
SENATE BILL No. 315

DIGEST OF INTRODUCED BILL

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 charity gaming 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 certain events. (6) 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.)

Effective: July 1, 2012.

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January 5, 2012, read first time and referred to Committee on Public Policy.

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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.

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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) was founded before 1995;**
 6 **(2) does not own real property in Indiana that is used to**
 7 **conduct allowable events;**
 8 **(3) operates without profit to the organization's members;**
 9 **(4) is exempt from taxation under Section 501 of the Internal**
 10 **Revenue Code;**
 11 **(5) is related in both its mission and organization to a bona**
 12 **fide national organization; and**
 13 **(6) has provided grants to Indiana organizations in aggregate**
 14 **amounts that annually exceed fifty thousand dollars (\$50,000)**
 15 **in each of the three (3) calendar years preceding the calendar**
 16 **year in which the organization applies for a license under this**
 17 **article.**



1 SECTION 2. IC 4-32.2-2-7.7 IS ADDED TO THE INDIANA
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2012]: **Sec. 7.7. "Bona fide national**
 4 **organization" refers to an organization that:**

- 5 (1) was founded before 1995;
 6 (2) does not own real property in Indiana that is used to
 7 conduct allowable events;
 8 (3) operates without profit to the organization's members;
 9 (4) is exempt from taxation under Section 501 of the Internal
 10 Revenue Code;
 11 (5) has a national membership; and
 12 (6) has been continuously in existence in Indiana for at least
 13 three (3) years.

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

- 18 (1) An Indiana chapter or other subdivision of a bona fide
 19 national organization that:
 20 (A) does not own real property in Indiana that is used to
 21 conduct allowable events;
 22 (B) operates without profit to the organization's members;
 23 and
 24 (C) is exempt from taxation under Section 501 of the
 25 Internal Revenue Code.
 26 (2) An association, whether incorporated or not, or a
 27 committee of Indiana residents authorized by a bona fide
 28 national foundation to conduct allowable events and other
 29 fundraising events for the benefit of the bona fide national
 30 foundation.

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

- 35 (1) A bona fide religious, educational, senior citizens, veterans,
 36 or civic organization operating in Indiana that:
 37 (A) operates without profit to the organization's members;
 38 (B) is exempt from taxation under Section 501 of the Internal
 39 Revenue Code; and
 40 (C) satisfies at least one (1) of the following requirements:
 41 (i) The organization has been continuously in existence in
 42 Indiana for at least ~~five (5)~~ **three (3)** years.

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- 1 (ii) The organization is affiliated with a parent organization
 2 that has been in existence in Indiana for at least ~~five (5)~~
 3 **three (3)** years.
- 4 (iii) The organization has reorganized and is continuing its
 5 mission under a new name on file with the Indiana secretary
 6 of state and with a new tax identification number after
 7 having satisfied the requirements set forth in either item (i)
 8 or (ii).
- 9 (2) A bona fide political organization operating in Indiana that
 10 produces exempt function income (as defined in Section 527 of
 11 the Internal Revenue Code).
- 12 (3) A state educational institution (as defined in IC 21-7-13-32).
- 13 **(4) A bona fide national organization operating in Indiana.**
- 14 **(5) A bona fide national foundation.**
- 15 (b) For purposes of IC 4-32.2-4-3, a "qualified organization"
 16 includes the following:
- 17 (1) A hospital licensed under IC 16-21.
- 18 (2) A health facility licensed under IC 16-28.
- 19 (3) A psychiatric facility licensed under IC 12-25.
- 20 (4) An organization defined in subsection (a).
- 21 (c) For purposes of IC 4-32.2-4-10, a "qualified organization"
 22 includes a bona fide business organization.
- 23 (d) Evidence that an organization satisfies subsection (a)(1)(C)(iii)
 24 includes:
- 25 (1) evidence of the organization's continued use of a service mark
 26 or trademarked logo associated with the organization's former
 27 name;
- 28 (2) evidence of the continuity of the organization's activities as
 29 shown in the federal income tax returns filed for the organization's
 30 ~~five (5)~~ **three (3)** most recent taxable years;
- 31 (3) evidence of the continuity of the organization's activities as
 32 shown by the ~~five (5)~~ **three (3)** most recent annual external
 33 financial reviews of the organization prepared by a certified
 34 public accountant; or
- 35 (4) any other information considered sufficient by the
 36 commission.
- 37 **(e) Unless the construction is plainly repugnant to the intent of**
 38 **the general assembly or the context of the statute, "qualified**
 39 **organization" refers to an Indiana affiliate of a bona fide national**
 40 **organization or bona fide national foundation.**
- 41 SECTION 5. IC 4-32.2-4-4, AS ADDED BY P.L.91-2006,
 42 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 4. (a) Each organization applying for a bingo
 2 license, a special bingo license, a charity game night license, a raffle
 3 license, a door prize drawing license, a festival license, or a license to
 4 conduct any other gambling event approved by the commission must
 5 submit to the commission a written application on a form prescribed by
 6 the commission. **An organization applying for an annual**
 7 **comprehensive charity gaming license must submit an application**
 8 **under section 19 of this chapter.**

