

Members

Sen. Ron Alting, Chairperson  
Sen. John Waterman  
Sen. John Broden  
Sen. James Arnold  
Rep. Kathy Heuer  
Rep. William Davis  
Rep. Terri Austin  
Rep. Phil GiaQuinta  
James Case  
Leo (Gene) Moncel  
Matt Bell  
Kris Markham



# CHARITY GAMING STUDY COMMITTEE

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Authority: P.L. 104-2011

## MEETING MINUTES<sup>1</sup>

Meeting Date: October 18, 2011  
Meeting Time: 1:30 P.M.  
Meeting Place: State House, 200 W. Washington St., Room 431  
Meeting City: Indianapolis, Indiana  
Meeting Number: 1

**Members Present:** Sen. Ron Alting, Chairperson; Sen. John Waterman; Sen. James Arnold; Rep. Kathy Heuer; Rep. William Davis; Rep. Terri Austin; Rep. Phil GiaQuinta; James Case; Matt Bell; Kris Markham; Ernest Yelton.

**Members Absent:** Sen. John Broden; Leo (Gene) Moncel.

Sen. Alting called the meeting to order at 1:30 p.m.

### I. Testimony from the Indiana Gaming Commission (IGC)

Executive Director Ernest Yelton introduced the following individuals from the IGC's Charity Gaming Division for a presentation on charity gaming (Exhibit 1):

- (1) Director Diane Freeman.
- (2) Deputy Director Larry Delaney.

Ms. Freeman described the general statutory and administrative requirements of charity

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<sup>1</sup> These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at <http://www.in.gov/legislative> Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for hard copies.

gaming. Ms. Freeman noted that 3,426 licenses were issued for the state fiscal year ending June 30, 2011. Mr. Delaney reviewed recent disciplinary actions against charity gaming operations. Fifty-one organizations and twenty-seven individuals faced disciplinary action between January 1, 2010 and July 20, 2011.

Ms. Freeman and Mr. Delaney discussed recent developments in charity gaming with the Committee. Ms. Freeman answered questions concerning the process of obtaining a charity gaming license. The questions reflected a concern that the process may be too burdensome. Ms. Freeman reviewed the single page, two-sided CG-QA (See Exhibit 1) used to become qualified to participate in charity gaming. The IGC also requests the following documents in support of the application:

- (1) The organization's IRS letter.
- (2) The organization's by-laws.
- (3) Proof of the organization's five year history in Indiana.

Ms. Freeman indicated that the first page of a bank statement from each year is sufficient proof of the organization's Indiana history.

The statutory five year requirement was discussed. Sen. Waterman described it as a reaction to organizations that were organized to participate in charity gaming only to take hundreds of thousands of dollars out of Indiana in the early 1990s. Ms. Freeman added that the statutory requirements were put in place to protect the organizations which may otherwise have been tempted to accept offers for the "professional" management of their charity gaming operations. In her view, detecting a dishonest contractor would be very difficult for many organizations.

Sen. Alting noted that finding a balanced approach to the subject is not easy. He expressed his appreciation for the IGC's efforts. Sen. Alting stated that the Committee should look at streamlining the process without impairing the IGC's ability to enforce the law and protect the integrity of charity gaming.

## II. Testimony from Members of the General Assembly

Rep. Mark Messmer presented a rough draft (Exhibit 2) of a legislative proposal to streamline the licensing process for national conservation and sporting organizations. Rep. Messmer hopes to shift some of the responsibility for conducting charity gaming from the volunteers of the local chapters to the paid staff of the national organizations by allowing a national organization to obtain a single annual license under which its Indiana chapters may conduct charity gaming events.

Mr. Mark Shublak, representing Ducks Unlimited, joined Rep. Messmer to discuss the draft with the Committee. The discussion primarily concerned the issues of efficiency and accountability. The Committee also discussed whether the proposal fit the business model of all of the organizations covered by the proposal.

Rep. Davis and Rep. Messmer also discussed a prohibition on charity gaming rulemaking that is set forth in the draft. Rep. Davis asked whether the proposal ties the hands of the IGC. Rep. Messmer preferred to keep policy decisions in the hands of the General Assembly.

Rep. Austin asked whether other national organizations should be covered by the proposal.

Sen. Jean Leising submitted a list of concerns about the administration of charity gaming that her constituents have raised (Exhibit 3). Sen. Leising described her long involvement

with charity gaming dating to her first tenure in the General Assembly in the early 1990s. She asked the Committee to support a simplification of the licensing process and administration of charity gaming. When asked by Rep. Heuer about the scope of Rep. Messmer's proposal, Sen. Leising said that she hoped the Committee would support greater access to groups across the board rather than to only a single category of groups.

### III. Testimony from the Public

Representatives of a number of groups covered by Rep. Messmer's proposal spoke to the Committee. The testimony included many descriptions of the habitat preservation and public education activities of the organizations. However, these minutes describe only a speaker's charity gaming concerns.

Mr. Joe Borders, Southern Indiana Regional Director, Ducks Unlimited, presented information about Duck's Unlimited, including some of the required forms for a typical raffle event (Exhibit 4). Mr. Borders expressed his frustration with the paperwork required to participate in charity gaming and that credit cards cannot be accepted for the purchase of a raffle ticket. He indicated that many volunteers have become fearful of disciplinary action and criminal prosecution for missteps under the charity gaming laws and regulations. He stated that his members are increasingly reluctant to work at charity gaming events and that charity gaming was simpler before 2007.

Mr. George Faerber, Area Chairman, Ducks Unlimited, Indianapolis Sponsor Chapter, urged the Committee to support simplification. He said that he keeps his focus on the good customers of his business and that trying to prevent the bad actions of the very few bad customers that he knows he will encounter will only make it harder to do business with the far more numerous good customers.

Mr. Richard Wyatt, Regional Representative, Pheasants Forever, supported lowering the five year requirement to one year.

Ms. Ashley Varner, Indiana State Liaison, National Rifle Association-Institute for Legislative Action (NRA-ILA), assured the Committee that the money raised at a Friends of the NRA banquet is not used for the activities of the NRA-ILA.

Mr. Phillip Gray, Central Regional Director and Field Representative, NRA Foundation, presented a list of the Foundation's Indiana grant recipients in 2011 (Exhibit 5). Mr. Gray had the same concerns as Mr. Borders. The Committee discussed the origins of the fears that volunteers are reportedly experiencing. Mr. Gray attributed them to the rapid dissemination of misinformation via the Internet. Mr. Gray addressed a number of proposed banquets that did not occur in the early part of 2011 when it was discovered that the proposed banquets were not compliant with the charity gaming laws. However, revenue from the lost banquets will not be recovered and grants to Indiana recipients will decline about \$75,000 in 2012. Mr. Gray testified that there has been no harassment of the NRA Foundation nor have its events been shut down by state officials. Mr. Gray credited the IGC for working with the NRA Foundation to achieve compliance and enable banquets to resume.

Mr. Steve Gage, Indiana State Chapter President, National Wild Turkey Federation (NWTF), stated that ten Indiana NWTF chapters have refused to hold banquets and that it could cost the NWTF \$30,000. He also criticized the five year requirement and urged the General Assembly to simplify the charity gaming law.

Mr. Grant Schimmele, Northern Indiana Regional Director, NWTF, stated that the charity

gaming laws impede fund raising and recruiting. He expressed his frustration with the following:

- (1) The five year requirement.
- (2) That applications to exceed the raffle prize limit must be filed at least 45 days before the proposed event.
- (3) That the personal information of operators and workers must be submitted to the IGC.
- (4) That event summaries must be filed within ten days of an event.
- (5) That credit cards cannot be used to purchase chances at an event.
- (6) That separate bank accounts are required for the deposit of charity gaming receipts.
- (7) The amount of the civil penalties that the IGC may impose.

The following members of the NWTF attended the meeting but did not testify: Mr. Chris Eder, Mr. James Russell, Mr. Randy Showalter, and Ms. Cinda Inman.

Mr. Brian Nentrup, Mid-America Regional Director, Quality Deer Management Association (QDMA), indicated that between 70% and 80% of the QDMA's revenue from a banquet is derived from gaming. His frustrations with the charity gaming requirements were similar to Mr. Shimmele's.

Mr. Jack Corpuz represented the only chapter of the Ruffed Grouse Society in Indiana. He serves as the operator for its charity gaming fund raising and reported no compliance difficulties. While concerned about carving out one kind of organization, he expressed his understanding of the difficulties facing organizations with multiple chapters. He supported reducing the five year requirement to one year.

Mr. Kent Burget, Central Indiana Chapter, Pheasants Forever, shared some of Mr. Schimmele's concerns. He also suggested amending the law to treat organizations differently by size in order to regulate the organizations appropriately.

Mr. Dean Farr, Indiana Sportsmen's Roundtable, urged the Committee to support charitable organizations of all types and the sporting groups in particular. He cited a 2006 report of the United States Fish and Wildlife Service for the finding that the economic impact of hunting and fishing in Indiana exceeds 1.2 billion dollars each year. He expressed his hope that the Committee could find some common ground to make the process easier.

#### IV. Conclusion

The Committee discussed the testimony and Rep. Messmer's proposal. The comments stressed the importance of reaching the proper balance between enforcement and accountability and administrative efficiency. The Committee took no action on the proposal.

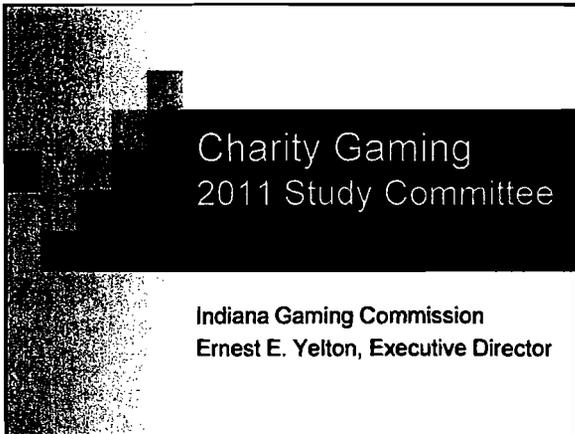
Sen. Altig adjourned the meeting at approximately 5:05 p.m.

# Charity Gaming Study Committee

10/18/2011

10/17/2011

Exhibit 1



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### QUALIFICATION

Criteria for an organization to qualify:

- Must have a non profit status with the Internal Revenue Service:
  - Bona fide business organization – IC 4-32.2-2-5 (restricted to door prize events IC 4-32.2-2-24(c))
  - Bona fide civic organization – IC 4-32.2-2-6
  - Bona fide educational organization – IC 4-32.2-2-7
  - Bona fide fraternal organization – IC 4-32.2-2-5
  - Bona fide religious organization – IC 4-32.2-2-8
  - Bona fide senior citizens organization – IC 4-32.2-2-10
  - Bona fide veterans organization – IC 4-32.2-2-11
- Must be a membership organization
- Satisfies one of the following:
  - The organization has been continuously in existence in Indiana for at least five (5) years.
  - The organization is affiliated with a parent organization that has been in existence in Indiana for at least five (5) years.
  - The organization has reorganized and is continuing its mission under a new name on file with the Indiana Secretary of State and with a new tax identification number after having satisfied the requirements set forth in either item above.

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### QUALIFICATION continued

- Other entities that may qualify to conduct charity gaming include:
  - Political Organizations IC 4-32.2-2-8 and IC 4-32.2-2-24(a)(2)
  - A state educational institution IC 4-32.2-24(a)(3)
  - Hospital, health facility, psychiatric facility (restricted to nonlicensed / exempt events IC 4-32.2-2-24(b))
  - Candidates' Committees IC 4-32.2-4-18
    - Uses the CG-CCA – qualification and event application

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### Number of Qualified Organizations

- As of 6-30-06 – 1896 (last year in IDOR)
- As of 6-30-07 – 2087
- As of 6-30-08 – 2358
- As of 6-30-09 – 2586
- As of 6-30-10 – 2888
- As of 6-30-11 – 3222

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### Non Licensed Events (Exempt Events)

**Exempt Event Notification  
Form CG-EN**

	Fiscal Year End	Total Number of Non Licensed Events
• The fair market retail value of all the prizes (including cash prizes) awarded must be less than \$1000 for each event	6/30/2006	441
	6/30/2007	450
	6/30/2008	415
	6/30/2009	382
• AND the total for all prizes awarded for the calendar year (from all gaming events) must be less than \$3000	6/30/2010	441
	6/30/2011	449

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### 8 Types of Events Allowed

- **Bingo**
  - Annual IC 4-32.2-4-5
  - Single (Special) IC 4-32.2-4-6
- **Charity Game Night**
  - Annual IC 4-32.2-4-7.5
  - Single IC 4-32.2-4-7
- **Door Prize**
  - Annual IC 4-32.2-4-11
  - Single IC 4-32.2-4-10
- **Water Race**
  - IC 4-32.2-4-16
- **Guessing Game**
  - IC 4-32.2-4-16
- **Raffle**
  - Annual IC 4-32.2-4-9
  - Single IC 4-32.2-4-8
- **Annual PPT**
  - IC 4-32.2-4-16.5
- **Festival**
  - IC 4-32.2-4-12

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### Annual Bingo License

- An annual bingo license allows an organization to conduct the following activities *under that license*:
  - Conduct bingo events
  - Conduct raffle drawings
  - Conduct door prize drawings
  - Sell pull-tabs, punchboards, and tip boards at the allowable event
- License is effective for one year
- Conduct up to three (3) events per calendar week
- Can not conduct more than one event per day
- Can not conduct more than two (2) consecutive days

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### Special Bingo License

- A special bingo license allows an organization to conduct the following activities *under that license*:
  - Conduct bingo events
  - Conduct raffle drawings
  - Conduct door prize drawings
  - Sell pull-tabs, punchboards, and tip boards at the allowable event
- One bingo event at only one time and location

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### Annual Charity Game Night License

- An annual charity game night license allows an organization to conduct the following activities *under that license*:
  - Conduct a card game
  - Conduct a dice game
  - Conduct a roulette wheel
  - Conduct a spin die game
  - Conduct raffle drawings
  - Conduct door prize drawings
  - Sell pull-tabs, punchboards and tip boards
- License is effective for one year
- Conduct up to three (3) events per calendar week
- Can not conduct more than one event per day
- Can not conduct more than two (2) consecutive days
- Each event conducted under this license may not begin prior to 12:01AM and may not end past 11:59PM
- A facility may not be used for more than three (3) calendar days for Annual Charity Game Night events
- Fraternal and Veteran groups only
- Fraternal and Veteran organization must have ten (10) years existence

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### Charity Game Night License

- A charity game night license allows an organization to conduct the following activities *under that license*:
  - Conduct a card game
  - Conduct a dice game
  - Conduct a roulette wheel
  - Conduct a spindle game
  - Conduct raffle drawings
  - Conduct door prize drawings
  - Sell pull-tabs, punchboards, and tip boards
- One charity game night event at only one time and location
- Conduct six (6) Charity Game Night events per year

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### Annual Door Prize License

- An annual door prize license allows an organization to conduct the following activities *under that license*:
  - Conduct door prize drawings
  - Conduct raffle drawings
  - Sell pull-tabs, punchboards, and tip boards
- License is effective for one year
- Conduct up to three (3) events per calendar week
- Can not conduct more than one (1) event per day
- Can not conduct more than two (2) consecutive days

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### Door Prize License

- A door prize license allows an organization to conduct the following activities *under that license*:
  - Conduct door prize drawings
  - Conduct raffle drawings
  - Sell pull-tabs, punchboards, and tip boards
- Conduct one door prize event at one time and location

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### Annual Water Race

- An annual water race license allows an organization to conduct the following activities *under that license*:
  - Conduct water races
- License is effective for one year
- Conduct up to three (3) events per calendar week
- Can not conduct more than one (1) event per day
- Can not conduct more than two (2) consecutive days

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### Water Race

- A water race license allows an organization to conduct the following activities *under that license*:
  - Conduct a water race
- One water race event at only one time and location

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### Annual Guessing Game License

- An annual guessing game license allows an organization to conduct the following activities *under that license*:
  - Conduct guessing games
- License is effective for one year
- Conduct up to three (3) events per calendar week
- Can not conduct more than one (1) event per day
- Can not conduct more than two (2) consecutive days

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**Guessing Game License**

- A guessing game license allows an organization to conduct the following activities *under that license*:
  - Conduct a guessing game
- One guessing game event at only one time and location

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**Annual Raffle License**

- An annual raffle license allows an organization to conduct the following activities *under that license*:
  - Conduct raffle drawings
  - Conduct door prize drawings
  - Sell pull-tabs, punchboards, and tip boards
- Everyday event (24/7)
- License is effective for one year
- Event must be conducted on the premises owned or leased by the qualified organization and regularly used for the activities of the qualified organization

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**Raffle License**

- A raffle license allows an organization to conduct the following activities *under that license*:
  - Conduct raffle drawings
  - Conduct door prize drawings
  - Sell pull-tabs, punchboards, and tip boards
- One raffle event at only one time and location

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**Annual PPT License**

- Sell pull-tabs, punchboards and tip boards
- Conduct a winner take all and/or qualified drawing where the qualified organization retains no portion of the amount wagered
- Everyday event (24/7)
- Not more than one daily drawing each day
- Not more than one weekly drawing
- Not more than one monthly drawing
- License is effective for one year

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**Festival License**

- A festival license allows an organization to conduct the following activities *under that license*:
  - Conduct bingo events
  - Conduct charity game nights
  - Conduct raffle drawings
  - Conduct door prize drawings
  - Conduct guessing games
  - Conduct water races
  - Sell pull-tabs, punchboards, and tip boards
- Only one (1) festival event per calendar year
- A qualified organization may conduct one (1) additional festival event during each six (6) months of a calendar year (total of three (3) events per year)
- Festival cannot exceed five (5) consecutive days per event

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**Operator defined**

- An operator is defined as any member of a qualified organization that is responsible for performing functions directly associated with gaming activities, including, but not limited to:
  - accounting for money received and disbursed at the gaming event;
  - keeping records of the gaming event;
  - announcing the letter/number combination at a bingo event;
  - conducting qualified drawings (e.g. raffle, winner take all, or door prize);
  - determining the winner in a guessing game or a water race;
  - determining the flare and seal card winner;
  - controlling the mixing and distributing of pull tabs;
  - redeeming a pull tab, punchboard, or tip board valued more than \$50;
  - performing any task of a worker; and
  - a remunerated bartender designated on a qualified organization's annual PPT or raffle license.

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**Worker defined**

A **worker** is defined as a member of a qualified organization who assists in conducting gaming activities, including, but not limited to the following:

- selling pull tabs, punchboards, and tip boards;
- selling bingo supplies;
- dealing cards at a card game other than euchre;
- selling tickets or chances to an allowable event; and
- redeeming pull tabs, punchboards, and tip boards valued \$50 or less.

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**Non-Member Participation**

- An individual who is not a member of the qualified organization *may* participate in an allowable event as a worker only if:
  - the individual is a full-time employee of the qualified organization that is conducting the allowable event. A full-time employee is defined as an individual who is and has been employed by the qualified organization at least ninety (90) consecutive days and works at least an average of thirty-two (32) hours per week or one thousand six hundred sixty-two (1,662) hours per year in a capacity that is primarily unrelated to the qualified organization's charity gaming operations.
  - or if the individual is a member of another qualified organization and the individual's participation is approved by the commission.
- A qualified organization will complete Form CG-NPA for approval and must have the approval prior to utilizing this individual.
- Proceeds of an allowable event may be shared with the qualified organization in which a worker participating in the allowable event under this subsection is a member.

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**Festival Worker Exception**

- A festival worker may now participate as a player in any gaming activity at the festival provided that the worker does not participate in the game during the time the worker is conducting the game.
- However, a PPT worker may not buy PPT's on the same calendar day

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### Bingo Worker Exception

- Allows a worker at a bingo event whose duties are *limited* to selling bingo supplies or tickets to a door prize drawing or raffle conducted at the bingo event, to participate as a player in any gaming activity offered at the event.
- The worker must have **completed** all duties prior to the start of the first bingo game and may not be engaged as a worker at any other time during the bingo event.

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### Volunteer Ticket Agent

- A VTA may sell tickets to an allowable event held under certain single event licenses (e.g. *raffle, door prize, festival, water race, & guessing game*).
- A VTA must not receive compensation or assist the organization conducting the allowable event in any other way.
- A VTA must not sell pull tabs, punchboards, or tip boards.
- A VTA may not be a member of your organization.
- A VTA is employed by a retail establishment whose manager has agreed that the employees will be VTAs.
- A VTA may participate as a patron in any allowable event conducted by the qualified organization.

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### Volunteer Ticket Agent continued

- An organization using VTA's must include on each ticket or entry sold by a volunteer ticket agent the name of the qualified organization, the date of the allowable event, and a valid license number for the allowable event.
- All tickets sold by volunteer ticket agents must be numbered sequentially.
- After tickets to the allowable event are sold, the qualified organization shall provide to the commission the name, address and telephone number of each person who served as a volunteer ticket agent. (The qualified organization must complete and attach Form CG-VTA with their single event financial report, Form CG-9.)

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**Prohibited participants**

- A member or an employee of the commission or a person less than eighteen (18) years of age may not participate in *any* manner in a charity gaming event. This includes acting in the capacity of an operator or worker and playing in the game.
- A person less than eighteen (18) years of age may sell tickets or chances for a raffle only.

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**Event Summary Reports**

- Bingo – Event Summary Report
- Charity Game Night – Event Summary Report
- Raffle – Event Summary Report
- PPT – Event Summary Report
- Door Prize – Event Summary Report
- Festival – Event Summary Report
- Water Race – Event Summary Report
- Guessing Game – Event Summary Report

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**License Fees**

- The initial license fee for any type of license is \$50.00.
- The renewal fee is based on
  - the adjusted gross income from the previous like event
    - the adjusted gross income is arrived at by taking the gross income and subtracting the allowable amount of rental income
  - and the graduated scale (IC 4-32.2-6-3) provided on the financial report

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### License Fee Scale

E	\$ 75,000	\$ 100,000	\$ 700
F	\$ 100,000	\$ 150,000	\$ 1,000
L	\$ 500,000	\$ 750,000	\$ 6,750
M	\$ 750,000	\$ 1,000,000	\$ 9,000
S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
T	\$ 2,500,000	\$ 3,000,000	\$ 24,000

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- ### Financial Accounting
- Two types of financials:
- License fee determination reports
    - CG-8 (Annual event license financial report)
    - CG-9 (Single event license financial report)
  - Income percentage reports (90% rule)
    - CG-21 (Annual event license gross receipts report)
    - CG-22 (Single event license gross receipts report)

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- ### Financial Report – License fees
- Annual event license holders use the Form CG-8
    - Form CG-8 is due ten (10) days after the close of the organizations charity gaming financial accounting period
  - Single event license holders use the Form CG-9
    - Form CG-9 is due ten (10) days after the date of the allowable event.
- Both Form CG-8 and CG-9 require the following information
- The gross income from gaming activities
  - Prize/payouts awarded
  - Gaming supplies and equipment expenses
  - Facility rental/lease expenses (lesser of amount of rent paid or \$200 per gaming day)
  - License fee paid
  - Advertising expense

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<b>Disciplinary Actions</b>			
Calendar Year End	Organizations	Distributors	Individuals
12/31/2009	26	1	38
12/31/2010	30	1	13
7/20/2011	21	1	14

<b>Denials and Complaints</b>		
Calendar Year End	Denials	Complaints
12/31/2009	21	113
12/31/2010	124	113
7/20/2011	69	68

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# GAMES PLAYED

Bingo  
 Electronic Bingo  
 Pull Tabs  
 Progressive Pull Tabs  
 Seal Card Games  
 Jar Tickets  
 Raffles  
 Lost Sale  
 Casino Nights  
 Texas Hold'em  
 Other

State	Bingo	Electronic Bingo	Pull Tabs	Progressive Pull Tabs	Seal Card Games	Jar Tickets	Raffles	Lost Sale	Casino Nights	Texas Hold'em	Other	Licensed Organizations
Alaska	•	•	•	•	•	•	•	•	•	•	•	904
Colorado	•	•	•	•	•	•	•	•	•	•	•	1,200
Connecticut	•	•	•	•	•	•	•	•	•	•	•	1,715
Illinois	•	•	•	•	•	•	•	•	•	•	•	Not Reported
Indiana	•	•	•	•	•	•	•	•	•	•	•	2,787
Iowa	•	•	•	•	•	•	•	•	•	•	•	Not Reported
Kentucky	•	•	•	•	•	•	•	•	•	•	•	739
Louisiana	•	•	•	•	•	•	•	•	•	•	•	649
Maine	•	•	•	•	•	•	•	•	•	•	•	10,161*
Michigan	•	•	•	•	•	•	•	•	•	•	•	8,760
Minnesota	•	•	•	•	•	•	•	•	•	•	•	1,295
Mississippi	•	•	•	•	•	•	•	•	•	•	•	Not Reported
Missouri	•	•	•	•	•	•	•	•	•	•	•	755**
Nebraska	•	•	•	•	•	•	•	•	•	•	•	924
New Hampshire	•	•	•	•	•	•	•	•	•	•	•	550
New Jersey	•	•	•	•	•	•	•	•	•	•	•	7,100
New Mexico	•	•	•	•	•	•	•	•	•	•	•	94
New York	•	•	•	•	•	•	•	•	•	•	•	3,217
North Dakota	•	•	•	•	•	•	•	•	•	•	•	337
Ohio	•	•	•	•	•	•	•	•	•	•	•	1,848
Oregon	•	•	•	•	•	•	•	•	•	•	•	568
Pennsylvania	•	•	•	•	•	•	•	•	•	•	•	11,427
South Carolina	•	•	•	•	•	•	•	•	•	•	•	104
South Dakota	•	•	•	•	•	•	•	•	•	•	•	0
Texas	•	•	•	•	•	•	•	•	•	•	•	1,255
Virginia	•	•	•	•	•	•	•	•	•	•	•	507
Washington	•	•	•	•	•	•	•	•	•	•	•	2,390***
Washington, DC	•	•	•	•	•	•	•	•	•	•	•	140
Wisconsin	•	•	•	•	•	•	•	•	•	•	•	8,891

Province	Bingo	Electronic Bingo	Pull Tabs	Progressive Pull Tabs	Seal Card Games	Jar Tickets	Raffles	Lost Sale	Casino Nights	Texas Hold'em	Other	Licensed Organizations
Alberta	•	•	•	•	•	•	•	•	•	•	•	11,274
British Columbia	•	•	•	•	•	•	•	•	•	•	•	8,548
Manitoba	•	•	•	•	•	•	•	•	•	•	•	Not Reported
Newfoundland & Labrador	•	•	•	•	•	•	•	•	•	•	•	Not Reported
Nova Scotia	•	•	•	•	•	•	•	•	•	•	•	Not Reported
Ontario	•	•	•	•	•	•	•	•	•	•	•	N/A
Saskatchewan	•	•	•	•	•	•	•	•	•	•	•	3,144

\* Maine total includes Beano 1,347.

\*\* Missouri total includes Regular 365, Special 284 and Abbreviated Pull-Tab only 106.

\*\*\* Washington total includes NP 1,074 and Commercial 1,316.

# TOP 10 STATES

## TOP TEN STATES BY GROSS RECEIPTS

State	Total Gross Receipts
Ohio	\$1,123,500,000
Minnesota	\$998,555,000
Texas	\$696,529,764
Washington	\$623,266,866
Michigan	\$568,583,738
Indiana	\$522,127,423
Kentucky	\$427,177,351
Virginia	\$298,833,000
North Dakota	\$258,349,696
New York	\$255,993,456

## TOP TEN STATES BY NET RECEIPTS

State	Net Receipts
Minnesota	\$79,949,000
Michigan	\$79,746,559
Indiana	\$68,568,974
Kentucky	\$53,540,905
New Jersey	\$47,403,500
Nebraska	\$39,623,067
Wisconsin	\$39,280,400
Virginia	\$35,637,000
Texas	\$33,433,555
North Dakota	\$26,585,421

Top ten based on available reported statistics.



# GAMES PLAYED

Bingo  
Electronic Bingo  
Pull Tabs  
Progressive Pull Tabs  
Seal Card Games  
Jar Tickets  
Raffles  
Lost Sale  
Casino Nights  
Other

State	Bingo	Electronic Bingo	Pull Tabs	Progressive Pull Tabs	Seal Card Games	Jar Tickets	Raffles	Lost Sale	Casino Nights	Other	Licensed Organizations
Alaska	•	•	•	•	•	•	•	•	•	•	1,150
Colorado	•	•	•	•	•	•	•	•	•	•	1,250
Connecticut	•	•	•	•	•	•	•	•	•	•	1,757
Illinois	•	•	•	•	•	•	•	•	•	•	1,700
Indiana	•	•	•	•	•	•	•	•	•	•	3,032
Iowa	•	•	•	•	•	•	•	•	•	•	Not Reported
Kentucky	•	•	•	•	•	•	•	•	•	•	695
Louisiana	•	•	•	•	•	•	•	•	•	•	710
Michigan	•	•	•	•	•	•	•	•	•	•	2,200
Minnesota	•	•	•	•	•	•	•	•	•	•	1,300
Mississippi	•	•	•	•	•	•	•	•	•	•	82
Missouri	•	•	•	•	•	•	•	•	•	•	801
Nebraska	•	•	•	•	•	•	•	•	•	•	1,062
New Jersey	•	•	•	•	•	•	•	•	•	•	7,186
New Mexico	•	•	•	•	•	•	•	•	•	•	94
New York	•	•	•	•	•	•	•	•	•	•	3,386
North Dakota	•	•	•	•	•	•	•	•	•	•	346
Ohio	•	•	•	•	•	•	•	•	•	•	1,854
Oregon	•	•	•	•	•	•	•	•	•	•	523
Pennsylvania	•	•	•	•	•	•	•	•	•	•	1,200
South Carolina	•	•	•	•	•	•	•	•	•	•	112
South Dakota	•	•	•	•	•	•	•	•	•	•	Not Reported
Texas	•	•	•	•	•	•	•	•	•	•	1,207
Virginia	•	•	•	•	•	•	•	•	•	•	559
Washington	•	•	•	•	•	•	•	•	•	•	2,480
Wisconsin	•	•	•	•	•	•	•	•	•	•	8,802
<b>Province</b>											
Alberta	•	•	•	•	•	•	•	•	•	•	8,374
British Columbia	•	•	•	•	•	•	•	•	•	•	7,540
Manitoba	•	•	•	•	•	•	•	•	•	•	855
Newfoundland & Labrador	•	•	•	•	•	•	•	•	•	•	3,000
Nova Scotia	•	•	•	•	•	•	•	•	•	•	1,189
Ontario	•	•	•	•	•	•	•	•	•	•	N/A
Saskatchewan	•	•	•	•	•	•	•	•	•	•	3,191

# TOP 10 STATES

## TOP TEN STATES BY GROSS RECEIPTS

State	Total Gross Receipts
Ohio	\$1,389,624,532
Minnesota	\$1,070,311,000
Texas	\$685,365,337
Washington	\$682,546,527
Indiana	\$505,507,169
Michigan	\$479,860,080
Kentucky	\$456,435,712
Alaska	\$365,988,666
New York	\$349,145,770
Virginia	\$316,967,024

## TOP TEN STATES BY NET RECEIPTS

State	Net Receipts
Ohio	\$190,129,623
Minnesota	\$84,308,000
Michigan	\$75,051,108
Indiana	\$67,335,123
New Jersey	\$55,300,700
Kentucky	\$47,860,136
Virginia	\$44,644,023
Wisconsin	\$39,484,300
Alaska	\$33,408,893
Texas	\$32,829,418

Top ten based on available reported statistics.



