deck of cards.

(4) The operator or a worker shall deal the cards at the final table of a tournament."

Page 9, delete lines 1 through 20.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 315 as reprinted January 31, 2012.)

DAVIS, Chair

Committee Vote: yeas 8, nays 0.

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