9 (b) Except as provided in subsection (c), the application must
 10 include the information that the commission requires, including the
 11 following:

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

31 (c) This subsection applies only to a qualified organization that
 32 conducts only one (1) allowable event in a calendar year. The
 33 commission may not require the inclusion in the qualified
 34 organization's application of the Social Security numbers of the
 35 workers who will participate in the qualified organization's proposed
 36 allowable event. A qualified organization that files an application
 37 described in this subsection must attach to the application a sworn
 38 statement signed by the presiding officer and secretary of the
 39 organization attesting that:

- 40 (1) the workers who will participate in the qualified organization's
- 41 proposed allowable event are eligible to participate under this
- 42 article; and

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- 1 (2) the organization has not conducted any other allowable events
 2 in the calendar year.
- 3 SECTION 6. IC 4-32.2-4-12, AS AMENDED BY P.L.104-2011,
 4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2012]: Sec. 12. (a) The commission may issue a festival
 6 license to a qualified organization upon the organization's submission
 7 of an application and payment of a fee determined under IC 4-32.2-6.
 8 The license must authorize the qualified organization to conduct bingo
 9 events, charity game nights, raffle events, gambling events licensed
 10 under section 16 of this chapter, and door prize events and to sell pull
 11 tabs, punchboards, and tip boards. The license must state the location
 12 and the dates, not exceeding five (5) consecutive days, on which these
 13 activities may be conducted.
- 14 (b) Except as provided in IC 4-32.2-5-6(c) **and IC 4-32.2-5-29**, a
 15 qualified organization may not conduct more than one (1) festival each
 16 year.
- 17 (c) The raffle event authorized by a festival license is not subject to
 18 the prize limits set forth in this chapter. Bingo events, charity game
 19 nights, and door prize events conducted at a festival are subject to the
 20 prize limits set forth in this chapter.
- 21 SECTION 7. IC 4-32.2-4-13, AS AMENDED BY P.L.108-2009,
 22 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]: Sec. 13. (a) A bingo license or special bingo license
 24 may also authorize a qualified organization to conduct raffle events and
 25 door prize drawings and sell pull tabs, punchboards, and tip boards at
 26 the bingo event.
- 27 (b) A charity game night license may also authorize a qualified
 28 organization to:
- 29 (1) conduct raffle events and door prize drawings; and
 30 (2) sell pull tabs, punchboards, and tip boards;
 31 at the charity game night.
- 32 (c) A raffle license or an annual raffle license may also authorize a
 33 qualified organization to conduct door prize drawings and sell pull
 34 tabs, punchboards, and tip boards at the raffle event.
- 35 (d) A door prize license or an annual door prize license may also
 36 authorize a qualified organization to conduct a raffle event and to sell
 37 pull tabs, punchboards, and tip boards at the door prize event.
- 38 (e) A PPT license may also authorize a qualified organization to
 39 conduct on the premises described in section 16.5(b) of this chapter
 40 winner take all drawings and other qualified drawings in the manner
 41 required by IC 4-32.2-5-26.
- 42 (f) **An annual comprehensive charity gaming license issued**

