

# HOUSE BILL No. 1512

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## DIGEST OF INTRODUCED BILL

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

**Synopsis:** Charity gaming events. Authorizes a qualified organization to conduct a special event once per year under a license issued by the gaming commission. Provides that a qualified organization may conduct raffle events and door prize events at the special event. Provides that the only additional allowable event that a qualified organization may conduct on the date of a special event is a raffle event under a separate raffle event license. Permits a qualified organization to sell combination tickets for the special event on the Internet. Provides that a combination ticket entitles the purchaser to any combination of admission to the event, entertainment, a meal, and one or more raffle tickets. Allows a qualified organization to accept credit cards for the purchase of tickets to the special event. Requires a qualified organization to report the expenditure of the proceeds of the special event in addition to complying with the other reporting requirements of the charity gaming law.

**Effective:** Upon passage.

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**VanNatter**

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January 22, 2013, read first time and referred to Committee on Public Policy.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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## HOUSE BILL No. 1512



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 4-32.2-1-1, AS AMENDED BY P.L.95-2008,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 1. (a) This article applies only to a qualified  
4 organization.  
5 (b) This article applies only to the following approved gambling  
6 events conducted as fundraising activities by qualified organizations:  
7 (1) Bingo events, charity game nights, door prize events, raffle  
8 events, festivals, **special events**, and other gaming events  
9 approved by the commission.  
10 (2) The sale of pull tabs, punchboards, and tip boards:  
11 (A) at bingo events, charity game nights, door prize events,  
12 raffle events, and festivals conducted by qualified  
13 organizations; or  
14 (B) at any time on the premises owned or leased by a qualified  
15 organization and regularly used for the activities of the  
16 qualified organization.  
17 This article does not apply to any other sale of pull tabs,



- 1 punchboards, and tip boards.  
 2 (c) This article does not apply to a promotion offer subject to  
 3 IC 24-8.  
 4 (d) This article does not apply to the following:  
 5 (1) A type II gambling game authorized by IC 4-36.  
 6 (2) A raffle or other gambling game authorized by IC 4-36-5-1(b).  
 7 SECTION 2. IC 4-32.2-2-2, AS ADDED BY P.L.91-2006,  
 8 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 UPON PASSAGE]: Sec. 2. "Allowable event" means:  
 10 (1) a bingo event;  
 11 (2) a charity game night;  
 12 (3) a raffle;  
 13 (4) a door prize drawing;  
 14 (5) a festival;  
 15 (6) a sale of pull tabs, punchboards, or tip boards; ~~or~~  
 16 **(7) a special event; or**  
 17 ~~(7)~~ **(8)** any other gambling event approved by the commission  
 18 under this article;  
 19 conducted by a qualified organization in accordance with this article  
 20 and rules adopted by the commission under this article.  
 21 SECTION 3. IC 4-32.2-2-27.3 IS ADDED TO THE INDIANA  
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 23 [EFFECTIVE UPON PASSAGE]: **Sec. 27.3. "Special event" means**  
 24 **an allowable event conducted under a license issued under**  
 25 **IC 4-32.2-4-21.**  
 26 SECTION 4. IC 4-32.2-2-29.5, AS AMENDED BY P.L.6-2012,  
 27 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 UPON PASSAGE]: Sec. 29.5. "Volunteer ticket agent" means a person  
 29 acting on behalf of a qualified organization that:  
 30 (1) receives no compensation from the qualified organization;  
 31 (2) sells tickets to an allowable event held under a license issued  
 32 under IC 4-32.2-4-8, IC 4-32.2-4-10, ~~or~~ IC 4-32.2-4-12, **or**  
 33 **IC 4-32.2-4-21**, or a single event license issued under  
 34 IC 4-32.2-4-16; and  
 35 (3) does not assist the qualified organization in conducting the  
 36 allowable event in any other way.  
 37 SECTION 5. IC 4-32.2-4-1, AS ADDED BY P.L.91-2006,  
 38 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 UPON PASSAGE]: Sec. 1. A qualified organization may conduct the  
 40 following activities in accordance with this article:  
 41 (1) A bingo event.  
 42 (2) A charity game night.