# GAMES PLAYED



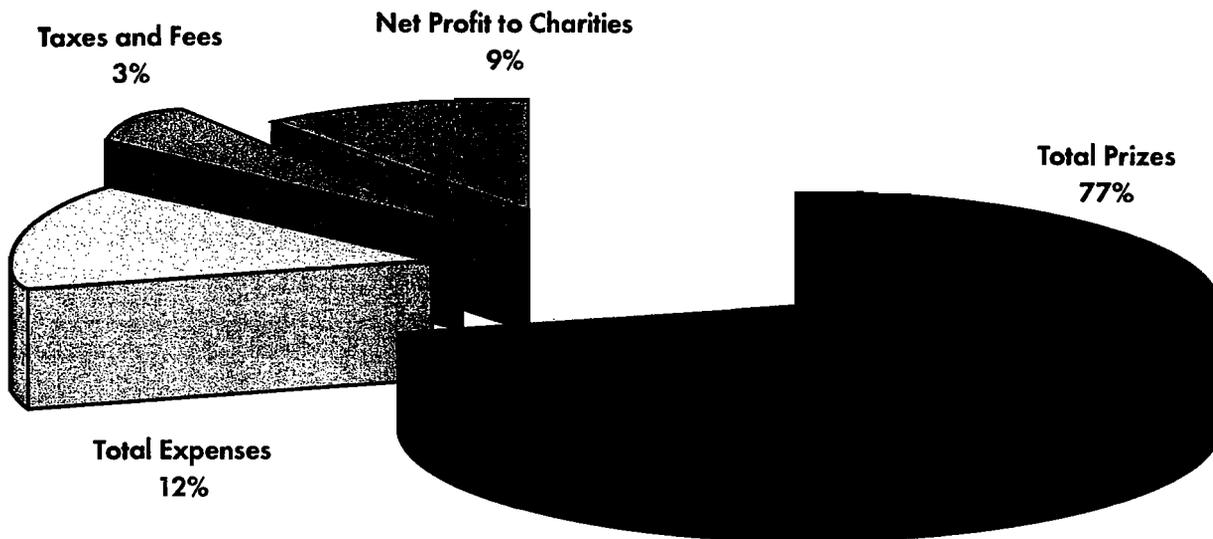
State/Province	Bingo	Pull-tabs	Raffles	Casino Nights	Other	Licensed Orgs.
Alabama	•					
Alaska	•	•	•	•		1,096
Arizona	•	•				671
Arkansas			•			
California	•	•	•	•		
Colorado	•	•	•	•		1,276
Connecticut	•	•	•	•		1,755
Delaware	•	•	•	•		
Dist. of Columbia	•	•	•	•		147
Florida	•	•	•			
Georgia	•	•				
Hawaii						
Idaho	•	•				181
Illinois	•	•	•	•		1,629
Indiana	•	•	•	•		2,504
Iowa	•	•	•	•		Not Reported
Kansas	•	•				327
Kentucky	•	•	•	•		755
Louisiana	•	•	•	•		538
Maine	•	•	•	•		9,982
Maryland	•	•	•			
Massachusetts	•	•	•	•		5,402
Michigan	•	•	•	•		13,100
Minnesota	•	•	•	•		1,390
Mississippi	•	•	•			80
Missouri	•	•	•			814
Montana	•	•	•	•		
Nebraska	•	•	•	•		1,096
Nevada	•	•				
New Hampshire	•	•	•	•		
New Jersey	•	•	•	•		Not Reported
New Mexico	•	•	•			104

State/Province	Bingo	Pull-tabs	Raffles	Casino Nights	Other	Licensed Orgs.
New York	•	•	•	•		3,373
North Carolina	•	•	•	•		Not Reported
North Dakota	•	•	•	•		352
Ohio	•	•	•	•		1,980
Oklahoma	•	•				149
Oregon	•	•	•	•		492
Pennsylvania	•	•	•	•		11,000
Rhode Island	•	•				
South Carolina	•	•				117
South Dakota	•	•	•	•		Not Reported
Tennessee				•		
Texas	•	•	•	•		1,312
Utah						
Vermont	•	•	•	•		
Virginia	•	•	•			516
Washington	•	•	•	•		2,571
West Virginia	•	•				681
Wisconsin	•	•	•	•		8,807
Wyoming	•	•	•			
Province						Licensed Orgs.
Alberta	•	•	•	•		6,463
British Columbia	•	•	•	•		7,097
Manitoba	•	•	•	•		875
New Brunswick	•	•	•	•		800
Newfoundland	•	•	•	•		3,468
NW Territories						
Nova Scotia	•	•	•	•		1,402
Ontario	•	•	•	•		4,728
Pr. Edward Island	•	•	•	•		1,100
Quebec	•	•	•	•		
Saskatchewan	•	•	•	•		3,412
Yukon Territory						

# DISTRIBUTION / TOP 10 STATES



## Average Distribution of Dollars Raised Through Charitable Gaming in the U.S.



The data used in this chart is limited to those states that collect the information listed in each of the identified categories. Due to integer rounding, pie chart totals are slightly higher than 100%.

### Top Ten States by Gross Receipts

State	Total Gross Receipts
Minnesota	\$1,224,462,000
Ohio	\$1,085,845,482
Washington	\$712,463,107
Texas	\$666,283,297
Indiana	\$527,117,759
Kentucky	\$487,425,847
Michigan	\$431,280,445
Alaska	\$350,944,097
New York	\$350,401,749
Virginia	\$325,218,000

### Top Ten States by Net Proceeds

State	Net Proceeds
Minnesota	\$103,181,000
Michigan	\$70,423,844
Virginia	\$68,027,000
Indiana	\$66,723,782
New York	\$57,743,789
Kentucky	\$51,921,319
New Jersey	\$39,601,654
Wisconsin	\$38,097,973
Texas	\$37,998,862
Alaska	\$31,869,556

Top ten based on available reported statistics.

## **IC 4-32.2 ARTICLE 32.2. CHARITY GAMING**

### **IC 4-32.2-1 Chapter 1. General Provisions**

#### **IC 4-32.2-1-1**

##### **Application of article**

Sec. 1. (a) This article applies only to a qualified organization.

(b) This article applies only to the following approved gambling events conducted as fundraising activities by qualified organizations:

(1) Bingo events, charity game nights, door prize events, raffle events, festivals, and other gaming events approved by the commission.

(2) The sale of pull tabs, punchboards, and tip boards:

(A) at bingo events, charity game nights, door prize events, raffle events, and festivals conducted by qualified organizations; or

(B) at any time on the premises owned or leased by a qualified organization and regularly used for the activities of the qualified organization.

This article does not apply to any other sale of pull tabs, punchboards, and tip boards.

(c) This article does not apply to a promotion offer subject to IC 24-8.

(d) This article does not apply to the following:

(1) A type II gambling game authorized by IC 4-36.

(2) A raffle or other gambling game authorized by IC 4-36-5-1(b).

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.2; P.L.95-2008, SEC.1.*

#### **IC 4-32.2-1-2**

##### **Purpose of article**

Sec. 2. Except as provided in IC 4-32.2-4-13(e), the purpose of this article is to permit a licensed qualified organization:

(1) to conduct allowable events; and

(2) to sell pull tabs, punchboards, and tip boards;

as a fundraising activity for lawful purposes of the organization.

*As added by P.L.91-2006, SEC.3. Amended by P.L.95-2008, SEC.2.*

#### **IC 4-32.2-1-3**

##### **Authorization requirement**

Sec. 3. A bingo event, charity game night, door prize drawing, raffle, festival event, or other charity gambling event licensed under IC 4-32.2-4-16 is not allowed in Indiana unless it is conducted by a qualified organization in accordance with this article.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.3.*

#### **IC 4-32.2-1-4**

##### **Local taxes prohibited**

Sec. 4. Local taxes, regardless of type, may not be imposed upon the operations of the commission under this article or upon the sale of bingo cards, bingo boards, bingo sheets, bingo pads, pull tabs, punchboards, or tip boards under this article.

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-1-5**

**Local authority preempted**

Sec. 5. (a) Local governmental authority concerning the following is preempted by the state under this article and IC 4-30:

(1) All matters relating to the operation of bingo events, charity game nights, raffles, and door prize drawings.

(2) All matters relating to the possession, transportation, advertising, sale, manufacture, printing, storing, or distribution of pull tabs, punchboards, or tip boards.

(b) A county, municipality, or other political subdivision of the state may not enact an ordinance relating to the commission's operations authorized by this article.

*As added by P.L.91-2006, SEC.3.*

## **IC 4-32.2-2 Chapter 2. Definitions**

### **IC 4-32.2-2-1**

#### **Definitions**

Sec. 1. The definitions in this chapter apply throughout this article.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-2-2**

#### **"Allowable event"**

Sec. 2. "Allowable event" means:

- (1) a bingo event;
- (2) a charity game night;
- (3) a raffle;
- (4) a door prize drawing;
- (5) a festival;
- (6) a sale of pull tabs, punchboards, or tip boards; or
- (7) any other gambling event approved by the commission under this article;

conducted by a qualified organization in accordance with this article and rules adopted by the commission under this article.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-2-3**

#### **"Bingo"**

Sec. 3. "Bingo" means a game conducted in the following manner:

(1) Each participant receives at least one (1) card, board, pad, or piece of paper marked off into twenty-five (25) squares that are arranged in five (5) vertical rows of five (5) squares each, with each row designated by a single letter, and each box containing a number, from one (1) to seventy-five (75), except the center box, which is always marked with the word "free".

(2) As the caller of the game announces a letter and number combination, each player covers the square corresponding to the announced number, letter, or combination of numbers and letters.

(3) The winner of each game is the player who is the first to properly cover a predetermined and announced pattern of squares upon the card used by the player.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-2-4**

#### **"Bingo event"**

Sec. 4. "Bingo event" means an event at which bingo is conducted by an organization that holds a bingo license or a special bingo license issued under this article.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-2-5**

#### **"Bona fide business organization"**

Sec. 5. "Bona fide business organization" means a local organization that is not for pecuniary profit and is exempt from federal income taxation under Section 501(c)(6) of the Internal

Revenue Code.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-6**

##### **"Bona fide civic organization"**

Sec. 6. "Bona fide civic organization" means a branch, lodge, or chapter of a national or state organization that is not for pecuniary profit or a local organization that is not for pecuniary profit and not affiliated with a state or national organization whose written constitution, charter, articles of incorporation, or bylaws provide the following:

(1) That the organization is organized primarily for civic, fraternal, or charitable purposes.

(2) That upon dissolution of the organization all remaining assets of the organization revert to nonprofit civic or charitable purposes.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-7**

##### **"Bona fide educational organization"**

Sec. 7. "Bona fide educational organization" means an organization that is not for pecuniary profit and that meets the following criteria:

(1) The organization's primary purpose is educational in nature.

(2) The organization's constitution, articles, charter, or bylaws contain a clause that provides that upon dissolution all remaining assets shall be used for nonprofit educational purposes.

(3) The organization is designed to develop the capabilities of individuals by instruction in a public or private:

(A) pre-elementary educational development program;

(B) elementary or secondary school; or

(C) college or university.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.4.*

#### **IC 4-32.2-2-7.5**

##### **"Bona fide fraternal organization"**

Sec. 7.5. "Bona fide fraternal organization" means a type of bona fide civic organization that:

(1) is a branch, lodge, or chapter of a national organization; and

(2) exists for the common charitable purposes, brotherhood, and other interests of its members.

*As added by P.L.108-2009, SEC.4.*

#### **IC 4-32.2-2-8**

##### **"Bona fide political organization"**

Sec. 8. (a) "Bona fide political organization" means a party committee, association, fund, or other organization, whether incorporated or not, organized and operated primarily for the purpose of directly or indirectly accepting contributions or making expenditures, or both, for an exempt function (as defined in Section 527 of the Internal Revenue Code).

(b) Except as provided in subsection (c), the term does not include a candidate's committee (as defined in IC 3-5-2-7).

(c) For purposes of IC 4-32.2-4-8 and IC 4-32.2-4-18, the term includes a candidate's

committee (as defined in IC 3-5-2-7).  
*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-9**

##### **"Bona fide religious organization"**

Sec. 9. "Bona fide religious organization" means an organization, a church, a body of communicants, or a group:

(1) organized primarily for religious purposes and not for pecuniary profit that provides to the commission written confirmation that the entity is operating under Section 501 of the Internal Revenue Code or under the Section 501 nonprofit status of the entity's parent organization; and

(2) whose constitution, charter, articles, or bylaws contain a clause that provides that upon dissolution all remaining assets shall be used for nonprofit religious purposes or shall revert to the parent organization for nonprofit religious purposes.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-10**

##### **"Bona fide senior citizens organization"**

Sec. 10. "Bona fide senior citizens organization" means an organization that is not for pecuniary profit and that:

(1) consists of at least fifteen (15) members who are at least sixty (60) years of age;

(2) is organized by the organization's constitution, charter, articles, or bylaws for the mutual support and advancement of the causes of elderly or retired persons; and

(3) provides in the organization's constitution, charter, articles, or bylaws that upon dissolution all remaining assets of the organization shall be used for nonprofit purposes that will support or advance the causes of elderly or retired persons.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-11**

##### **"Bona fide veterans organization"**

Sec. 11. "Bona fide veterans organization" means a local organization or a branch, lodge, or chapter of a state or national organization chartered by the Congress of the United States that is not for pecuniary profit and that:

(1) consists of individuals who are or were members of the armed forces of the United States;

(2) is organized for the mutual support and advancement of the organization's membership and patriotic causes; and

(3) provides in the organization's constitution, charter, articles, or bylaws that upon dissolution all remaining assets of the organization shall be used for nonprofit purposes that will support or advance patriotic causes.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-12**

##### **"Charity game night"**

Sec. 12. (a) "Charity game night" means an event at which wagers are placed upon the following permitted games of chance through the use of imitation money:

(1) A card game approved by the commission.

- (2) A dice game approved by the commission.
  - (3) A roulette wheel approved by the commission.
  - (4) A spindle approved by the commission.
  - (b) The term does not include an event at which wagers are placed upon any of the following:
    - (1) Bookmaking.
    - (2) A slot machine.
    - (3) A one-ball machine or a variant of a one-ball machine.
    - (4) A pinball machine that awards anything other than an immediate and unrecorded right of replay.
    - (5) A policy or numbers game.
    - (6) A banking or percentage game played with cards or counters, including the acceptance of a fixed share of the stakes in a game.
- As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-2-13**

**"Commission"**

Sec. 13. "Commission" means the Indiana gaming commission established by IC 4-33-3-1.  
*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-2-14**

**"Department"**

Sec. 14. "Department" means the department of state revenue.  
*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-2-15**

**"Door prize"**

Sec. 15. "Door prize" means a prize awarded to a person based solely upon the person's paid attendance at a charity fundraising event or the purchase of a ticket to attend a charity fundraising event.  
*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.5.*

**IC 4-32.2-2-16**

**"Door prize drawing"**

Sec. 16. "Door prize drawing" means a drawing to award a door prize.  
*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-2-17**

**"Door prize event"**

Sec. 17. "Door prize event" means an event at which at least one (1) door prize drawing is conducted by an organization that holds a door prize drawing license issued under this article.  
*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-2-18**

**"Executive director"**

Sec. 18. "Executive director" means the executive director of the Indiana gaming commission

appointed under IC 4-33-3-18.  
*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-18.5**

##### **"Full-time employee"**

Sec. 18.5. "Full-time employee" means an individual who:

(1) is and has been employed by a particular qualified organization for at least ninety (90) consecutive days as of the date of the qualified organization's allowable event; and

(2) works at least an average of thirty-two (32) hours per week or one thousand six hundred sixty-two (1,662) hours per year for the qualified organization in a capacity that is primarily unrelated to the qualified organization's charity gaming operations.

*As added by P.L.227-2007, SEC.6.*

#### **IC 4-32.2-2-18.7**

##### **"Key person"**

Sec. 18.7. "Key person" means any:

- (1) officer;
- (2) director;
- (3) executive;
- (4) employee;
- (5) trustee;
- (6) substantial owner;
- (7) independent owner; or
- (8) agent;

of a business entity that has the power to exercise management or operating authority over the business entity or its affiliates.

*As added by P.L.227-2007, SEC.7.*

#### **IC 4-32.2-2-19**

##### **"Licensed supply"**

Sec. 19. "Licensed supply" refers to any of the following:

- (1) Bingo cards.
- (2) Bingo boards.
- (3) Bingo sheets.
- (4) Bingo pads.
- (5) Pull tabs.
- (6) Punchboards.
- (7) Tip boards.

(8) Any other supplies, devices, or equipment designed to be used in allowable events designated by rule of the commission.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-20**

##### **"Marketing sheet"**

Sec. 20. "Marketing sheet" means additional information published about a wagering game

that describes winnings.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-20.5**

##### **"Member"**

Sec. 20.5. "Member" means any of the following:

- (1) An individual entitled to membership in a qualified organization under the bylaws, articles of incorporation, charter, or rules of the qualified organization.
- (2) A member of the qualified organization's auxiliary.
- (3) In the case of a qualified organization that is a public or nonpublic school (as defined in IC 20-18-2-12), any of the following:
  - (A) A parent of a child enrolled in the school.
  - (B) A member of the school's parent organization.
  - (C) A member of the school's alumni association.
  - (D) An employee of the school.
  - (E) An officer of the school.
  - (F) A student enrolled in the school.

- (4) A member of a qualified organization's board of directors or board of trustees.

*As added by P.L.91-2006, SEC.3. Amended by P.L.1-2007, SEC.20; P.L.227-2007, SEC.8.*

#### **IC 4-32.2-2-21**

##### **"Operator"**

Sec. 21. "Operator" means an individual who is:

- (1) designated under IC 4-32.2-5-1.5 to serve as the operator for an allowable event; and
- (2) responsible for conducting an allowable event for a qualified organization under this article in accordance with Indiana law.

*As added by P.L.91-2006, SEC.3. Amended by P.L.95-2008, SEC.3.*

#### **IC 4-32.2-2-21.5**

##### **"PPT license"**

Sec. 21.5. "PPT license" refers to a license issued to a qualified organization under IC 4-32.2-4-16.5.

*As added by P.L.227-2007, SEC.9.*

#### **IC 4-32.2-2-22**

##### **"Pull tab"**

Sec. 22. "Pull tab" means either of the following:

- (1) A game conducted in the following manner:
  - (A) A single folded or banded ticket or a two-ply card with perforated break-open tabs is bought by a player from a qualified organization.
  - (B) The face of each card is initially covered or otherwise hidden from view, concealing a number, letter, symbol, or set of letters or symbols.
  - (C) In each set of tickets or cards, a designated number of tickets or cards have been randomly designated in advance as winners.
  - (D) Winners, or potential winners if the game includes the use of a seal, are determined by revealing the faces of the tickets or cards. The player may be required to sign the player's

name on numbered lines provided if a seal is used.

(E) The player with a winning pull tab ticket or numbered line receives the prize stated on the flare from the qualified organization. The prize must be fully and clearly described on the flare.

(2) Any game played in a similar fashion as a game described in subdivision (1) that is approved by the commission.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-23**

##### **"Punchboard"**

Sec. 23. "Punchboard" means a card or board that contains a grid or section that hides the random opportunity to win a prize based on the results of punching a single section to reveal a symbol or prize amount.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-23.5**

##### **"Qualified drawing"**

Sec. 23.5. "Qualified drawing" means a random drawing to award one (1) or more prizes that is conducted in the manner required by IC 4-32.2-5-26.

*As added by P.L.108-2009, SEC.5.*

#### **IC 4-32.2-2-24**

##### **"Qualified organization"**

Sec. 24. (a) "Qualified organization" refers to any of the following:

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

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

(B) is exempt from taxation under Section 501 of the Internal Revenue Code; and

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

(i) The organization has been continuously in existence in Indiana for at least five (5) years.

(ii) The organization is affiliated with a parent organization that has been in existence in Indiana for at least five (5) years.

(iii) The organization has reorganized and is continuing its mission under a new name on file with the Indiana secretary of state and with a new tax identification number after having satisfied the requirements set forth in either item (i) or (ii).

(2) A bona fide political organization operating in Indiana that produces exempt function income (as defined in Section 527 of the Internal Revenue Code).

(3) A state educational institution (as defined in IC 21-7-13-32).

(b) For purposes of IC 4-32.2-4-3, a "qualified organization" includes the following:

(1) A hospital licensed under IC 16-21.

(2) A health facility licensed under IC 16-28.

(3) A psychiatric facility licensed under IC 12-25.

(4) An organization defined in subsection (a).

(c) For purposes of IC 4-32.2-4-10, a "qualified organization" includes a bona fide business organization.

(d) Evidence that an organization satisfies subsection (a)(1)(C)(iii) includes:

(1) evidence of the organization's continued use of a service mark or trademarked logo associated with the organization's former name;

(2) evidence of the continuity of the organization's activities as shown in the federal income tax returns filed for the organization's five (5) most recent taxable years;

(3) evidence of the continuity of the organization's activities as shown by the five (5) most recent annual external financial reviews of the organization prepared by a certified public accountant; or

(4) any other information considered sufficient by the commission.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.10; P.L.108-2009, SEC.6.*

#### **IC 4-32.2-2-25**

##### **"Qualified recipient"**

Sec. 25. "Qualified recipient" means:

(1) a hospital or medical center operated by the federal government;

(2) a hospital licensed under IC 16-21;

(3) a hospital subject to IC 16-22;

(4) a hospital subject to IC 16-23;

(5) a health facility licensed under IC 16-28;

(6) a psychiatric facility licensed under IC 12-25;

(7) an organization described in section 24(a) of this chapter;

(8) an activity or a program of a local law enforcement agency intended to reduce substance abuse;

(9) a charitable activity of a local law enforcement agency; or

(10) a veterans' home.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-26**

##### **"Raffle"**

Sec. 26. "Raffle" means the selling of tickets or chances to win a prize awarded through a random drawing.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-27**

##### **"Raffle event"**

Sec. 27. "Raffle event" means an event at which at least one (1) raffle is conducted by an organization that holds a raffle license issued under this article.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-2-27.5**

##### **"Substantial owner"**

Sec. 27.5. "Substantial owner" means:

(1) a person holding at least a five percent (5%) ownership interest; or

(2) an institutional investor holding at least a fifteen percent (15%) ownership interest; in a business entity.

*As added by P.L.227-2007, SEC.11.*

**IC 4-32.2-2-28**

**"Tip board"**

Sec. 28. "Tip board" means a board, a placard, or other device that is marked off in a grid or columns, with each section containing a hidden number or numbers or other symbols that determine a winner.

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-2-29**

**"Veterans' home"**

Sec. 29. "Veterans' home" means any of the following:

- (1) The Indiana Veterans' Home.
- (2) The VFW National Home for Children.
- (3) The Indiana Soldiers' and Sailors' Children's Home.

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-2-29.5**

**"Volunteer ticket agent"**

Sec. 29.5. "Volunteer ticket agent" means a person acting on behalf of a qualified organization that:

- (1) receives no compensation from the qualified organization;
- (2) sells tickets to an allowable event held under a license issued under IC 4-32.2-4-8, IC 4-32.2-10, or IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16; and
- (3) does not assist the qualified organization in conducting the allowable event in any other way.

*As added by P.L.104-2011, SEC.2.*

**IC 4-32.2-2-30**

**"Worker"**

Sec. 30. (a) Except as provided in subsection (b), "worker" means an individual who helps or participates in any manner in conducting or assisting in conducting an allowable event under this article.

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

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

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.12; P.L.95-2008, SEC.4; P.L.104-2011, SEC.3.*

## **IC 4-32.2-3 Chapter 3. Powers and Duties of the Commission**

### **IC 4-32.2-3-1**

#### **Supervision and administration of events**

Sec. 1. (a) The commission shall supervise and administer allowable events conducted under this article.

(b) The commission may by resolution assign to the executive director any duty imposed upon the commission by this article.

(c) The executive director shall perform the duties assigned to the executive director by the commission. The executive director may exercise any power conferred upon the commission by this article that is consistent with the duties assigned to the executive director under subsection (b).

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-3-2**

#### **Investigations and other proceedings**

Sec. 2. For purposes of conducting an investigation or a proceeding under this article, the commission may do the following:

(1) Administer oaths.

(2) Take depositions.

(3) Issue subpoenas.

(4) Compel the attendance of witnesses and the production of books, papers, documents, and other evidence.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-3-3**

#### **Rules**

Sec. 3. (a) The commission shall adopt rules under IC 4-22-2 for the following purposes:

(1) Administering this article.

(2) Establishing the conditions under which charity gaming in Indiana may be conducted, including the manner in which a qualified organization may supervise a euchre game conducted under IC 4-32.2-5-14(b).

(3) Providing for the prevention of practices detrimental to the public interest and providing for the best interests of charity gaming.

(4) Establishing rules concerning inspection of qualified organizations and the review of the licenses necessary to conduct charity gaming.

(5) Imposing penalties for noncriminal violations of this article.

(6) Establishing standards for independent audits conducted under IC 4-32.2-5-5.

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

(1) the need for a rule is so immediate and substantial that rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 are inadequate to address the need; and

(2) an emergency rule is likely to address the need.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.13; P.L.95-2008, SEC.5.*

#### **IC 4-32.2-3-4**

##### **Licensing of manufacturers and distributors**

Sec. 4. (a) The commission has the sole authority to license entities under this article to sell, distribute, or manufacture a licensed supply.

(b) The commission may not limit the number of qualified entities licensed under subsection (a).

(c) The commission may deny a license to an applicant for a license to sell, manufacture, or distribute licensed supplies if the commission determines that at least one (1) of the following applies with respect to the applicant:

(1) The applicant has:

(A) violated a local ordinance, a state or federal statute, or an administrative rule or regulation and the violation would cause the commission to determine that the applicant, a key person, or a substantial owner of the applicant is not of good moral character or reputation; or

(B) committed any other act that would negatively impact the integrity of charity gaming in Indiana.

(2) The applicant has engaged in fraud, deceit, or misrepresentation.

(3) The applicant has failed to provide information required by this article or a rule adopted under this article.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.14; P.L.60-2009, SEC.1.*

#### **IC 4-32.2-3-5**

##### **Fees**

Sec. 5. The commission shall charge appropriate fees to the following:

(1) An applicant for a license to conduct an allowable event.

(2) An applicant seeking a license to distribute a licensed supply.

(3) An applicant seeking a license to manufacture a licensed supply.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.15.*

#### **IC 4-32.2-3-6**

##### **Ownership, sale, and lease of property**

Sec. 6. The commission may own, sell, and lease real and personal property necessary to carry out the commission's responsibilities under this article.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-3-7**

##### **Employees; employment restrictions**

Sec. 7. The commission may employ investigators and other staff necessary to carry out this article. However, the restrictions and limitations on the operators and workers set forth in IC 4-32.2-5-10 apply to staff employed under this article. The employees hired by the commission under this article may be the same as the commission's employees hired under IC 4-33.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-3-8**

##### **Void rules**

Sec. 8. A rule adopted under IC 4-22-2 that requires:

(1) a charity gaming patron to submit; or

(2) a qualified organization to obtain, record, or report;  
information that is inconsistent with IC 4-32.2-5-5(a), IC 4-32.2-5-24, or IC 4-32.2-10-5 is void.  
*As added by P.L.60-2009, SEC.2.*

## **IC 4-32.2-4 Chapter 4. Charity Gaming Licenses**

### **IC 4-32.2-4-1**

#### **Authorized activities**

Sec. 1. A qualified organization may conduct the following activities in accordance with this article:

- (1) A bingo event.
- (2) A charity game night.
- (3) A raffle event.
- (4) A door prize event.
- (5) A festival.
- (6) The sale of pull tabs, punchboards, and tip boards.
- (7) Any other gambling event approved by the commission.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-4-2**

#### **License requirement**

Sec. 2. Except as provided in section 3 of this chapter, a qualified organization must obtain a license under this chapter to conduct an allowable event.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-4-2.5**

#### **Limitations on issuance**

Sec. 2.5. The commission may deny a license to an organization if the commission determines that at least one (1) of the following applies with respect to the organization:

(1) The organization has:

(A) violated a local ordinance, a state or federal statute, or an administrative rule or regulation and the violation would cause the commission to determine that the applicant, a key person, or a substantial owner of the applicant is not of good moral character or reputation; or

(B) committed any other act that would negatively affect the integrity of charity gaming in Indiana.

(2) The organization has engaged in fraud, deceit, or misrepresentation.

(3) The organization has failed to provide information required by this article or a rule adopted under this article.

(4) The organization has failed to provide sufficient information to enable the commission to determine that the organization is a qualified organization.

*As added by P.L.227-2007, SEC.16.*

### **IC 4-32.2-4-3**

#### **Exceptions to license requirement; notice requirement; record keeping**

Sec. 3. (a) A qualified organization is not required to obtain a license from the commission if the value of all prizes awarded at the bingo event, charity game night, raffle event, door prize event, festival event, or other event licensed under section 16 of this chapter, including prizes from pull tabs, punchboards, and tip boards, does not exceed one thousand dollars (\$1,000) for a single event and not more than three thousand dollars (\$3,000) during a calendar year.

(b) A qualified organization that plans to hold an allowable event described in subsection (a)

more than one (1) time a year shall send an annual written notice to the commission informing the commission of the following:

(1) The estimated frequency of the planned allowable events.

(2) The location or locations where the qualified organization plans to hold the allowable events.

(3) The estimated value of all prizes awarded at each allowable event.

(c) The notice required under subsection (b) must be filed before the earlier of the following:

(1) March 1 of each year.

(2) One (1) week before the qualified organization holds the first allowable event of the year.

(d) A qualified organization that conducts an allowable event described in subsection (a) shall maintain accurate records of all financial transactions of the event. The commission may inspect records kept in compliance with this section.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.17.*

#### **IC 4-32.2-4-4**

##### **License applications**

Sec. 4. (a) Each organization applying for a bingo license, a special bingo license, a charity game night license, a raffle license, a door prize drawing license, a festival license, or a license to conduct any other gambling event approved by the commission must submit to the commission a written application on a form prescribed by the commission.

(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.  
*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-5**

##### **Issuance of license; hearings authorized; protest procedures; reissuance**

Sec. 5. (a) The commission may issue a bingo license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
  - (A) submits an application; and
  - (B) pays a fee set by the commission under IC 4-32.2-6.

(b) The commission may hold a public hearing to obtain input on the proposed issuance of an annual bingo license to an applicant that has never held an annual bingo license under this article.

(c) The first time that a qualified organization applies for an annual bingo license, the qualified organization shall publish notice that the application has been filed by publication at least two (2) times, seven (7) days apart, as follows:

- (1) In one (1) newspaper in the county where the qualified organization is located.
- (2) In one (1) newspaper in the county where the allowable event will be conducted.

(d) The notification required by subsection (c) must contain the following:

- (1) The name of the qualified organization and the fact that it has applied for an annual bingo license.
- (2) The location where the bingo events will be held.
- (3) The names of the operator and officers of the qualified organization.
- (4) A statement that any person can protest the proposed issuance of the annual bingo license.
- (5) A statement that the commission shall hold a public hearing if ten (10) written and signed protest letters are received by the commission.

(6) The address of the commission where correspondence concerning the application may be sent.

(e) If the commission receives at least ten (10) protest letters, the commission shall hold a public hearing in accordance with IC 5-14-1.5. The commission shall issue a license or deny the application not later than sixty (60) days after the date of the public hearing.

(f) A license issued under this section:

- (1) may authorize the qualified organization to conduct bingo events on more than one (1) occasion during a period of one (1) year;
- (2) must state the locations of the permitted bingo events;
- (3) must state the expiration date of the license; and
- (4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

(g) Notwithstanding subsection (f)(4), the commission may hold a public hearing for the reissuance of an annual bingo license if at least one (1) of the following conditions is met:

- (1) An applicant has been cited for a violation of law or a rule of the commission.
- (2) The commission receives at least ten (10) protest letters concerning the qualified organization's bingo operation.

(3) A public hearing is considered necessary by the commission.  
*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.18.*

#### **IC 4-32.2-4-6**

##### **Special bingo license**

Sec. 6. The commission may issue a special bingo license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

(1) authorize the qualified organization to conduct a bingo event at only one (1) time and location; and

(2) state the date, beginning and ending times, and location of the authorized bingo event.  
*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-7**

##### **Charity game night license**

Sec. 7. The commission may issue a charity game night license to a qualified organization upon the organization's submission of an

application and payment of a fee determined under IC 4-32.2-6. The license must:

(1) authorize the qualified organization to conduct a charity game night at only one (1) time and location; and

(2) state the date, beginning and ending times, and location of the charity game night.  
*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-7.5**

##### **Annual charity game night license**

Sec. 7.5. (a) This section applies only to a qualified organization described in subsection (h). The commission may issue an annual charity game night license to a qualified organization if:

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

(2) the qualified organization:

(A) submits an application; and

(B) pays a fee set by the commission under IC 4-32.2-6.

(b) The commission may hold a public hearing to obtain input on the proposed issuance of an annual charity game night license to an applicant that has never held an annual charity game night license under this article.

(c) The first time that a qualified organization applies for an annual charity game night license, the qualified organization shall publish notice that the application has been filed by publication at least two (2) times, seven (7) days apart, as follows:

(1) In one (1) newspaper in the county where the qualified organization is located.

(2) In one (1) newspaper in the county where the allowable events will be conducted.

(d) The notification required by subsection (c) must contain the following:

(1) The name of the qualified organization and the fact that it has applied for an annual charity game night license.

(2) The location where the charity game night events will be held.

(3) The names of the operator and officers of the qualified organization.

(4) A statement that any person can protest the proposed issuance of the annual charity

game night license.

(5) A statement that the commission shall hold a public hearing if ten (10) written and signed protest letters are received by the commission.

(6) The address of the commission where correspondence concerning the application may be sent.

(e) If the commission receives at least ten (10) protest letters, the commission shall hold a public hearing in accordance with IC 5-14-1.5. The commission shall issue a license or deny the application not later than sixty (60) days after the date of the public hearing.

(f) A license issued under this section:

(1) may authorize the qualified organization to conduct charity game night events on more than one (1) occasion during a period of one (1) year;

(2) must state the locations of the permitted charity game night events;

(3) must state the expiration date of the license; and

(4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

(g) Notwithstanding subsection (f)(4), the commission may hold a public hearing for the reissuance of an annual charity game night license if at least one (1) of the following conditions is met:

(1) An applicant has been cited for a violation of law or a rule of the commission.

(2) The commission receives at least ten (10) protest letters concerning the qualified organization's charity game night operation.

(3) A public hearing is considered necessary by the commission.

(h) A qualified organization may apply for an annual charity game night license under this section if the qualified organization is:

(1) a bona fide fraternal organization; or

(2) a bona fide veterans organization;

that has been continuously in existence in Indiana for ten (10) years.

(i) A facility or location may not be used for purposes of conducting an annual charity game night event on more than three (3) calendar days per calendar week regardless of the number of qualified organizations conducting an annual charity game night event at the facility or location.

*As added by P.L.227-2007, SEC.19. Amended by P.L.108-2009, SEC.7.*

#### **IC 4-32.2-4-8**

##### **Raffle license**

Sec. 8. The commission may issue a raffle license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

(1) authorize the qualified organization to conduct a raffle event at only one (1) time and location; and

(2) state the date, beginning and ending times, and location of the raffle event.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.20.*

#### **IC 4-32.2-4-9**

##### **Annual raffle license**

Sec. 9. (a) The commission may issue an annual raffle license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
  - (A) submits an application; and
  - (B) pays a fee set by the commission under IC 4-32.2-6.
- (b) The application for an annual raffle prize license must contain the following:
  - (1) The name of the qualified organization.
  - (2) The location where the raffle events will be held.
  - (3) The names of the operator and officers of the qualified organization.
- (c) A license issued under this section:
  - (1) must authorize the qualified organization to conduct raffle events at any time during a period of one (1) year;
  - (2) must state the locations of the permitted raffle events;
  - (3) must state the expiration date of the license; and
  - (4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.
- (d) A license issued under this section is not required for raffles permitted under section 13 of this chapter at events held under a bingo license, a special bingo license, a charity game night license, a door prize license, or an annual door prize license.  
*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.21; P.L.95-2008, SEC.6.*

#### **IC 4-32.2-4-10**

##### **Door prize license**

Sec. 10. The commission may issue a door prize license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a door prize event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the door prize event.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.22.*

#### **IC 4-32.2-4-11**

##### **Annual door prize license**

Sec. 11. (a) The commission may issue an annual door prize license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
  - (A) submits an application; and
  - (B) pays a fee set by the commission under IC 4-32.2-6.
- (b) The application for an annual door prize license must contain the following:
  - (1) The name of the qualified organization.
  - (2) The location where the door prize events will be held.
  - (3) The names of the operator and officers of the qualified organization.
- (c) A license issued under this section:
  - (1) may authorize the qualified organization to conduct door prize events on more than one (1) occasion during a period of one (1) year;

(2) must state the locations of the permitted door prize events;  
(3) must state the expiration date of the license; and  
(4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.23.*

#### **IC 4-32.2-4-12**

##### **Festival license**

Sec. 12. (a) The commission may issue a festival license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must authorize the qualified organization to conduct bingo events, charity game nights, raffle events, gambling events licensed under section 16 of this chapter, and door prize events and to sell pull tabs, punchboards, and tip boards. The license must state the location and the dates, not exceeding five (5) consecutive days, on which these activities may be conducted.

