



Reprinted
January 31, 2012

SENATE BILL No. 315

DIGEST OF SB 315 (Updated January 30, 2012 5:30 pm - DI 92)

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) 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.

Head, Buck, Randolph

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.

SB 315—LS 6673/DI 92+



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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.

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

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

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

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

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

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

39 SECTION 6. IC 4-32.2-4-14, AS AMENDED BY P.L.227-2007,
 40 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2012]: Sec. 14. **Except as provided in IC 4-32.2-5-29**, a
 42 qualified organization may hold more than one (1) license at a time.

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1 SECTION 7. IC 4-32.2-4-19 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2012]: **Sec. 19. (a) An organization applying for an annual
 4 comprehensive charity gaming license must submit to the
 5 commission a written application on a form prescribed by the
 6 commission.**

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

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

10 **(2) The names and addresses of the officers of the
 11 organization.**

12 **(3) The mailing address of each Indiana affiliate of the
 13 organization.**

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

17 **(5) Sufficient facts relating to the organization or the
 18 organization's incorporation or founding to enable the
 19 commission to determine whether the organization is a bona
 20 fide national organization or a bona fide national foundation.**

21 **(6) 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
 24 as an operator.**

25 **(7) 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
 28 of the organization.**

29 SECTION 8. IC 4-32.2-4-20 IS ADDED TO THE INDIANA CODE
 30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 31 1, 2012]: **Sec. 20. (a) This section applies only to a qualified
 32 organization that is a:**

33 **(1) bona fide national organization; or**

34 **(2) bona fide national foundation.**

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

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

38 **(2) the organization:**

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

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

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

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- 1 (1) may authorize the qualified organization to conduct raffle
- 2 events and door prize events through the organization's
- 3 Indiana affiliates on more than one (1) occasion during a
- 4 period of one (1) year;
- 5 (2) must state the expiration date of the license; and
- 6 (3) may be reissued annually upon the submission of an
- 7 application for reissuance on the form established by the
- 8 commission and upon the licensee's payment of a fee in the
- 9 amount set by IC 4-32.2-6.

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

- 12 (1) conduct door prize drawings at a raffle event held under
- 13 the license; and
- 14 (2) conduct raffles at a door prize event held under the license.

15 SECTION 9. IC 4-32.2-5-1.5, AS ADDED BY P.L.95-2008,
 16 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2012]: Sec. 1.5. (a) For each allowable event conducted under
 18 this article, a qualified organization shall designate an individual to
 19 serve as the operator of the allowable event. An individual designated
 20 under this section:

- 21 (1) must be qualified to serve as an operator under this article;
- 22 and
- 23 (2) in the case of a qualified organization holding an annual
- 24 comprehensive charity gaming license issued under
- 25 IC 4-32.2-4-20, must be a member of the Indiana affiliate
- 26 conducting the particular event.

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

- 29 (1) Designate an individual qualified under subsection (a)(2)
- 30 to serve as the operator of raffle events and door prize events
- 31 conducted by two (2) or more Indiana affiliates of the
- 32 qualified organization.
- 33 (2) Designate a full-time employee of the qualified
- 34 organization as the operator of a raffle or door prize event
- 35 conducted by an Indiana affiliate of the qualified organization
- 36 if the employee is qualified under subsection (a)(2).

37 SECTION 10. IC 4-32.2-5-5, AS AMENDED BY P.L.60-2009,
 38 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2012]: Sec. 5. (a) A qualified organization shall maintain
 40 accurate records of all financial aspects of an allowable event under
 41 this article. A qualified organization shall make accurate reports of all
 42 financial aspects of an allowable event to the commission within the

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1 time established by the commission. The commission may prescribe
 2 forms for this purpose. **A qualified organization conducting raffle**
 3 **events and door prize events under an annual comprehensive**
 4 **charity gaming license issued under IC 4-32.2-4-20 shall comply**
 5 **with the reporting requirements of this subsection in the manner**
 6 **specified by subsection (d).** For purposes of this section, a qualified
 7 organization is not required to record the name, signature, driver's
 8 license number, or other identifying information of a prize winner
 9 unless the qualified organization is required to withhold adjusted gross
 10 income tax from the prize winner under IC 6-3-4-8.2(d).