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1 under section 20 of this chapter may also authorize a qualified
2 organization to:

- 3 (1) sell pull tabs, punchboards, and tip boards; and
4 (2) conduct raffle events and door prize drawings;
5 at an allowable event in accordance with subsections (a) through
6 (d).

7 SECTION 8. IC 4-32.2-4-14, AS AMENDED BY P.L.227-2007,
8 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2012]: Sec. 14. **Except as provided in IC 4-32.2-5-29**, a
10 qualified organization may hold more than one (1) license at a time.

11 SECTION 9. IC 4-32.2-4-19 IS ADDED TO THE INDIANA CODE
12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2012]: Sec. 19. (a) **An organization applying for an annual
14 comprehensive charity gaming license must submit to the
15 commission a written application on a form prescribed by the
16 commission.**

17 (b) **The application must include the information the
18 commission requires, including the following:**

- 19 (1) **The name and address of the organization.**
20 (2) **The names and addresses of the officers of the
21 organization.**
22 (3) **The types of events the organization proposes to conduct.**
23 (4) **The mailing address of each Indiana affiliate of the
24 organization.**
25 (5) **A description of the location and type of allowable events
26 the organization's Indiana affiliates plan to conduct.**
27 (6) **Sufficient facts relating to the organization or the
28 organization's incorporation or founding to enable the
29 commission to determine whether the organization is a bona
30 fide national organization or a bona fide national foundation.**
31 (7) **The name of each proposed operator and sufficient facts
32 relating to the proposed operator to enable the commission to
33 determine whether the proposed operator is qualified to serve
34 as an operator.**
35 (8) **A sworn statement signed by the presiding officer and
36 secretary of the organization attesting to the eligibility of the
37 organization for a license, including the nonprofit character
38 of the organization.**

39 SECTION 10. IC 4-32.2-4-20 IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2012]: Sec. 20. (a) **This section applies only
42 to a qualified organization that is a:**

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- 1 (1) bona fide national organization; or
 2 (2) bona fide national foundation.
 3 **(b) The commission may issue an annual comprehensive charity**
 4 **gaming license to a qualified organization if:**
 5 (1) the provisions of this section are satisfied; and
 6 (2) the organization:
 7 (A) submits an application in compliance with section 19 of
 8 this chapter; and
 9 (B) pays a fee in the amount set by IC 4-32.2-6.
 10 **(c) The commission may hold a public hearing to obtain input**
 11 **on the proposed issuance of an annual comprehensive charity**
 12 **gaming license to an applicant that has never held a license issued**
 13 **under this section.**
 14 **(d) A license issued under this section:**
 15 (1) may authorize the qualified organization to conduct
 16 allowable events through the organization's Indiana affiliates
 17 on more than one (1) occasion during a period of one (1) year;
 18 (2) must state the expiration date of the license; and
 19 (3) may be reissued annually upon the submission of an
 20 application for reissuance on the form established by the
 21 commission and upon the licensee's payment of a fee in the
 22 amount set by IC 4-32.2-6.
 23 **(e) Notwithstanding subsection (d)(3), the commission may hold**
 24 **a public hearing for the reissuance of an annual comprehensive**
 25 **charity gaming license if the commission receives at least ten (10)**
 26 **protest letters concerning the qualified organization's charity**
 27 **gaming operations.**
 28 SECTION 11. IC 4-32.2-5-1.5, AS ADDED BY P.L.95-2008,
 29 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2012]: Sec. 1.5. **(a) For each allowable event conducted under**
 31 **this article, a qualified organization shall designate an individual to**
 32 **serve as the operator of the allowable event. An individual designated**
 33 **under this section:**
 34 (1) must be qualified to serve as an operator under this article;
 35 **and**
 36 (2) **in the case of a qualified organization holding an annual**
 37 **comprehensive charity gaming license issued under**
 38 **IC 4-32.2-4-20, must be a member of the Indiana affiliate**
 39 **conducting the particular event.**
 40 **(b) A qualified organization holding an annual comprehensive**
 41 **charity gaming license may do the following:**
 42 (1) **Designate an individual qualified under subsection (a)(2)**