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

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

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.24; P.L.104-2011, SEC.4.*

#### **IC 4-32.2-4-13**

##### **Additional activities authorized**

Sec. 13. (a) A bingo license or special bingo license may also authorize a qualified organization to conduct raffle events and door prize drawings and sell pull tabs, punchboards, and tip boards at the bingo event.

(b) A charity game night license may also authorize a qualified organization to:

(1) conduct raffle events and door prize drawings; and

(2) sell pull tabs, punchboards, and tip boards;

at the charity game night.

(c) A raffle license or an annual raffle license may also authorize a qualified organization to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the raffle event.

(d) A door prize license or an annual door prize license may also authorize a qualified organization to conduct a raffle event and to sell pull tabs, punchboards, and tip boards at the door prize event.

(e) A PPT license may also authorize a qualified organization to conduct on the premises described in section 16.5(b) of this chapter winner take all drawings and other qualified drawings in the manner required by IC 4-32.2-5-26.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.25; P.L.95-2008, SEC.7; P.L.108-2009, SEC.8.*

#### **IC 4-32.2-4-14**

##### **Multiple licenses**

Sec. 14. A qualified organization may hold more than one (1) license at a time.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.26.*

#### **IC 4-32.2-4-15**

##### **Prohibition on limiting the number of organizations licensed**

Sec. 15. The commission may not limit the number of qualified organizations licensed under this article.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-16**

##### **Other events authorized; conditions**

Sec. 16. (a) This section applies to a gambling event that is described in neither:

- (1) section 1(1) through 1(6) of this chapter; nor
- (2) IC 4-32.2-2-12(b).

(b) The commission may issue a single event license or an annual event license to conduct a gambling event approved by the commission to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6.

(c) A single event license must:

- (1) authorize the qualified organization to conduct the gambling event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the gambling event.

(d) An annual event license:

- (1) must authorize the qualified organization to conduct the events on more than one (1) occasion during a period of one (1) year;
- (2) must state the locations of the permitted events;
- (3) must state the expiration date of the license; and
- (4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

(e) The commission may impose any condition upon a qualified organization that is issued a license to conduct a gambling event under this section.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.27.*

#### **IC 4-32.2-4-16.5**

##### **Annual PPT license**

Sec. 16.5. (a) The commission may issue an annual PPT license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6.

(b) A license issued under this section authorizes a qualified organization to sell pull tabs, punchboards, and tip boards at any time on the premises owned or leased by the qualified organization and regularly used for the activities of the qualified organization.

(c) A license issued under this section is not required for the sale of pull tabs, punchboards, and tip boards at another allowable event as permitted under section 13 of this chapter.

(d) The application for an annual PPT license must contain the following:

- (1) The name of the qualified organization.
- (2) The location where the qualified organization will sell pull tabs, punchboards, and tip boards.
- (3) The names of the operator and the officers of the qualified organization.

*As added by P.L.227-2007, SEC.28.*

**IC 4-32.2-4-17****Worker Social Security numbers**

Sec. 17. A qualified organization described in section 4(c) of this chapter may not require an individual who wishes to participate in the qualified organization's allowable event as a worker to submit the individual's Social Security number to the qualified organization.

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-4-18****Candidates' committees authorized to obtain raffle licenses and conduct door prize drawings at raffle events**

Sec. 18. (a) With respect to any action authorized by this section, a candidate's committee (as defined in IC 3-5-2-7) is considered a bona fide political organization.

(b) A candidate's committee may apply for a license under section 8 of this chapter to conduct a raffle event. A candidate's committee may also conduct a door prize drawing at the raffle event but is prohibited from conducting any other kind of allowable event.

(c) The following are subject to this chapter and IC 4-32.2-6:

(1) A candidate's committee that applies for a license under section 8 of this chapter.

(2) A raffle event or door prize drawing conducted by a candidate's committee.

(d) The members of a candidate's committee may conduct an event under this section without meeting the requirements of this article concerning the membership of a qualified organization. A candidate's committee licensed under this section must remain in good standing with the election division or the county election board having jurisdiction over the committee.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.29.*

## **IC 4-32.2-5 Chapter 5. Conduct of Allowable Events**

### **IC 4-32.2-5-1**

#### **Criminal gambling statutes inapplicable to allowable events**

Sec. 1. IC 35-45-5 does not apply to a person who conducts, participates in, or receives a prize in an allowable event.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-5-1.5**

#### **Designation of operator**

Sec. 1.5. For each allowable event conducted under this article, a qualified organization shall designate an individual to serve as the operator of the allowable event. An individual designated under this section must be qualified to serve as an operator under this article.

*As added by P.L.95-2008, SEC.8.*

### **IC 4-32.2-5-2**

#### **Management and conduct of events**

Sec. 2. A qualified organization may not contract or otherwise enter into an agreement with an individual, a corporation, a partnership, a limited liability company, or other association to conduct an allowable event for the benefit of the organization. A qualified organization shall use only operators and workers meeting the requirements of this chapter to manage and conduct an allowable event.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-5-3**

#### **Use and determination of net proceeds**

Sec. 3. (a) All net proceeds from an allowable event and related activities may be used only for the lawful purposes of the qualified organization.

(b) To determine the net proceeds from an allowable event, a qualified organization shall subtract the following from the gross receipts received from the allowable event:

(1) An amount equal to the total value of the prizes, including door prizes, awarded at the allowable event.

(2) The sum of the purchase prices paid for licensed supplies dispensed at the allowable event.

(3) An amount equal to the qualified organization's license fees attributable to the allowable event.

(4) An amount equal to the advertising expenses incurred by the qualified organization to promote the allowable event.

(5) An amount not to exceed two hundred dollars (\$200) per day for rent paid for facilities leased for an allowable event.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.30.*

### **IC 4-32.2-5-4**

#### **Donation of gross charity gaming receipts**

Sec. 4. (a) A qualified organization that receives ninety percent (90%) or more of the organization's total gross receipts from any events licensed under this article is required to donate

sixty percent (60%) of its gross charitable gaming receipts less prize payout to a qualified recipient that is not an affiliate, a parent, or a subsidiary organization of the qualified organization.

(b) For purposes of this section, a veterans' home is not considered to be an affiliate, a parent, or a subsidiary organization of a qualified organization that is a bona fide veterans organization. *As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-5**

##### **Financial records; deposit of funds; payment of expenses; audits**

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. 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. 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. *As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.31; P.L.60-2009, SEC.3.*

#### **IC 4-32.2-5-6**

##### **Event limit**

Sec. 6. (a) Except as provided in IC 4-32.2-4-9 and IC 4-32.2-4-16.5, a qualified organization may not conduct more than three (3) allowable events during a calendar week and not more than one (1) allowable event each day.

(b) Except as provided in IC 4-32.2-4-9, IC 4-32.2-4-12, and IC 4-32.2-4-16.5, allowable events may not be held on more than two (2) consecutive days.

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

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.32; P.L.95-2008, SEC.9.*

#### **IC 4-32.2-5-7**

##### **Repealed**

*(Repealed by P.L.227-2007, SEC.70.)*

#### **IC 4-32.2-5-8**

##### **Leasing facilities and personal property**

Sec. 8. (a) If a facility or location is leased for an allowable event, the rent may not be based in whole or in part on the revenue generated from the event.

(b) Subject to the additional restrictions on the use of a facility or location that are set forth in IC 4-32.2-4-7.5(i), a facility or location may not be rented for more than three (3) days during a

calendar week for an allowable event.

(c) If personal property is leased for an allowable event, the rent may not be based in whole or in part on the revenue generated from the event.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.33; P.L.108-2009, SEC.9.*

#### **IC 4-32.2-5-9**

##### **Restriction on events at same location**

Sec. 9. Not more than one (1) qualified organization may conduct an allowable event on the same day at the same location.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-10**

##### **Prohibition on felons as operators and workers; exceptions**

Sec. 10. An operator or a worker may not be a person who has been convicted of or entered a plea of nolo contendere to a felony committed in the preceding ten (10) years, regardless of the adjudication, unless the commission determines that:

(1) the person has been pardoned or the person's civil rights have been restored; or

(2) after the conviction or entry of the plea, the person has engaged in the kind of good citizenship that would reflect well upon the integrity of the qualified organization and the commission.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-11**

##### **Prohibition on commission employees and relatives as operators, workers, or volunteer ticket agents**

Sec. 11. An employee of the commission or a relative living in the same household with the employee of the commission may not be an operator, a worker, or a volunteer ticket agent.

*As added by P.L.91-2006, SEC.3. Amended by P.L.104-2011, SEC.5.*

#### **IC 4-32.2-5-12**

##### **Remuneration of operators, workers, volunteer ticket agents, and certain employees prohibited**

Sec. 12. (a) Except as provided in subsection (b) or (c), an operator, a worker, or a volunteer ticket agent who is not a full-time employee may not receive remuneration for:

(1) conducting; or

(2) assisting in conducting;

an allowable event.

(b) A qualified organization that conducts an allowable event may:

(1) provide meals for the operators and workers during the allowable event; and

(2) provide recognition dinners and social events for the operators and workers;

if the value of the meals and social events does not constitute a significant inducement to participate in the conduct of the allowable event.

(c) In the case of a qualified organization holding a PPT license, any employee of the qualified organization may:

(1) participate in the sale and redemption of pull tabs, punchboards, and tip boards on the premises of the qualified organization; and

(2) receive the remuneration ordinarily provided to the employee in the course of the employee's employment.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.34; P.L.104-2011, SEC.6.*

#### **IC 4-32.2-5-13**

##### **Operators limited to three organizations**

Sec. 13. (a) An individual may not be an operator for more than three (3) qualified organizations during a calendar month.

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

*As added by P.L.91-2006, SEC.3. Amended by P.L.60-2009, SEC.4.*

#### **IC 4-32.2-5-14**

##### **Participation of operators and workers; euchre players not considered workers when dealing cards**

Sec. 14. (a) Except as provided by subsections (c) and (d), an operator or a worker may not directly or indirectly participate, other than in a capacity as an operator or a worker, in an allowable event that the operator or worker is conducting.

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

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

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

(3) the euchre game is played under the supervision of the qualified organization conducting the charity game night in accordance with rules adopted by the commission under IC 4-32.2-3-3. A patron who deals the cards in a euchre game conducted under this subsection is not considered a worker or an operator for purposes of this article.

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

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

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

(d) A worker at a bingo event:

(1) whose duties are limited to:

(A) selling bingo supplies;

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

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

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

(3) who is not engaged as a worker at any other time during the bingo event; may participate as a player in any gaming activity offered at the bingo event following the completion of the worker's duties at the bingo event.

*As added by P.L.91-2006, SEC.3. Amended by P.L.95-2008, SEC.10; P.L.60-2009, SEC.5; P.L.108-2009, SEC.10; P.L.104-2011, SEC.7.*

#### **IC 4-32.2-5-15**

##### **Operator membership requirement**

Sec. 15. An operator must be a member in good standing of the qualified organization that is conducting the allowable event for at least one (1) year at the time of the allowable event.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-16**

##### **Worker membership requirement; exception; shared revenues**

Sec. 16. (a) Except as provided in section 12(c) of this chapter and subsection (b), a worker at an allowable event must be a member in good standing of the qualified organization that is conducting the allowable event for at least thirty (30) days at the time of the allowable event.

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

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

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

(c) For purposes of:

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

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

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.35; P.L.60-2009, SEC.6.*

#### **IC 4-32.2-5-17**

##### **Bingo event prize limits**

Sec. 17. (a) The prize for one (1) bingo game may not have a value of more than one thousand dollars (\$1,000).

(b) Except as provided in subsection (c), the total prizes permitted at one (1) bingo event may not have a value of more than six thousand dollars (\$6,000).

(c) The commission may, by express authorization, allow any qualified organization to conduct two (2) bingo events each year at which the total prizes for the bingo event may not exceed ten thousand dollars (\$10,000). Bingo events authorized under this subsection may be conducted at a festival conducted under IC 4-32.2-4-12.

(d) The proceeds of the sale of pull tabs, punchboards, and tip boards are not included in the total prize limit at a bingo event.

(e) The value of all door prizes awarded at a bingo event may not have a value of more than one thousand five hundred dollars (\$1,500).

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-18**

##### **Raffle event prize limits**

Sec. 18. (a) The total prizes for a raffle event conducted at another allowable event may not have a value of more than five thousand dollars (\$5,000). However, the commission may, by express authorization, allow a qualified organization to conduct one (1) raffle event at another allowable event each year at which the total prizes for the raffle event may not exceed twenty-five thousand dollars (\$25,000). The sale of pull tabs, punchboards, and tip boards is not included in the total prize limit at a raffle event.

(b) The value of all door prizes awarded at a raffle event may not have a value of more than one thousand five hundred dollars (\$1,500).

(c) The prize limits set forth in subsection (a) do not apply to a raffle event that is not conducted at another allowable event.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-19**

##### **Door prize event prize limits**

Sec. 19. The total prizes for a door prize event may not have a value of more than five thousand dollars (\$5,000). However, the commission may, by express authorization, allow a qualified organization to conduct one (1) door prize event each year at which the total prizes for the door prize event may not exceed twenty thousand dollars (\$20,000). The proceeds of the sale of pull tabs, punchboards, and tip boards are not included in the total prize limit at a door prize event.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-20**

##### **Pull tab, punchboard, and tip board prize limits; selling prices**

Sec. 20. (a) The total prizes awarded for one (1) pull tab, punchboard, or tip board game may not exceed five thousand dollars (\$5,000).

(b) A single prize awarded for one (1) winning ticket in a pull tab, punchboard, or tip board game may not exceed five hundred ninety-nine dollars (\$599).

(c) The selling price for one (1) ticket for a pull tab, punchboard, or tip board game may not exceed one dollar (\$1).

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-21**

##### **Prohibited participants**

Sec. 21. (a) Except as provided in subsection (b), the following persons may not play or participate in any manner in an allowable event:

(1) A member or an employee of the commission.

(2) A person less than eighteen (18) years of age.

(b) A person less than eighteen (18) years of age may sell tickets or chances for a raffle.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-22**

##### **Restrictions on employees, officers, and owners of manufacturers and distributors**

Sec. 22. An employee, officer, or owner of a manufacturer or distributor is prohibited from

participating in or affiliating in any way with the charity gaming operations of a qualified organization of which the employee, officer, or owner is a member.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.36.*

#### **IC 4-32.2-5-23**

##### **Radio advertising**

Sec. 23. An advertisement for an allowable event in radio broadcast media must announce, within the advertisement, the name of the qualified organization conducting the allowable event and that the qualified organization's license number is on file.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-5-24**

##### **Patron information; information required to award pull tab, punchboard, or tip board prizes of \$250 or more; information for federal income tax reporting**

Sec. 24. (a) Except as provided in subsections (b) and (c), the following apply to an allowable event:

(1) A charity gaming patron is not required to submit to a qualified organization the patron's name, signature, driver's license number, or other identifying information.

(2) A qualified organization is not required to obtain a patron's name, signature, driver's license number, or other identifying information.

(b) A prize of two hundred fifty dollars (\$250) or more may not be awarded to a winner of a pull tab, punchboard, or tip board game unless:

(1) the winner provides the winner's printed name, signature, and date of birth to the qualified organization conducting the pull tab, punchboard, or tip board game; and

(2) the qualified organization verifies the identity of the prize winner using any reasonable means the qualified organization considers necessary.

(c) If a qualified organization is required to report a patron's gambling winnings to the Internal Revenue Service for federal income tax purposes, the winning patron shall provide the qualified organization with the information necessary to comply with all applicable state and federal tax laws.

*As added by P.L.60-2009, SEC.7.*

#### **IC 4-32.2-5-25**

##### **Obtaining supplies**

Sec. 25. (a) Except as provided in subsection (b), a qualified organization shall obtain licensed supplies from an entity licensed by the commission as a manufacturer or distributor.

(b) Subsection (a) does not apply to a reusable licensed supply:

(1) constructed, purchased, or otherwise obtained by a qualified organization before January 1, 2009; or

(2) borrowed at any time from another qualified organization.

*As added by P.L.60-2009, SEC.8.*

#### **IC 4-32.2-5-26**

##### **Conduct of qualified drawings**

Sec. 26. (a) A qualified drawing must be conducted in the manner required by this section.

(b) A qualified drawing is subject to the following rules and limitations:

(1) The purchase price for a chance to win a prize in a qualified drawing may not exceed five dollars (\$5).

(2) The total value of all prizes that may be won in a particular qualified drawing may not exceed three hundred dollars (\$300) for any of the following:

- (A) A daily drawing.
- (B) A weekly drawing.
- (C) A monthly drawing.

(3) A qualified drawing must be conducted in accordance with the following limitations:

- (A) Not more than one (1) daily drawing may be conducted each day.
- (B) Not more than one (1) weekly drawing may be conducted each week.
- (C) Not more than one (1) monthly drawing may be conducted each month.
- (D) Weekly drawings must be held on regular seven (7) day intervals posted in the information required by subdivision (11).

(E) Monthly drawings must be held on regular monthly intervals posted in the information required by subdivision (11).

A weekly or monthly drawing may be conducted on the same day that a daily drawing is conducted.

(4) Except as otherwise provided in this section, a patron must be present to claim a prize awarded in a qualified drawing.

(5) A qualified organization may not profit from conducting a qualified drawing.

(6) All amounts wagered on qualified drawings must be returned to a qualified organization's patrons in the form of prizes.

(7) A qualified organization may not conduct a qualified drawing or any other event in which the winner of the prize is determined, in whole or in part, by a sporting event.

(8) If no winning ticket is drawn in a qualified drawing, a qualified organization may:

- (A) carry the prize over to a later drawing in accordance with this section; or
- (B) continue drawing tickets until a winner is drawn.

(9) If a patron who purchased a winning ticket is not present to claim a prize at the time of the qualified drawing, a qualified organization shall hold the prize for the winning patron in accordance with the rules of the qualified organization.

(10) In order to comply with subdivision (9), a qualified organization shall obtain the name, address, and telephone number of each patron who purchases a ticket for a qualified drawing.

(11) A qualified organization must conspicuously display the following information concerning each qualified drawing conducted by the qualified organization:

- (A) The price of a ticket.
- (B) The time of the drawing.
- (C) The description and value of the prizes awarded in the drawing.
- (D) The manner in which a prize may be claimed.
- (E) The rules of the qualified organization concerning the following:

(i) Qualified drawings in which no winning ticket is drawn.

(ii) The period that the qualified organization will hold a prize for a winning patron who was not present to claim the prize at the time of the qualified drawing.

(12) Notwithstanding any other provision of this chapter, a qualified organization must continue drawing tickets in a monthly drawing until the qualified organization draws a ticket purchased by a patron who is present to claim the prize.

(c) When the winning patron is not present at the time of the qualified drawing to claim a

prize, the qualified organization shall award the prize in the following manner:

(1) The qualified organization shall immediately notify the winning patron by telephone that the patron's name was drawn in a qualified drawing and that the patron has the time permitted by the rules of the qualified organization, which must be at least seventy-two (72) hours, to claim the prize.

(2) The winning patron must appear at the premises of the qualified organization within the time permitted by the rules of the qualified organization to claim the prize in person.

(3) The qualified organization shall verify the identity of the winning patron and award the prize.

(d) This subsection applies when the rules of a qualified organization require the qualified organization to carry over a prize when no winning ticket is drawn and when a winning patron fails to claim a prize in the manner required by subsection (c). The qualified organization shall carry the prize over to a later qualified drawing as follows:

(1) An unclaimed prize from a daily drawing must be carried over to the next daily drawing.

(2) Subject to the prize limits set forth in subsection (b)(2), a qualified organization may carry over a prize under subdivision (1) not more than fourteen (14) times. On the fourteenth calendar day to which a prize has been carried over, the qualified organization must continue drawing tickets until the qualified organization draws a ticket purchased by a patron who is present to claim the prize.

(3) An unclaimed prize from a weekly drawing must be carried over to the next weekly drawing.

(4) Subject to the prize limits set forth in subsection (b)(2), a qualified organization may carry over a prize under subdivision (3) not more than one (1) time. On the day that the qualified organization conducts a weekly drawing for the carried over prize, the qualified organization must continue drawing tickets until the qualified organization draws a ticket purchased by a patron who is present to claim the prize.

(e) The following apply to a qualified organization that carries over a prize under subsection (d):

(1) A qualified organization may conduct the daily drawing regularly scheduled for a calendar day occurring during the time that the qualified organization holds a prize for a winning patron who was not present at the time of a qualified drawing.

(2) If an unclaimed prize from a daily drawing is carried over to a particular date, the qualified organization may not conduct the regular daily drawing that would otherwise be permitted under this section on that date.

(3) If an unclaimed prize from a weekly drawing is carried over to a particular date, the qualified organization may not conduct the regular weekly drawing that would otherwise be permitted under this section on that date.

(4) Subject to the prize limits set forth in subsection (b)(2), a qualified organization may accept additional entries to a drawing for a carried over prize.

*As added by P.L.108-2009, SEC.11.*

#### **IC 4-32.2-5-27**

#### **Rules governing the use of volunteer ticket agents**

Sec. 27. The following apply to a qualified organization's use of a volunteer ticket agent:

(1) Before using volunteer ticket agents to sell tickets to an allowable event, a qualified organization shall provide a list containing the following information to the commission:

(A) The name, address, and telephone number of each retail establishment whose

employees will serve as volunteer ticket agents.

(B) The name of the general manager of each retail establishment listed under clause (A).

(2) A volunteer ticket agent may not sell pull tabs, punchboards, or tip boards.

(3) A volunteer ticket agent is not required to be a member in good standing of the qualified organization.

(4) A volunteer ticket agent may participate as a patron in any allowable event conducted by the qualified organization.

(5) A qualified organization must include on each ticket or entry sold by a volunteer ticket agent the name of the qualified organization, the date of the allowable event, and a valid license number for the allowable event.

(6) All tickets sold by volunteer ticket agents must be numbered sequentially.

(7) After tickets to the allowable event are sold, the qualified organization shall provide to the commission the name, address, and telephone number of each person who served as a volunteer ticket agent.

*As added by P.L.104-2011, SEC.8.*

#### **IC 4-32.2-5-28**

##### **Acceptance of credit cards**

Sec. 28. (a) Subject to subsection (b), a qualified organization may accept credit cards at an allowable event for the purchase of:

(1) food and beverages;

(2) merchandise; and

(3) retail goods and services offered at a benefit auction.

(b) A qualified organization may not accept credit cards or extend credit to a player for the purchase of a:

(1) chance to play any game of chance offered at an allowable event; or

(2) licensed supply.

*As added by P.L.104-2011, SEC.9.*

**IC 4-32.2-6** Chapter 6. License Fees

**IC 4-32.2-6-0.5**

**"Gross revenue"**

Sec. 0.5. As used in this chapter, "gross revenue" does not include any amount wagered on winner take all and other qualified drawings conducted by a qualified organization under IC 4-32.2-5-26.

*As added by P.L.95-2008, SEC.11. Amended by P.L.108-2009, SEC.12.*

**IC 4-32.2-6-1**

**License fees required**

Sec. 1. The commission shall charge a license fee to an applicant under this article.

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-6-2**

**Initial license fee schedule; first year license fee limit**

Sec. 2. The commission shall establish an initial license fee schedule. However, the license fee that is charged to a qualified organization in the first year that the qualified organization applies for a license may not exceed fifty dollars (\$50).

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-6-3**

**License renewal fee schedule**

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

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
A	\$ 0	\$ 15,000	\$ 50
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
N	\$	1,000,000	\$	1,250,000	\$	11,000
O	\$	1,250,000	\$	1,500,000	\$	13,000
P	\$	1,500,000	\$	1,750,000	\$	15,000
Q	\$	1,750,000	\$	2,000,000	\$	17,000
R	\$	2,000,000	\$	2,250,000	\$	19,000
S	\$	2,250,000	\$	2,500,000	\$	21,000
T	\$	2,500,000	\$	3,000,000	\$	24,000
U	\$	3,000,000			\$	26,000

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.37; P.L.104-2011, SEC.10.*

#### **IC 4-32.2-6-4**

##### **Manufacturers' and distributors' license renewal fee schedule**

Sec. 4. The commission shall establish a license fee schedule for the renewal of licenses for manufacturers and distributors.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-6-5**

##### **Deposit of license fees**

Sec. 5. The commission shall deposit license fees collected under this chapter in the charity gaming enforcement fund established by IC 4-32.2-7-3.

*As added by P.L.91-2006, SEC.3.*

## **IC 4-32.2-7 Chapter 7. Charity Gaming Enforcement Fund**

### **IC 4-32.2-7-1**

#### **"Surplus revenue"**

Sec. 1. As used in this chapter, "surplus revenue" means the amount of money in the charity gaming enforcement fund that is not required to meet the costs of administration and the cash flow needs of the commission under this article, IC 4-33-19, and IC 4-33-20.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.38.*

### **IC 4-32.2-7-2**

#### **"Fund"**

Sec. 2. As used in this chapter, "fund" means the charity gaming enforcement fund established by section 3 of this chapter.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-7-3**

#### **Charity gaming enforcement fund established**

Sec. 3. The charity gaming enforcement fund is established. The commission shall administer the fund.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-7-4**

#### **Fees, penalties, and taxes deposited in charity gaming enforcement fund**

Sec. 4. The fund consists of the following:

- (1) License fees collected under IC 4-32.2-6.
- (2) Civil penalties collected under IC 4-32.2-8.
- (3) Charity gaming card excise taxes received under IC 4-32.2-10.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-7-5**

#### **Investment of fund**

Sec. 5. Money in the fund does not revert to the state general fund at the end of a state fiscal year. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-7-6**

#### **Annual appropriation**

Sec. 6. There is appropriated annually to the commission from the fund an amount sufficient to cover the costs incurred by the commission for the purposes specified in this article, IC 4-33-19, and IC 4-33-20.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.39.*

### **IC 4-32.2-7-7**

#### **Transfers to build Indiana fund**

Sec. 7. Before the last business day of January, April, July, and October, the commission

shall, upon approval of the budget agency, transfer the surplus revenue to the treasurer of state for deposit in the build Indiana fund.

*As added by P.L.91-2006, SEC.3.*

## **IC 4-32.2-8 Chapter 8. Penalties**

### **IC 4-32.2-8-1**

#### **Grounds for penalties**

Sec. 1. (a) The commission may suspend or revoke the license of or levy a civil penalty against a qualified organization, a manufacturer, a distributor, or an individual under this article for any of the following:

(1) Violation of:

(A) a provision of this article, IC 35-45-5-3, IC 35-45-5-3.5, IC 35-45-5-4, or a rule of the commission; or

(B) any other local ordinance, state or federal statute, or administrative rule or regulation that would cause the commission to determine that the person is not of good moral character or reputation.

(2) Failure to accurately account for a licensed supply.

(3) Failure to accurately account for sales proceeds from an event or activity licensed or permitted under this article.

(4) Commission of a fraud, deceit, or misrepresentation.

(5) Conduct prejudicial to public confidence in the commission.

(b) If a violation is of a continuing nature, the commission may impose a civil penalty upon a licensee or an individual for each day the violation continues.

(c) For purposes of subsection (a), a finding that a person has violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4 must be supported by a preponderance of the evidence.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.40.*

### **IC 4-32.2-8-2**

#### **Civil penalty amounts**

Sec. 2. A civil penalty imposed by the commission upon a qualified organization or an individual under section 1 of this chapter may not exceed the following amounts:

(1) One thousand dollars (\$1,000) for the first violation.

(2) Two thousand five hundred dollars (\$2,500) for the second violation.

(3) Five thousand dollars (\$5,000) for each additional violation.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-8-3**

#### **Additional enforcement actions authorized**

Sec. 3. In addition to imposing a penalty described in section 1 of this chapter, the commission may do all or any of the following:

(1) Lengthen a period of suspension of the license.

(2) Prohibit an operator or an individual who has been found to be in violation of this article from associating with charity gaming conducted by a qualified organization.

(3) Impose an additional civil penalty of not more than one hundred dollars (\$100) for each day the civil penalty goes unpaid.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-8-4**

#### **Criminal penalties**

Sec. 4. (a) Except as provided in subsection (b), a person or an organization that recklessly, knowingly, or intentionally violates a provision of this article commits a Class B misdemeanor.

(b) An individual, a corporation, a partnership, a limited liability company, or other association that recklessly, knowingly, or intentionally enters into a contract or other agreement with a qualified organization in violation of IC 4-32.2-5-2 commits a Class D felony.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-8-5**

##### **Deposit of civil penalties**

Sec. 5. The commission shall deposit civil penalties collected under this chapter in the charity gaming enforcement fund established by IC 4-32.2-7-3.

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-9** Chapter 9. Security

**IC 4-32.2-9-1**

**Responsibility for security; necessary police powers**

Sec. 1. (a) The commission is responsible for security matters under this article. The commission may employ investigators and other individuals necessary to carry out this chapter.

(b) An employee of the commission engaged in the enforcement of this article is vested with the necessary police powers to enforce this article. The police powers granted by this subsection are limited to the enforcement of this article.

(c) An employee described in subsection (b) may not:

(1) issue a summons for an infraction or a misdemeanor violation of any law other than this article;

(2) act as an officer for the arrest of offenders for the violation of an Indiana law other than this article; or

(3) exercise any other police power with respect to the enforcement of any state or local law other than this article.

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-9-2**

**Authorized security powers**

Sec. 2. An employee of the commission may do any of the following:

(1) Investigate an alleged violation of this article.

(2) Arrest an alleged violator of this article.

(3) Enter upon the following premises for the performance of the employee's lawful duties:

(A) A location where a bingo event, charity game night, festival event, raffle, door prize drawing, or other charity gambling event licensed under IC 4-32.2-4-16 is being conducted.

(B) A location where pull tabs, tip boards, or punchboards are being purchased, sold, manufactured, printed, or stored.

(4) Take necessary equipment from the premises for further investigation.

(5) Obtain full access to all financial records of the entity upon request.

(6) If there is a reason to believe that a violation has occurred, search and inspect the premises where the violation is alleged to have occurred or is occurring. A search under this subdivision may not be conducted unless a warrant has first been obtained by the executive director. A contract entered into by the executive director may not include a provision allowing for warrantless searches. A warrant may be obtained in the county where the search will be conducted or in Marion County.

(7) Seize or take possession of:

(A) papers;

(B) records;

(C) tickets;

(D) currency; or

(E) other items;

related to an alleged violation.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.41.*

### **IC 4-32.2-9-3**

#### **Investigations**

Sec. 3. (a) The commission shall conduct investigations necessary to ensure the security and integrity of the operation of games of chance under this article. The commission may conduct investigations of the following:

- (1) Licensed qualified organizations.
- (2) Applicants for licenses issued under this article.
- (3) Entities that sell, manufacture, or distribute licensed supplies.
- (4) Employees of the commission under this article.
- (5) Applicants for contracts or employment with the commission under this article.
- (6) Individuals engaged in conducting allowable events.

(b) The commission may require persons subject to an investigation under subsection (a) to provide information, including fingerprints, that is:

- (1) required by the commission to carry out the investigation; or
- (2) otherwise needed to facilitate access to state and criminal history information.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.42.*

### **IC 4-32.2-9-4**

#### **State police and other agency assistance**

Sec. 4. (a) The state police department shall, at the request of the executive director, provide the following:

(1) Assistance in obtaining criminal history information relevant to investigations required for honest, secure, exemplary operations under this article.

(2) Any other assistance requested by the executive director and agreed to by the superintendent of the state police department.

(b) Any other state agency, including the alcohol and tobacco commission and the Indiana professional licensing agency, shall upon request provide the executive director with information relevant to an investigation conducted under this article.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-9-5**

#### **Retention of marketing sheets**

Sec. 5. A marketing sheet published in connection with a wagering game must be maintained for the lesser of:

- (1) six (6) years after the year in which the marketing sheet was published; or
- (2) the end of an audit in which the marketing sheet and similar records are audited.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-9-6**

#### **Destroyed, discontinued, or unusable licensed supplies**

Sec. 6. (a) This section applies only to products sold in Indiana.

(b) If a licensed manufacturer or distributor destroys, discontinues, or otherwise renders unusable a licensed supply, the manufacturer or distributor shall provide the commission with a written list of the items destroyed, discontinued, or rendered otherwise unusable.

(c) The list required under subsection (b) must contain the following information concerning the items destroyed, discontinued, or rendered otherwise unusable:

- (1) The quantity.
- (2) A description.
- (3) The serial numbers.
- (4) The date the items were destroyed, discontinued, or rendered otherwise unusable.

(d) Notwithstanding subsection (b), this section does not apply to a product considered defective by the manufacturer or distributor.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.43.*

#### **IC 4-32.2-9-7**

##### **Requests for records; production deadline**

Sec. 7. Records of a manufacturer or distributor must be produced upon request by the commission within seventy-two (72) hours or by another mutually agreed upon time if production of the requested documents within seventy-two (72) hours is impractical or burdensome.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-9-8**

##### **Quarterly reports**

Sec. 8. A manufacturer or distributor of a licensed supply to be used in charity gaming in Indiana must file a quarterly report listing the manufacturer's or distributor's sales of the licensed supply.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.44.*

#### **IC 4-32.2-9-9**

##### **Confidentiality**

Sec. 9. (a) Information obtained by the commission during the course of an investigation conducted under this chapter is confidential.