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

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

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

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

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

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

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

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



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

3 SECTION 12. IC 4-32.2-5-13, AS AMENDED BY P.L.60-2009,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 13. **(a) For purposes of this section, the Indiana
6 affiliates of a qualified organization holding an annual
7 comprehensive charity gaming license issued under IC 4-32.2-4-20
8 are not considered separate qualified organizations.**

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

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

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

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

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

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

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

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

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

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

18 (1) **the worker personally sold tickets for; or**
 19 (2) **otherwise personally participated in the conduct of;**
 20 **that particular drawing.**

21 SECTION 14. IC 4-32.2-5-15, AS ADDED BY P.L.91-2006,
 22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]: Sec. 15. **Except as provided in section 15.5 of this
 24 chapter,** an operator must be a member in good standing of the
 25 qualified organization that is conducting the allowable event for at least
 26 one (1) year at the time of the allowable event.

27 SECTION 15. IC 4-32.2-5-15.5 IS ADDED TO THE INDIANA
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2012]: **Sec. 15.5. (a) This section applies only
 30 to a qualified organization that is a bona fide national foundation.**

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

35 (1) **The individual is an Indiana resident.**
 36 (2) **The individual has been a member in good standing of a
 37 bona fide national organization that is related to the bona fide
 38 national foundation for at least one (1) year.**
 39 (3) **The individual's authority to serve as an operator for the
 40 qualified organization has been acknowledged by the qualified
 41 organization on a form prescribed by the commission.**

42 (c) **For purposes of section 16(a) of this chapter, an individual**

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1 is considered a member in good standing of the qualified
2 organization and an Indiana affiliate of the qualified organization
3 if the individual meets the following criteria:

- 4 (1) The individual is an Indiana resident.
- 5 (2) The individual has been a member in good standing of a
6 bona fide national organization that is related to the bona fide
7 national foundation for at least thirty (30) days.
- 8 (3) The individual's authority to serve as a worker for the
9 qualified organization has been acknowledged by the qualified
10 organization on a form prescribed by the commission.

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

- 14 (1) section 12(c) of this chapter;
- 15 (2) section 15.5 of this chapter; and
- 16 (3) subsection (b);

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

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

- 24 (1) the individual is a member of another qualified organization;
25 and
- 26 (2) the individual's participation is approved by the commission.

27 A qualified organization may apply to the commission on a form
28 prescribed by the commission for approval of the participation of a
29 nonmember under this subsection. A qualified organization may share
30 the proceeds of an allowable event with the qualified organization in
31 which a worker participating in the allowable event under this
32 subsection is a member. The tasks that will be performed by an
33 individual participating in an allowable event under this subsection and
34 the amounts shared with the individual's qualified organization must be
35 described in the application and approved by the commission.

- 36 (c) For purposes of:
- 37 (1) the licensing requirements of this article; and
- 38 (2) section 9 of this chapter;

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

42 SECTION 17. IC 4-32.2-5-29 IS ADDED TO THE INDIANA

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

5 (b) An Indiana affiliate of a qualified organization may conduct
6 a raffle or door prize event without obtaining a separate license for
7 itself. A raffle or door prize event conducted by the Indiana
8 affiliate is considered an event conducted by the qualified
9 organization.

10 (c) A qualified organization may conduct events under an
11 annual comprehensive charity gaming license on more than two (2)
12 consecutive days.

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

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

- 19 (1) this article; or
 - 20 (2) the rules of the commission;
- 21 applies to the conduct of a raffle or door prize event under an
22 annual comprehensive charity gaming license.

23 (f) The following limitations apply to a qualified organization
24 holding an annual comprehensive charity gaming license:

25 (1) The qualified organization may not conduct more than ten
26 (10) events under the annual comprehensive charity gaming
27 license per week through any combination of its Indiana
28 affiliates.

29 (2) The qualified organization may not hold another license
30 issued under IC 4-32.2-4-8, IC 4-32.2-4-9, IC 4-32.2-4-10, or
31 IC 4-32.2-4-11 while holding the annual comprehensive
32 charity gaming license.

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

39 SECTION 18. IC 4-32.2-5-30 IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2012]: **Sec. 30. (a) A qualified organization**
42 **conducting a raffle or door prize event under an annual**

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1 comprehensive charity gaming license issued under IC 4-32.2-4-20
2 shall provide notice of the allowable event to the commission at
3 least twenty-one (21) days before the day of the raffle or door prize
4 event. The notice provided under this section must be on a form
5 prescribed by the commission and must include the following
6 information:

- 7 (1) The name and address of the Indiana affiliate conducting
- 8 the raffle or door prize event.
- 9 (2) The names and addresses of the officers of the Indiana
- 10 affiliate.
- 11 (3) Whether the Indiana affiliate will conduct a raffle event or
- 12 a door prize event.
- 13 (4) The location where the Indiana affiliate will conduct the
- 14 raffle or door prize event.
- 15 (5) The dates and times for the raffle or door prize event.
- 16 (6) The name of the operator of the raffle or door prize event.
- 17 (7) The signature of the presiding officer of the Indiana
- 18 affiliate conducting the raffle or door prize event.

