



January 27, 2012

# SENATE BILL No. 315

DIGEST OF SB 315 (Updated January 26, 2012 10:15 am - DI 110)

**Citations Affected:** IC 4-32.2; noncode.

**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) 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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## Head, Randolph

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January 5, 2012, read first time and referred to Committee on Public Policy.  
January 26, 2012, amended, reported favorably — Do Pass.

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SB 315—LS 6673/DI 92+



January 27, 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.

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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) **operates without profit to the organization's members;**  
7 (3) **is exempt from taxation under Section 501 of the Internal**  
8 **Revenue Code;**  
9 (4) **is related in both its mission and organization to a bona**  
10 **fide national organization; and**  
11 (5) **has provided grants to Indiana organizations in aggregate**  
12 **amounts that annually exceed fifty thousand dollars (\$50,000)**  
13 **in each of the three (3) calendar years preceding the calendar**  
14 **year in which the organization applies for a license under this**  
15 **article.**  
16 SECTION 2. IC 4-32.2-2-7.7 IS ADDED TO THE INDIANA  
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS

SB 315—LS 6673/DI 92+



1 [EFFECTIVE JULY 1, 2012]: **Sec. 7.7. "Bona fide national**  
 2 **organization" refers to an organization that:**

- 3 (1) **was founded before 1995;**  
 4 (2) **operates without profit to the organization's members;**  
 5 (3) **is exempt from taxation under Section 501 of the Internal**  
 6 **Revenue Code;**  
 7 (4) **has a national membership; and**  
 8 (5) **has been continuously in existence in Indiana for at least**  
 9 **three (3) years.**

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

- 14 (1) **An Indiana chapter or other subdivision of a bona fide**  
 15 **national organization that:**  
 16 (A) **operates without profit to the organization's members;**  
 17 **and**  
 18 (B) **is exempt from taxation under Section 501 of the**  
 19 **Internal Revenue Code.**  
 20 (2) **An association, whether incorporated or not, or a**  
 21 **committee of Indiana residents authorized by a bona fide**  
 22 **national foundation to conduct allowable events and other**  
 23 **fundraising events for the benefit of the bona fide national**  
 24 **foundation.**

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

- 29 (1) **A bona fide religious, educational, senior citizens, veterans,**  
 30 **or civic organization operating in Indiana that:**  
 31 (A) **operates without profit to the organization's members;**  
 32 (B) **is exempt from taxation under Section 501 of the Internal**  
 33 **Revenue Code; and**  
 34 (C) **satisfies at least one (1) of the following requirements:**  
 35 (i) **The organization has been continuously in existence in**  
 36 **Indiana for at least ~~five (5)~~ three (3) years.**  
 37 (ii) **The organization is affiliated with a parent organization**  
 38 **that has been in existence in Indiana for at least ~~five (5)~~**  
 39 **three (3) years.**  
 40 (iii) **The organization has reorganized and is continuing its**  
 41 **mission under a new name on file with the Indiana secretary**  
 42 **of state and with a new tax identification number after**



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- 1           having satisfied the requirements set forth in either item (i)  
 2           or (ii).
- 3           (2) A bona fide political organization operating in Indiana that  
 4           produces exempt function income (as defined in Section 527 of  
 5           the Internal Revenue Code).
- 6           (3) A state educational institution (as defined in IC 21-7-13-32).
- 7           **(4) A bona fide national organization operating in Indiana.**
- 8           **(5) A bona fide national foundation.**
- 9           (b) For purposes of IC 4-32.2-4-3, a "qualified organization"  
 10          includes the following:
- 11           (1) A hospital licensed under IC 16-21.
- 12           (2) A health facility licensed under IC 16-28.
- 13           (3) A psychiatric facility licensed under IC 12-25.
- 14           (4) An organization defined in subsection (a).
- 15          (c) For purposes of IC 4-32.2-4-10, a "qualified organization"  
 16          includes a bona fide business organization.
- 17          (d) Evidence that an organization satisfies subsection (a)(1)(C)(iii)  
 18          includes:
- 19           (1) evidence of the organization's continued use of a service mark  
 20           or trademarked logo associated with the organization's former  
 21           name;
- 22           (2) evidence of the continuity of the organization's activities as  
 23           shown in the federal income tax returns filed for the organization's  
 24           ~~five (5)~~ **three (3)** most recent taxable years;
- 25           (3) evidence of the continuity of the organization's activities as  
 26           shown by the ~~five (5)~~ **three (3)** most recent annual external  
 27           financial reviews of the organization prepared by a certified  
 28           public accountant; or
- 29           (4) any other information considered sufficient by the  
 30           commission.
- 31          **(e) Unless the construction is plainly repugnant to the intent of**  
 32          **the general assembly or the context of the statute, "qualified**  
 33          **organization" refers to an Indiana affiliate of a bona fide national**  
 34          **organization or bona fide national foundation.**
- 35          SECTION 5. IC 4-32.2-4-4, AS ADDED BY P.L.91-2006,  
 36          SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37          JULY 1, 2012]: Sec. 4. (a) Each organization applying for a bingo  
 38          license, a special bingo license, a charity game night license, a raffle  
 39          license, a door prize drawing license, a festival license, or a license to  
 40          conduct any other gambling event approved by the commission must  
 41          submit to the commission a written application on a form prescribed by  
 42          the commission. **An organization applying for an annual**