(b) A driver's license number or other identifying information of an operator or worker that is submitted to the commission on an application for a license under this article is confidential.

*As added by P.L.91-2006, SEC.3. Amended by P.L.108-2009, SEC.13.*

## **IC 4-32.2-10 Chapter 10. Gaming Card Excise Tax**

### **IC 4-32.2-10-1**

#### **Gaming card excise tax imposed**

Sec. 1. An excise tax is imposed on the distribution of pull tabs, punchboards, and tip boards in the amount of ten percent (10%) of the price paid by the qualified organization that purchases the pull tabs, punchboards, and tip boards.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-10-2**

#### **Liability for tax**

Sec. 2. A licensed entity distributing pull tabs, punchboards, or tip boards under this article is liable for the tax. The tax is imposed at the time the licensed entity:

- (1) brings or causes the pull tabs, punchboards, or tip boards to be brought into Indiana for distribution;
- (2) distributes pull tabs, punchboards, or tip boards in Indiana; or
- (3) transports pull tabs, punchboards, or tip boards to qualified organizations in Indiana for resale by those qualified organizations.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-10-3**

#### **Accounting procedures**

Sec. 3. The department shall establish procedures by which each licensed entity must account for the following:

- (1) The tax collected under this chapter by the licensed entity.
- (2) The pull tabs, punchboards, and tip boards sold by the licensed entity.
- (3) The funds received for sales of pull tabs, punchboards, and tip boards by the licensed entity.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-10-4**

#### **Form of payment**

Sec. 4. A payment by a licensed entity to the department may not be in cash. All payments must be in the form of a check, a draft, an electronic funds transfer, or another financial instrument authorized by the commissioner. The department may require licensed entities to establish separate electronic funds transfer accounts for the purpose of making payments to the department.

*As added by P.L.91-2006, SEC.3.*

### **IC 4-32.2-10-5**

#### **Remittance of taxes; reports**

Sec. 5. All taxes imposed on a licensed entity under this chapter shall be remitted to the department at the times and as directed by the department. The department is responsible for all administrative functions related to the receipt of funds. The department may require each licensed entity to file with the department reports of the licensed entity's receipts and transactions in the sale of pull tabs, punchboards, and tip boards. The department shall prescribe the form of

the reports and the information to be contained in the reports. For purposes of this section, a qualified organization is not required to report the name, signature, or driver's license number 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).

*As added by P.L.91-2006, SEC.3. Amended by P.L.60-2009, SEC.9.*

#### **IC 4-32.2-10-6**

##### **Audits**

Sec. 6. The department may at any time perform an audit of the books and records of a licensed entity to ensure compliance with this chapter.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-10-7**

##### **Application of penalty provisions**

Sec. 7. IC 4-32.2-8 applies to licensed entities.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-10-8**

##### **Taxes transferred for deposit in the charity gaming enforcement fund**

Sec. 8. The department shall transfer all taxes collected under this chapter to the commission for deposit in the charity gaming enforcement fund established by IC 4-32.2-7-3.

*As added by P.L.91-2006, SEC.3.*

## ARTICLE 21. CHARITY GAMING

### Rule 1. Definitions

#### 68 IAC 21-1-1 Applicability

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-2

Sec. 1. The definitions in this rule and in IC 4-32.2-2 apply throughout this article. (*Indiana Gaming Commission; 68 IAC 21-1-1; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

#### 68 IAC 21-1-2 "Bingo card" or "bingo paper" defined

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 2. "Bingo card" or "bingo paper" means permutations of letter and number combinations printed on reusable or nonreusable card or paper stock containing five (5) rows of five (5) squares, each imprinted with randomly placed numbers, one (1) through seventy-five (75), except for the center square, which is always marked with the word free. The letters "B-I-N-G-O" in this order must also be imprinted above each of the five (5) columns. A serial number consisting of at least five (5) alpha characters or numeric characters, or both, must be printed on each item manufactured and sold. (*Indiana Gaming Commission; 68 IAC 21-1-2; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

#### 68 IAC 21-1-3 "Bingo equipment" defined

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 3. "Bingo equipment" means all paraphernalia used to conduct bingo, including, but not limited to, the following:

- (1) Random number selection equipment.
- (2) Designators, such as bingo balls.
- (3) Designator receptacles.
- (4) Number display boards.
- (5) Dispensing devices.

The term does not include audio or video equipment, which plays no part in the conduct of the game. (*Indiana Gaming Commission; 68 IAC 21-1-3; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

#### 68 IAC 21-1-4 "Bingo supplies" defined

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 4. "Bingo supplies" includes, but is not limited to, any of the following:

- (1) Bingo paper.
- (2) Bingo cards.
- (3) Concealed face bingo cards.
- (4) Daubers.
- (5) Other devices designed to cover squares on a bingo card or bingo paper.

(*Indiana Gaming Commission; 68 IAC 21-1-4; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

#### 68 IAC 21-1-5 "Calendar" defined

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 5. "Calendar" means a tabular register of days that does not cover less than one (1) calendar month or more than twelve (12) calendar months. (*Indiana Gaming Commission; 68 IAC 21-1-5; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-1-5.5 "Calendar day" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 5.5. "Calendar day" means one (1) continuous twenty-four (24) hour period beginning at 12:01 a.m. and ending at 11:59 p.m. (*Indiana Gaming Commission; 68 IAC 21-1-5.5; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

**68 IAC 21-1-6 "Calendar raffle" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 6. "Calendar raffle" means a type of raffle in which a calendar, or a ticket sold in conjunction with a calendar, is sold and for which a drawing is held and a prize is awarded on each predetermined date specified in the calendar. (*Indiana Gaming Commission; 68 IAC 21-1-6; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-1-7 "Concealed face bingo card" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 7. "Concealed face bingo card" means a nonreusable bingo card constructed to conceal the card face. This type of card is commonly referred to under trade names, such as the following:

- (1) Tear-Open.
- (2) Bonanza Bingo.
- (3) Bull's-eye.
- (4) Fortune Cards.

(*Indiana Gaming Commission; 68 IAC 21-1-7; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-1-8 "Deal" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 8. "Deal" means each separate package, or series of packages, consisting of one (1) game of pull-tabs or tip boards with the same serial number. (*Indiana Gaming Commission; 68 IAC 21-1-8; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-1-9 "Festival" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 9. "Festival" means an event where a qualified organization is authorized to:

- (1) conduct:
  - (A) bingo events;
  - (B) charity game nights;
  - (C) one (1) raffle event; and
  - (D) door prize events; and
- (2) sell pull-tabs, punchboards, and tip boards.

(*Indiana Gaming Commission; 68 IAC 21-1-9; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-1-10 "Flare" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

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CHARITY GAMING

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Sec. 10. "Flare" means the board or placard enclosed with or accompanying each punchboard or deal of pull-tabs and tip boards that has printed on or affixed to it the following information:

- (1) The name of the game.
- (2) The manufacturer's name or distinctive logo.
- (3) The game form number.
- (4) The ticket count.
- (5) The prize structure for the game, which includes the number of winning pull-tabs by denomination and their respective winning symbol or symbols or number or numbers combination.
- (6) The cost per ticket.
- (7) The serial number of the game.

*(Indiana Gaming Commission; 68 IAC 21-1-10; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-1-11 "Gross income" defined**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 11. "Gross income" means gross receipts. *(Indiana Gaming Commission; 68 IAC 21-1-11; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-1-12 "Gross receipts" defined**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 12. "Gross receipts" means the entire amount of receipts accrued, actually or constructively, without any deductions of any kind or nature. *(Indiana Gaming Commission; 68 IAC 21-1-12; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-1-13 "Gross revenue" defined**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 13. "Gross revenue" means gross receipts. The term does not include wagers made in a winner take all drawing or in a qualified drawing. *(Indiana Gaming Commission; 68 IAC 21-1-13; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA)*

**68 IAC 21-1-14 "Licensed supply" defined**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-2-19

Sec. 14. In addition to the items identified in IC 4-32.2-2-19, "licensed supply" means any supplies, devices, or equipment critical to the conduct of any gambling activities at an allowable event, including the following:

- (1) Roulette and any other prize wheels.
- (2) Qualified personal property.
- (3) Bingo equipment.
- (4) Bingo supplies.
- (5) Seal cards.
- (6) Tip board tickets
- (7) Any other gaming materials designed to be used in and necessary to conduct an allowable event and specified by the executive director or commission.

*(Indiana Gaming Commission; 68 IAC 21-1-14; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-1-15 "Operator" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2-1-21

Sec. 15. "Operator", as defined in IC 4-32.2-2-21, means any member of a qualified organization who has oversight of or is responsible for performing functions directly associated with critical aspects of gambling activities, including, but not limited to, any of the following:

- (1) Accounting for money received and disbursed at the charity gaming event.
- (2) Keeping records of the charity gaming event.
- (3) Announcing the letter-number combination at a bingo event.

*(Indiana Gaming Commission; 68 IAC 21-1-15; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-1-15.5 "Qualified drawing" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 15.5. "Qualified drawing" means a random drawing to award one (1) or more prizes, conducted under an annual PPT license, in which the qualified organization keeps no portion of the amounts wagered. The total amount awarded to the winner of a qualified drawing may not exceed three hundred dollars (\$300). *(Indiana Gaming Commission; 68 IAC 21-1-15.5; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA)*

**68 IAC 21-1-16 "Qualified personal property" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 16. "Qualified personal property" means personal property leased or owned by a qualified organization or donated to a qualified organization, that is as follows:

- (1) Designed to be used on a body of water.
- (2) Used to conduct a water race associated with the qualified organization's allowable event in the following manner:
  - (A) Each item of the qualified personal property is marked with a number corresponding to the number on a chance purchased in a water race.
  - (B) The winner of the water race is determined by the number of the item of qualified personal property that crosses a designated finish line on the body of water first.

*(Indiana Gaming Commission; 68 IAC 21-1-16; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA)*

**68 IAC 21-1-17 "Seal card" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 17. "Seal card" means a board or placard used with pull-tabs that contains a seal or seals, which when removed or opened, reveals predesignated winning numbers, letters, symbols, or monetary denominations. The seal card serves as the game flare and must contain the information required in section 10 of this rule unless the manufacturer provides an additional flare containing the required information. *(Indiana Gaming Commission; 68 IAC 21-1-17; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-1-18 "Tip board ticket" defined**

Authority: IC 4-32.2-3-3  
Affected: IC 4-32.2

Sec. 18. "Tip board ticket" is a single folded or banded ticket, or multi-ply card, the face of which is initially covered or otherwise hidden from view to conceal a number, symbol, or set of symbols, some of which have been designated in advance and

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at random as prize winners. (*Indiana Gaming Commission; 68 IAC 21-1-18; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-1-19 "Winner take all drawing" defined**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 19. "Winner take all drawing" means a random drawing to award one (1) or more prizes, conducted under an annual PPT license, in which the qualified organization keeps no portion of the amounts wagered. The total amount awarded to the winner of a qualified drawing may not exceed three hundred dollars (\$300). (*Indiana Gaming Commission; 68 IAC 21-1-19; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

**Rule 2. Application Procedures**

**68 IAC 21-2-1 Application by qualified organization**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-2-24; IC 4-32.2-5-6

Sec. 1. (a) To obtain a license to conduct an allowable event, an organization must submit a written application on the form or forms prescribed by the commission. An application for a license to conduct an allowable event must be received not later than thirty (30) days before the date on which the allowable event is conducted.

(b) The application shall include the following information:

(1) The name and address of the organization.

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

(3) The type of allowable event the organization proposes to conduct.

(4) The physical location where the organization will conduct the allowable event.

(5) The date or dates and time or times of the proposed allowable event.

(6) Sufficient facts for the commission to determine that the organization or the organization's incorporation or founding is a qualified organization as defined in IC 4-32.2-2-24, including any of the following:

(A) A notice issued by the commission under this rule in which the commission has determined the organization is a qualified organization.

(B) Evidence that the organization has been previously determined by the commission to be a qualified organization.

(C) The information outlined in section 2(a) of this rule.

(7) The name or names of each proposed operator and worker and sufficient facts to determine that person is qualified to be an operator or worker, including, but not limited to, the proposed operator's or worker's:

(A) address;

(B) date of birth;

(C) length of membership; and

(D) driver's license number or state identification number.

(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) A current copy of the organization's membership roster or other proof of membership of each proposed operator or worker.

(10) A copy of the lease if the organization is renting the premises at which the gaming activity occurs.

(c) If an organization that has been determined by the commission to be a qualified organization does not conduct an allowable event for a period of at least three (3) years, the organization must provide to the commission the information outlined in section 2 of this rule before conducting an allowable event. (*Indiana Gaming Commission; 68 IAC 21-2-1; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

**68 IAC 21-2-2 Qualified organization predetermination**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-2-24; IC 4-32.2-4-4

Sec. 2. (a) Not later than ninety (90) days before conducting an allowable event under IC 4-32.2-4-4, an organization not yet determined to be a qualified organization must provide to the commission facts sufficient for the commission to make a determination that the organization is a qualified organization as defined in IC 4-32.2-2-24. The information must be submitted on a form prescribed by the commission and must include the following information:

- (1) The organization's Indiana taxpayer identification number.
- (2) A letter from the Internal Revenue Service stating that the organization is exempt from taxation under Section 501 of the Internal Revenue Code.
- (3) Proof that the organization has been in existence as required by IC 4-32.2-2-24(a), if the organization is a bona fide:
  - (A) religious;
  - (B) educational;
  - (C) senior citizen;
  - (D) veterans; or
  - (E) civic;

organization.

- (4) Proof that the organization is a bona fide political organization, if applicable.
- (5) Proof that the organization is a state educational institution, if applicable.
- (6) A copy of the organization's bylaws or articles of incorporation.
- (7) Proof that the organization is in good standing with the department of state revenue.
- (8) Proof that the organization is a bona fide fraternal organization, if applicable.

(b) Upon receipt and verification of the information required in subsection (a), the commission shall issue a notice to the organization that the organization is a qualified organization as defined in IC 4-32.2-2-24. (*Indiana Gaming Commission; 68 IAC 21-2-2; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

**68 IAC 21-2-3 License not required; notice**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-4-3

Sec. 3. An organization conducting an allowable event described in IC 4-32.2-4-3(a) shall send prior written notice to the commission informing the commission of the following:

- (1) Verification that the organization has been determined by the commission to be a qualified organization, including any of the following:
  - (A) A notice issued by the commission under section 2 of this rule in which the commission has determined that the organization is a qualified organization.
  - (B) Evidence that the organization has been previously determined by the commission to be a qualified organization.
  - (C) The information outlined in section 2(a) of this rule.
- (2) The estimated frequency of the planned allowable event or events.
- (3) The location or locations where the qualified organization plans to hold the allowable event or events.
- (4) The estimated value of all prizes to be awarded at each allowable event.

(*Indiana Gaming Commission; 68 IAC 21-2-3; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-2-4 Application by a manufacturer or distributor**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-3-4

Sec. 4. (a) In order to sell any licensed supply to a qualified organization or distributor, an entity is required to be licensed as a manufacturer or a distributor under IC 4-32.2-3-4. To obtain an annual license, a manufacturer or distributor must submit a written

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application on a form prescribed by the commission.

(b) The manufacturer's application shall include all information deemed appropriate by the commission or the executive director, including, but not limited to, the following:

- (1) The name of the applicant and the address of the applicant's principal place of business.
- (2) The address of each of the applicant's separate locations where licensed supplies are manufactured.
- (3) The name and home address of all owners of the applicant's business if it is not a corporation and, if it is a corporation, the name and address of the following:

(A) The officers of the corporation.

(B) Each person owning at least ten percent (10%) of any class of stock of the corporation.

- (4) The name, business address, and home address of the registered agent for service in Indiana if the applicant is a corporation not domiciled in Indiana.

(5) Whether the applicant or any person required to be named in the application is an owner, officer, director, or employee of any other entity that would be licensed under this rule.

(6) A full description of the type of license supply or related equipment that will be manufactured.

(7) The name of each state where the applicant has been licensed to manufacture, supply, or distribute licensed supplies or related equipment, the license numbers, the period of time licensed, and whether or not a license has ever been suspended, revoked, or voluntarily forfeited, and the reason for that action.

(c) A distributor must purchase all licensed supplies to be used in charity gaming in Indiana from a licensed manufacturer or another licensed distributor. The distributor's application shall include the following information:

- (1) The full name and address of the applicant.

(2) The name and address of the following:

(A) Each location operated by the distributor where licensed supplies are stored.

(B) Each owner, if the applicant is not a corporate distributor.

(C) Each shareholder who owns at least ten percent (10%) of any class of stock.

(D) The registered agent for service in Indiana, if it is a corporation not domiciled in Indiana.

- (3) A full description of the type of licensed supply that will be distributed.

(4) The name of each state where the applicant has been a licensed distributor, the license number, the period of time licensed, and whether or not a license has ever been suspended or revoked, or voluntarily forfeited, and the reason for that action.

(5) The name and address of every manufacturer from which purchases are made to be distributed in Indiana.

(d) An entity that both manufactures and distributes supplies, devices, or equipment to be used in charity gaming in Indiana must possess a manufacturer's license and a distributor's license. (*Indiana Gaming Commission; 68 IAC 21-2-4; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-2-5 Denial of license**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-2-24

Sec. 5. (a) The commission may deny a license to an organization, manufacturer, distributor, or individual about whom the commission has reason to believe at least one (1) of the following:

(1) The organization has failed to provide sufficient information for the commission to determine that the organization is a qualified organization as defined in IC 4-32.2-2-24.

(2) The qualified organization has failed to provide information required by IC 4-32.2 and this article.

(3) The manufacturer or distributor has failed to provide information required by IC 4-32.2 and this article.

(4) The applicant has violated a statute, regulation, rule, local ordinance, or other law providing for the best interests of charity gaming.

(5) The applicant has engaged in fraud, deceit, or misrepresentation.

(6) The applicant has failed to timely pay any federal, state, or local tax obligation due.

(b) For purposes of the grant, renewal, or denial of a license, the commission may consider all relevant activities of an organization prior to any reorganization conducted under IC 4-32.2-2-24(a)(C)(iii). (*Indiana Gaming Commission; 68 IAC 21-2-5; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

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**68 IAC 21-2-6 License fees**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-6-3

Sec. 6. (a) All license fees must be paid at the time the application for licensure is submitted to the commission.

(b) The initial license fee and renewal fee for a:

(1) manufacturer is five thousand dollars (\$5,000); and

(2) distributor is five thousand dollars (\$5,000).

(c) The initial fee on each separate license held by a qualified organization is fifty dollars (\$50).

(d) If a period of at least three (3) years elapses between the dates on which a qualified organization lawfully conducts an allowable event, a license issued for the first time following the three (3) year period shall be considered an initial license for purposes of IC 4-32.2-6-3 and this rule.

(e) The commission may assess a twenty-five dollar (\$25) fee for an amendment to a license.

(f) If a qualified organization withdraws its application for an initial license or a license renewal, in writing, prior to issuance of the license or grant of the renewal, the commission shall refund the applicable license fee or renewal fee to the qualified organization, minus a fifty dollar (\$50) processing charge.

(g) If a qualified organization surrenders to the commission a single event license prior to hosting the event or events for which a single event license had been procured, the commission shall refund the lesser of:

(1) the applicable license fee or renewal fee, minus a fifty dollar (\$50) processing charge; or

(2) fifty percent (50%) of the applicable license fee or renewal fee.

(h) If a qualified organization surrenders to the commission an annual event license prior to the effective date of the license, the commission shall refund the lesser of:

(1) the applicable license fee or renewal fee, minus a fifty dollar (\$50) processing charge; or

(2) fifty percent (50%) of the applicable license fee or renewal fee.

(i) Receipts from sales of any goods, services, or other property sold in direct connection with or because of any gambling aspect of an allowable event must be included in gross receipts as a related activity for purposes of the qualified organization's renewal fee.

(j) The commission may collect outstanding license fees resulting from underreported gaming income from an allowable event and related activities. (*Indiana Gaming Commission; 68 IAC 21-2-6; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

**68 IAC 21-2-7 Charity gaming licenses**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-4-16; IC 4-32.2-5-6; IC 4-32.2-5-26

Sec. 7. (a) A full-sized photocopy of the event license is required to be prominently displayed at the facility where the event is being held. The original license must be available for inspection upon request at all times. In addition to the photocopy, a legible sign of adequate dimension of at least eight and one-half (8 1/2) inches by eleven (11) inches must be prominently posted near each entrance and registration area at the event, in such a manner that it can be clearly read by all the players during an event, containing the following:

(1) The name of the qualified organization.

(2) Its license number.

(3) The expiration date of the license.

(b) Application for the following licenses may be made by a qualified organization:

(1) A bingo license that permits the licensee to conduct up to three (3) bingo events per calendar week. This license permits the licensee to:

(A) conduct door prize drawings;

(B) sell pull-tabs, punchboards, and tip boards; and

(C) conduct raffle events;

at each bingo event. An organization cannot have more than one (1) bingo event per day. The bingo license is in effect for one (1) year from the date of issuance.

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(2) A special bingo license that permits the licensee to conduct one (1) bingo event at only one (1) time and location. This license permits the licensee to:

- (A) conduct door prize drawings;
- (B) sell pull-tabs, punchboards, and tip boards; and
- (C) conduct raffle events;

at the bingo event.

(3) A charity game night license that permits the licensee to conduct one (1) charity game night at one (1) location. A qualified organization may not conduct more than six (6) charity game night events each calendar year. This license permits the licensee to conduct:

- (A) card games;
- (B) dice games;
- (C) roulette wheels;
- (D) spindle games;
- (E) door prize drawings;
- (F) raffle events; and
- (G) sales of pull-tabs, punchboards, and tip boards;

at the charity game night event.

(4) An annual charity game night license that permits the licensee to conduct charity game night events on more than one (1) occasion during a period of one (1) year. This license permits the licensee to conduct:

- (A) card games;
- (B) dice games;
- (C) roulette wheels;
- (D) spindle games;
- (E) door prize drawings;
- (F) raffle events; and
- (G) sales of pull-tabs, punchboards, and tip boards;

at each annual charity game night event.

(5) A raffle license that permits the licensee to conduct a raffle at only one (1) time and location. This license permits the licensee to:

- (A) conduct door prize drawings; and
- (B) sell pull-tabs, punchboards, and tip boards;

at the raffle event.

(6) An annual raffle license that permits the licensee to conduct raffle events at any time and any day on the premises owned or leased by the qualified organization or donated to the qualified organization and regularly used for the activities of the qualified organization. This license permits the licensee to:

- (A) conduct door prize drawings; and
- (B) sell pull-tabs, punchboards, and tip boards;

at each raffle event. Any employee of the qualified organization may participate in the sale and redemption of pull-tabs, punchboards, and tip boards on the premises of the qualified organization and receive the remuneration ordinarily provided to the employee in the course of the employee's employment.

(7) A door prize license that permits the licensee to:

- (A) conduct one (1) door prize event at only one (1) time and location;
- (B) sell pull-tabs, punchboards, and tip boards at the door prize event; and
- (C) conduct raffles;

at the door prize event.

(8) An annual door prize license that permits the licensee to conduct door prize events on more than one (1) occasion during a period of one (1) year. This license permits the licensee to:

- (A) conduct raffle events; and
- (B) sell pull-tabs, punchboards, and tip boards;

at the door prize event.

(9) A festival license that permits the licensee to conduct:

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- (A) bingo events;
- (B) charity game nights;
- (C) one (1) raffle event;
- (D) door prize events; and
- (E) sales of pull-tabs, punchboards, and tip boards;

at the festival. Subject to IC 4-32.2-5-6(c), the festival can only be held once a calendar year and cannot exceed four (4) consecutive days. The raffle event conducted at a festival is not subject to any prize limitations.

(10) A PPT license that permits the licensee to do the following:

- (A) Sell pull-tabs, punchboards, and tip boards at any time and any day on the premises owned or leased by the qualified organization or donated to the qualified organization and regularly used for the activities of the qualified organization.
- (B) Conduct a winner take all drawing and a qualified drawing in accordance with IC 4-32.2-5-26.

(11) A single event or an annual event license for a gambling event approved by the commission under IC 4-32.2-4-16, including, but not limited to, the following:

- (A) A water race license that permits a qualified organization to conduct a water race using qualified personal property in the following manner:
  - (i) Each item of the qualified personal property is marked with a number corresponding to the number on a chance purchased in a water race.
  - (ii) The winner of the water race is determined by the number of the item of qualified personal property that crosses a designated finish line on the body of water first.
- (B) A license that permits a qualified organization to conduct a guessing game.
- (C) Any other gambling event approved by rule of the commission.

*(Indiana Gaming Commission; 68 IAC 21-2-7; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA)*

### **Rule 3. Charity Gaming**

#### **68 IAC 21-3-1 Allowable events**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 1. (a) The following events are allowed:

- (1) A bingo event.
- (2) A charity game night.
- (3) A door prize drawing.
- (4) A festival.
- (5) A sale of pull-tabs, punchboards, or tip boards.
- (6) A raffle event.
- (7) A water race event.
- (8) A guessing game event.
- (9) Any other game of chance conducted as a fundraising activity of a qualified organization and approved by the commission.

(b) A sale of pull-tabs, punchboards, or tip boards may be conducted by a qualified organization at any allowable event. Also, a qualified organization may sell pull-tabs, punchboards, or tip boards at any time on the premises owned or leased by the organization and regularly used by the organization as long as the organization possesses a valid annual PPT license.

(c) All pull-tabs manufactured or distributed for sale in Indiana must meet the "Standards on Pull-Tabs" adopted by the North American Gaming Regulators Association, October 12, 1991, as amended October 20, 1998, and amended December 12, 2005, which is incorporated by reference. Copies are available from the North American Gaming Regulators Association, 26 East Exchange Street, Suite 500, St. Paul, MN 55101 or <http://www.nagra.org>.

(d) No organization shall conduct any allowable event in which the winner of a prize is determined, in whole or in part, on a sporting event. *(Indiana Gaming Commission; 68 IAC 21-3-1; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA)*

**68 IAC 21-3-2 Conducting an allowable event**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2; IC 5-14-1.5; IC 35-45-5-1

Sec. 2. (a) Except as provided for pull-tabs, punchboards, and tip boards obtained from the state lottery commission, all licensed supplies must be obtained under IC 4-32.2-5-25.

(b) The purchase of Hoosier Lottery pull-tabs by the qualified organization is only permitted if the qualified organization is licensed by the state lottery commission to sell the items. The provisions of IC 4-32.2 do not apply to the purchase and sale of Hoosier Lottery pull-tabs by a qualified organization.

(c) Except as otherwise provided, an allowable event must begin and end within a period of twenty-four (24) consecutive hours.

(d) The lease of a location or facility for an allowable event must be in writing and:

(1) between the qualified organization and the owner of the premises, as determined by the property owner of record on the property tax rolls of the county in which the property is located; or

(2) a valid sublease between the sublessor and sublessee, with written consent of the assignment by the property owner of record, as determined by the property tax rolls of the county in which the property is located.

(e) Except for a festival, an organization must not pay more than five hundred dollars (\$500) per event in total for personal property that may be used by the organization to conduct the event. This includes the rental of tables, chairs, and related equipment owned and leased by the lessor who is leasing the facility to the qualified organization for an allowable event. The rental of tangible personal property cannot be based on the revenue generated by the event. For a festival event, the five hundred dollar (\$500) limitation only applies to the rental of gambling-related equipment and supplies.

(f) A qualified organization may advertise an allowable event. An advertisement in printed media must contain the name and license number, in bold print, of the organization conducting the event. An advertisement in broadcast media must announce, at the end of the advertisement:

(1) the name of the organization conducting the event; and

(2) that the qualified organization's license number is on file.

A television announcement of the name and license number of the organization conducting the event may be in the form of an audio or a video, or both. Temporary signage, such as fliers and marquee advertisements, must contain the name of the qualified organization conducting the event but need not include the qualified organization's license number. An organization conducting a charity game night event shall not advertise for that event using a business name, such as a "d/b/a", which is different from the name on the organization's license, on any advertisement or signage. An organization must include "charity game night" on any advertisement or signage that describes, names, or identifies the event.

(g) An organization cannot sell a pull-tab, punchboard, or tip board ticket for more than one dollar (\$1). Pull-tabs cannot be sold in this state unless a flare accompanies the deal.

(h) An organization may not permit a person less than eighteen (18) years of age to play or participate in an allowable event. However, a person less than eighteen (18) years of age may play or participate in nongambling activities associated with an allowable event. A qualified organization is prohibited from allowing an individual less than eighteen (18) years of age to serve food or drinks to participants in the area where the gaming is occurring.

(i) A sign printed with a font size legible from a distance of at least ten (10) feet must be prominently posted near each entrance and registration area throughout the event stating that the operators and workers are not allowed to accept tips.

(j) An organization may employ not more than three (3) nonmember Indiana law enforcement officers or private detectives properly licensed in Indiana to perform security services during an allowable event. An organization may not use more than three (3) security personnel unless the organization has prior written approval of the executive director or the executive director's designee.

(k) Except as allowed in IC 4-32.2-5-14(c), neither the operator nor a worker is permitted to participate in the allowable event that is being held. An operator is prohibited from being an operator for more than three (3) qualified organizations in a calendar month. A manufacturer, distributor, or an officer or employee of a manufacturer or distributor is prohibited from being an operator or worker at any allowable event.

(l) To obtain express authorization for an exemption from a normal prize limit where permissible in IC 4-32.2, a qualified organization must submit a written application on a form prescribed by the commission stating the date, time, and location of the event at least forty-five (45) days before the date of the event. The authorization to exceed the normal prize limits must be prominently displayed at the time and location of the event.

(m) An organization may dispose of any unused bingo supplies, punchboards, pull-tabs, tip boards, and any other licensed

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supplies specified by the commission by shredding, burning, or otherwise destroying them. The organization must notify the commission that such items are to be destroyed thirty (30) days in advance of the destruction and must provide the following information:

- (1) The date the items were destroyed.
- (2) The manner of destruction.
- (3) A description of the items destroyed.
- (4) The quantity of items destroyed.
- (5) The serial numbers of the items destroyed.
- (6) The trade name of the items.
- (7) The reason for destruction.

Destruction of any unused licensed supplies must be certified by one (1) officer of the qualified organization.

(n) If an organization has lost any licensed supplies through theft, fire, flood, or other disaster, the organization must notify the commission in writing of the loss and provide the following information within ten (10) days of discovering the loss:

- (1) The date the items were lost.
- (2) The manner of loss and a description of the items lost.
- (3) The serial numbers of the items lost.
- (4) The trade name of the items.
- (5) Copies of all insurance forms submitted for the loss.
- (6) Any police department or fire department reports created in connection to the loss.
- (7) Any other information required by the commission or the executive director.

(o) A serial number consisting of at least five (5) alpha characters or numeric characters, or both, must be printed on each concealed face bingo card manufactured and sold.

(p) To collect a pull-tab, punchboard, or tip board prize valued at two hundred fifty dollars (\$250) or more:

- (1) The winner must provide the following to the organization:
  - (A) His or her printed name.
  - (B) His or her signature.
  - (C) His or her date of birth.

(2) The organization awarding the prize must verify the identity of the winner using any reasonable means the organization considers necessary.

(q) A charitable organization may not conduct an allowable event on or through the Internet.

(r) An organization may:

- (1) accept only United States currency, coin, personal check, or debit card from players when conducting an allowable event; and
- (2) not extend credit to any player.

(s) Publication of notice required by IC 4-32.2-4-5(c) and IC 4-32.2-4-7.5(c) shall be made not later than fifteen (15) days after the applicant has received a prelicense review letter issued by the commission.

(t) A qualified organization holding a license issued under IC 4-32.2-4-5 and IC 4-32.2-4-7.5 shall publish notice as required by IC 4-32.2-4-5(c) and IC 4-32.2-4-7.5(c) if the location changes at which the organization conducts gaming pursuant to these licenses. Notification must meet the requirements of IC 4-32.2-4-5(d) and IC 4-32.2-4-7.5(d). In the event the commission receives at least ten (10) written and signed protest letters, the commission may hold a hearing in accordance with IC 5-14-1.5.

(u) Protest letters referenced in IC 4-32.2-4-5(e) and IC 4-32.2-4-7.5(e) opposing the issuance of an initial annual bingo or annual charity game night license, respectively, must be received by the commission not later than fifteen (15) days after the last publication required by IC 4-32.2-4-5(c) and IC 4-32.2-4-7.5(c), respectively.

(v) The total prizes awarded for a winner take all drawing or a qualified drawing may not exceed three hundred dollars (\$300) for each drawing. All prizes awarded for a winner take all drawing or a qualified drawing must be U.S. currency.

(w) A qualified organization conducting a winner take all drawing or a qualified drawing must maintain a ledger in which the qualified organization records:

- (1) the date of each drawing;
- (2) each winning patron's:
  - (A) name;
  - (B) address; and

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(C) telephone number; and

(3) the amount awarded to each winner.

The ledger must be printed legibly and must be available for inspection upon request.

(x) A qualified organization conducting a raffle, door prize, winner take all drawing, or qualified drawing must conduct its own winning draws.

(y) A qualified organization is prohibited from conducting any allowable event at a bar or tavern, or at a facility connected to a bar or tavern, that is not owned by a qualified organization.

(z) Except as outlined in IC 4-32.2-5-14, a person dealing a card game must be either a worker or an operator.

(aa) An organization must deposit all proceeds from an allowable event into its separate and segregated bank account within five (5) business days of the event.

(bb) An organization must conspicuously post a "no change" sign on any electronic pull-tab machine that does not provide change. (*Indiana Gaming Commission; 68 IAC 21-3-2; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

### **68 IAC 21-3-3 Calendar raffle; sale of tickets, calendars, and drawings for prizes (Repealed)**

*Sec. 3. (Repealed by Indiana Gaming Commission; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA)*

### **68 IAC 21-3-4 Water races**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 4. (a) A qualified organization may lease qualified personal property to conduct a water race described in 68 IAC 21-1-16 without limitation on the amount of rent that may be charged to a qualified organization to lease qualified personal property.