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

24 SECTION 19. IC 4-32.2-5-31 IS ADDED TO THE INDIANA
25 CODE AS A NEW SECTION TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2012]: Sec. 31. (a) This section applies only
27 to an organization that is an Indiana affiliate of a bona fide
28 national organization.

29 (b) An organization may elect not to participate in charity
30 gaming under an annual comprehensive charity gaming license
31 obtained by the organization's parent bona fide national
32 organization under IC 4-32.2-4-20. The organization shall provide
33 notice of the election to the commission on a form prescribed by
34 the commission.

35 (c) An election under this section disqualifies the organization
36 from conducting a raffle event or door prize event under the
37 parent organization's annual comprehensive charity gaming
38 license for the term of the license.

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

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1 (1) is considered a separate qualified organization from its
2 parent bona fide national organization; and

3 (2) is not considered an Indiana affiliate of the parent bona
4 fide national organization.

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

11 SECTION 20. IC 4-32.2-6-2, AS ADDED BY P.L.91-2006,
12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2012]: Sec. 2. (a) The commission shall establish an initial
14 license fee schedule. However, the license fee that is charged to a
15 qualified organization in the first year that the qualified organization
16 applies for a license may not exceed is:

17 (1) fifty dollars (\$50); or

18 (2) the amount determined under subsection (b) for a
19 qualified organization issued an annual comprehensive
20 charity gaming license for the first time.

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

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

26 (A) has not previously conducted an allowable event; and

27 (B) consists of Indiana affiliates that have not previously
28 conducted any allowable events.

29 (2) In the case of a qualified organization that includes at least
30 one (1) Indiana affiliate that conducted an allowable event
31 before the date the qualified organization applies for an
32 annual comprehensive charity gaming license, the fee is equal
33 to the greatest of the following:

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

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

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

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1 SECTION 21. IC 4-32.2-6-3, AS AMENDED BY P.L.104-2011,
 2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 3. (a) This subsection does not apply to the
 4 renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7,
 5 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,**
 6 or a single event license issued under IC 4-32.2-4-16. A qualified
 7 organization's adjusted gross revenue is an amount equal to the
 8 difference between:

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

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

13 (b) This subsection applies only to the renewal of a license issued
 14 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
 15 IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16.
 16 A qualified organization's adjusted gross revenue is an amount equal
 17 to the difference between:

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

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

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

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

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
A	\$ 0	\$ 15,000	\$ 50
B	\$ 15,000	\$ 25,000	\$ 100
C	\$ 25,000	\$ 50,000	\$ 300
D	\$ 50,000	\$ 75,000	\$ 400
E	\$ 75,000	\$ 100,000	\$ 700
F	\$ 100,000	\$ 150,000	\$ 1,000
G	\$ 150,000	\$ 200,000	\$ 1,500
H	\$ 200,000	\$ 250,000	\$ 1,800
I	\$ 250,000	\$ 300,000	\$ 2,500
J	\$ 300,000	\$ 400,000	\$ 3,250
K	\$ 400,000	\$ 500,000	\$ 5,000
L	\$ 500,000	\$ 750,000	\$ 6,750
M	\$ 750,000	\$ 1,000,000	\$ 9,000



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

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

39 SECTION 22. IC 4-32.2-6-3.5 IS ADDED TO THE INDIANA
 40 CODE AS A NEW SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2012]: **Sec. 3.5. (a) This section applies only**
 42 **to the renewal of an annual comprehensive charity gaming license**



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- 1 issued under IC 4-32.2-4-20.
- 2 (b) A qualified organization's adjusted gross revenue is an
- 3 amount equal to the difference between:
- 4 (1) the qualified organization's total gross revenue from
- 5 events conducted under the annual comprehensive charity
- 6 gaming license in the preceding year; minus
- 7 (2) the sum of any amounts deducted under
- 8 IC 4-32.2-5-3(b)(5) with respect to the events described in
- 9 subdivision (1) in the preceding year.
- 10 (c) For purposes of determining its adjusted gross revenue
- 11 under subsection (b), a qualified organization must aggregate:
- 12 (1) the gross revenue from all events conducted by the
- 13 qualified organization's Indiana affiliates under the qualified
- 14 organization's annual comprehensive charity gaming license
- 15 in a particular year; and
- 16 (2) the deductions taken with respect to the events described
- 17 in subdivision (1) by all of the qualified organization's Indiana
- 18 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.)

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