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**comprehensive charity gaming license must submit an application under section 19 of this chapter.**

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

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

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

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

SECTION 6. IC 4-32.2-4-12, AS AMENDED BY P.L.104-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) The commission may issue a festival license to a qualified organization upon the organization's submission

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1 of an application and payment of a fee determined under IC 4-32.2-6.  
 2 The license must authorize the qualified organization to conduct bingo  
 3 events, charity game nights, raffle events, gambling events licensed  
 4 under section 16 of this chapter, and door prize events and to sell pull  
 5 tabs, punchboards, and tip boards. The license must state the location  
 6 and the dates, not exceeding five (5) consecutive days, on which these  
 7 activities may be conducted.

8 (b) Except as provided in IC 4-32.2-5-6(c) **and IC 4-32.2-5-29**, a  
 9 qualified organization may not conduct more than one (1) festival each  
 10 year.

11 (c) The raffle event authorized by a festival license is not subject to  
 12 the prize limits set forth in this chapter. Bingo events, charity game  
 13 nights, and door prize events conducted at a festival are subject to the  
 14 prize limits set forth in this chapter.

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

19 SECTION 8. IC 4-32.2-4-19 IS ADDED TO THE INDIANA CODE  
 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 21 1, 2012]: Sec. 19. **(a) An organization applying for an annual  
 22 comprehensive charity gaming license must submit to the  
 23 commission a written application on a form prescribed by the  
 24 commission.**

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

27 **(1) The name and address of the organization.**

28 **(2) The names and addresses of the officers of the  
 29 organization.**

30 **(3) The mailing address of each Indiana affiliate of the  
 31 organization.**

32 **(4) An estimate of the number and approximate locations of  
 33 the raffle events and door prize events the organization's  
 34 Indiana affiliates plan to conduct.**

35 **(5) Sufficient facts relating to the organization or the  
 36 organization's incorporation or founding to enable the  
 37 commission to determine whether the organization is a bona  
 38 fide national organization or a bona fide national foundation.**

39 **(6) The name of each proposed operator and sufficient facts  
 40 relating to the proposed operator to enable the commission to  
 41 determine whether the proposed operator is qualified to serve  
 42 as an operator.**



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1           **(7) A sworn statement signed by the presiding officer and**  
 2           **secretary of the organization attesting to the eligibility of the**  
 3           **organization for a license, including the nonprofit character**  
 4           **of the organization.**

5           SECTION 9. IC 4-32.2-4-20 IS ADDED TO THE INDIANA CODE  
 6           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 7           1, 2012]: **Sec. 20. (a) This section applies only to a qualified**  
 8           **organization that is a:**

- 9           **(1) bona fide national organization; or**  
 10           **(2) bona fide national foundation.**

11           **(b) The commission may issue an annual comprehensive charity**  
 12           **gaming license to a qualified organization if:**

- 13           **(1) the provisions of this section are satisfied; and**  
 14           **(2) the organization:**

15           **(A) submits an application in compliance with section 19 of**  
 16           **this chapter; and**