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- 1 (3) A raffle event.
- 2 (4) A door prize event.
- 3 (5) A festival.
- 4 (6) The sale of pull tabs, punchboards, and tip boards.
- 5 **(7) A special event.**
- 6 ~~(7)~~ **(8)** Any other gambling event approved by the commission.
- 7 SECTION 6. IC 4-32.2-4-4, AS AMENDED BY P.L.94-2012,
- 8 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 UPON PASSAGE]: Sec. 4. (a) Each organization applying for a bingo
- 10 license, a special bingo license, a charity game night license, a raffle
- 11 license, a door prize drawing license, a festival license, **a special event**
- 12 **license**, or a license to conduct any other gambling event approved by
- 13 the commission must submit to the commission a written application
- 14 on a form prescribed by the commission. An organization applying for
- 15 an annual comprehensive charity gaming license must submit an
- 16 application under section 19 of this chapter.
- 17 (b) Except as provided in subsection (c), the application must
- 18 include the information that the commission requires, including the
- 19 following:
- 20 (1) The name and address of the organization.
- 21 (2) The names and addresses of the officers of the organization.
- 22 (3) The type of event the organization proposes to conduct.
- 23 (4) The location where the organization will conduct the
- 24 allowable event.
- 25 (5) The dates and times for the proposed allowable event.
- 26 (6) Sufficient facts relating to the organization or the
- 27 organization's incorporation or founding to enable the commission
- 28 to determine whether the organization is a qualified organization.
- 29 (7) The name of each proposed operator and sufficient facts
- 30 relating to the proposed operator to enable the commission to
- 31 determine whether the proposed operator is qualified to serve as
- 32 an operator.
- 33 (8) A sworn statement signed by the presiding officer and
- 34 secretary of the organization attesting to the eligibility of the
- 35 organization for a license, including the nonprofit character of the
- 36 organization.
- 37 (9) Any other information considered necessary by the
- 38 commission.
- 39 (c) This subsection applies only to a qualified organization that
- 40 conducts only one (1) allowable event in a calendar year. The
- 41 commission may not require the inclusion in the qualified
- 42 organization's application of the Social Security numbers of the

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1 workers who will participate in the qualified organization's proposed  
 2 allowable event. A qualified organization that files an application  
 3 described in this subsection must attach to the application a sworn  
 4 statement signed by the presiding officer and secretary of the  
 5 organization attesting that:

6 (1) the workers who will participate in the qualified organization's  
 7 proposed allowable event are eligible to participate under this  
 8 article; and

9 (2) the organization has not conducted any other allowable events  
 10 in the calendar year.

11 SECTION 7. IC 4-32.2-4-14, AS AMENDED BY P.L.94-2012,  
 12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 UPON PASSAGE]: Sec. 14. Except as provided in **section 21 of this**  
 14 **chapter and IC 4-32.2-5-29**, a qualified organization may hold more  
 15 than one (1) license at a time.

16 SECTION 8. IC 4-32.2-4-21 IS ADDED TO THE INDIANA CODE  
 17 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**  
 18 **UPON PASSAGE]: Sec. 21. (a) The commission may issue a special**  
 19 **event license to a qualified organization if:**

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

21 (2) the organization:

22 (A) submits an application in compliance with section 4 of  
 23 this chapter; and

24 (B) pays the initial license fee charged under IC 4-32.2-6-2.

25 (b) A qualified organization must submit an application for a  
 26 special event license at least six (6) months before the date of the  
 27 special event. The commission shall approve or deny the license  
 28 within two (2) months after receiving the application.

29 (c) A license issued under this section:

30 (1) authorizes the qualified organization to conduct one (1)  
 31 special event in the calendar year in which the license is  
 32 issued;

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

34 (3) may be reissued annually upon the submission of an  
 35 application for reissuance on the form established by the  
 36 commission and upon the licensee's payment of a fee in the  
 37 amount determined under IC 4-32.2-6-3.

38 (d) A license issued under this section authorizes a qualified  
 39 organization to conduct door prize drawings and raffle events at a  
 40 special event conducted in accordance with IC 4-32.2-5-32.