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1 to serve as the operator of allowable events conducted by two
2 (2) or more Indiana affiliates of the qualified organization.

3 (2) Designate a full-time employee of the qualified
4 organization as the operator of an allowable event conducted
5 by an Indiana affiliate of the qualified organization if the
6 employee is qualified under subsection (a)(2).

7 SECTION 12. IC 4-32.2-5-5, AS AMENDED BY P.L.60-2009,
8 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2012]: Sec. 5. (a) A qualified organization shall maintain
10 accurate records of all financial aspects of an allowable event under
11 this article. A qualified organization shall make accurate reports of all
12 financial aspects of an allowable event to the commission within the
13 time established by the commission. The commission may prescribe
14 forms for this purpose. **A qualified organization conducting
15 allowable events under an annual comprehensive charity gaming
16 license issued under IC 4-32.2-4-20 shall comply with the reporting
17 requirements of this subsection in the manner specified by
18 subsection (d).** For purposes of this section, a qualified organization
19 is not required to record the name, signature, driver's license number,
20 or other identifying information of a prize winner unless the qualified
21 organization is required to withhold adjusted gross income tax from the
22 prize winner under IC 6-3-4-8.2(d).

23 (b) The commission shall, by rule, require a qualified organization
24 to deposit funds received from an allowable event in a separate and
25 segregated account set up for that purpose. **A qualified organization
26 conducting allowable events under an annual comprehensive
27 charity gaming license shall deposit the funds received from
28 allowable events conducted by its separate Indiana affiliates into
29 a single account.** All expenses of the qualified organization with
30 respect to an allowable event shall be paid from the separate account.

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

35 **(d) The following reports must be submitted to the commission
36 with respect to the allowable events conducted under an annual
37 comprehensive charity gaming license:**

38 (1) An event summary report for each allowable event
39 conducted under the license. Reports required under this
40 subdivision may be submitted by the Indiana affiliate of the
41 qualified organization.

42 (2) One (1) annual license financial report.

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

2 SECTION 13. IC 4-32.2-5-6, AS AMENDED BY P.L.95-2008,
3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 6. (a) Except as provided in **section 29 of this**
5 **chapter**, IC 4-32.2-4-9, and IC 4-32.2-4-16.5, a qualified organization
6 may not conduct more than three (3) allowable events during a
7 calendar week and not more than one (1) allowable event each day.

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

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

13 SECTION 14. IC 4-32.2-5-13, AS AMENDED BY P.L.60-2009,
14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2012]: Sec. 13. **(a) For purposes of this section, the Indiana**
16 **affiliates of a qualified organization holding an annual**
17 **comprehensive charity gaming license issued under IC 4-32.2-4-20**
18 **are not considered separate qualified organizations.**

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

21 **(b) (c)** If an individual has previously served as an operator for
22 another qualified organization, the commission may require additional
23 information concerning the proposed operator to satisfy the
24 commission that the individual is a bona fide member of the qualified
25 organization.

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

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

34 (1) the card game in which the patron deals the cards is a game of
35 euchre;

36 (2) the patron deals the cards in the manner required in the
37 ordinary course of the game of euchre; and

38 (3) the euchre game is played under the supervision of the
39 qualified organization conducting the charity game night in
40 accordance with rules adopted by the commission under
41 IC 4-32.2-3-3.