(b) A person that leases qualified personal property to a qualified organization is not considered to be an operator or a worker for the allowable event in which the qualified personal property will be used. (*Indiana Gaming Commission; 68 IAC 21-3-4; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

### **68 IAC 21-3-4.1 Euchre**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-4-7; IC 4-32.2-4-7.5

Sec. 4.1. (a) A patron participating in a euchre game conducted under a charity game night license issued under IC 4-32.2-4-7 or IC 4-32.2-4-7.5 must deal every time he or she has the opportunity to do so in the regular course of the game of euchre.

(b) No patron participating in a euchre game conducted under a charity game night license issued under IC 4-32.2-4-7 or IC 4-32.2-4-7.5 may receive prizes other than those awarded to the winners of the game.

(c) A qualified organization conducting a euchre game under a charity game night license issued under IC 4-32.2-4-7 or IC 4-32.2-4-7.5 must have one (1) operator for each six (6) tables of four (4) players. Determination of prize payouts, resolution of disputes, and responsibility for all buy-ins and cash-outs of chips must be done by an operator. (*Indiana Gaming Commission; 68 IAC 21-3-4.1; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

### **68 IAC 21-3-5 Deviation from provisions**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 5. The executive director or the commission may approve deviations from the provisions of this article upon written request if the executive director or the commission determines that:

(1) the requirement or procedure is impractical or burdensome; and

(2) the alternative means of satisfying the requirement or procedure:

(A) fulfills the purpose of the article;

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(B) is in the best interest of the public and charity gaming in Indiana; and

(C) does not violate IC 4-32.2.

*(Indiana Gaming Commission; 68 IAC 21-3-5; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**Rule 4. Record Keeping Requirements**

**68 IAC 21-4-1 Records of qualified organization**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-4-3

Sec. 1. (a) A qualified organization must maintain records of all financial aspects of each allowable event adequate for the commission to conduct oversight as authorized and required by IC 4-32.2 and to report such information to the commission on forms prescribed by the commission. The organization must set up a separate and segregated bank account to account for all proceeds and expenditures of the allowable event. The records that must be kept and the information that must be submitted on the forms prescribed by the commission include, but are not limited to, the following:

- (1) Gross receipts from each type of activity conducted at each allowable event.
- (2) Prize payouts.
- (3) Net receipts to the organization.

Included in the organization's financial records must be any rental costs associated with conducting the allowable event, including, but not limited to, a facility lease and the lease of tangible personal property.

(b) The appropriate financial forms prescribed by the commission must be provided as follows:

- (1) All annual license holders must submit the appropriate forms prescribed by the commission not later than the fifteenth day of the month in which the annual license expires.
- (2) All special event license holders must submit the appropriate forms prescribed by the commission not more than ten (10) days after the special event is concluded.
- (3) All qualified organizations conducting an unlicensed allowable event under IC 4-32.2-4-3(a) must submit the appropriate forms prescribed by the commission annually, one (1) year after the date of the first allowable event of a calendar year. If the value of all prizes awarded for a single event exceeds one thousand dollars (\$1,000), or exceeds an aggregate of a total of three thousand dollars (\$3,000) for all allowable events at any point during the calendar year, a qualified organization shall submit the appropriate forms prescribed by the commission within ten (10) days of exceeding the limit.

(c) The commission shall be granted unrestricted access to all records, including, but not limited to, the following:

- (1) Membership information.
- (2) Financial records.
- (3) Receipts for the purchase or lease of all licensed supplies.

(d) A qualified organization must retain the following records for three (3) years from the conclusion of the allowable event:

- (1) All documents associated with allowable events.
- (2) All other documents kept in the regular course of allowable events.

*(Indiana Gaming Commission; 68 IAC 21-4-1; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA)*

**68 IAC 21-4-2 Records of manufacturer or distributor**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 2. (a) An entity licensed as a manufacturer or distributor must keep records adequate for the commission to conduct oversight as authorized by IC 4-32.2 and to report such information to the commission on forms prescribed by the commission. The records required must include, but are not limited to, the following:

(1) A general sales invoice that:

(A) is:

- (i) numbered consecutively; and
- (ii) prepared in at least two (2) parts, one (1) being issued to the customer and the other retained in an invoice file;

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and

(B) sets out:

- (i) the date of sale;
  - (ii) the customer name and business address;
  - (iii) a full description of each licensed supply sold, including the serial numbers of the licensed supply sold;
  - (iv) the quantity and sales price of each licensed supply;
  - (v) the manufacturer's or distributor's license number;
  - (vi) the customer's license number; and
  - (vii) the gaming card excise tax due on the sale.
- (2) Credit memoranda prepared in the same detail as sales invoices.
- (3) A sales journal containing at least the following, by calendar month:
- (A) The date of sale.
  - (B) The invoice number of the sale.
  - (C) The customer name or account number.
  - (D) The total amount of the invoice.
  - (E) The total amount of the gaming card excise tax due on the sale.
- (4) A complete list of the persons representing the buyer and seller of licensed supplies.
- (5) Purchase records documenting that all:
- (A) bingo supplies;
  - (B) equipment;
  - (C) pull-tabs;
  - (D) punchboards;
  - (E) tip boards; and
  - (F) licensed supplies;

were purchased from either a licensed manufacturer or another licensed distributor.

(b) The serial number printed on licensed supply sold must be identifiable with the sales invoice reflecting the sale of the specific licensed supply.

(c) Records are required to be maintained until the later of the following:

- (1) Six (6) years after the year in which they are created.
- (2) The end of the audit if such records are under audit.

(d) Marketing sheets that show the expected gross income, payout, net income, and number of deals in the pull-tab game that have been sold to the qualified organization. "Payout" does not include the cost of the game itself.

(e) If a licensed manufacturer or distributor destroys, discontinues, or otherwise renders unusable licensed supplies sold in Indiana, then the manufacturer or distributor must provide the commission with a written list of the licensed supplies destroyed, including the following:

- (1) The quantity.
  - (2) A description of the items.
  - (3) Serial numbers.
  - (4) The date on which the items were destroyed.
- (f) A licensed manufacturer or distributor must keep the commission informed of the following:

- (1) Its location.
- (2) The location of all facilities where licensed supplies are manufactured or distributed.
- (3) Where the records will be stored if the manufacturer or distributor ceases business.

(g) The records referenced in subsections (a) through (e) must be produced upon request by the:

- (1) commission;
- (2) executive director; or
- (3) executive director's designee.

*(Indiana Gaming Commission; 68 IAC 21-4-2; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**Rule 5. Restrictions**

**68 IAC 21-5-1 Restrictions**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-5-22

Sec. 1. (a) A qualified organization shall not enter into any formal or informal agreement relating to an allowable event, including, but not limited to:

- (1) hiring or contracting operators and workers; or
- (2) leasing real or tangible personal property;

with a person affiliated with that organization. Such affiliations include, but are not limited to, members, officers, directors, or members of their family.

(b) Unless otherwise provided in IC 4-32.2-5-22, a manufacturer, distributor, or their officers, employees, or agents shall not affiliate with the gaming operation of a qualified organization in any manner other than the sale or lease of licensed supplies. (*Indiana Gaming Commission; 68 IAC 21-5-1; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**Rule 6. Disciplinary Action**

**68 IAC 21-6-1 Disciplinary action**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2-2-24; IC 4-32.2-4-16

Sec. 1. (a) Qualified organizations, manufacturers, and distributors have a continuing duty to maintain compliance with IC 4-32.2 and this article. A commission license does not create a property right, but is a privilege contingent upon continuing compliance and suitability for licensure.

(b) The commission may initiate an investigation or a disciplinary action, or both, against a qualified organization or an individual if the commission has reason to believe the qualified organization or individual:

- (1) is not complying with:
  - (A) IC 4-32.2;
  - (B) this article; or
  - (C) any condition imposed on a license under IC 4-32.2-4-16(e);
- (2) has failed to accurately account for:
  - (A) bingo cards;
  - (B) bingo boards;
  - (C) bingo sheets;
  - (D) bingo pads;
  - (E) pull-tabs;
  - (F) punchboards;
  - (G) tip boards;
  - (H) any other licensed supplies; or
  - (I) sales proceeds from an event or activity licensed or permitted under this article;
- (3) has committed an act of fraud, deceit, or misrepresentation;
- (4) has failed to maintain adequate records for the commission to conduct oversight authorized under IC 4-32.2; or
- (5) has violated a statute, regulation, local ordinance, or other law providing for the best interests of charity gaming.

(c) The commission may initiate an investigation or a disciplinary action, or both, against a qualified organization or an individual for conduct prejudicial to public confidence in the commission.

(d) A disciplinary action against a qualified organization or an individual shall be pursued in accordance with the procedures in 68 IAC 13, except any provision therein that is inapplicable to charity gaming.

(e) For purposes of the initiation of an investigation or a disciplinary action under this rule, the commission may consider all relevant activities of an organization prior to any reorganization conducted under IC 4-32.2-2-24(a)(C)(iii). (*Indiana Gaming Commission; 68 IAC 21-6-1; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA; filed May 27, 2008, 4:09 p.m.: 20080625-IR-068070748FRA; filed Dec 30, 2009, 2:06 p.m.: 20100127-IR-068090676FRA*)

**68 IAC 21-6-2 Actions available to an administrative judge and the commission**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2; IC 6-8.1

Sec. 2. The commission may take any of the following actions in a disciplinary action against a qualified organization or an individual:

- (1) Suspend or revoke a license.
- (2) Lengthen a period of suspension of a license.
- (3) Levy a civil penalty against a qualified organization or an individual.
- (4) Impose an additional penalty of not more than one hundred dollars (\$100) for each day the original penalty goes unpaid.
- (5) Prohibit an operator or individual who has been found to be in violation of this article from facilitating or conducting charity gaming.
- (6) Collect any underreported license fees.

*(Indiana Gaming Commission; 68 IAC 21-6-2; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**Rule 7. General Provisions**

**68 IAC 21-7-1 Coverage of rule**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3; IC 4-32.2

Sec. 1. (a) A person whose application for a license has been denied or has not been renewed under this article may petition for review as outlined in IC 4-21.5-3 and this rule.

(b) As used in this rule, "petitioner" refers to the person whose:

- (1) application has been denied by the commission; or
- (2) license has not been renewed.

(c) The petitioner shall submit an original and one (1) copy of any request, pleading, or other written document submitted to the commission or the administrative law judge, or both.

(d) Once a petitioner has filed a petition for review, a certificate of service must be attached to each pleading filed. The certificate of service shall indicate that the pleading has been served on each attorney or party of record.

(e) An action involving a denial or nonrenewal must also comply with IC 4-21.5-3. *(Indiana Gaming Commission; 68 IAC 21-7-1; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-7-2 Petition for review**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-21.5-3-7; IC 4-32.2

Sec. 2. (a) A petition for review shall meet the following requirements:

- (1) Be in writing.
- (2) State the name, current address, and current telephone number of the petitioner.

(b) To facilitate the review and commission determination regarding the approval or denial of a petition for review, the petitioner may state in detail the reasons why and the facts upon which the petitioner will rely to show that the:

- (1) petitioner's application for a license should not have been denied; or
- (2) license should have been renewed;

including specific responses to any facts enumerated in the commission's notice of denial or notice of nonrenewal.

(c) A petition for review shall be as follows:

(1) Submitted within the time frame set by IC 4-21.5-3-7. The petition for review shall meet the following requirements:

(A) The petitioner must submit a petition for review in accordance with IC 4-21.5-3-1.

(B) A petition for review must be submitted to the executive director at the commission's office in Indianapolis, Indiana.

(2) Granted or denied as outlined in IC 4-21.5-3.

(d) Once a petition for review is granted, the executive director shall assign a title and case number to the matter.

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(e) A petition for review may not be withdrawn or voluntarily dismissed if the executive director or commission determines that withdrawal or voluntary dismissal is not in the best interest of the public and the gaming industry. If the executive director or commission allows a petitioner to withdraw a hearing request, the initial denial or nonrenewal becomes a final commission order.

(f) The commission shall appoint an administrative law judge to conduct a hearing in accordance with this rule. The commission may appoint a commission member to serve as an administrative law judge. The petitioner shall be served with a copy of the letter of appointment, and the letter shall serve as notice of the pendency of the hearing. The administrative law judge who is to conduct the hearing shall establish a hearing date and notify the parties thereof.

(g) Default judgment or dismissal may result at any stage of the proceeding in accordance with IC 4-21.5-3. (*Indiana Gaming Commission; 68 IAC 21-7-2; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-7-3 Appearances; service**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-21.5-3-15; IC 4-32.2

Sec. 3. A petitioner may:

(1) represent himself or herself; or

(2) be represented by an attorney or duly authorized representative under IC 4-21.5-3-15.

Service shall be made in accordance with IC 4-21.5-3. (*Indiana Gaming Commission; 68 IAC 21-7-3; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-7-4 Discovery**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-32.2

Sec. 4. Pursuant to Trial Rule 28F of the Indiana Rules of Trial Procedure, the discovery provisions of Trial Rules 26 through 37 shall apply to all proceedings subject to this rule. (*Indiana Gaming Commission; 68 IAC 21-7-4; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-7-5 Subpoenas**

Authority: IC 4-32.2-3-2; IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-21.5-3-22; IC 4-32.2

Sec. 5. All subpoenas shall be issued in accordance with IC 4-21.5-3-22. (*Indiana Gaming Commission; 68 IAC 21-7-5; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-7-6 Prehearing conferences**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-21.5-3-18; IC 4-21.5-3-19; IC 4-32.2

Sec. 6. The administrative law judge shall or may hold prehearing conferences to resolve discovery disputes or any other matters as provided in IC 4-21.5-3-18 and IC 4-21.5-3-19. (*Indiana Gaming Commission; 68 IAC 21-7-6; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-7-7 Motions for summary judgment and other appropriate motions**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-32.2

Sec. 7. The administrative law judge may do the following:

(1) Recommend a directed finding or summary judgment upon the filing of an appropriate motion by any party. These motions shall be made in compliance with the Indiana Rules of Trial Procedure and IC 4-21.5-3.

(2) Hear arguments on the motion for summary judgment or other appropriate motion. The administrative law judge may

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require the parties to brief their positions in support of or against the motion for summary judgment or other appropriate motion.

*(Indiana Gaming Commission; 68 IAC 21-7-7; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-7-8 Continuances**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-32.2

Sec. 8. (a) A motion to continue a hearing or deposition must be made at least ten (10) days before the hearing or deposition date unless the requesting party can show good cause.

(b) Continuances may be granted by the administrative law judge upon a showing of good cause.

(c) The administrative law judge may order a continuance of a hearing on the administrative law judge's own initiative.

*(Indiana Gaming Commission; 68 IAC 21-7-8; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-7-9 Proceedings**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-32.2

Sec. 9. (a) The burden of proof is at all times on the petitioner. The charity gaming division of the Indiana gaming commission shall act as the respondent. The petitioner shall have the affirmative responsibility of establishing by a preponderance of the evidence that the:

(1) petitioner should have been awarded a license; or

(2) license should have been renewed.

(b) Any testimony shall be given under oath or affirmation. The administrative law judge or recorder shall be authorized to administer oaths.

(c) Both parties may present an opening statement on the merits. The petitioner proceeds first followed by the respondent. The respondent may not reserve opening statement for a later time. The administrative law judge may determine the length of time each party is permitted for the presentation of an opening statement.

(d) The petitioner shall then present the petitioner's case-in-chief.

(e) Upon conclusion of the petitioner's case-in-chief, the respondent may move for a directed finding. The administrative law judge may:

(1) hear arguments on the motion; or

(2) grant, deny, or reserve any decision thereon, with or without argument.

(f) If:

(1) no motion for directed finding is made; or

(2) such motion is denied or decision reserved thereon;

the respondent may present its case.

(g) Each party may conduct cross-examination of adverse witnesses.

(h) Upon conclusion of the respondent's case, the petitioner may present evidence in rebuttal.

(i) The administrative law judge may:

(1) ask questions of the witnesses; and

(2) request or allow additional evidence at any time, including additional rebuttal evidence.

(j) Both parties may present closing argument. The petitioner proceeds first, then the respondent, and, thereafter, the petitioner may present rebuttal argument. The administrative law judge may determine the length of time each party is permitted for the presentation of closing argument.

(k) The administrative law judge may require or allow the parties to submit posthearing briefs, proposed findings of fact and conclusions of law, or both, within:

(1) ten (10) days of the conclusion of the hearing; or

(2) such other time period the administrative law judge might order.

*(Indiana Gaming Commission; 68 IAC 21-7-9; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-7-10 Evidence**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-25; IC 4-21.5-3-26; IC 4-32.2

Sec. 10. (a) The hearing shall be conducted in accordance with IC 4-21.5-3-25 and IC 4-21.5-3-26.

(b) All parties must be afforded an opportunity to investigate and verify information or documents that any party intends to offer in support of his or her case. The administrative law judge may prohibit a party from introducing into evidence any information or documents that the opposing party has not been afforded the opportunity to investigate and verify.

(c) The parties shall, to the fullest extent possible, stipulate all matters that are not or should not be in dispute.

(d) The parties may make objections to evidentiary offers. When an objection is made, the administrative law judge may receive the disputed evidence subject to a ruling at a later time.

(e) The administrative law judge may take official notice as outlined in IC 4-21.5-3-26(b) and IC 4-21.5-3-26(g). (*Indiana Gaming Commission; 68 IAC 21-7-10; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-7-11 Sanctions and penalties**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-1; IC 4-32.2

Sec. 11. (a) The administrative law judge may impose sanctions and penalties as outlined in Indiana Rules of Trial Procedure 26 through 37 and IC 4-21.5-3.

(b) If a petitioner refuses to testify on his or her own behalf with respect to any question propounded to him or her, the administrative law judge may infer therefrom that such testimony or answer would have been adverse to the case of the party refusing to testify. (*Indiana Gaming Commission; 68 IAC 21-7-11; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-7-12 Transmittal of record and recommendation to the commission**

Authority: IC 4-32.2-3-3

Affected: IC 4-21.5-3-25; IC 4-21.5-3-33; IC 4-32.2

Sec. 12. (a) The record shall consist of those items set forth in IC 4-21.5-3-33.

(b) All records of hearings shall be recorded and transcribed as outlined in IC 4-21.5-3-25.

(c) Copies of the final commission order shall be served on the petitioner by certified mail. (*Indiana Gaming Commission; 68 IAC 21-7-12; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

**68 IAC 21-7-13 Settlement offers**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 13. (a) The parties may propose settlement offers to the administrative law judge, the commission, or the executive director at any stage of the proceedings where time, the nature of the proceeding, and public interest permit. Such offers may be made at any time prior to the entry of a final order. The commission, the executive director, or the administrative law judge may require that any of the parties to the offer make an oral or written presentation to the administrative law judge, the commission, or the executive director regarding the settlement offer.

(b) Settlement agreements shall meet the following requirements:

(1) Be in writing.

(2) Be signed by the parties to the settlement offer.

(3) Be consistent with the provisions and objectives of the law.

(4) Accurately reflect all the terms of the settlement.

(5) Be accompanied by a proposed order.

(c) If the commission or the executive director rejects a settlement offer, the commission or the executive director shall notify the parties in writing, by certified mail or personal delivery, that the settlement offer was rejected. The offer and any documents relating to the offer shall not constitute a part of the record. (*Indiana Gaming Commission; 68 IAC 21-7-13; filed May 30, 2007, 8:28*

CHARITY GAMING

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*a.m.: 20070627-IR-068060335FRA)*

**68 IAC 21-7-14 Status of applicant for licensure or transfer upon filing request for hearing on a notice of denial**

Authority: IC 4-32.2-3-3

Affected: IC 4-32.2

Sec. 14. An applicant who has been denied a license or whose license has not been renewed and who has requested a hearing under this rule shall still be considered an applicant for purposes of compliance with applicable statutory provisions and commission rules. (*Indiana Gaming Commission; 68 IAC 21-7-14; filed May 30, 2007, 8:28 a.m.: 20070627-IR-068060335FRA*)

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## TITLE 68 INDIANA GAMING COMMISSION

### Emergency Rule LSA Document #11-\_\_\_ (E)

#### DIGEST

Temporarily adds the terms “calendar week”, “dispensing device”, “exempt event”, and “worker” to 68 IAC 21. Temporarily repeals 68 IAC 21-1-5, 68 IAC 21-1-6, 68 IAC 21-1-16, and 68 IAC 21-2-7. Temporarily amends portions of 68 IAC 21 concerning the conduct of charity gaming activities by qualified organizations, manufacturers, and distributors licensed by the Indiana Gaming Commission. Effective July 1, 2011.

**SECTION 1. (a) This SECTION supersedes 68 IAC 21-1-2.**

**(b) "Bingo card" or "bingo paper" means permutations of letter and number combinations printed on reusable or non-reusable card or paper stock containing five (5) rows of five (5) squares, each imprinted with randomly placed numbers, one (1) through seventy-five (75), except for the center square, which is always marked with the word “free”. The letters "B-I-N-G-O" in this order must also be imprinted above each of the five (5) columns. The numbers one (1) through fifteen (15) are assigned to the “B” column. The numbers sixteen (16) through thirty (30) are assigned to the “I” column. The numbers thirty-one (31) through forty-five (45) are assigned to the “N” column. The numbers forty-six (46) through sixty (60) are assigned to the “G” column. The numbers sixty-one (61) through seventy-five (75) are assigned to the “O” column. A serial number consisting of at least five (5) alpha characters or numeric characters, or both, must be printed on each item manufactured and sold.**

**SECTION 2. (a) This SECTION supersedes 68 IAC 21-1-3.**

**(b) "Bingo equipment" means all paraphernalia used to conduct bingo, including, but not limited to, the following:**

- (1) Random number selection equipment.**
- (2) Designators, such as bingo balls.**
- (3) Designator receptacles.**
- (4) Number display boards.**

**The term does not include audio or video equipment, which plays no part in the conduct of the game.**

**SECTION 3. (a) This SECTION supersedes 68 IAC 21-1-4.**

**(b) "Bingo supplies" includes, but is not limited to, any of the following:**

- (1) Bingo paper.**
- (2) Bingo cards.**
- (3) Concealed face bingo cards.**
- (4) Other devices designed to cover squares on a bingo card or bingo paper.**

**SECTION 4. 68 IAC 21-1-5 IS REPEALED.**

**SECTION 5. 68 IAC 21-1-6 IS REPEALED.**

**SECTION 6. “Calendar week” means one (1) continuous seven (7) day period beginning on 12:01 a.m. Sunday and ending at 11:59 p.m. on the following Saturday.**

**SECTION 7. (a) This SECTION supersedes 68 IAC 21-1-8.**

**(b) "Deal" means each separate package, or series of packages, consisting of one (1) game of pull tabs or tip boards with the same serial number.**

**SECTION 8. “Dispensing Device” means a mechanical or electromechanical device with one or more stacking**

columns that dispenses a pull tab only after a player inserts an appropriate amount of coin or currency. This does not include any device that electronically generates a pull tab.

SECTION 9. "Exempt event" means an allowable event conducted by a qualified organization under IC 4-32.2-4-3 for which a charity gaming license is not required.

SECTION 10. (a) This SECTION supersedes 68 IAC 21-1-9.

(b) "Festival" means an event where a qualified organization is authorized to:

(1) conduct:

- (A) bingo events;
- (B) charity game nights;
- (C) raffle events; and
- (D) door prize events;
- (E) guessing games;
- (F) water races; and

(2) sell pull tabs, punchboards, and tip boards.

SECTION 11. (a) This SECTION supersedes 68 IAC 21-1-10.

(b) "Flare" means the board or placard enclosed with or accompanying each punchboard or deal of pull tabs and tip boards that has printed on or affixed to it the following information:

- (1) The name of the game.
- (2) The manufacturer's name or distinctive logo.
- (3) The game form number.
- (4) The ticket count.
- (5) The prize structure for the game, which includes the number of winning pull tabs by denomination and their respective winning symbol or symbols or number or numbers combination.
- (6) The cost per ticket.
- (7) The serial number of the game.

SECTION 12. (a) This SECTION supersedes 68 IAC 21-1-14.

(b) In addition to the items identified in IC 4-32.2-2-19, "licensed supply" means any supplies, devices, or equipment critical to the conduct of any gaming activities at an allowable event, including the following:

- (1) Roulette and any other prize wheels.
- (2) Bingo equipment.
- (3) Bingo supplies.
- (4) Seal cards.
- (5) Tip board tickets.
- (6) Tickets sold by a volunteer ticket agent to an allowable event held under a license issued under 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.
- (7) Dispensing devices.
- (8) Any other gaming materials designed to be used in and necessary to conduct an allowable event and specified by the executive director or commission.

SECTION 13. (a) This SECTION supersedes 68 IAC 21-1-15.

(b) "Operator", as defined in IC 4-32.2-2-21, means either: (1) any member of a qualified organization who has oversight of or is responsible for performing functions directly associated with critical aspects of gaming activities, including, but not limited to, any of the following:

- (A) Accounting for money received and disbursed at the charity gaming event;
- (B) Keeping records of the charity gaming event;
- (C) Announcing the letter-number combination at a bingo event;
- (D) Conducting the winning draw for a raffle, a qualified drawing, a winner take all drawing, or a door prize drawing;
- (E) Determining the winner in a guessing game or a water race;

- (F) Determining the flare and seal card winner;
- (G) Controlling the mixing and distributing of pull tabs;
- (H) Redeeming a pull tab, punchboard, or tip board valued at more than fifty dollars (\$50);
- (1) Performing any task of a worker; or
- (2) a remunerated bartender designated on a qualified organization's annual PPT license or annual raffle license.

SECTION 14. (a) This SECTION supersedes 68 IAC 21-1-15.5.

(b) "Qualified drawing" means a random drawing to award one (1) monetary prizes, conducted under an annual PPT license, in which the qualified organization keeps no portion of the amounts wagered.

SECTION 15. 68 IAC 21-1-16 IS REPEALED.

SECTION 16. (a) This SECTION supersedes 68 IAC 21-1-17.

(b) "Seal card" means a board or placard used with pull tabs that contains a seal or seals, which when removed or opened, reveals pre-designated winning numbers, letters, symbols, or monetary denominations. The seal card serves as the game flare and must contain the information required in section 10 of this rule unless the manufacturer provides an additional flare containing the required information.

SECTION 17. (a) This SECTION supersedes 68 IAC 21-1-19.

(b) "Winner take all drawing" means a random drawing to award one (1) monetary prizes, conducted under an annual PPT license, in which the qualified organization keeps no portion of the amounts wagered.

SECTION 18. "Worker", as defined in IC 4-32.2-2-30, means a member of a qualified organization who assists in conducting gaming activities, including, but not limited to, any of the following:

- (1) Selling pull tabs, punchboards, and tip boards.
- (2) Selling bingo supplies.
- (3) Dealing cards at a card game other than euchre.
- (4) Selling tickets or chances to an allowable event.
- (5) Preparing and selling concessions.
- (6) Redeeming pull tabs, punchboards, and tip boards valued at fifty dollars (\$50) or less.

SECTION 19. (a) This SECTION supersedes 68 IAC 21-2-1.

(b) To obtain a license to conduct an allowable event, a qualified organization must submit a written application on the form or forms prescribed by the commission. An application for a single event license must be received not later than forty five (45) business days before the date on which the allowable event is conducted. An application for an annual event license must be received not later than one hundred twenty (120) business days before the date on which the first allowable event is conducted.

(c) The application shall include the following information:

- (1) The name and address of the organization.
- (2) The names, addresses, and telephone numbers of the officers of the organization.
- (3) The type of allowable event the organization proposes to conduct.
- (4) The physical location where the organization will conduct the allowable event.
- (5) The date or dates and time or times of 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 as defined in IC 4-32.2-2-24, including any of the following:
  - (A) A notice issued by the commission under this rule in which the commission has determined the organization is a qualified organization.
  - (B) Evidence that the organization has been previously determined by the commission to be a qualified organization.
  - (C) The information outlined in section 2(a) of this rule.
- (7) The full legal name or names of each proposed operator and worker and sufficient facts to determine that person is qualified to be an operator or worker, including, but not limited to, the proposed operator's or worker's:

- (A) address of primary residence;
- (B) date of birth;
- (C) beginning date of membership;
- (D) driver's license number or state identification number; and
- (E) telephone number.

(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) A current copy of the organization's membership roster or other proof of membership of each proposed operator or worker.

(10) A copy of the lease or sublease if the organization is renting the premises at which the gaming activity occurs. The lease or sublease must state that the lessor understands that lessee intends to conduct gaming activity on the leased premises. A sublease must clearly indicate that it is a sublease.

(11) A copy of the donation statement if the organization is using the premises at which the gaming activity occurs without any charge from the owner of the premises. The donation statement must state that the donor understands that the donee intends to conduct gaming activity on the donated premises.

(d) If an organization that has been determined by the commission to be a qualified organization does not conduct an allowable event for a period of at least three (3) years, the organization must provide to the commission the information outlined in section 2 of this rule before conducting an allowable event.

**SECTION 20. (a) This SECTION supersedes 68 IAC 21-2-2.**

(b) Not later than one hundred twenty (120) business days before conducting an allowable event under IC 4-32.2-4-4, an organization not yet determined to be a qualified organization must provide to the commission facts sufficient for the commission to make a determination that the organization is a qualified organization as defined in IC 4-32.2-2-24. The information must be submitted on a form prescribed by the commission and must include the following information:

- (1) The organization's Federal taxpayer identification number.
- (2) A letter from the Internal Revenue Service stating that the organization is exempt from taxation under Section 501 of the Internal Revenue Code.
- (3) Proof that the organization has been in existence as required by IC 4-32.2-2-24(a), if the organization is a bona fide:
  - (A) religious;
  - (B) educational;
  - (C) senior citizens;
  - (D) veterans; or
  - (E) civic;

organization.

- (4) Proof that the organization is a bona fide religious organization, if applicable.
  - (5) Proof that the organization is a bona fide educational organization, if applicable.
  - (6) Proof that the organization is a bona fide senior citizens organization, if applicable.
  - (7) Proof that the organization is a bona fide veterans organization, if applicable.
  - (8) Proof that the organization is a bona fide civic organization, if applicable.
  - (9) Proof that the organization is a bona fide fraternal organization, if applicable.
  - (10) Proof that the organization is a bona fide political organization, if applicable.
  - (11) Proof that the organization is a state educational institution, if applicable.
  - (12) Proof that the organization is a hospital licensed under IC 16-21, a health facility licensed under IC 16-28, or a psychiatric facility licensed under IC 12-25, if applicable.
  - (13) A copy of the organization's bylaws, constitution, charter, and articles of incorporation, if applicable.
  - (14) Proof that the organization is a bona fide business organization, if applicable.
  - (15) Proof that the organization is in good standing with the Indiana department of revenue.
- (c) Upon receipt and verification of the information required in subsection (b), the commission shall issue a notice to the organization that the organization is a qualified organization as defined in IC 4-32.2-2-24.

**SECTION 21. (a) This SECTION supersedes 68 IAC 21-2-3.**

(b) To receive approval to conduct an exempt event, a qualified organization must submit written notice on the form

or forms prescribed by the commission to the commission informing the commission of the following:

- (1) Verification that the organization has been determined by the commission to be a qualified organization, including any of the following:
  - (A) A notice issued by the commission under section 2 of this rule in which the commission has determined that the organization is a qualified organization.
  - (B) Evidence that the organization has been previously determined by the commission to be a qualified organization.
  - (C) The information outlined in section 2(a) of this rule.
- (2) The date or dates and time or times of the planned exempt event or events.
- (3) The location or locations where the qualified organization plans to hold the exempt event or events.
- (4) The estimated value of all prizes to be awarded at each exempt event.
- (c) An organization conducting an exempt event must post the approval at the location of the event.

**SECTION 22. (a) This SECTION supersedes 68 IAC 21-2-4.**

**(b) In order to sell or lease any licensed supply to a qualified organization, an entity is required to be licensed as a distributor under IC 4-32.2-3-4. A licensed distributor may sell or lease licensed supply to another licensed distributor. In order to manufacture licensed supply for sale or lease to a licensed distributor, an entity is required to be licensed as a manufacturer under IC 4-32.2-3-4. A licensed manufacturer may sell or lease licensed supply to a licensed distributor or another licensed manufacturer. To obtain an annual license, a manufacturer or distributor must submit a written application on a form prescribed by the commission.**

**(c) The manufacturer's application shall include all information deemed appropriate by the commission or the executive director, including, but not limited to, the following:**

- (1) The name of the applicant and the address of the applicant's principal place of business.
- (2) The address of each of the applicant's separate locations where licensed supplies are manufactured.
- (3) The name and home address of all owners of the applicant's business if it is not a corporation and, if it is a corporation, the name and address of the following:
  - (A) Each officers of the corporation.
  - (B) Each substantial owner.