41 (e) The only additional allowable event that a qualified  
 42 organization may conduct on the date of a special event is a raffle

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1 event licensed under section 8 of this chapter. However, the  
 2 qualified organization must apply for the raffle event license at  
 3 least six (6) months before the date of the special event and raffle  
 4 event. The qualified organization must inform the commission that  
 5 it is applying for both a raffle event license and a special event  
 6 license. The commission shall approve or deny the raffle event  
 7 license within two (2) months after receiving the application.

8 SECTION 9. IC 4-32.2-5-28, AS ADDED BY P.L.104-2011,  
 9 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 UPON PASSAGE]: Sec. 28. (a) Subject to subsection (b), a qualified  
 11 organization may accept credit cards at an allowable event for the  
 12 purchase of:

- 13 (1) food and beverages;
- 14 (2) merchandise; and
- 15 (3) retail goods and services offered at a benefit auction.

16 (b) Except as provided in section 32 of this chapter, a qualified  
 17 organization may not accept credit cards or extend credit to a player for  
 18 the purchase of a:

- 19 (1) chance to play any game of chance offered at an allowable  
 20 event; or
- 21 (2) licensed supply.

22 SECTION 10. IC 4-32.2-5-32 IS ADDED TO THE INDIANA  
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 24 [EFFECTIVE UPON PASSAGE]: Sec. 32. (a) This section applies  
 25 only to a special event conducted under a license issued under  
 26 IC 4-32.2-4-21.

27 (b) A qualified organization may do any of the following in  
 28 conducting a special event:

- 29 (1) Sell combination tickets entitling the purchaser to any  
 30 combination of the following:
  - 31 (A) Admission to the event.
  - 32 (B) Entertainment.
  - 33 (C) A meal.
  - 34 (D) One (1) or more raffle tickets.
- 35 (2) Sell tickets to the special event through an Internet web  
 36 site maintained by the qualified organization.
- 37 (3) Accept credit cards for the purchase of tickets to the  
 38 special event.

39 (c) A qualified organization may advertise and sell tickets to the  
 40 special event after filing an application for a license but before  
 41 receiving the license if the qualified organization discloses within  
 42 the advertisement that:

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1 (1) a license application is pending before the commission;  
2 and

3 (2) all ticket sales are final, regardless of whether a license is  
4 issued.

5 (d) In addition to complying with the reporting requirements of  
6 section 5 of this chapter, a qualified organization shall report the  
7 expenditure of the proceeds of a special event to the commission on  
8 a form prescribed by the commission.

9 SECTION 11. IC 4-32.2-6-3, AS AMENDED BY P.L.94-2012,  
10 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 UPON PASSAGE]: Sec. 3. (a) This subsection does not apply to the  
12 renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7,  
13 IC 4-32.2-4-8, IC 4-32.2-4-10, IC 4-32.2-4-12, or IC 4-32.2-4-20, or  
14 **IC 4-32.2-4-21**, or a single event license issued under IC 4-32.2-4-16.  
15 A qualified organization's adjusted gross revenue is an amount equal  
16 to the difference between:

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

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

21 (b) This subsection applies only to the renewal of a license issued  
22 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  
23 IC 4-32.2-4-12, or **IC 4-32.2-4-21**, or a single event license issued  
24 under IC 4-32.2-4-16. A qualified organization's adjusted gross revenue  
25 is an amount equal to the difference between:

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

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

30 (c) This subsection does not apply to the renewal of an annual  
31 comprehensive charity gaming license issued under IC 4-32.2-4-20.  
32 The license fee that is charged to a qualified organization that renews  
33 a license is equal to the amount determined according to the following  
34 schedule using the adjusted gross revenue of the qualified organization  
35 as specified by subsection (a) or (b), as applicable:

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



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

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

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



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1	R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
2	S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
3	T	\$ 2,500,000	\$ 3,000,000	\$ 24,000
4	U	\$ 3,000,000		\$ 26,000
5	<b>SECTION 12. An emergency is declared for this act.</b>			

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