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

18           **(c) A license issued under this section:**

19           **(1) may authorize the qualified organization to conduct raffle**  
 20           **events and door prize events through the organization's**  
 21           **Indiana affiliates on more than one (1) occasion during a**  
 22           **period of one (1) year;**

23           **(2) must state the expiration date of the license; and**

24           **(3) may be reissued annually upon the submission of an**  
 25           **application for reissuance on the form established by the**  
 26           **commission and upon the licensee's payment of a fee in the**  
 27           **amount set by IC 4-32.2-6.**

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

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

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

33           SECTION 10. IC 4-32.2-5-1.5, AS ADDED BY P.L.95-2008,  
 34           SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35           JULY 1, 2012]: **Sec. 1.5. (a) For each allowable event conducted under**  
 36           **this article, a qualified organization shall designate an individual to**  
 37           **serve as the operator of the allowable event. An individual designated**  
 38           **under this section:**

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

41           **(2) in the case of a qualified organization holding an annual**  
 42           **comprehensive charity gaming license issued under**

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IC 4-32.2-4-20, must be a member of the Indiana affiliate conducting the particular event.

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

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

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

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

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

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

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

4 (1) An event summary report for each raffle or door prize  
5 event conducted under the license. Reports required under  
6 this subdivision may be submitted by the Indiana affiliate of  
7 the qualified organization.

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

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

10 SECTION 12. IC 4-32.2-5-6, AS AMENDED BY P.L.95-2008,  
11 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2012]: Sec. 6. (a) Except as provided in **section 29 of this**  
13 **chapter**, IC 4-32.2-4-9, and IC 4-32.2-4-16.5, a qualified organization  
14 may not conduct more than three (3) allowable events during a  
15 calendar week and not more than one (1) allowable event each day.

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

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

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

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

29 ~~(b)~~ **(c)** If an individual has previously served as an operator for  
30 another qualified organization, the commission may require additional  
31 information concerning the proposed operator to satisfy the  
32 commission that the individual is a bona fide member of the qualified  
33 organization.

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

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

42 (1) the card game in which the patron deals the cards is a game of

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- 1           euchre;
- 2           (2) the patron deals the cards in the manner required in the
- 3           ordinary course of the game of euchre; and
- 4           (3) the euchre game is played under the supervision of the
- 5           qualified organization conducting the charity game night in
- 6           accordance with rules adopted by the commission under
- 7           IC 4-32.2-3-3.
- 8           A patron who deals the cards in a euchre game conducted under this
- 9           subsection is not considered a worker or an operator for purposes of
- 10          this article.
- 11          (c) A worker at a festival event may participate as a player in any
- 12          gaming activity offered at the festival event except as follows:
- 13               (1) A worker may not participate in any game during the time in
- 14               which the worker is conducting or helping to conduct the game.
- 15               (2) A worker who conducts or helps to conduct a pull tab,
- 16               punchboard, or tip board event during a festival event may not
- 17               participate as a player in a pull tab, punchboard, or tip board
- 18               event conducted on the same calendar day.
- 19          (d) A worker at a bingo event:
- 20               (1) whose duties are limited to:
- 21                       (A) selling bingo supplies;
- 22                       (B) selling tickets for a door prize drawing or raffle conducted
- 23                       at the bingo event; or
- 24                       (C) the duties described in both clauses (A) and (B);
- 25               (2) who has completed all of the worker's duties before the start
- 26               of the first bingo game of the bingo event; and
- 27               (3) who is not engaged as a worker at any other time during the
- 28               bingo event;
- 29          may participate as a player in any gaming activity offered at the bingo
- 30          event following the completion of the worker's duties at the bingo
- 31          event.
- 32          (e) **A worker at a raffle event conducted by a qualified**
- 33          **organization holding an annual comprehensive charity gaming**
- 34          **license issued under IC 4-32.2-4-20 may purchase a raffle ticket for**
- 35          **a particular drawing at the raffle event unless:**
- 36               **(1) the worker personally sold tickets for; or**
- 37               **(2) otherwise personally participated in the conduct of;**
- 38          **that particular drawing.**
- 39          SECTION 15. IC 4-32.2-5-15, AS ADDED BY P.L.91-2006,
- 40          SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41          JULY 1, 2012]: Sec. 15. **Except as provided in section 15.5 of this**
- 42          **chapter, an operator must be a member in good standing of the**

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1 qualified organization that is conducting the allowable event for at least  
2 one (1) year at the time of the allowable event.