**(4) The name, business address, and home address of the registered agent for service in Indiana if the applicant is a corporation not domiciled in Indiana.**

**(5) Whether the applicant or any person required to be named in the application is an owner, officer, director, or employee of any other entity that would be licensed under this rule.**

**(6) A full description of the type of licensed supply that will be manufactured.**

**(7) The name of each state where the applicant has been licensed to manufacture, supply, or distribute licensed supplies, the license numbers, the period of time licensed, and whether or not a license has ever been suspended, revoked, or voluntarily forfeited, and the reason for that action.**

**(d) A distributor must purchase all licensed supplies to be used in charity gaming in Indiana from a licensed manufacturer or another licensed distributor. The distributor's application shall include the following information:**

**(1) The full name and address of the applicant.**

**(2) The name and address of the following:**

**(A) Each location operated by the distributor where licensed supplies are stored.**

**(B) Each owner, if the applicant is not a corporation.**

**(C) Each substantial owner.**

**(D) The registered agent for service in Indiana, if it is a corporation not domiciled in Indiana.**

**(3) A full description of the type of licensed supply that will be distributed.**

**(4) The name of each state where the applicant has been a licensed distributor, the license number, the period of time licensed, and whether or not a license has ever been suspended or revoked, or voluntarily forfeited, and the reason for that action.**

**(5) The name and address of every manufacturer from which purchases are made to be distributed in Indiana.**

**(e) An entity that both manufactures and distributes licensed supplies to be used in charity gaming in Indiana must possess a manufacturer's license and a distributor's license.**

**(f) A license issued to a manufacturer or a distributor is not transferable.**

**SECTION 23. (a) This SECTION supersedes 68 IAC 21-2-5.**

**(b) In addition to the reasons identified in IC 4-32.2-3-4 and IC 4-32.2-4-2.5, the commission may deny a license to an organization, a manufacturer, or a distributor, if the commission determines that:**

**(1) The applicant has violated a statute, regulation, rule, local ordinance, or other law providing for the best interests of charity gaming.**

**(2) The applicant has failed to timely pay any federal, state, or local tax obligation due.**

**(3) The applicant has had a license revoked by the commission during the three (3) years prior to the date of the submission of the current license application.**

**(4) The applicant has failed to pay the appropriate license fee.**

**(c) For purposes of the grant, renewal, or denial of a license, the commission may consider all relevant activities of an organization prior to any reorganization conducted under IC 4-32.2-2-24(a)(C)(iii).**

**SECTION 24. (a) This SECTION supersedes 68 IAC 21-2-6.**

**(b) All license fees must be paid at the time the application for licensure is submitted to the commission.**

**(c) The initial license fee and renewal fee for a:**

**(1) manufacturer is five thousand dollars (\$5,000); and**

**(2) distributor is five thousand dollars (\$5,000).**

**(d) The initial fee on each separate license held by a qualified organization is fifty dollars (\$50).**

**(e) If a period of at least three (3) years elapses between the dates on which a qualified organization lawfully conducts an allowable event, a license issued for the first time following the three (3) year period shall be considered an initial license for purposes of IC 4-32.2-6-3 and this rule.**

**(f) The commission may assess a twenty-five dollar (\$25) fee for an amendment to a license.**

**(g) If a qualified organization withdraws its application for an initial license or a license renewal, in writing, prior to issuance of the license or grant of the renewal, the commission shall refund the applicable license fee or renewal fee to the qualified organization, minus a fifty dollar (\$50) processing charge.**

**(h) If a qualified organization surrenders to the commission a single event license prior to hosting the event or events for which a single event license had been procured, the commission shall refund the lesser of:**

**(1) the applicable license fee or renewal fee, minus a fifty dollar (\$50) processing charge; or**

**(2) fifty percent (50%) of the applicable license fee or renewal fee.**

**(i) If a qualified organization surrenders to the commission an annual event license prior to the effective date of the license, the commission shall refund the lesser of:**

**(1) the applicable license fee or renewal fee, minus a fifty dollar (\$50) processing charge; or**

**(2) fifty percent (50%) of the applicable license fee or renewal fee.**

**(j) The commission may collect outstanding license fees resulting from underreported gaming income from an allowable event.**

**SECTION 25. 68 IAC 21-2-7 IS REPEALED.**

**SECTION 26. (a) This SECTION supersedes 68 IAC 21-3-1.**

**(b) In addition to the events identified in IC 4-32.2-2-2, the following events are allowed:**

**(1) A water race event.**

**(2) A guessing game event.**

**(3) Any other game of chance conducted as a fundraising activity of a qualified organization and approved by the commission.**

**SECTION 27. (a) This SECTION supersedes 68 IAC 21-3-2.**

**(b) Except as provided for pull tabs, punchboards, and tip boards obtained from the state lottery commission, all licensed supplies must be obtained under IC 4-32.2-5-25.**

**(c) The purchase of Hoosier Lottery pull tabs by the qualified organization is only permitted if the qualified organization is licensed by the state lottery commission to sell the items. The provisions of IC 4-32.2 do not apply to the purchase and sale of Hoosier Lottery pull tabs by a qualified organization.**

**(d) Except as otherwise provided, an allowable event must begin and end within a period of twenty-four (24) consecutive hours.**

(e) The lease of a location or facility for an allowable event must be in writing and:

(1) between the qualified organization and the owner of the premises, as determined by the property owner of record on the property tax rolls of the county in which the property is located; or

(2) a valid sublease between the sublessor and sublessee, with written consent of the assignment by the property owner of record, as determined by the property tax rolls of the county in which the property is located.

(f) A qualified organization may not conduct more than six (6) charity game night single events each calendar year.

(g) A qualified organization may advertise an allowable event. An advertisement in printed media, such as newspapers, magazines, and internet websites, or temporary signage, such as fliers, yard signs, billboards, and marquee advertisements, must contain the name and license number, in bold print, of the organization conducting the event. An advertisement in broadcast media must announce, at the end of the advertisement:

(1) the name of the organization conducting the event; and

(2) that the qualified organization's license number is on file.

A television announcement of the name and license number of the organization conducting the event may be in the form of an audio or a video, or both. An organization conducting a charity game night event shall not advertise for that event using a business name, such as a "d/b/a", which is different from the name on the organization's license, on any advertisement or signage. An organization must include "charity game night" on any advertisement or signage that describes, names, or identifies the event.

(h) Pull tabs cannot be sold in this state unless a flare accompanies the deal.

(i) An organization may not permit a person less than eighteen (18) years of age to play or participate in an allowable event. However, a person less than eighteen (18) years of age may play or participate in non-gaming activities associated with an allowable event. A qualified organization is prohibited from allowing an individual less than eighteen (18) years of age to serve food or drinks to participants in the area where the gaming is occurring.

(j) A sign printed with a font size legible from a distance of at least ten (10) feet must be prominently posted near each entrance and registration area throughout the event stating that the operators and workers are not allowed to accept tips.

(k) An organization may employ not more than three (3) nonmember Indiana law enforcement officers or private detectives properly licensed in Indiana to perform security services during an allowable event. An organization may not use more than three (3) security personnel unless the organization has prior written approval of the executive director or the executive director's designee.

(l) To obtain express authorization for an exemption from a normal prize limit where permissible in IC 4-32.2, a qualified organization must submit a written application on a form prescribed by the commission stating the date, time, and location of the event at least forty-five (45) days before the date of the event. The authorization to exceed the normal prize limits must be prominently displayed at the time and location of the event.

(m) An organization may dispose of any unused bingo supplies, punchboards, pull tabs, tip boards, and any other licensed supplies specified by the commission by shredding, burning, or otherwise destroying them. The organization must notify the commission that such items are to be destroyed thirty (30) days in advance of the destruction and must provide the following information:

(1) The date the items were destroyed.

(2) The manner of destruction.

(3) A description of the items destroyed.

(4) The quantity of items destroyed.

(5) The serial numbers of the items destroyed.

(6) The trade name of the items.

(7) The reason for destruction.

Destruction of any unused licensed supplies must be certified by one (1) officer of the qualified organization.

(n) If an organization has lost any licensed supplies through theft, fire, flood, or other disaster, the organization must notify the commission in writing of the loss and provide the following information within ten (10) days of discovering the loss:

(1) The date the items were lost.

(2) The manner of loss and a description of the items lost.

(3) The serial numbers of the items lost.

(4) The trade name of the items.

(5) Copies of all insurance forms submitted for the loss.

(6) Any police department or fire department reports created in connection to the loss.

(7) Any other information required by the commission or the executive director.

(o) To collect a pull tab, punchboard, or tip board prize valued at two hundred fifty dollars (\$250) or more:

(1) The winner must provide the following to the organization:

- (A) His or her printed name.
- (B) His or her signature.
- (C) His or her date of birth.

(2) The organization awarding the prize must verify the identity of the winner using any reasonable means the organization considers necessary.

(p) A charitable organization may not conduct an allowable event on or through the Internet.

(q) No organization shall conduct any allowable event in which the winner of a prize is determined, in whole or in part, on a sporting event.

(r) An organization may accept only United States currency, coin, personal check, or debit card from players when conducting an allowable event.

(s) Publication of notice required by IC 4-32.2-4-5(c) and IC 4-32.2-4-7.5(c) shall be made not later than fifteen (15) days after the applicant has received a pre-license review letter issued by the commission.

(t) A qualified organization holding a license issued under IC 4-32.2-4-5 and IC 4-32.2-4-7.5 shall publish notice as required by IC 4-32.2-4-5(c) and IC 4-32.2-4-7.5(c) if the location changes at which the organization conducts gaming pursuant to these licenses. Notification must meet the requirements of IC 4-32.2-4-5(d) and IC 4-32.2-4-7.5(d). In the event the commission receives at least ten (10) written and signed protest letters, the commission may hold a hearing in accordance with IC 5-14-1.5.

(u) Protest letters referenced in IC 4-32.2-4-5(e) and IC 4-32.2-4-7.5(e) opposing the issuance of an initial annual bingo or annual charity game night license, respectively, must be received by the commission not later than fifteen (15) days after the last publication required by IC 4-32.2-4-5(c) and IC 4-32.2-4-7.5(c), respectively.

(v) All prizes awarded for a winner take all drawing or a qualified drawing must be U.S. currency.

(w) A qualified organization conducting a winner take all drawing or a qualified drawing must maintain a ledger in which the qualified organization records:

(1) the date of each drawing;

(2) each winning patron's:

- (A) name;
- (B) address; and
- (C) telephone number; and

(3) the amount awarded to each winner.

The ledger must be printed legibly and must be available for inspection upon request.

(x) A qualified organization conducting a raffle, door prize, winner take all drawing, or qualified drawing must conduct its own winning draws.

(y) A qualified organization is prohibited from conducting any allowable event at a bar or tavern, or at a facility connected to a bar or tavern, that is not owned by a qualified organization.

(z) An organization must deposit all proceeds from an allowable event into its separate and segregated checking account within five (5) business days after the conclusion of the event. All monies deposited into the separate and segregated checking account must not be transferred into another account.

(aa) An organization must conspicuously post a "no change" sign on any dispensing device that does not provide change.

(bb) All pull tabs manufactured or distributed for sale in Indiana must meet the "Standards on Pull-Tabs" and "Pull-Tab Record Keeping and Reporting Standards" adopted by the North American Gaming Regulators Association, October 12, 1991 and May 11, 1994, respectively, as amended October 20, 1998, and amended December 12, 2005, which is incorporated by reference. Except for when a conflict exists with a provision of IC 4-32.2 or another rule of the commission, a qualified organization must conduct pull tab games in the manner prescribed by these NAGRA standards. Copies are available from the North American Gaming Regulators Association, 26 East Exchange Street, Suite 500, St. Paul, MN 55101 or <http://www.nagra.org>.

(cc) All bingo supplies manufactured or distributed for sale in Indiana must meet the "Bingo Standards" and "Bingo Record-Keeping and Reporting Standards" adopted by the North American Gaming Regulators Association, October 22, 1992 and May 11, 1994, respectively, and amended March 18, 2011, which is incorporated by reference. Except for when a conflict exists with a provision of IC 4-32.2 or a rule of the commission, a qualified organization must conduct bingo games in the manner prescribed by these NAGRA standards. Copies are available from the North American Gaming Regulators

Association, 26 East Exchange Street, Suite 500, St. Paul, MN 55101 or <http://www.nagra.org>.

(dd) A qualified organization using volunteer ticket agents to sell tickets to an allowable event must maintain a ledger in which the qualified organization records:

- (1) the date of the allowable event to which the tickets are sold;
- (2) the name, address, and telephone number of each volunteer ticket agent and the retail establishment where the volunteer ticket agent sold tickets; and
- (3) the sequential numbers of the tickets provided to the retail establishment.

(ee) A qualified organization using volunteer ticket agents must account for and retain possession of all unsold licensed supply provided to a retail establishment for sale by volunteer ticket agents.

(ff) A full-sized photocopy of the charity gaming event license is required to be prominently displayed at the facility where the event is being held. The original license must be available for inspection upon request at all times. In addition to the photocopy, a legible sign of adequate dimension of at least eight and one-half (8 1/2) inches by eleven (11) inches must be prominently posted near each entrance and registration area at the event, in such a manner that it can be clearly read by all the players during an event, containing the following:

- (1) The name of the qualified organization.
- (2) Its license number.
- (3) The expiration date of the license.

(gg) Under an annual raffle license or an annual PPT license, any employee of the qualified organization may participate in the sale and redemption of pull tabs, punchboards, and tip boards on the premises owned or leased by the qualified organization, or donated to the qualified organization, and receive the remuneration ordinarily provided to the employee in the course of the employee's employment.

(hh) Under an annual raffle license or an annual PPT license, a qualified organization may sell pull tabs, punchboards, or tip boards at any time on the premises owned or leased by the organization, or donated to the qualified organization, and regularly used for the activities of the qualified organization.

(ii) A qualified organization must use the fair market retail value of any non-cash prize awarded to a winner of an allowable event to determine the applicable prize payout for the allowable event.

SECTION 28. (a) This SECTION supersedes 68 IAC 21-3-4.

(b) The commission may issue a water race license that permits a qualified organization to conduct a water race in the following manner:

- (i) Each item is marked with a number corresponding to the number on a ticket, chance, or entry purchased in a water race.
- (ii) The winner of the water race is determined by the number on the item that crosses a designated finish line on the body of water first.

SECTION 29. (a) This SECTION supersedes 68 IAC 21-3-4.1.

(b) A patron participating in a euchre game conducted under a charity game night license issued under IC 4-32.2-4-7 or IC 4-32.2-4-7.5, or a festival license issued under IC 4-32.2-4-12, must deal every time he or she has the opportunity to do so in the regular course of the game of euchre.

(c) No patron participating in a euchre game conducted under a charity game night license issued under IC 4-32.2-4-7 or IC 4-32.2-4-7.5, or a festival license issued under IC 4-32.2-4-12, may receive prizes other than those awarded to the winners of the game.

(d) A qualified organization conducting a euchre game under a charity game night license issued under IC 4-32.2-4-7 or IC 4-32.2-4-7.5, or a festival license issued under IC 4-32.2-4-12, must have one (1) operator for each six (6) tables of four (4) players. Determination of prize payouts, resolution of disputes, and responsibility for all buy-ins and cash-outs of chips must be done by an operator.

SECTION 30. The commission may issue a guessing game license that permits a qualified organization to conduct a guessing game.

SECTION 31. (a) This SECTION supersedes 68 IAC 21-4-1.

(b) A qualified organization must maintain records of all financial aspects of each allowable event adequate for the commission to conduct oversight as authorized and required by IC 4-32.2 and to report such information to the commission

on forms prescribed by the commission. The organization must set up a separate and segregated checking account to account for all proceeds and expenditures of the allowable event. If a qualified organization donates gaming proceeds to a recognized subsidiary or auxiliary, then that subsidiary or auxiliary must account for the donation and all related expenditures in its own charity gaming separate and segregated checking account. If a qualified organization donates gaming proceeds to another qualified organization pursuant to IC 4-32.2-5-16(b) then the donee qualified organization must account for the donation and all related expenditures in its own charity gaming separate and segregated checking account. The records that must be kept and the information that must be submitted on the forms prescribed by the commission include, but are not limited to, the following:

- (1) Gross receipts from each type of activity conducted at each allowable event.
- (2) Prize payouts.
- (3) Net receipts to the organization.

Included in the organization's financial records must be any rental costs associated with conducting the allowable event, including, but not limited to, a facility lease and the lease of tangible personal property.

(c) The appropriate financial forms prescribed by the commission must be provided as follows:

- (1) All annual license holders must submit the appropriate forms prescribed by the commission postmarked not later than the tenth day of the month in which the annual license expires.
- (2) All single event license holders must submit the appropriate forms prescribed by the commission not more than ten (10) days after the allowable event is concluded.
- (3) All qualified organizations conducting an exempt event must submit the appropriate forms prescribed by the commission annually, one (1) year after the date of the first exempt event of a calendar year. If the value of all prizes awarded for a single exempt event exceeds one thousand dollars (\$1,000), or exceeds an aggregate of a total of three thousand dollars (\$3,000) for all exempt events at any point during the calendar year, a qualified organization shall submit the appropriate forms prescribed by the commission within ten (10) days of exceeding the limit.

(d) The commission shall be granted unrestricted access to all records, including, but not limited to, the following:

- (1) Membership information.
- (2) Financial records.
- (3) Receipts for the purchase or lease of all licensed supplies.

(e) A qualified organization must retain the following records for three (3) years from the conclusion of the financial accounting period for the license containing of the allowable event:

- (1) All documents associated with allowable events.
- (2) All other documents kept in the regular course of allowable events.

SECTION 32. (a) This SECTION supersedes 68 IAC 21-4-2.

(b) An entity licensed as a manufacturer or distributor must keep records adequate for the commission to conduct oversight as authorized by IC 4-32.2 and to report such information to the commission on forms prescribed by the commission. The records required must include, but are not limited to, the following:

(1) A general sales invoice that:

(A) is:

- (i) numbered consecutively; and
- (ii) prepared in at least two (2) parts, one (1) being issued to the customer and the other retained in an invoice file; and

(B) sets out:

- (i) the date of sale;
- (ii) the customer name and business address;
- (iii) a full description of each licensed supply sold, including the serial numbers of the licensed supply sold;
- (iv) the quantity and sales price of each licensed supply;
- (v) the manufacturer's or distributor's license number;
- (vi) the customer's current license number; and
- (vii) the gaming card excise tax due on the sale.

(2) Credit memoranda prepared in the same detail as sales invoices.

(3) A sales journal containing at least the following, by calendar month:

(A) The date of sale.

- (B) The invoice number of the sale.
- (C) The customer name or account number.
- (D) The total amount of the invoice.
- (E) The total amount of the gaming card excise tax due on the sale.

(4) A complete list of the persons representing the buyer and seller of licensed supplies.

(5) Purchase records documenting that all licensed supplies were purchased from either a licensed manufacturer or another licensed distributor.

(c) The serial number printed on licensed supply sold must be identifiable with the sales invoice reflecting the sale of the specific licensed supply.

(d) Records are required to be maintained until the later of the following:

(1) Six (6) years after the year in which they are created.

(2) The end of the audit if such records are under audit.

(e) Marketing sheets that show the expected gross income, payout, net income, and number of deals in the pull tab game that have been sold to the qualified organization. "Payout" does not include the cost of the game itself.

(f) If a licensed manufacturer or distributor destroys, discontinues, or otherwise renders unusable licensed supplies sold in Indiana, then the manufacturer or distributor must provide the commission with a written list of the licensed supplies destroyed, including the following:

(1) The quantity.

(2) A description of the items.

(3) Serial numbers.

(4) The date on which the items were destroyed.

(g) A licensed manufacturer or distributor must keep the commission informed of the following:

(1) Its location.

(2) The location of all facilities where licensed supplies are manufactured or distributed.

(3) Where the records will be stored if the manufacturer or distributor ceases business or sells its business to another entity.

(h) The records referenced in subsections (a) through (e) must be produced upon request by the:

(1) commission;

(2) executive director; or

(3) executive director's designee.

(i) If a licensed manufacturer or distributor sells its business to another entity, then the manufacturer or distributor must provide the following to the commission within ten (10) days of the closing of the sale:

(1) Records documenting the sale.

(2) The original manufacturer or distributor's license.

SECTION 33. (a) This SECTION supersedes 68 IAC 21-5-1.

(b) A qualified organization shall not enter into any formal or informal agreement relating to an allowable event, including, but not limited to:

(1) hiring or contracting operators and workers;

(2) leasing real or tangible personal property; or

(3) concessions and retail sales;

with a person affiliated with that organization. Such affiliations include, but are not limited to, members, officers, directors, or members of their family.

(c) Unless otherwise provided in IC 4-32.2-5-22, a manufacturer, distributor, or their officers, employees, or agents shall not affiliate with the gaming operation of a qualified organization in any manner other than the sale or lease of licensed supplies. An employee, officer, owner, or agent of a manufacturer or distributor shall not sell or lease licensed supply to a qualified organization of which the employee, officer, owner, or agent is a member.

SECTION 34. (a) This SECTION supersedes 68 IAC 21-6-1.

(b) Qualified organizations, manufacturers, and distributors have a continuing duty to maintain compliance with IC 4-32.2 and this article. A commission license does not create a property right, but is a privilege contingent upon continuing compliance and suitability for licensure.

(c) In addition to the grounds for penalties listed in IC 4-32.2-8-1, the commission may initiate an investigation or a

**disciplinary action, or both, against a qualified organization, a manufacturer, a distributor, or an individual, if the commission has reason to believe the qualified organization, manufacturer, distributor, or individual:**

**(1) has violated a statute, regulation, local ordinance, or other law providing for the best interests of charity gaming;**  
or

**(2) owes license fees.**

**(d) The commission shall pursue a disciplinary action against a qualified organization, a manufacturer, a distributor, or an individual in accordance with the procedures in 68 IAC 13, except any provision therein that is inapplicable to charity gaming.**

**(e) For purposes of the initiation of an investigation or a disciplinary action under this rule, the commission may consider all relevant activities of an organization prior to any reorganization conducted under IC 4-32.2-2-24(a)(C)(iii).**

**(f) If the commission revokes a license of a qualified organization, manufacturer, or distributor, then the commission may publish notice of the revocation in a newspaper of general circulation in the county where the qualified organization is located and in the county where the allowable event was conducted.**

**SECTION 35. (a) This SECTION supersedes 68 IAC 21-6-2.**

**(b) In addition to the actions listed in IC 4-32.2-8-1 and IC 4-32.2-8-3, the commission may collect any underreported license fees.**

**SECTION 36. This document expires September 29, 2011.**



# CG-QA, QUALIFICATION APPLICATION

State Form 45380 (R4 / 6-11)

INDIANA GAMING COMMISSION

For Official Use Only

Date Received \_\_\_\_\_

Reviewed By \_\_\_\_\_

Date Reviewed \_\_\_\_\_

Date Keyed \_\_\_\_\_

**INSTRUCTIONS:** Please allow one hundred twenty (120) business days for processing. Incomplete applications will be returned and processing will be delayed. (Organization must be in good standing with the Department of Revenue.)

Organization name (please type or print) \_\_\_\_\_

Address of principal office (number and street; required) \_\_\_\_\_ P.O. Box Number (if applicable) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP code \_\_\_\_\_ County \_\_\_\_\_

Organization daytime telephone number ( ) \_\_\_\_\_ Please include extension number \_\_\_\_\_ Organization fax number ( ) \_\_\_\_\_

Federal Identification Number (FID) \_\_\_\_\_ Email address \_\_\_\_\_

Contact name and title \_\_\_\_\_ Contact's daytime telephone number ( ) \_\_\_\_\_ Please include extension number \_\_\_\_\_

1. Check the box next to the organization type that best describes the organization (*check only one*):

- Bona fide business organization\*
- Bona fide civic organization\*
- Bona fide educational organization\*
- Bona fide fraternal organization\*
- Bona fide political organization
- State educational institution (as defined in IC 21-7-13-32)
- Hospital licensed under IC 16-21, health facility licensed under IC 16-28, or psychiatric facility licensed un IC 12-25
- Candidate's committee (as defined in IC 3-5-2-7) - [Do not use this form]- must use form CG-CCA, Candidate Committee Application
- Bona fide religious organization\*
- Bona fide senior citizens organization\*
- Bona fide veterans' organization\*

\* If the organization is a bona fide business organization, bona fide civic organization, bona fide educational organization, bona fide fraternal organization, bona fide religious organization, bona fide senior citizens organization, or a bona fide veterans' organization, then you must provide a copy of its Internal Revenue Service tax exemption status letter.

2. Date the organization was formed (mm/dd/yy): \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

3. Number of members (*must be a membership organization*): \_\_\_\_\_

4. Attach a copy of the organization's bylaws or articles of incorporation.

The following section applies only to bona fide civic organizations, bona fide educational organizations, bona fide fraternal organizations, bona fide religious organizations, bona fide senior citizens organizations, and bona fide veterans' organizations.

5. How many years has the organization been in active continuous existence in Indiana? \_\_\_\_\_  
You must attach a copy of one (1) internal document or external document for the current year and one (1) for each of the prior four (4) years. The documents submitted must reflect the name of the organization obtaining qualification and clearly dated. If your organization is relying on an Indiana parent to supply one (1) or more of the required documents, then the documents submitted must reflect the parents name and clearly dated. Examples provided on the next page.

6. Is your organization affiliated with a National or Indiana State parent organization? \_\_\_ Yes \_\_\_ No  
If you answered yes, please provide the following information:

a) National or Indiana State organization name and address: \_\_\_\_\_  
\_\_\_\_\_

b) Parent Federal Identification Number (FID) \_\_\_\_\_

c) How many years has this parent organization been in active continuous existence? \_\_\_\_\_

7. Name and address of current officers (attach additional sheets if necessary)

Full Legal Name	Home Address (number and street, city, state, ZIP code)	Title	Home Telephone Number
			( )
			( )
			( )
			( )
			( )
			( )

8. Certification

We certify under penalty of perjury that there are no misrepresentations or falsifications in the information stated. We understand that false or misleading statements will cause rejection of this application or revocation of future license(s).

\_\_\_\_\_  
Signature of Presiding Officer

\_\_\_\_\_  
Date (month, day, year)

( )

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Daytime telephone number

\_\_\_\_\_  
Signature of Secretary

\_\_\_\_\_  
Date (month, day, year)

( )

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Daytime telephone number

Examples of Internal or External Documents

- |  |  |
|--|--|
| <input type="checkbox"/> Minutes of meetings                                 | <input type="checkbox"/> Account payables, including copies of dated invoices  |
| <input type="checkbox"/> Dues receipts                                       | <input type="checkbox"/> Account receivables, including copies of dated invoices   |
| <input type="checkbox"/> Internal audit                                      | <input type="checkbox"/> Utility bills   |
| <input type="checkbox"/> Bylaws/Amended bylaws that are signed and dated     | <input type="checkbox"/> Dated leases  |
| <input type="checkbox"/> Articles of incorporation                           | <input type="checkbox"/> Bank statements   |
| <input type="checkbox"/> Amended articles of incorporation                   | <input type="checkbox"/> Canceled checks   |
| <input type="checkbox"/> Federal Form 990 and/or 990T                        | <input type="checkbox"/> Affidavits or letters of confirmation from the national or parent organization on organization letterhead                                     |
| <input type="checkbox"/> Indiana Forms NP 20                                 | <input type="checkbox"/> Dated newspaper articles  |
| <input type="checkbox"/> Descriptions and results of fund-raising activities | <input type="checkbox"/> Any type of dated state or local licensing permits, such as alcoholic beverage licenses and registration with the Secretary of State's Office |

**Mail Completed Form To:**  
**Indiana Gaming Commission**  
**Charity Gaming Division**  
**101 W. Washington St., East Tower, Suite 1600**  
**Indianapolis, IN 46204**  
**Do not send a payment with this form.**



# CG-RAF, APPLICATION FOR RAFFLE LICENSE

State Form 45384 (R2 / 6-11)  
Approved by State Board of Accounts, 2011  
INDIANA GAMING COMMISSION

**For Official Use Only**  
License Fee Paid \_\_\_\_\_  
Date Received \_\_\_\_\_  
Reviewed By \_\_\_\_\_  
Date Reviewed \_\_\_\_\_  
Date Keyed \_\_\_\_\_

**INSTRUCTIONS:** Please enclose license fee. Allow forty-five (45) business days to process.

1. Organization name <i>(please type or print)</i>			
2. Address of principal office <i>(number and street, city, state, and ZIP code)</i>			P.O. Box Number <i>(if applicable)</i>
3. Organization daytime telephone number ( )	Please include extension number		4. Organization fax number ( )
5. Federal Identification number (FID)		6. Email address	
7. Contact person's name and title		Contact person's daytime telephone number ( )	Please include extension number
8. On what date and during what hours will your event be conducted? <i>(A.M. establishes the midnight hour, P.M. establishes the noon hour.)</i> Date _____ Hours _____ M to _____ M			
9. Address of the facility where the gaming event will be conducted <i>(number and street)</i>			
City	State	ZIP code	County

## FACILITY/TANGIBLE PERSONAL PROPERTY INFORMATION

Attach additional sheets if necessary to supply all information for each line.

10. Does your organization own _____, lease (rent) _____, or use a donated _____ facility where the licensed event will be conducted? <i>(Check one)</i> <input type="checkbox"/> If leased (rented) or donated, enter name and address of lessor or donor and attach a copy of your signed lease or donation agreement.					
Name of lessor/donor <i>(full legal name)</i>			Address <i>(number and street)</i>		
City	State	ZIP code	County	Daytime telephone number ( )	
11. Is any tangible personal property (e.g. tables, chairs) or gaming equipment/device being leased or donated to you for this event? <input type="checkbox"/> Yes <input type="checkbox"/> No If you answered Yes, list the name and address of the lessor or donor. Attach a signed copy of the lease or donation agreement. Note: Gaming equipment/device must originate from a licensed distributor or manufacturer.					
Name	Address <i>(number and street)</i>		City	State	ZIP code

## Manufacturer and Distributor Information

Attach additional sheets if necessary.

12. List the distributor(s) from whom you intend to purchase licensed supplies.					
Name	Address <i>(number and street)</i>	City	State	ZIP Code	Items

13. Does your organization own gaming equipment or devices? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, list the distributor/manufacturer's name, date of purchase, purchase price, and type of equipment purchased.			
Name of Distributor/Manufacturer	Date of Purchase	Purchase Price	Type of Equipment/Device

### Operator Information

*Attach additional sheets if necessary.*

14. Please list at least three (3) operators who will supervise, manage, and be responsible for the operation and conduct of the gaming event.

Full Legal Name	Home Address <i>(number &amp; street, city, state, ZIP code)</i>	Driver's License or State I.D.	Date of Birth <i>(month, day, year)</i>	Daytime Telephone Number	Date Joined Organization <i>(month, day, year)</i>	Check all appropriate boxes
				(   )		Bartender <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Member <input type="checkbox"/>

15. Please list the name from above of the **principal operator** who has overall responsibility for the operation and control of this charity gaming event.

**X**

Name \_\_\_\_\_

Daytime telephone number \_\_\_\_\_

### Worker Information

*Attach additional sheets if necessary.*

16. List all individuals (*excluding operator information above*) who will assist and work in the operation of the licensed event.

Full Legal Name	Home Address <i>(number &amp; street, city, state, ZIP code)</i>	Driver's License or State I.D.	Date of Birth <i>(month, day, year)</i>	Daytime Telephone Number	Date Joined Organization <i>(month, day, year)</i>	Check all appropriate boxes
				(   )		Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>

17. Have any operators/workers listed on lines 14 and 16, or on any additional sheets been convicted of a felony within the last ten (10) years in any jurisdiction?  Yes  No If you answered yes, attach a list including each name, type and date of conviction, and jurisdiction/court.

### Volunteer Ticket Agent Information

*Attach additional sheets if necessary.*

18. Will the organization utilize Volunteer Ticket Agents ("VTA") to sell tickets for the event?  Yes  No

If yes, please provide the name, address, telephone, and name of the General Manager of each retail establishment whose employees will serve as volunteer ticket agents. A VTA may only sell tickets.

Name of Retail Establishment	Address of Retail Establishment <i>(number and street, city, state, ZIP code)</i>	Name of the General Manager	Telephone Number of the General Manager
			(   )
			(   )
			(   )

### Gross Retail Sales Information

19. Will you conduct any type of retail sales during the licensed event (e.g. concessions, daubers, snacks, etc.)? (Check one)  Yes\*  No

\*If "Yes" complete the following information. If the seller is required to have a Retail Merchant Certificate, enter that number in the box provided.

Name of organization offering the sales

Retail Merchant Certificate Number

20. Which of the following will your organization be receiving? (Check one)

\_\_\_\_\_ All of the retail sales income

\_\_\_\_\_ A flat fee retail sales payment

\_\_\_\_\_ A percentage of the retail sales income

\_\_\_\_\_ Other (explain) \_\_\_\_\_

### Additional Activities Authorized

21. Will your organization sell pull tabs, punchboards, and/or tip boards?  Yes  No  
Will your organization conduct a door prize drawing at this event?  Yes  No  
(Limitation on door prize drawings at all events is \$1,500 and cannot be increased.)

### Financial Information

22. Where will the charity gaming financial records be maintained?

Address (number and street)

City

State

ZIP code

23. Name, address, and telephone number of the person maintaining these records.

Name

Address (number and street)

City

State

ZIP code

Daytime telephone number  
( )

24. List the organization's separate and segregated charity gaming checking account information.

Name of bank

Address (number and street)

City

State

ZIP code

Name of separate and segregated Charity Gaming checking account

Account number

### License Fee Information

25. The license fee for your first Raffle License is \$50.00. All subsequent license fees will be based on the adjusted gross receipts from the last event of the same type. You will find this license fee amount on page 3 item #4 of the Indiana Charity Gaming Single Event Financial Report, Form CG-9. The fee should be paid by check drawn from your separate and segregated Charity Gaming checking account. Make your check payable to: **Indiana Gaming Commission**. Do not send cash.

Notice: Have you held a Raffle License within the last three (3) years?  Yes  No

If yes, your license fee is based on the gross receipts of your last Raffle event. If no, your initial license fee is \$50.00.

**Certification**

26. We certify under penalty of perjury that there are no misrepresentations or falsifications in the information stated. We understand false or misleading statements will cause rejection of this application or revocation of future license(s).

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**Signature of Presiding Officer**      **Print name**      **Title**      **Daytime telephone number**      **Date (month, day, year)**

---

**Signature of Secretary**      **Print name**      **Daytime telephone number**      **Date (month, day, year)**

**Send this application and appropriate fee to:**  
Indiana Gaming Commission  
Charity Gaming Division  
101 W. Washington St., East Tower, Suite 1600  
Indianapolis, IN 46204  
Phone: (317) 232-4646

# Charity Gaming Study Committee

10/18/2011

## Exhibit 2

Establishes an annual comprehensive charity gaming license available to nationally organized conservation and sporting organizations that meet certain eligibility requirements. Permits the Indiana affiliates of a national organization to conduct charity gaming events under a single annual comprehensive charity gaming license. Prescribes the following: (1) who may serve as an operator or worker under the license (2) the procedural requirements for obtaining the license; (3) the requirements for conducting particular events; (4) when a worker may purchase a raffle ticket at a raffle event conducted under the license; (5) limits on the frequency of certain events; (6) the method of determining an organization's initial license fee; and (7) the method of determining an organization's license renewal fee. 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 Indiana gaming commission (IGC) discretion to establish the initial license at an amount that may not exceed \$50 which is the amount that the IGC has selected.)