42 A patron who deals the cards in a euchre game conducted under this

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1 subsection is not considered a worker or an operator for purposes of
2 this article.

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

5 (1) A worker may not participate in any game during the time in
6 which the worker is conducting or helping to conduct the game.

7 (2) A worker who conducts or helps to conduct a pull tab,
8 punchboard, or tip board event during a festival event may not
9 participate as a player in a pull tab, punchboard, or tip board
10 event conducted on the same calendar day.

11 (d) A worker at a bingo event:

12 (1) whose duties are limited to:

13 (A) selling bingo supplies;

14 (B) selling tickets for a door prize drawing or raffle conducted
15 at the bingo event; or

16 (C) the duties described in both clauses (A) and (B);

17 (2) who has completed all of the worker's duties before the start
18 of the first bingo game of the bingo event; and

19 (3) who is not engaged as a worker at any other time during the
20 bingo event;

21 may participate as a player in any gaming activity offered at the bingo
22 event following the completion of the worker's duties at the bingo
23 event.

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

28 (1) **the worker personally sold tickets for; or**

29 (2) **otherwise personally participated in the conduct of;**

30 **that particular drawing.**

31 SECTION 16. IC 4-32.2-5-15, AS ADDED BY P.L.91-2006,
32 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2012]: Sec. 15. **Except as provided in section 15.5 of this
34 chapter**, an operator must be a member in good standing of the
35 qualified organization that is conducting the allowable event for at least
36 one (1) year at the time of the allowable event.

37 SECTION 17. IC 4-32.2-5-15.5 IS ADDED TO THE INDIANA
38 CODE AS A NEW SECTION TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2012]: **Sec. 15.5. (a) This section applies only
40 to a qualified organization that is a bona fide national foundation.**

41 **(b) For purposes of section 15 of this chapter, an individual is
42 considered a member in good standing of the qualified**

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1 organization and an Indiana affiliate of the qualified organization
2 if the individual meets the following criteria:

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

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

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

21 SECTION 18. IC 4-32.2-5-16, AS AMENDED BY P.L.60-2009,
22 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2012]: Sec. 16. (a) Except as provided in:

- 24 (1) section 12(c) of this chapter;
- 25 (2) section 15.5 of this chapter; and
- 26 (3) subsection (b);

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

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

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

37 A qualified organization may apply to the commission on a form
38 prescribed by the commission for approval of the participation of a
39 nonmember under this subsection. A qualified organization may share
40 the proceeds of an allowable event with the qualified organization in
41 which a worker participating in the allowable event under this
42 subsection is a member. The tasks that will be performed by an

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1 individual participating in an allowable event under this subsection and
 2 the amounts shared with the individual's qualified organization must be
 3 described in the application and approved by the commission.

4 (c) For purposes of:

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

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

10 SECTION 19. IC 4-32.2-5-29 IS ADDED TO THE INDIANA
 11 CODE AS A NEW SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2012]: **Sec. 29. (a) This section applies only
 13 to a qualified organization holding an annual comprehensive
 14 charity gaming license issued under IC 4-32.2-4-20.**

15 **(b) An Indiana affiliate of a qualified organization may conduct
 16 an allowable event without obtaining a separate license for itself.
 17 An allowable event conducted by the Indiana affiliate is considered
 18 an event conducted by the qualified organization.**

19 **(c) A qualified organization may conduct allowable events on
 20 more than two (2) consecutive days.**

21 **(d) An Indiana affiliate of the qualified organization may
 22 conduct an allowable event regardless of how long the Indiana
 23 affiliate has been in existence.**

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

- 26 (1) this article; or
- 27 (2) the rules of the commission (as in effect on January 1,
 28 2012);

29 **applies to the conduct of an allowable event under an annual
 30 comprehensive charity gaming license.**

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

- 33 (1) The qualified organization may not conduct more than ten
 34 (10) allowable events per week.
- 35 (2) The qualified organization may not conduct more than six
 36 (6) charity game night events per year.
- 37 (3) An Indiana affiliate of the qualified organization may not
 38 conduct more than three (3) festival events per year.
- 39 (4) The qualified organization may not sell pull tabs,
 40 punchboards, and tip boards except at a festival event and in
 41 conjunction with other events as permitted by IC 4-32.2-4-13.
- 42 (5) The qualified organization may not hold another license

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issued under this article while holding the annual comprehensive charity gaming license.