3 SECTION 16. IC 4-32.2-5-15.5 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2012]: **Sec. 15.5. (a) This section applies only  
6 to a qualified organization that is a bona fide national foundation.**

7 **(b) For purposes of section 15 of this chapter, an individual is  
8 considered a member in good standing of the qualified  
9 organization and an Indiana affiliate of the qualified organization  
10 if the individual meets the following criteria:**

- 11 **(1) The individual is an Indiana resident.**
- 12 **(2) The individual has been a member in good standing of a  
13 bona fide national organization that is related to the bona fide  
14 national foundation for at least one (1) year.**
- 15 **(3) The individual's authority to serve as an operator for the  
16 qualified organization has been acknowledged by the qualified  
17 organization on a form prescribed by the commission.**

18 **(c) For purposes of section 16(a) of this chapter, an individual  
19 is considered a member in good standing of the qualified  
20 organization and an Indiana affiliate of the qualified organization  
21 if the individual meets the following criteria:**

- 22 **(1) The individual is an Indiana resident.**
- 23 **(2) The individual has been a member in good standing of a  
24 bona fide national organization that is related to the bona fide  
25 national foundation for at least thirty (30) days.**
- 26 **(3) The individual's authority to serve as a worker for the  
27 qualified organization has been acknowledged by the qualified  
28 organization on a form prescribed by the commission.**

29 SECTION 17. IC 4-32.2-5-16, AS AMENDED BY P.L.60-2009,  
30 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2012]: **Sec. 16. (a) Except as provided in:**

- 32 **(1) section 12(c) of this chapter;**
- 33 **(2) section 15.5 of this chapter; and**
- 34 **(3) subsection (b);**

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

38 **(b) A qualified organization may allow an individual who is not a  
39 member of the qualified organization to participate in an allowable  
40 event as a worker if the individual is a full-time employee of the  
41 qualified organization that is conducting the allowable event; or if:**

- 42 **(1) the individual is a member of another qualified organization;**

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1 and  
 2 (2) the individual's participation is approved by the commission.  
 3 A qualified organization may apply to the commission on a form  
 4 prescribed by the commission for approval of the participation of a  
 5 nonmember under this subsection. A qualified organization may share  
 6 the proceeds of an allowable event with the qualified organization in  
 7 which a worker participating in the allowable event under this  
 8 subsection is a member. The tasks that will be performed by an  
 9 individual participating in an allowable event under this subsection and  
 10 the amounts shared with the individual's qualified organization must be  
 11 described in the application and approved by the commission.

12 (c) For purposes of:  
 13 (1) the licensing requirements of this article; and  
 14 (2) section 9 of this chapter;  
 15 a qualified organization that receives a share of the proceeds of an  
 16 allowable event described in subsection (b) is not considered to be  
 17 conducting an allowable event.

18 SECTION 18. IC 4-32.2-5-29 IS ADDED TO THE INDIANA  
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2012]: **Sec. 29. (a) This section applies only  
 21 to a qualified organization holding an annual comprehensive  
 22 charity gaming license issued under IC 4-32.2-4-20.**

23 **(b) An Indiana affiliate of a qualified organization may conduct  
 24 a raffle or door prize event without obtaining a separate license for  
 25 itself. A raffle or door prize event conducted by the Indiana  
 26 affiliate is considered an event conducted by the qualified  
 27 organization.**

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

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

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

37 **(1) this article; or**  
 38 **(2) the rules of the commission;**  
 39 **applies to the conduct of a raffle or door prize event under an  
 40 annual comprehensive charity gaming license.**

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

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- 1 (1) The qualified organization may not conduct more than ten
- 2 (10) events under the annual comprehensive charity gaming
- 3 license per week through any combination of its Indiana
- 4 affiliates.
- 5 (2) The qualified organization may not conduct more than six
- 6 (6) charity game night events per year.
- 7 (3) The qualified organization may not hold another license
- 8 issued under IC 4-32.2-4-8, IC 4-32.2-4-9, or IC 4-32.2-4-10
- 9 while holding the annual comprehensive charity gaming
- 10 license.
- 11 (4) Except as provided by section 31 of this chapter, the
- 12 Indiana affiliates of the qualified organization may not hold
- 13 another license issued under IC 4-32.2-4-8, IC 4-32.2-4-9, or
- 14 IC 4-32.2-4-10 while the qualified organization holds the
- 15 annual comprehensive charity gaming license.