1           SECTION 1. IC 4-32.2-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW  
2 SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 1.5. "Affiliated**  
3 **organization" means a national organization that:**

- 4                     (1) operates without profit to the organization's members;  
5                     (2) is exempt from federal income taxation under Section 501(c)(4) of the  
6                     Internal Revenue Code; and  
7                     (3) is related in both its mission and organization to a bona fide  
8                     conservation organization or a bona fide sporting organization.

9           SECTION 2. IC 4-32.2-2-6.5 IS ADDED TO THE INDIANA CODE AS A NEW  
10 SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 6.5. "Bona fide**  
11 **conservation organization" refers to an organization that:**

- 12                     (1) does not own real property in Indiana used to conduct allowable events;  
13                     (2) operates without profit to the organization's members;  
14                     (3) is exempt from taxation under Section 501 of the Internal Revenue  
15                     Code;  
16                     (4) has a national membership;  
17                     (5) has been continuously in existence in Indiana for at least three (3) years;  
18                     and  
19                     (6) satisfies at least one (1) of the following requirements:

- 20                             (A) The organization promotes the preservation, restoration, or  
21                             management of wildlife habitat.  
22                             (B) The organization promotes wildlife conservation.  
23                             (C) The organization promotes the preservation of forests, prairies,  
24                             wetlands, rivers, lakes, or other natural areas.  
25                             (D) The organization promotes national parks.

26           SECTION 3. IC 4-32.2-2-10.5 IS ADDED TO THE INDIANA CODE AS A NEW  
27 SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 10.5. "Bona fide**  
28 **sporting organization" refers to an organization that:**

- 1 (1) does not own real property in Indiana used to conduct allowable events;
- 2 (2) operates without profit to the organization's members;
- 3 (3) is exempt from taxation under Section 501 of the Internal Revenue
- 4 Code;
- 5 (4) has a national membership;
- 6 (5) has been continuously in existence in Indiana for at least three (3) years;
- 7 and
- 8 (6) satisfies at least one (1) of the following requirements:
  - 9 (A) The organization promotes hunting, fishing, or trapping.
  - 10 (B) The organization promotes shooting sports and the safe
  - 11 ownership and enjoyment of firearms or archery equipment.
  - 12 (C) The organization promotes biking, birding, boating, camping,
  - 13 canoeing, caving, geocaching, hiking, horseback trail riding,
  - 14 kayaking, or orienteering.

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

- 18 (1) A bona fide religious, educational, senior citizens, veterans, or civic  
19 organization operating in Indiana that:
  - 20 (A) operates without profit to the organization's members;
  - 21 (B) is exempt from taxation under Section 501 of the Internal Revenue  
22 Code; and
  - 23 (C) satisfies at least one (1) of the following requirements:
    - 24 (i) The organization has been continuously in existence in  
25 Indiana for at least five (5) years.
    - 26 (ii) The organization is affiliated with a parent organization that  
27 has been in existence in Indiana for at least five (5) years.
    - 28 (iii) The organization has reorganized and is continuing its  
29 mission under a new name on file with the Indiana secretary of  
30 state and with a new tax identification number after having  
31 satisfied the requirements set forth in either item (i) or (ii).
- 32 (2) A bona fide political organization operating in Indiana that produces exempt  
33 function income (as defined in Section 527 of the Internal Revenue Code).
- 34 (3) A state educational institution (as defined in IC 21-7-13-32).
- 35 (4) A bona fide conservation organization operating in Indiana.
- 36 (5) A bona fide sporting organization operating in Indiana.

37 (b) For purposes of IC 4-32.2-4-3, a "qualified organization" includes the following:

- 38 (1) A hospital licensed under IC 16-21.
- 39 (2) A health facility licensed under IC 16-28.
- 40 (3) A psychiatric facility licensed under IC 12-25.

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(4) An organization defined in subsection (a).

(c) For purposes of IC 4-32.2-4-10, a "qualified organization" includes a bona fide business organization.

(d) Evidence that an organization satisfies subsection (a)(1)(C)(iii) includes:

- (1) evidence of the organization's continued use of a service mark or trademarked logo associated with the organization's former name;
- (2) evidence of the continuity of the organization's activities as shown in the federal income tax returns filed for the organization's five (5) most recent taxable years;
- (3) evidence of the continuity of the organization's activities as shown by the five (5) most recent annual external financial reviews of the organization prepared by a certified public accountant; or
- (4) any other information considered sufficient by the commission.

**(e) Unless the construction is plainly repugnant to the intent of the general assembly or of the context of the statute, "qualified organization" refers to an Indiana affiliate of an organization described in subsection (a)(4) or (a)(5).**

SECTION 5. IC 4-32.2-3-3, AS AMENDED BY P.L.95-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) **Subject to subsection (c), the commission shall may** adopt rules under IC 4-22-2 for the following purposes:

- (1) Administering this article.
- (2) Establishing the conditions under which charity gaming in Indiana may be conducted, including the manner in which a qualified organization may supervise a euchre game conducted under IC 4-32.2-5-14(b).
- (3) Providing for the prevention of practices detrimental to the public interest and providing for the best interests of charity gaming.
- (4) Establishing rules concerning inspection of qualified organizations and the review of the licenses necessary to conduct charity gaming.
- (5) Imposing penalties for noncriminal violations of this article.
- (6) Establishing standards for independent audits conducted under IC 4-32.2-5-5.

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

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

**(c) The commission may not adopt a rule that requires a qualified organization to:**

- (1) submit to an inspection;**
- (2) file a form or other documentation; or**
- (3) comply with any other requirement;**

1 **that is not set forth in this article or the rules of the commission, as in effect on July 1,**  
2 **2012.**

3 SECTION 6. IC 4-32.2-4-4, AS ADDED BY P.L.91-2006, SECTION 3, IS AMENDED  
4 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) Each organization applying  
5 for a bingo license, a special bingo license, a charity game night license, a raffle license, a door  
6 prize drawing license, a festival license, or a license to conduct any other gambling event  
7 approved by the commission must submit to the commission a written application on a form  
8 prescribed by the commission. **An organization applying for an annual comprehensive**  
9 **charity gaming license must submit an application under section 19 of this chapter.**

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

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

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

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

37 SECTION 7. IC 4-32.2-4-12, AS AMENDED BY P.L.104-2011, SECTION 4, IS  
38 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) The  
39 commission may issue a festival license to a qualified organization upon the organization's  
40 submission of an application and payment of a fee determined under IC 4-32.2-6. The license

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

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

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

10 SECTION 8. IC 4-32.2-4-13, AS AMENDED BY P.L.108-2009, SECTION 8, IS  
11 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) A bingo  
12 license or special bingo license may also authorize a qualified organization to conduct raffle  
13 events and door prize drawings and sell pull tabs, punchboards, and tip boards at the bingo event.

14 (b) A charity game night license may also authorize a qualified organization to:

15 (1) conduct raffle events and door prize drawings; and

16 (2) sell pull tabs, punchboards, and tip boards;

17 at the charity game night.

18 (c) A raffle license or an annual raffle license may also authorize a qualified organization  
19 to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the raffle event.

20 (d) A door prize license or an annual door prize license may also authorize a qualified  
21 organization to conduct a raffle event and to sell pull tabs, punchboards, and tip boards at the  
22 door prize event.

23 (e) A PPT license may also authorize a qualified organization to conduct on the premises  
24 described in section 16.5(b) of this chapter winner take all drawings and other qualified drawings  
25 in the manner required by IC 4-32.2-5-26.

26 (f) **An annual comprehensive charity gaming license may also authorize a qualified  
27 organization to:**

28 **(1) sell pull tabs, punchboards, and tip boards; and**

29 **(2) conduct raffle events and door prize drawings;**

30 **at an allowable event in accordance with subsections (a) through (d).**

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

35 SECTION 10. IC 4-32.2-4-19 IS ADDED TO THE INDIANA CODE AS A NEW  
36 SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 19. (a) An  
37 organization applying for an annual comprehensive charity gaming license must submit to  
38 the commission a written application on a form prescribed by the commission.**

39 **(b) The application must include the information that the commission requires,  
40 including the following:**

- 1 (1) The name and address of the organization.
- 2 (2) The names and addresses of the officers of the organization.
- 3 (3) The types of events the organization proposes to conduct.
- 4 (4) The mailing addresses of each Indiana affiliate of the organization.
- 5 (5) A description of the location and type of allowable events that the
- 6 organization's Indiana affiliates plan to conduct.
- 7 (6) Sufficient facts relating to the organization or the organization's
- 8 incorporation or founding to enable the commission to determine whether
- 9 the organization is a bona fide conservation organization or a bona fide
- 10 sporting organization.
- 11 (7) The name of each proposed operator and sufficient facts relating to the
- 12 proposed operator to enable the commission to determine whether the
- 13 proposed operator is qualified to serve as an operator.
- 14 (8) A sworn statement signed by the presiding officer and secretary of the
- 15 organization attesting to the eligibility of the organization for a license,
- 16 including the nonprofit character of the organization.
- 17 (9) Any other information considered necessary by the commission.

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

- 21 (1) bona fide conservation organization; or
- 22 (2) bona fide sporting organization.

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

- 25 (1) the provisions of this section are satisfied; and
- 26 (2) the organization:
  - 27 (A) submits an application; and
  - 28 (B) pays a fee set by the commission under IC 4-32.2-6.

29 (c) The commission may hold a public hearing to obtain input on the proposed  
30 issuance of an annual comprehensive charity gaming license to an applicant that has never  
31 held a license issued under this section.

32 (d) A license issued under this section:

- 33 (1) may authorize the qualified organization to conduct allowable events
- 34 through the organization's Indiana affiliates on more than one (1) occasion
- 35 during a period of one (1) year;
- 36 (2) must state the expiration date of the license; and
- 37 (3) may be reissued annually upon the submission of an application for
- 38 reissuance on the form established by the commission and upon the
- 39 licensee's payment of a fee set by the commission.

40 (e) Notwithstanding subsection (d)(3), the commission may hold a public hearing

1 for the reissuance of an annual comprehensive charity gaming license if the commission  
2 receives at least ten (10) protest letters concerning the qualified organization's charity  
3 gaming operations.

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

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

11 (1) **Designate an individual to serve as the operator of allowable events  
12 conducted by two (2) or more Indiana affiliates of the qualified  
13 organization.**

14 (2) **Designate a full-time employee of the qualified organization or a  
15 full-time employee of an affiliated organization as the operator of an  
16 allowable event conducted by an Indiana affiliate of the qualified  
17 organization.**

18 (3) **Allow any full-time employee of:**

19 (A) **the qualified organization; or**

20 (B) **an affiliated organization;**

21 **to participate as a worker at an allowable event conducted by an Indiana  
22 affiliate of the qualified organization.**

23 (4) **Sell tickets for an allowable event before providing notice of the  
24 allowable event to the commission under section 30 of this chapter.**

25 SECTION 13. IC 4-32.2-5-5, AS AMENDED BY P.L.60-2009, SECTION 3, IS  
26 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A qualified  
27 organization shall maintain accurate records of all financial aspects of an allowable event under  
28 this article. A qualified organization shall make accurate reports of all financial aspects of an  
29 allowable event to the commission within the time established by the commission. The  
30 commission may prescribe forms for this purpose. **A qualified organization conducting  
31 allowable events under an annual comprehensive charity gaming license shall comply with  
32 the reporting requirements of this subsection in the manner specified by subsection (d).** For  
33 purposes of this section, a qualified organization is not required to record the name, signature,  
34 driver's license number, or other identifying information of a prize winner unless the qualified  
35 organization is required to withhold adjusted gross income tax from the prize winner under  
36 IC 6-3-4-8.2(d).

37 (b) The commission shall, by rule, require a qualified organization to deposit funds  
38 received from an allowable event in a separate and segregated account set up for that purpose. **A  
39 qualified organization conducting allowable events under an annual comprehensive charity  
40 gaming license shall deposit the funds received from allowable events conducted by its**

1 **separate Indiana affiliates into a single account.** All expenses of the qualified organization  
2 with respect to an allowable event shall be paid from the separate account.

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

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

9 **(1) An event summary report for each allowable event conducted under the**  
10 **license. Reports required under this subdivision may be submitted by the**  
11 **Indiana affiliate of the qualified organization.**

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

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

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

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

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

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

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

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

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

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

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

40 (2) the patron deals the cards in the manner required in the ordinary course of the

1 game of euchre; and

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

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

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

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

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

14 (d) A worker at a bingo event:

15 (1) whose duties are limited to:

16 (A) selling bingo supplies;

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

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

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

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

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

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

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

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

30 **that particular drawing.**

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

34 (1) **section 1.5(b)(3) of this chapter;**

35 (2) **section 12(c) of this chapter; and**

36 (3) **subsection (b);**

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

40 (b) A qualified organization may allow an individual who is not a member of the

1 qualified organization to participate in an allowable event as a worker if the individual is a  
2 full-time employee of the qualified organization that is conducting the allowable event; or if:

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

5 A qualified organization may apply to the commission on a form prescribed by the commission  
6 for approval of the participation of a nonmember under this subsection. A qualified organization  
7 may share the proceeds of an allowable event with the qualified organization in which a worker  
8 participating in the allowable event under this subsection is a member. The tasks that will be  
9 performed by an individual participating in an allowable event under this subsection and the  
10 amounts shared with the individual's qualified organization must be described in the application  
11 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 allowable event described in  
16 subsection (b) is not considered to be conducting an allowable event.

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

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

24 **(c) The qualified organization may conduct allowable events on more than two (2)**  
25 **consecutive days.**

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

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

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

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

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

- 36 (1) **The qualified organization may not conduct more than ten (10)**  
37 **allowable events per week.**
- 38 (2) **The qualified organization may not conduct more than six (6) charity**  
39 **game night events per year.**
- 40 (3) **An Indiana affiliate of the qualified organization may not conduct more**

1 than three (3) festival events per year.

2 (4) The qualified organization may not sell pull tabs, punchboards, and tip  
3 boards except at a festival event and in conjunction with other events as  
4 permitted by IC 4-32.2-4-13.

5 (5) Neither the qualified organization nor any of its Indiana affiliates may  
6 hold another license issued under this article while the qualified  
7 organization holds an annual comprehensive charity gaming license.

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

10 SECTION 19. IC 4-32.2-5-30 IS ADDED TO THE INDIANA CODE AS A NEW  
11 SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 30. A qualified**  
12 **organization conducting an allowable event under an annual comprehensive charity**  
13 **gaming license shall provide notice of the allowable event to the commission at least**  
14 **twenty-one (21) days before the day of the allowable event. The notice required by this**  
15 **section must be on a form prescribed by the commission and include the following**  
16 **information:**

17 (1) The name and address of the Indiana affiliate conducting the allowable  
18 event.

19 (2) The names and addresses of the officers of the Indiana affiliate.

20 (3) The type of allowable event the Indiana affiliate will conduct.

21 (4) The location where the Indiana affiliate will conduct the allowable event.

22 (5) The dates and times for the allowable event.

23 (6) The name of the operator of the allowable event.

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

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

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

32 (b) When a qualified organization is issued an annual comprehensive charity  
33 gaming license for the first time, the initial license fee is determined as follows:

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

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

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

39 (2) In the case of a qualified organization includes at least one Indiana  
40 affiliate that conducted an allowable event before the date the qualified

1 organization applies for annual comprehensive charity gaming license, the  
2 fee is equal to the greatest of the following:

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

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

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

11 SECTION 21. IC 4-32.2-6-3, AS AMENDED BY P.L.104-2011, SECTION 10, IS  
12 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) This  
13 subsection does not apply to the renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7,  
14 IC 4-32.2-4-8, IC 4-32.2-4-10, or IC 4-32.2-4-12, **IC 4-32.2-4-20**, or a single event license issued  
15 under IC 4-32.2-4-16. A qualified organization's adjusted gross revenue is an amount equal to the  
16 difference between:

- 17 (1) the qualified organization's total gross revenue from allowable events in the  
18 preceding year; minus  
19 (2) the sum of any amounts deducted under IC 4-32.2-5-3(b)(5) in the preceding  
20 year.

21 (b) This subsection applies only to the renewal of a license issued under IC 4-32.2-4-6,  
22 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  
23 under IC 4-32.2-4-16. A qualified organization's adjusted gross revenue is an amount equal to the  
24 difference between:

- 25 (1) the qualified organization's total gross revenue from the preceding event;  
26 minus  
27 (2) any amount deducted under IC 4-32.2-5-3(b)(5) for the preceding event.

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

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
A	\$ 0	\$ 15,000	\$ 50
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

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

(d) This subsection applies only to the renewal of a 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	
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
N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
S	\$ 2,250,000	\$ 2,500,000	\$ 21,000

1           T           \$ 2,500,000       \$ 3,000,000           \$ 24,000  
2           U           \$ 3,000,000                           \$ 26,000

3           SECTION 22. IC 4-32.2-6-3.5 IS ADDED TO THE INDIANA CODE AS A NEW  
4           SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 3.5. (a) This section**  
5           **applies only to the renewal of a license issued under IC 4-32.2-4-20.**

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

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

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

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

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

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

18



Charity Gaming  
Study Committee  
10/18/2011  
Exhibit 3  
Senate

## State of Indiana

Senator Jean Leising  
5268 Stockpile Road  
Oldenburg, Indiana 47036  
Home (812) 934-4118  
State House (317) 234-9054  
E-mail: s42@in.gov

Committees:  
Health & Provider Services  
Provider Services Subcommittee, Chair  
Utilities & Technology, R.M.  
Commerce & Economic Development  
Education & Career Development

### MEMORANDUM

TO: Senator Ron Alting

FROM: Senator Jean Leising *Jean*

DATE: October 18, 2011

RE: Charitable Gaming Issues

Several Charitable gaming problems have been presented to me in the last few months. I urge your committee to address these concerns which have been expressed by firemen, sportsmen, church and school volunteers, and various clubs.

- 1) Some sportsmen's groups are unable to qualify for charitable gaming licenses. These groups support children's' programs in 4-H clubs and Boy Scouts. In fact, there has been a loss of over \$100,000 in charitable money this past year due to the lost proceeds from Friends of NRA banquets.
- 2) Many clubs, like Classic Car Clubs, have had split the pot drawings where 50% of the proceeds went to a charity and 50% for club operations. Could there be an exception for raffles up to a certain dollar amount that would be eligible to qualify for a license as long as a certain percentage was given to charity?
- 3) Many larger festivals and bingos utilized bank machines for credit and debit cards. As of July 1, 2011, a qualified organization may accept credit cards for the purchase of food, beverages and merchandise only. This is forcing the organizations to accept personal checks which pose a substantial risk.
- 4) Since July 1, there is additional reporting required for winners of instants or pull-tabs that win more than \$249. Prior to July 1, the reporting for instants was triggered at a win of over \$599, and for pull-tabs, a win of over \$299. This new imposed limit decreases the use of popular games. Please consider increasing the win amount for both instants and pull-tabs that triggers additional reporting.
- 5) All organizations state there is a growing amount of paperwork associated with securing a charitable gaming license and the required reporting. Could we work to simplify the procedure?

Thanks for taking the time to review these issues. Many organizations throughout our state raise money for very worthwhile charitable organizations. Please let us do everything possible to enhance charitable work.

ENCLOSURE: NRA draft language.

NRA Draft language for an Indiana bill concerning charitable gaming. This language edits three current sections of the Indiana Code: IC 4-32.2-2-2, IC 4-32.2-2-6, and IC 4-32.2-4-3. Additions are underlined with deletions to existing language ~~crossed-out~~.

IC 4-32.2-2-2

Sec. 2. "Allowable event" means:

- (1) a bingo event;
- (2) a charity game night;
- (3) a raffle;
- (4) a door prize drawing;
- (5) a festival;
- (6) a sale of pull tabs, punchboards, or tip boards; or
- (7) any other gambling event approved by the commission under this article;

conducted by a qualified organization licensed in accordance with this article and rules adopted by the commission under this article.

IC 4-32.2-2-6

4-32.2-2-6 "Bona fide civic organization"

Sec. 6. "Bona fide civic organization" means a branch, lodge, or chapter of a national or state organization that is not for pecuniary profit or a national or state organization that is not for pecuniary profit or a local organization that is not for pecuniary profit and not affiliated with a state or national organization whose written constitution, charter, articles of incorporation, or bylaws provide the following:

- (1) That the organization is organized primarily for civic, fraternal, or charitable purposes.
- (2) That upon dissolution of the organization all remaining assets of the organization revert to nonprofit civic or charitable purposes.

IC 4-32.2-4-3

4-32.2-4-3 Exceptions; annual written notice; financial records

Sec. 3. (a) A qualified organization is not required to obtain a license from the commission if the value of all prizes awarded at the bingo event, charity game night, raffle event, door prize event, festival

event, or other event licensed under section 16 of this chapter, including prizes from pull tabs, punchboards, and tip boards, does not exceed one thousand dollars (\$1,000) for a single event and not more than three thousand dollars (\$3,000) during a calendar year. Any such event conducted by a qualified organization may be conducted and shall be allowed, but shall not be considered an “allowable event” as used in this Article.

(b) A qualified organization that plans to hold an allowable event described in subsection (a) more than one (1) time a year shall send an annual written notice to the commission informing the commission of the following:

(1) The estimated frequency of the planned allowable events.

(2) The location or locations where the qualified organization plans to hold the allowable events.

(3) The estimated value of all prizes awarded at each allowable event.

(c) The notice required under subsection (b) must be filed before the earlier of the following:

(1) March 1 of each year.

(2) One (1) week before the qualified organization holds the first allowable event of the year.

(d) A qualified organization that conducts an allowable event described in subsection (a) shall maintain accurate records of all financial transactions of the event. The commission may inspect records kept in compliance with this section.

(e) A qualified organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code is not required to obtain a license from the commission to conduct a raffle. Any raffle conducted by a qualified organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code may be conducted and shall be allowed, but shall not be considered an “allowable event” as used in this Article.



# FACT SHEET

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## INDIANA

(Based on numbers available 01/01/11)

### MEMBERSHIP

2010 GRAND TOTAL: 12,895

- **Members: 12,744**
  - General Members: 10,817
  - Greenwings: 1,004
  - Legacy Greenwing Members: 244
  - Sponsor Members: 679
- **Major Sponsors: 151**
  - Life Sponsor: 121
  - Diamond Life Sponsor: 6
  - Sponsor in Perpetuity: 8
  - Diamond Sponsor in Perpetuity: 1
  - Heritage Sponsor: 7
  - Diamond Heritage Sponsor: 0
  - Benefactor Roll of Honor: 4
  - Legacy Sponsor: 2
  - Gold Legacy Sponsor: 0
  - Platinum Legacy Sponsor: 1
  - Diamond Legacy Sponsor: 1
  - Conservation Pioneer Sponsor: 0
  - Waterfowl Patron Sponsor: 0
  - Wetland Guardian Sponsor: 0

### FEATHER SOCIETY MEMBERS: 194

- Diamond: 1
- Platinum: 2
- Emerald: 1
- Gold: 7
- Silver: 183

### U.S. CONSERVATION PROGRAMS

- Total acres conserved in flyway: 1,698,144
- Total acres conserved in this state: 23,114
- Total technical assistance acres in flyway: 3,773,928
- Total technical assistance acres in state: 63,346
- Amount spent to date on projects in flyway: \$307,376,744
- Amount spent to date on projects in state: \$10,703,342
- Primary waterfowl species that benefit from DU's efforts include: Black Duck; Mallard; Wood Duck; Canvasback and Redhead.

### STATE FUND-RAISING EFFORTS

- Total event income dollars raised in 2010: \$552,722
- Number of committees in 2010: 55
- Number of fund-raising events in 2010: 97

### YOUR STATE GOVERNMENT'S CONTRIBUTION TO DU FOR CANADIAN PROJECTS:

- Total contributions granted through 2010: \$1,244,598
- Location of projects: Ontario: Wye Marsh, Saskatchewan, Manitoba, Southwestern Ontario Wetlands

### INDIANA STATE CHAIRMAN

Curt Lee, State Chairman  
2037 13<sup>th</sup> St., Bedford, IN 47421  
H (812) 275-4978  
lee7598@sbcglobal.net

### FOR INFORMATION ON DUCKS UNLIMITED EVENTS CONTACT:

Joe Borders, Regional Director  
8182 N. State Rd. 9, Alexandria, IN 46001-8650  
C (317) 696-8726 O (765) 724-4544  
jborders@ducks.org

Dave Neal, Regional Director  
1904 E. 900 N., Decatur, IN 46733  
C (260) 515-2956 O (260) 223-6044  
dneal@ducks.org

Troy LaRue, DFVR, Region 5  
4585 Richland Heights Rd., Fulton, MO 65251  
(573) 592-4838  
tlarue@ducks.org

### FOR INFORMATION ON BECOMING A MAJOR SPONSOR CONTACT:

Doug Gorby, Director of Development  
(734) 623-2000  
dgorby@ducks.org

### FOR INFORMATION ON DU'S GIFT PLANNING PROGRAM CONTACT:

Jon Rich, National Director of Gift Planning  
(901) 758-3763  
jrich@ducks.org

### FOR INFORMATION ON DU'S CONSERVATION PROGRAM CONTACT:

Michael Sertle, Regional Biologist  
(734) 623-2000  
msertle@ducks.org



# Ducks Unlimited Inc

## Chapter Event Financial Report

Chapter Name: Evansville State: Indiana  
 Event Name: Evansville Dinner Event Date: 2011/02/19  
 Chapter Number: IN0002 - 2011 - 1 Date of Report: 2011/10/18

	Income	Expense	Net
<b>Arrangements (rental, food, drinks, etc.)</b>			
Ticket Sales	<u>7,425.00</u>		
Arrangements Expense		<u>5,213.00</u>	
<b>Subtotal</b>	<b>7,425.00</b>	<b>5,213.00</b>	<b>2,212.00</b>
<b>Raffle &amp; Games</b>			
Raffle & Games Income	<u>58,639.60</u>		
Raffle & Games Expense		<u>21,343.00</u>	
<b>Subtotal</b>	<b>58,639.60</b>	<b>21,343.00</b>	<b>37,296.60</b>
<b>Live Auction</b>	<b>7,480.00</b>		<b><u>7,480.00</u></b>
<b>Silent Auction</b>	<b>1,060.00</b>		<b><u>1,060.00</u></b>

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**Gross & Net Before Donations** **74,604.60 26,556.00 48,048.60**

Cash Underwriting	<u>200.00</u>
<b>Event Proceeds for the Ducks</b>	<b>48,248.60</b>
Retained Income from last event	<u>200.00</u>
<b>Less: Closing Retained Earnings (Click to Modify)</b>	<b>-200.00</b>
<small>(Based on a Retained Income of Greater of \$200 or 2.5% of Event Proceeds = 1,206.22)</small>	

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**Owing to DU** **48,248.60**

**Total remitted to Ducks Unlimited National Headquarters**

Credit Card Paid to NHQ	<u>5,315.00</u>
Checks/Cash Paid to NHQ	<u>42,933.60</u>
<b>Subtotal</b>	<b>-48,248.60</b>



# CG-QA, QUALIFICATION APPLICATION

State Form 45380 (R3/5-08)  
INDIANA GAMING COMMISSION

For Official Use Only  
Date Received \_\_\_\_\_  
Reviewed By \_\_\_\_\_  
Date Reviewed \_\_\_\_\_  
Date Keyed \_\_\_\_\_

**INSTRUCTIONS: Please allow eight (8) weeks for processing. If the application is incomplete, it will be returned and processing will be delayed.**

1. Name of organization (please type or print)		2. Daytime telephone number	
3. Federal identification number (FID)		4. Email address	
5. Address of principal office (number and street; required)		6. P.O. Box Number (if applicable)	
City	State	ZIP code	County
Contact name		Title	Contact's daytime telephone number

**7. Check the type of bona fide organization:**

- |                                    |  |                                    |  |
|------------------------------------|--|------------------------------------|--|
| <input type="checkbox"/> Religious | <input type="checkbox"/> Educational     | <input type="checkbox"/> Civic     | <input type="checkbox"/> Hospital/Health/Psychiatric |
| <input type="checkbox"/> Veterans  | <input type="checkbox"/> Senior Citizens | <input type="checkbox"/> Political | <input type="checkbox"/> Business                    |

**8. Applicant Organization Information**

a. Date organization formed (mm/dd/yyyy): \_\_\_\_/\_\_\_\_/\_\_\_\_

Attach a copy of the organization's bylaws, constitutions, or articles of incorporation.

b. Is your organization exempt from federal income tax under Section 501 of the Internal Revenue Code?

- Yes If you answered Yes, attach a copy of the favorable tax exempt status letter from the Internal Revenue Service.  
 No If you answered No, your organization is not eligible to conduct Charity Gaming in the State of Indiana.

c. Date incorporated (mm/dd/yyyy) (If not incorporated, enter N/A): \_\_\_\_/\_\_\_\_/\_\_\_\_

d. How many years has the organization been in active, continuous existence? \_\_\_\_\_

One internal document or external document for the current year and any four previous years **must be attached** for verification.  
Examples of internal and external documents:

**Internal Documents**

- Minutes of meetings
- Dues receipts
- Internal audit
- Bylaws that are dated
- Amended bylaws that are signed and dated
- Descriptions and results of fund-raising activities for the last five years

**External Documents**

- Indiana Forms IT-35AR and IT-20NP
- Federal Form 990 and/or 990T, if applicable
- Bank statements
- Dated newspaper articles
- Any type of dated state or local licensing permits, such as alcoholic beverage licenses and registration with the Secretary of State's Office
- Account payables, including copies of dated invoices
- Account receivables, including copies of dated invoices
- Utility bills
- Dated leases
- Canceled checks (representing each of the five years)
- Dated articles of incorporation
- Amended articles of incorporation
- Affidavits or letters of confirmation from the national or parent organization on organization letterhead

e. Number of active members (must be a membership organization): \_\_\_\_\_

9. Name and address of current officers (attach additional sheets if necessary)

Full Legal Name	Home Address (number and street, city, state, zip code)	Title	Home Telephone Number

10. National or State (Parent) Organization Information

a. Is your organization affiliated with a national or state (parent) organization?

- Yes      If you answered Yes, complete 10b and 10c.  
 No        If you answered No, go to number 11.

b. National or state (parent) organization name

Federal Identification Number (FID)

Address of principal office (number and street; do not enter a P.O. box number)

City	State	ZIP code	County	Telephone number
------	-------	----------	--------	------------------

c. How many years has the parent organization been in active, continuous existence? \_\_\_\_\_

11. Certification

We certify under penalty of perjury that there are no misrepresentations or falsifications in the information stated. We understand that false or misleading statements will cause rejection of this application or revocation of future license(s).

\_\_\_\_\_  
Signature of Presiding Officer

\_\_\_\_\_  
Date (month, day, year)

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Daytime telephone number

\_\_\_\_\_  
Signature of Secretary

\_\_\_\_\_  
Date (month, day, year)

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Daytime telephone number

**Mail Completed Form To:**  
**Indiana Gaming Commission**  
**Charity Gaming Division**  
**101 W. Washington St., East Tower, Suite 1600**  
**Indianapolis, IN 46204**

**Do Not Send a Payment With This Form**

April 13, 2010

**Indiana Gaming Commission  
c/o Karen Shadowens  
Charity Gaming Licensing and Compliance  
101 West Washington Street, Suite 1600  
Indianapolis, Indiana 46204**

**RE: Indiana Chapter \_\_\_\_\_ of Ducks Unlimited, Inc.**

**Dear Ms. Shadowens:**

**The above subject Indiana Chapter of Ducks Unlimited, Inc. is operating under the By-Laws of Ducks Unlimited, Inc. (national parent organization) and is in good standing as an Indiana Chapter of Ducks Unlimited Inc.**

**If you should need anything further, please contact Joe Borders at 317-696-8726.**

**Sincerely,**

**Randy L. Graves  
Chief Executive Officer**



# CG-FES, APPLICATION FOR FESTIVAL LICENSE

State Form 45385 (R2 / 7-08)  
INDIANA GAMING COMMISSION  
Approved by State Board of Accounts, 2008

For Official Use Only  
License Fee Paid \_\_\_\_\_  
Date Received \_\_\_\_\_  
Reviewed By \_\_\_\_\_  
Date Reviewed \_\_\_\_\_  
Date Keyed \_\_\_\_\_

**INSTRUCTIONS:** Please enclose license fee. Allow 4-6 weeks to process.

1. Name of organization (please type or print)				2. Email address	
3. Previous name of organization (if name changed)				4. Federal Identification number (FID)	
5. DBA (Doing Business As) name		6. Contact person		Contact person's telephone number	
7. Street address of principal office (as it appears on the Charity Gaming Qualification Application, Form CG-QA; unless organization has moved)					
City	State	ZIP code	County	Daytime telephone number ( )	Office business hours
8. On what date(s) and during what hours will your event be conducted? (a.m. establishes the midnight hour, p.m. establishes the noon hour.) Date _____ Hours _____ M to _____ M      Date _____ Hours _____ M to _____ M Date _____ Hours _____ M to _____ M      Date _____ Hours _____ M to _____ M					
9. Address of the facility where the gaming event will be conducted (number and street)				FOR OFFICE USE ONLY	
City	State	ZIP code	County		

## FACILITY/TANGIBLE PERSONAL PROPERTY INFORMATION

**INSTRUCTIONS:** Attach additional sheets if necessary to supply all information for each line.

10. Does your organization own \_\_\_\_\_, lease (rent) \_\_\_\_\_, or use a donated \_\_\_\_\_ facility where the licensed event will be conducted? (Check one)  
• If leased (rented) or donated, enter name and address of lessor or donor and attach a copy of your signed lease or donation agreement.