(6) Except as provided by section 31 of this chapter, the Indiana affiliates of the qualified organization may not hold another license issued under this article while the qualified organization holds the annual comprehensive charity gaming license.

(7) IC 4-32.2-4-3 does not apply to the qualified organization or any of its Indiana affiliates.

SECTION 20. 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 an allowable 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 allowable 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 allowable event.
- (2) The names and addresses of the officers of the Indiana affiliate.
- (3) The type of allowable event the Indiana affiliate will conduct.
- (4) The location where the Indiana affiliate will conduct the allowable event.
- (5) The dates and times for the allowable event.
- (6) The name of the operator of the allowable event.
- (7) The signature of the presiding officer of the Indiana affiliate conducting the allowable event.

(b) A qualified organization conducting an allowable event under an annual comprehensive charity gaming license issued under IC 4-32.2-4-20 may sell tickets for the allowable event before providing notice of the allowable event to the commission under subsection (a).

SECTION 21. 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 any allowable event under the parent
7 organization's annual comprehensive charity gaming license for
8 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 22. 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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1 before the date the qualified organization applies for an
2 annual comprehensive charity gaming license, the fee is equal
3 to the greatest of the following:

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

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

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

13 SECTION 23. IC 4-32.2-6-3, AS AMENDED BY P.L.104-2011,
14 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2012]: Sec. 3. (a) This subsection does not apply to the
16 renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7,
17 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**,
18 or a single event license issued under IC 4-32.2-4-16. A qualified
19 organization's adjusted gross revenue is an amount equal to the
20 difference between:

21 (1) the qualified organization's total gross revenue from allowable
22 events in the preceding year; minus

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

25 (b) This subsection applies only to the renewal of a license issued
26 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
27 IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16.
28 A qualified organization's adjusted gross revenue is an amount equal
29 to the difference between:

30 (1) the qualified organization's total gross revenue from the
31 preceding event; minus

32 (2) any amount deducted under IC 4-32.2-5-3(b)(5) for the
33 preceding event.

34 (c) **This subsection does not apply to the renewal of an annual
35 comprehensive charity gaming license issued under IC 4-32.2-4-20.**

36 The license fee that is charged to a qualified organization that renews
37 a license is equal to the amount determined according to the following
38 schedule using the adjusted gross revenue of the qualified organization
39 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	\$ 15,000	\$ 50
31	B	\$ 15,000	\$ 25,000	\$ 100
32	C	\$ 25,000	\$ 50,000	\$ 300
33	D	\$ 50,000	\$ 75,000	\$ 400
34	E	\$ 75,000	\$ 100,000	\$ 700
35	F	\$ 100,000	\$ 150,000	\$ 1,000
36	G	\$ 150,000	\$ 200,000	\$ 1,500
37	H	\$ 200,000	\$ 250,000	\$ 1,800
38	I	\$ 250,000	\$ 300,000	\$ 2,500
39	J	\$ 300,000	\$ 400,000	\$ 3,250
40	K	\$ 400,000	\$ 500,000	\$ 5,000
41	L	\$ 500,000	\$ 750,000	\$ 6,750
42	M	\$ 750,000	\$ 1,000,000	\$ 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 24. 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 **allowable events in the preceding year; minus**

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

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

22 **(1) the gross revenue from all allowable events conducted by**
23 **the qualified organization's Indiana affiliates in a particular**
24 **year; and**

25 **(2) the deductions taken by all of the qualified organization's**
26 **Indiana affiliates in a particular year.**

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