16 SECTION 19. IC 4-32.2-5-30 IS ADDED TO THE INDIANA  
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 18 [EFFECTIVE JULY 1, 2012]: Sec. 30. (a) A qualified organization  
 19 conducting a raffle or door prize event under an annual  
 20 comprehensive charity gaming license issued under IC 4-32.2-4-20  
 21 shall provide notice of the allowable event to the commission at  
 22 least twenty-one (21) days before the day of the raffle or door prize  
 23 event. The notice provided under this section must be on a form  
 24 prescribed by the commission and must include the following  
 25 information:

- 26 (1) The name and address of the Indiana affiliate conducting
- 27 the raffle or door prize event.
- 28 (2) The names and addresses of the officers of the Indiana
- 29 affiliate.
- 30 (3) Whether the Indiana affiliate will conduct a raffle event or
- 31 a door prize event.
- 32 (4) The location where the Indiana affiliate will conduct the
- 33 raffle or door prize event.
- 34 (5) The dates and times for the raffle or door prize event.
- 35 (6) The name of the operator of the raffle or door prize event.
- 36 (7) The signature of the presiding officer of the Indiana
- 37 affiliate conducting the raffle or door prize event.

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

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1 SECTION 20. IC 4-32.2-5-31 IS ADDED TO THE INDIANA  
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2012]: **Sec. 31. (a) This section applies only**  
 4 **to an organization that is an Indiana affiliate of a bona fide**  
 5 **national organization.**

6 (b) An organization may elect not to participate in charity  
 7 gaming under an annual comprehensive charity gaming license  
 8 obtained by the organization's parent bona fide national  
 9 organization under IC 4-32.2-4-20. The organization shall provide  
 10 notice of the election to the commission on a form prescribed by  
 11 the commission.

12 (c) An election under this section disqualifies the organization  
 13 from conducting a raffle event or door prize event under the  
 14 parent organization's annual comprehensive charity gaming  
 15 license for the term of the license.

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

- 20 (1) is considered a separate qualified organization from its
- 21 parent bona fide national organization; and
- 22 (2) is not considered an Indiana affiliate of the parent bona
- 23 fide national organization.

24 (e) For purposes of determining under IC 4-32.2-6-2(b) or  
 25 IC 4-32.2-6-3(d) and IC 4-32.2-6-3.5, the amount of the fee for the  
 26 issuance or renewal of an annual comprehensive charity gaming  
 27 license, an organization making an election under this section is  
 28 considered an Indiana affiliate of the parent bona fide national  
 29 organization.

30 SECTION 21. IC 4-32.2-6-2, AS ADDED BY P.L.91-2006,  
 31 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2012]: **Sec. 2. (a) The commission shall establish an initial**  
 33 **license fee schedule. However, the license fee that is charged to a**  
 34 **qualified organization in the first year that the qualified organization**  
 35 **applies for a license may not exceed is:**

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

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

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**(1) The fee is an amount equal to fifty dollars (\$50) per Indiana affiliate in the case of a qualified organization that:**

- (A) has not previously conducted an allowable event; and**
- (B) consists of Indiana affiliates that have not previously conducted any allowable events.**

**(2) In the case of a qualified organization that includes at least one (1) Indiana affiliate that conducted an allowable event 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 22. 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.**

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1 The license fee that is charged to a qualified organization that renews  
 2 a license is equal to the amount determined according to the following  
 3 schedule using the adjusted gross revenue of the qualified organization  
 4 as specified by subsection (a) or (b), as applicable:

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
7 A	\$ 0	\$ 15,000	\$ 50
8 B	\$ 15,000	\$ 25,000	\$ 100
9 C	\$ 25,000	\$ 50,000	\$ 300
10 D	\$ 50,000	\$ 75,000	\$ 400
11 E	\$ 75,000	\$ 100,000	\$ 700
12 F	\$ 100,000	\$ 150,000	\$ 1,000
13 G	\$ 150,000	\$ 200,000	\$ 1,500
14 H	\$ 200,000	\$ 250,000	\$ 1,800
15 I	\$ 250,000	\$ 300,000	\$ 2,500
16 J	\$ 300,000	\$ 400,000	\$ 3,250
17 K	\$ 400,000	\$ 500,000	\$ 5,000
18 L	\$ 500,000	\$ 750,000	\$ 6,750
19 M	\$ 750,000	\$ 1,000,000	\$ 9,000
20 N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
21 O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
22 P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
23 Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
24 R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
25 S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
26 T	\$ 2,500,000	\$ 3,000,000	\$ 24,000
27 U	\$ 3,000,000		\$ 26,000

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

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
37 A	\$ 0	\$ 15,000	\$ 50
38 B	\$ 15,000	\$ 25,000	\$ 100
39 C	\$ 25,000	\$ 50,000	\$ 300
40 D	\$ 50,000	\$ 75,000	\$ 400
41 E	\$ 75,000	\$ 100,000	\$ 700
42 F	\$ 100,000	\$ 150,000	\$ 1,000



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1	<b>G</b>	<b>\$ 150,000</b>	<b>\$ 200,000</b>	<b>\$ 1,500</b>
2	<b>H</b>	<b>\$ 200,000</b>	<b>\$ 250,000</b>	<b>\$ 1,800</b>
3	<b>I</b>	<b>\$ 250,000</b>	<b>\$ 300,000</b>	<b>\$ 2,500</b>
4	<b>J</b>	<b>\$ 300,000</b>	<b>\$ 400,000</b>	<b>\$ 3,250</b>
5	<b>K</b>	<b>\$ 400,000</b>	<b>\$ 500,000</b>	<b>\$ 5,000</b>
6	<b>L</b>	<b>\$ 500,000</b>	<b>\$ 750,000</b>	<b>\$ 6,750</b>
7	<b>M</b>	<b>\$ 750,000</b>	<b>\$ 1,000,000</b>	<b>\$ 9,000</b>
8	<b>N</b>	<b>\$ 1,000,000</b>	<b>\$ 1,250,000</b>	<b>\$ 11,000</b>
9	<b>O</b>	<b>\$ 1,250,000</b>	<b>\$ 1,500,000</b>	<b>\$ 13,000</b>
10	<b>P</b>	<b>\$ 1,500,000</b>	<b>\$ 1,750,000</b>	<b>\$ 15,000</b>
11	<b>Q</b>	<b>\$ 1,750,000</b>	<b>\$ 2,000,000</b>	<b>\$ 17,000</b>
12	<b>R</b>	<b>\$ 2,000,000</b>	<b>\$ 2,250,000</b>	<b>\$ 19,000</b>
13	<b>S</b>	<b>\$ 2,250,000</b>	<b>\$ 2,500,000</b>	<b>\$ 21,000</b>
14	<b>T</b>	<b>\$ 2,500,000</b>	<b>\$ 3,000,000</b>	<b>\$ 24,000</b>
15	<b>U</b>	<b>\$ 3,000,000</b>		<b>\$ 26,000</b>

16 SECTION 23. IC 4-32.2-6-3.5 IS ADDED TO THE INDIANA  
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 18 [EFFECTIVE JULY 1, 2012]: **Sec. 3.5. (a) This section applies only**  
 19 **to the renewal of an annual comprehensive charity gaming license**  
 20 **issued under IC 4-32.2-4-20.**

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

23 **(1) the qualified organization's total gross revenue from**  
 24 **events conducted under the annual comprehensive charity**  
 25 **gaming license in the preceding year; minus**

26 **(2) the sum of any amounts deducted under**  
 27 **IC 4-32.2-5-3(b)(5) with respect to the events described in**  
 28 **subdivision (1) in the preceding year.**

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

31 **(1) the gross revenue from all events conducted by the**  
 32 **qualified organization's Indiana affiliates under the qualified**  
 33 **organization's annual comprehensive charity gaming license**  
 34 **in a particular year; and**

35 **(2) the deductions taken with respect to the events described**  
 36 **in subdivision (1) by all of the qualified organization's Indiana**  
 37 **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.

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