Name of lessor/donor (full legal name)			Address (number and street)		
City	State	ZIP code	County	Daytime telephone number ( )	

11. Is any tangible personal property (i.e. tables, chairs, etc.) or gaming equipment/device being leased or donated to you for this event? Yes  No   
If you answered Yes, list the name and address of the lessor or donor. Attach a signed copy of the lease or donation agreement.  
Note: Gaming equipment/device must originate from a licensed distributor and/or manufacturer.

Name	Address (number and street)	City	State	ZIP code
------	-----------------------------	------	-------	----------

## Manufacturer and Distributor Information

Attach additional sheets if necessary.

12. List the manufacturer(s) and/or distributor(s) from whom you intend to purchase licensed supplies.

Name	Address (number and street)	City	State	ZIP Code	Items

13. Does your organization own gaming equipment or devices? Yes  No   
If so, list the distributor/manufacturer's name, date of purchase, purchase price, and type of equipment purchased.

Name of Distributor/Manufacturer	Date of Purchase	Purchase Price	Type of Equipment/Device

### Operator Information

*Attach additional sheets if necessary.*

14. Please list at least (3) operators who will supervise, manage, and be responsible for the operation and conduct of the gaming event.

Full Legal Name	Home Address <i>(number and street, city, state, ZIP code)</i>	Driver's License or State I.D.	Date of Birth <i>(month, day, year)</i>	Daytime Telephone Number	Years with Organization	Check appropriate box
				(   )		Bartender <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Member <input type="checkbox"/>

15. Please list the name from above of the principal operator who has overall responsibility for the operation and control of this charity gaming event.

X \_\_\_\_\_  
Name Daytime telephone number

### Worker Information

*Attach additional sheets if necessary.*

16. List all individuals (excluding operator information above) who will assist and work in the operation of the licensed event.

Full Legal Name	Home Address <i>(number and street, city, state, ZIP code)</i>	Driver's License or State I.D.	Date of Birth <i>(month, day, year)</i>	Daytime Telephone Number	Mos./Years with Organization	Check appropriate box
				(   )		Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>
				(   )		Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>

17. Have any operators/workers listed on lines 14 and 16, or on any additional sheets been convicted of a felony within the last 10 years in any jurisdiction? Yes  No  If you answered Yes, attach a list including each name, type and date of conviction, and jurisdiction/court.

### Gross Retail Sales Information

18. Will you be conducting any type of retail sales during the licensed event (i.e. concessions, daubers, snacks, etc.)? (Check one) Yes\*  No   
\*If "Yes" complete the following information. If the seller is required to have a Retail Merchant Certificate, enter that number in the box provided.

Name of organization offering the sales	Retail Merchant Certificate Number
---	------------------------------------

19. Which of the following will your organization be receiving? (Check one)

\_\_\_\_\_ All of the retail sales income      \_\_\_\_\_ A flat fee retail sales payment  
\_\_\_\_\_ A percentage of the retail sales income      \_\_\_\_\_ Other (explain) \_\_\_\_\_

### Additional Activities Authorized

20. Will your organization be selling pull tabs, punchboards and/or tip boards? Yes \_\_\_ No \_\_\_  
Will your organization be conducting a door prize drawing at this event? Yes \_\_\_ No \_\_\_  
(Limitation on door prize drawings at all events is \$5,000 and cannot be increased)  
Will your organization be conducting dice, card or wheel games at this event? Yes \_\_\_ No \_\_\_

Will your organization be conducting a raffle drawing at this event? Yes \_\_\_ No \_\_\_

Will your organization be conducting bingo at this event? Yes \_\_\_ No \_\_\_

With special permission, you may increase the total prize payout for bingo from \$6,000 to \$10,000.

Check this box if you wish to increase the bingo payout for this festival event from \$6,000 up to \$10,000. Note: You may increase your bingo payout twice per year. Please indicate the days you wish to increase the prize payout for the bingo

\_\_\_\_/\_\_\_\_/\_\_\_\_; \_\_\_\_/\_\_\_\_/\_\_\_\_

### Financial Information

21. Where will the charity gaming financial records be maintained?

Address (number and street)

City

State

ZIP code

22. Name, address, and telephone number of the person maintaining these records.

Name

Address (number and street)

City

State

ZIP code

Daytime telephone number

( )

23. List the organization's separate and segregated charity gaming checking account information

Name of bank

Address (number and street)

City

State

ZIP code

Name of separate and segregated Charity Gaming checking account

Account number

### License Fee Information

24. The license fee for your first Festival License is \$50.00. All subsequent license fees will be based on the adjusted gross receipts from the last event of the same type. You will find this license fee amount on page 3 item #4 of the Indiana Charity Gaming Single Event Financial Report, Form CG-9. The fee should be paid by check drawn from your separate and segregated Charity Gaming checking account. Make your check payable to: Indiana Gaming Commission. Do not send cash.

Notice: Have you held a Festival License within the last five (5) years? Yes  No

If yes, your license fee is based on the gross receipts of your last Festival event. If no, your initial license fee is \$50.00.

### Certification

25. We certify under penalty of perjury that there are no misrepresentations or falsifications in the information stated. We understand false or misleading statements will cause rejection of this application or revocation of future license(s).

Signature of Presiding Officer

Print name

Title

Daytime telephone number

Date (month, day, year)

Signature of Secretary

Print name

Daytime telephone number

Date (month, day, year)

Send this application and appropriate fee to:

Indiana Gaming Commission  
Charity Gaming Division  
101 W. Washington St., East Tower, Suite 1600  
Indianapolis, IN 46204  
Phone: (317) 232-4646

**CHARITABLE ORGANIZATION LEASE AGREEMENT**

This is an Agreement for the lease of real property for charitable purposes between Elks lodge #911 whose address is 600 w wolf street Sullivan, Indiana 47882 (Lessor) and Sullivan County Chapter Ducks Unlimited Chapter whose address is: 2075 w Washington street Sullivan, IN 47882 ("Lessee").

**WHEREAS**, the facility to be leased is located at /known as Elks Lodge #911(Property);

**WHEREAS**, the Lessee desires to lease Property from Lessor for the purpose of holding a charitable fundraising event:

**NOW THEREFORE**, The Lessor hereby leases the Property to the Lessee under the following terms and conditions:

1. **TERM:** This Agreement shall be effective for the date(s) of November 5, 2011.
2. **RENT:** The Lessee shall pay Lessor a total of \$\_\_\_\_\_ to lease the Property. If Lessor agrees to donate use of the facility or exchange rent for the purchase of food and beverage, the agreed value is \$\_\_\_\_\_.
3. **GAMING;** The less is aware that DU will be conducting charitable gaming activities the night of the event.
4. **CONTACT:**

Ducks Unlimited Contact Name: Joe Borders  
Phone: 317.696.8726 fax 765.724.4544

**IN TESTIMONY WHEREOF**, the parties hereto have executed this instrument with the following signatures:

**LESSOR**

**LESSEE**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_





# CG-AM, LICENSE AMENDMENT REQUEST(S)

State Form 52682 (R3 / 7-10)  
Approved by State Board of Accounts, 2010  
INDIANA GAMING COMMISSION

For Official Use Only

License Fee Paid \_\_\_\_\_  
Date Received \_\_\_\_\_  
Reviewed By \_\_\_\_\_  
Date Entered \_\_\_\_\_

**INSTRUCTIONS:** Amendments to an Annual or Single Event must be requested thirty (30) days before the date of the event.

**SECTION 1** Information - Must be completed. Please submit this first page along with all sections you have completed.

Organization name				
Address (number and street)		City	State	ZIP Code
Organization daytime telephone number	Officer making request (print name)	Contact telephone number		
License type you're amending		License number you're amending		

A separate CG-AM, License Amendment Request form is required for each license being amended.

- 1) The information requirements on amendment request(s) is the same as that which is requested on the original application. Be sure all information is included. Please mail the amendment form and fee (if required) to the Indiana Gaming Commission, Charity Gaming Division, 101 W. Washington Street, East Tower, Suite 1600, Indianapolis, Indiana 46204.
- 2) An individual can be an operator for up to three (3) organizations at one time if; they meet the one (1) year membership requirement at each organization.
- 3) Any requested amendment to an organization's license must be signed by the presiding officer and secretary.

The officer must be on the most recent "Current Officer Listing", Form CG-CO we have on file. If the current officers have changed, especially after the original license was issued, please submit an updated CG-CO with this request.

- 4) If the event facility address has changed, a copy of the new signed lease or donation statement showing the new address must be included with the request. In the case of a new facility being purchased, a copy of the signed purchase agreement must be included. If the event facility is being changed for an Annual Charity Game Night License or Annual Bingo License, the organization is required to post public notice. Please contact the Charity Gaming Division for instructions.
- 5) Please type, print legibly or utilize the online fillable form. Be sure all completed pages have the presiding officer and secretary's signature and are dated.
- 6) Include your \$25.00 processing fee with your Form CG-AM if the license is being amended to add or delete operators, change day, date, time or location of event. The form will not be processed without the appropriate fee.

To add or delete workers only does not require a fee.

**SECTION 2**

**OPERATOR & WORKER INFORMATION**

Attach additional copies if needed.

Amendments should be requested thirty (30) days before the date of the event.

\*The organization may not utilize new operators until they receive the new license.

Reminders: \*Operators must have been a member of the organization for one (1) full year and workers must have been a member for at least thirty (30) days.

List below: **OPERATORS** to be **ADDED** to License: License number: \_\_\_\_\_

Full legal name	Home address (number and street, city, state, ZIP code)	Driver's license or state I.D.	Date of birth (month, day, year)	Daytime telephone number	Years with organization	Check appropriate box
						Bartender <input type="checkbox"/> Member <input type="checkbox"/>
						Bartender <input type="checkbox"/> Member <input type="checkbox"/>
						Bartender <input type="checkbox"/> Member <input type="checkbox"/>

List below: **WORKERS** to be **ADDED** to License:

Full legal name	Home address (number and street, city, state, ZIP code)	Driver's license or state I.D.	Date of birth (month, day, year)	Daytime telephone number	Mos./years with organization	Check appropriate box
						Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>
						Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>
						Bartender <input type="checkbox"/> Employee <input type="checkbox"/> Member <input type="checkbox"/>

Have any operators or workers listed been convicted of a felony within the last ten (10) years in any jurisdiction?  Yes  No If you answered Yes, attach a list including each name, date and type of conviction, and jurisdiction/court.

Please list the Operators and/or Workers you wish to have **REMOVED** from your current licensed event. Current License number \_\_\_\_\_

1) \_\_\_\_\_ 3) \_\_\_\_\_

2) \_\_\_\_\_ 4) \_\_\_\_\_

\_\_\_\_\_  
Signature of Presiding Officer      Print name      Title      Daytime telephone number      Date (month, day, year)

\_\_\_\_\_  
Signature of Secretary      Print name      Daytime telephone number      Date (month, day, year)

**SECTION 3**

**"EVENT CHANGES" Request Form**

Amendments should be requested 30 days before the date of the event.

Please answer each question below and then complete the specific changes needed.

- \*Has the event facility address changed:       Yes       No
- \*Has the event date changed:                     Yes       No
- \*Has the event playing time(s) changed:       Yes       No

**ADDRESS CHANGES**

Previous event address (number and street)		
City	State	ZIP code

\*If the event facility address has changed, but is still leased or donated, a copy of the new signed lease or donation statement showing the new address must accompany this request.  
 \*If the new event facility was purchased, a copy of the signed purchase agreement must be sent.

New/current event address (number and street)		
City	State	ZIP code

**DATE AND/OR TIME CHANGES**  
**Single Event Date & Time Changes**

Change event date FROM: (old date)	
Change event date TO: (new date)	

Previous event time from:    Beginning time \_\_\_\_\_ Ending time \_\_\_\_\_

New event time to:        Beginning time \_\_\_\_\_ Ending time \_\_\_\_\_

(Please specify AM or PM - AM establishes the midnight hour and PM establishes the noon hour)

**Annual License Date & Time Changes**

REMOVE/OLD: List week day and/or playing times		ADD/NEW: List week day and/or playing times	
Sun		Sun	
Mon		Mon	
Tues		Tues	
Wed		Wed	
Thur		Thur	
Fri		Fri	
Sat		Sat	

Current License number: \_\_\_\_\_

Signature of Presiding Officer      Print name      Title      Daytime telephone number      Date (month, day, year)

Signature of Secretary      Print name      Daytime telephone number      Date (month, day, year)

**CG-9, SINGLE EVENT LICENSE FINANCIAL REPORT**

State Form 45388 (R3/5-08)  
 INDIANA GAMING COMMISSION  
 Approved by State Board of Accounts, 2008

**INSTRUCTIONS:** This report must be filed by organizations holding single event licenses, and must be mailed to the Commission within 10 days following your single event.

Organization's name (Please type or print as it appears on your qualification application)			Email address
Address of principal office (number and street; do not enter a P.O. box number)			Federal identification number (FID)
City	State	ZIP code	County
Organization telephone number		Indiana nonprofit tax registration number	
Contact person for your organization		Contact person's phone number	

**REPORT INFORMATION**

Enter the single event license number \_\_\_\_\_

What kind of license was used for this single event? (Check One)

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Special Bingo License | <input type="checkbox"/> Raffle License             | <input type="checkbox"/> Calendar Raffle | <input type="checkbox"/> Festival License |
| <input type="checkbox"/> Door Prize License    | <input type="checkbox"/> Charity Game Night License | <input type="checkbox"/> Water Race      | Circle number of days held<br>1 2 3 4     |

Beginning date of single event \_\_\_\_ / \_\_\_\_ / \_\_\_\_

This report should show all financial and accounting activity related to the single event license checked above. This includes income and expenses related to raffles, door prizes, card or dice games, and the sale of pull tabs, punchboards, and tip boards sold at the event. You must also include income and expenses related to the sale of food, novelties, etc. sold specifically at the event.

**SIGNATURE**

I certify under penalty of perjury, that I have examined this report and to the best of my knowledge and belief, it is complete and correct.

\_\_\_\_\_  
 Signature of Presiding Officer      Printed name      Title      Daytime telephone number      Date (month, day, year)

\_\_\_\_\_  
 Signature of Secretary      Printed name      Daytime telephone number      Date (month, day, year)

**ENDING INVENTORY STATEMENT**

Attach Schedule CG-INV showing ending inventory of your pull tabs, punchboards, and tip boards as of the last day of your accounting period.

Mail the completed report to:  
 Indiana Gaming Commission, Charity Gaming Division, 101 W. Washington Street, East Tower, Suite 1600, Indianapolis, IN 46204  
 Telephone: (317) 232-4646      Fax: (317) 232-0117

**INCOME AND EXPENSE SUMMARY**

*(Do not add, change or alter the lines on this form)*

**Gross Income**

**Expenses**

Income Sources:		Dollars		Cents	
Bingo (including Hotball, Pickle Jar, Cookie Jar, etc.) .....	1.				
Pull Tabs .....	2.				
Punchboards .....	3.				
Tip Boards .....	4.				
Charity Game Night (Dice, Cards, or Wheel Games) .....	5.				
Raffle (including 50/50) .....	6.				
Door Prize (Paid attendance/ticket) ..	7.				
Water Race .....	8.				
Guessing Game .....	9.				
Concession Income .....	10.				
Other (Non Gaming Event conducted with license event; i.e. auction, carnival games, etc. Attach list of events) .....	11.				
Other Gross Income (Sale of daubers, other retail items, etc.) .....	12.				
<b>Total Gross Income (Add Lines 1-12)</b>	<b>13.</b>				

Prize/Payouts:		Dollars		Cents	
Bingo (including Hotball, Pickle Jar, Cookie Jar, etc.) .....	14.				
Pull Tabs .....	15.				
Punchboards .....	16.				
Tip Boards .....	17.				
Charity Game Night (Dice, Cards, or Wheel Games) .....	18.				
Raffle (including 50/50) .....	19.				
Door Prize .....	20.				
Water Race .....	21.				
Guessing Game .....	22.				
<b>Total Prize/Payout: add Lines 14-22</b> .....	<b>23.</b>				
<b>Supplies and Equipment:</b>					
Bingo Game Supplies (Cards, Boards, Sheets, Pads) .....	24.				
Pull Tabs, Punchboards, and Tip Board purchases .....	25.				
Other Gaming Supplies (daubers, retails items) .....	26.				
Gaming Equipment/Devices (Roulette Wheel, Bingo Blower, Tables, Chairs, etc.) .....	27.				
<b>Miscellaneous Expenses:</b>					
\$200.00 per day deduction for rent paid to independent lessor of facility (number of gaming days ___ X \$200.00) .....	28.				
License Fees for Event .....	29.				
Concession .....	30.				
Non Gaming Event .....	31.				
Advertising .....	32.				
<b>Total Expenses: add Lines 23 through 32</b> .....	<b>33.</b>				

Net Income			
Total Gross Income from Line 13	34.		
Total Expenses from Line 33 .....	35.		
Net Proceeds available for Charitable Purposes. (Subtract Line 35 from Line 34.) Carry this number to Line 37 on Page 3 .....	36.		

## CHARITABLE CONTRIBUTIONS INFORMATION

		Dollars	Cents
37.	Net proceeds from Line 36 of the Income and Expense Summary .....	37.	
38a.	Amount from Line 37 <u>distributed</u> for charitable purposes .....	38a.	
These contributions <u>must</u> be made to organization(s)/(individual(s)) other than your own. Details from these contributions need to be reported on Schedule CG-DIST.			
b.	Amount from Line 37 <u>retained for and/or spent on your organization</u> .....	38b.	
These funds must have been used for the lawful purpose of your organization. A detailed listing of how these funds were spent or were set aside for a specific use should be kept with your records			
c.	Add the amounts from Lines 38a and 38b and enter total here .....	38c.	
39.	Undistributed balance (Line 37 minus Line 38c) .....	39.	

## LICENSE RENEWAL FEES

The first license fee in any license category is \$50.

For the next license in this same category, the license renewal fee is based on the gross receipts from the previous event held in this category.

Example: An organization paid the \$50 license fee and conducted a raffle event. Later that year, this group wanted to conduct another raffle event. The license fee would be based on the gross receipts from the previous raffle license. This same group wants to conduct a festival event. Because this will be the first time the organization has received a license in the festival license category, the license fee will be \$50.

At least	But Less Than	The renewal fee is:
\$ 0	\$ 15,000	\$ 50
\$ 15,000	\$ 25,000	\$ 100
\$ 25,000	\$ 50,000	\$ 300
\$ 50,000	\$ 75,000	\$ 400
\$ 75,000	\$ 100,000	\$ 700
\$ 100,000	\$ 150,000	\$ 1,000
\$ 150,000	\$ 200,000	\$ 1,500
\$ 200,000	\$ 250,000	\$ 1,800
\$ 250,000	\$ 300,000	\$ 2,500
\$ 300,000	\$ 400,000	\$ 3,250
\$ 400,000	\$ 500,000	\$ 5,000
\$ 500,000	\$ 750,000	\$ 6,750
\$ 750,000	\$ 1,000,000	\$ 9,000
\$ 1,000,000	\$ 1,250,000	\$ 11,000
\$ 1,250,000	\$ 1,500,000	\$ 13,000
\$ 1,500,000	\$ 1,750,000	\$ 15,000
\$ 1,750,000	\$ 2,000,000	\$ 17,000
\$ 2,000,000	\$ 2,250,000	\$ 19,000
\$ 2,250,000	\$ 2,500,000	\$ 21,000
\$ 2,500,000	\$ 3,000,000	\$ 24,000
\$ 3,000,000	\$ -----	\$ 26,000

1. Enter the Total Gross Income from Line 13 on Page 2 of this form ....
 

\$
  
2. Enter allowable facility rental deduction from Line 28 on page 2 of this form ..
 

\$
  
3. Subtract Line 2 from Line 1 to determine the adjusted gross income .....
 

\$
  
4. Find the amount from #3 on the chart to the left in order to determine the license fee for your next event. Enter the corresponding fee here.
 

\$
  
5. The license fee shown in #4 above is what you must send with the next license application to conduct the same type of event in the future. Make your check from your separate and segregated charity gaming checking account payable to: Indiana Gaming Commission.



**CG-22, SINGLE EVENT ANNUAL GROSS RECEIPTS REPORT**

State Form 47862 (R2 / 5-10)  
INDIANA GAMING COMMISSION

For Official Use Only

Date Received \_\_\_\_\_

Reviewed By \_\_\_\_\_

Date Entered \_\_\_\_\_

**INSTRUCTIONS:** The reporting period for this form is July 1 of the previous year through June 30 of the current year. Annual Bingo license holders: DO NOT complete this form; complete Form CG-21. This form must be filed by August 15. Attach additional sheets if necessary.

Organization name (Please type or print as it appears on your qualification application)			Email address		
Address (number and street)			Federal identification number (FID)		
City	State	ZIP code	County		

The reporting period for the amounts to be entered on Schedules 1 and 2 is July 1 through June 30.  
First read the instructions on page 2, then complete Schedules 1 and 2.

Enter gross charity gaming revenue (less prize payout) from page 2, Schedule 1, line C .....	1	
Enter amount from page 2, Schedule 2, Column (h) .....	2	
Add lines 1 and 2 and enter total here .....	3	
Divide line 1 by line 3. Enter the percentage rounded to two numbers (for example, .414 rounds to 41%, and .875 rounds to 88%) .....	4	%
Is line 4 equal to 90% (.90) or more? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, multiply line 1 by 60% (.60) and enter the result here .....	5	

**General Information**

- \* If line 4 is 90% or more, then your organization is required to donate at least 60% of your gross gaming receipts (less prize payouts), which is the amount on line 5 above. These donations must be in accordance with the lawful purpose of your organization and must be made to a qualified recipient(s) that is not an affiliate, parent, or a subsidiary of your organization. These donations must be made by June 30. A qualified recipient is: 1) a bona fide religious, educational, senior citizens, veterans, or civic organization operating in Indiana that is exempt from taxation under Section 501 of the Internal Revenue Code, and which must have been continuously in existence for at least five years or be affiliated with an Indiana parent organization that has been in existence for at least five years; 2) a bona fide political organization operating in Indiana that produces exempt function income; 3) a hospital or medical center operated by the federal government; 4) a hospital licensed under IC 16-21; 5) a hospital subject to IC 16-22 or IC 16-23; 6) a health facility or psychiatric facility licensed under IC 16-28 and IC 12-25, respectively; 7) an activity or program of a local law enforcement agency intended to reduce substance abuse; 8) a charitable activity of a local law enforcement agency; or 9) a veterans' home, which is the Indiana Veterans' Home, the VFW National Home for Children, and/or the Indiana Soldiers' and Sailors' Children's Home. (Note: For the purpose of being a qualified recipient, a veterans' home is not considered to be an affiliate, a parent, or a subsidiary organization of a qualified organization that is a bona fide veterans' organization.)
- \* Schedule CG-DIST must be attached to this form.

I certify under penalty of perjury, that I have examined this report and to the best of my knowledge and belief, it is complete and correct.

Signature of Presiding Officer	Printed name	Title	Daytime telephone number	Date (month, day, year)
Signature of Secretary	Printed name		Daytime telephone number	Date (month, day, year)

Mail to: Indiana Gaming Commission, Charity Gaming Division, 101 W. Washington St., East Tower, Suite 1600, Indianapolis, IN 46204

**Schedule 1: Enter information from gaming events held under your single event licenses during the period from July 1 through June 30.**

Single Event License Number	A Gross Charity Gaming Revenue	B Prize Payouts	C Gaming Revenue
#	\$	\$	\$
#			
#			
#			
#			
#			
#			
#			
#			
#			
#			
#			
<b>Total</b>	<b>Total</b>		<b>1C</b>
1. Total charity gaming revenue (less prize payouts) from single event licenses: add amounts in Column C. Enter total here and on page 1, line 1.....			\$

**Schedule 2: Enter gross annual receipts received by your organization for the period July 1 of the previous year through June 30 of the current year, but do not include any of the charity receipts reported in Column A of Schedule 1. (Add the amounts across each item and total them in Column (h). Carry this total to Line 2 on page 1.)**

	(a) Contributions, gifts, grants, etc	(b) Membership dues and assessments	(c) Investment income (interest)	(d) Income from sales of assets (other than inventory)	(e) Income from retail sales	(f) Program service & other special	(g) Rental income	(h) Total gross annual income: add rows (a)-(g) across
Annual Totals	\$	\$	\$	\$	\$	\$	\$	\$

**General Instructions**

**Who Must File**

All qualified organizations\* holding single event charity gaming licenses are required to complete and file this form. \*Note: Annual event license holders must complete Form CG-21 instead of this form.

**Purpose of Form**

This form is to be used to determine if a qualified organization received 90% or more of its total gross receipts from charity gaming events.

**Reporting Period**

The reporting period is July 1 of the previous year through June 30 of the current year.

**Filing Due Date**

This form must be filed by August 15.

**Schedule 1 Instructions**

These single events include licenses held for raffles, special bingos, door prizes, charity game nights, festivals, water races, and calendar raffles.

**Example**

Organization ABC is filing this report for the period July 1, 2003 through June 30, 2004. They will file this report by August 15, 2004.

- 1) They held a licensed raffle event on September 2, 2003; and
- 2) They held a special bingo event on February 14, 2004.

They will enter the information from both licensed events on Schedule 1.

- Enter in Column A the gross charity gaming revenue from the gaming events held as a result of your single event license(s). Add lines 1 through 9 from the appropriate CG-9 form.
- Enter in Column B the prize payouts as reported on line 23 of the appropriate CG-9 form.
- Subtract Column B from Column A and enter the result in Column C. Put the total of all Column C entries on line 1C.

10/18/2011

**WHERE YOUR DONATIONS GO!!!**

Exhibit 5

**"2011 Indiana Grant Recipients"**

Name	Value (\$)	Name	Value (\$)
St. Joe Valley Conserv. Club Youth Trap	\$ 5,500	Washington HS Navy JROTC	\$ 3,995
Farmer & Hunters Feeding /Hungry	\$ 1,000	Evansville Gun Club Youth Program	\$ 6,000
Fall Creek Conservation Club	\$ 2,400	YMCA Camp Tecumseh	\$ 2,500
Jennings Co. Shooting Sports	\$ 2,500	NRA	\$ 2,000
Red Brush Rifle Range	\$ 6,000	YMCA of Michiana	\$ 2,500
Purdue Univ. Rifle & Pistol	\$ 3,000	Lagrange Co. 4-H Shooting Sports	\$ 2,500
Roachdale Gun Club	\$ 5,500	Kosciusko Co. 4-H Shooting Sports	\$ 4,468
500 Flyers Youth Trap Shooting	\$ 3,000	Johnson Co. 4-H Shooting Sports	\$ 3,500
Crawfordsville Gun Club	\$ 5,000	Farmers & Hunters Feeding/Hungry	\$ 1,000
Arleigh Burk DDG-51 Div.	\$ 2,000	Shelby Co. 4-H Shooting Sports	\$ 8,000
Old Trails Rifle & Pistol	\$ 4,500	Pike Co. Bird Hunters Club	\$ 5,000
Auburn Conservation Club	\$ 5,353	Purdue Univ. Rifle & Pistol Club	\$ 3,000
Southwest Middle/High Archery	\$ 2,378	Anderson rifle & Pistol Club	\$ 3,000
Jefferson Co. 4-H Shooting Club	\$ 2,047	Dubois Co. Sportsmen Club	\$ 1,000
Gibson Co. 4-H Shooting Sports	\$ 2,204	Clark Co. 4-H	\$ 4,600
Spencer Conservation Club	\$ 4,000	Adams Co. 4-H Club & Extension	\$ 2,500
Hamilton Co. 4-H Council	\$ 2,270	BSA Venture Crew 2532	\$ 2,500
Crawfordsville Gun Club	\$ 2,000	Bellmont HA Rifle Club	\$ 3,500
Sagamore Council BSA	\$ 2,500	Hancock Co. 4-H Shooting Sports	\$ 3,500
Tri-Co. In. 13 Famers & Hunters Feeding/Hungry	\$ 1,000	Montgomery Co. Boys/Girls 4-H Club	\$ 7,000
Wildcat Valley Rifle & Pistol	\$ 6,000	Elkhart 4-H Shooting Club	\$ 2,500
American Legion Post 31	\$ 2,500	NRA	\$ 2,000
LaSalle BSA Council	\$ 2,500	Ohio Co. youth Development 4-H	\$ 2,500
Anthony Wayne Area BSA Council	\$ 2,500	Friends of Upper Wabash Interpretive	\$ 2,500
Ducks Unlimited	\$ 655	Boone co. 4-H Shooting Sports	\$ 2,500
Allen Co. 4-H Club	\$ 2,500	Hoosier Hills Rifle & Pistol Club	\$ 1,500
Hunt of a Lifetime	\$ 2,000	Howard Co. 4-H shooting Sports	\$ 1,153
Back Water Legacies	\$ 2,500	Friends of the Hoosier Gun Swingers	\$ 5,000
Danville Conservation Club	\$ 4,000	National Muzzle Loading Rifle Assoc.	\$ 3,500
Allen County Sch. Concordia Rifle	\$ 3,365	Hanging Rock Christian Assembly	\$ 2,500
Bishop Dwenger Rifle Club	\$ 3,500	Hunters Helping Hunters	\$ 2,000
Dubois Co. 4-H Shooting Sports	\$ 2,500	BSA Troop 907	\$ 1,700
Bishop Luers HS/Rifle Club	\$ 4,500	Wells Co. 4-H	\$ 2,427
Salem Middle School	\$ 2,500	New Albany HS Navel JROTC Rifle	\$ 5,400
Farmers & Hunters Feeding/Hungry	\$ 1,000	Madison Co. 4-H	\$ 4,000
St. Joe High School	\$ 5,500	Lincoln Heritage BSA	\$ 4,000
Wabash Co. 4-H shooting Sports	\$ 2,487	Shelbyville Boy's Club	\$ 5,000
		BSA Troop 174	\$ 2,500

**\$ 232,972.00 for Jr. Shooting, Education & Range Improvements in INDIANA!!!**

**NOTE: The Indiana Grant Committee decided to start their own scholarship program to assist qualifying young shooters from Indiana with furthering their education. Type friendsofnra.org on your website and click Youth Education Summit for information on**

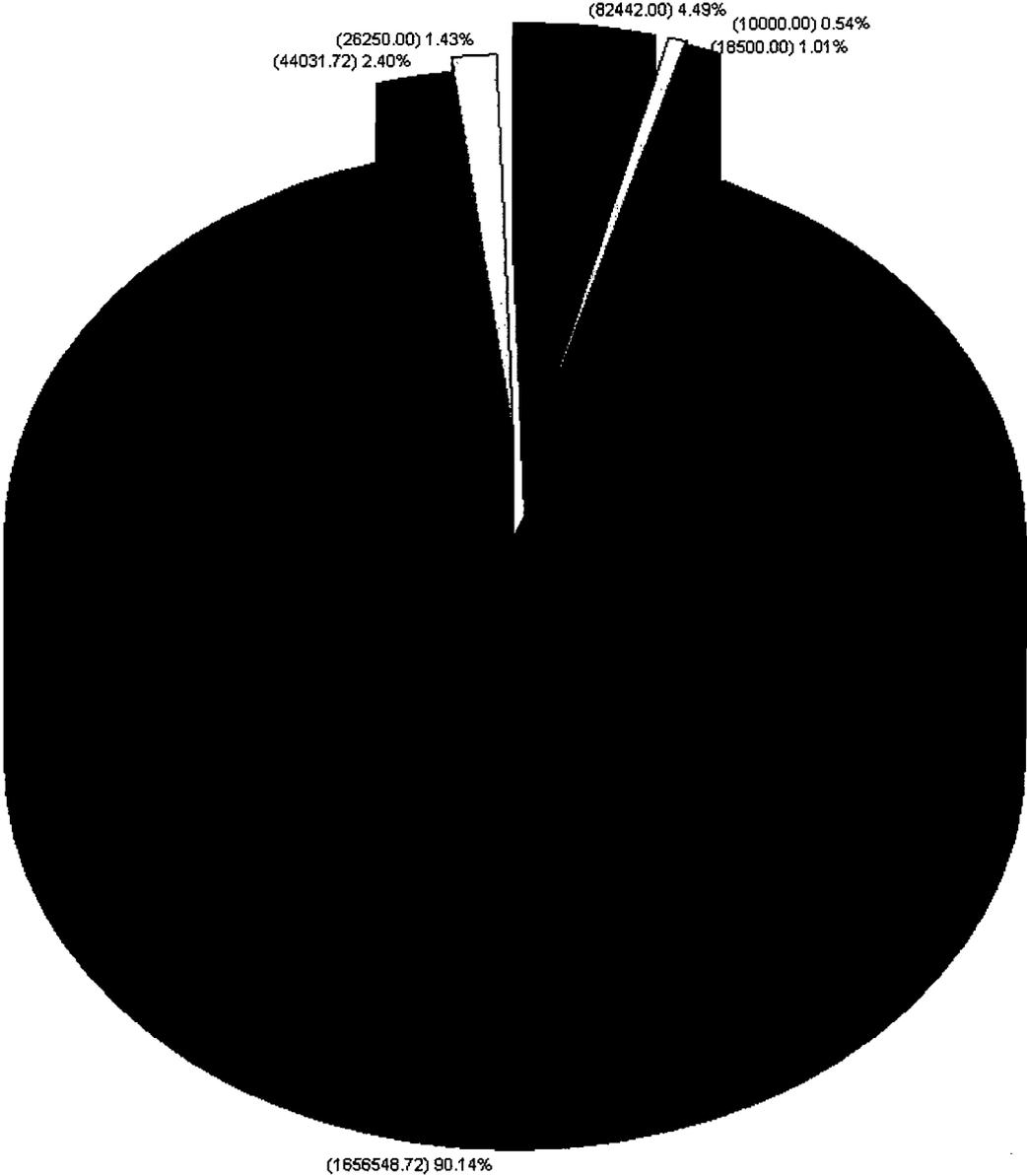
# Indiana Grant Summary

Inception to Date

<u>Program Area</u>	<u>Grant Count</u>	<u>Grant Amount</u>
<b><u>CONSERVATION</u></b>		
HABITAT RESTORATION	1	\$1,000.00
HUNTERS FOR THE HUNGRY	10	\$13,500.00
OTHER ORGANIZATION	6	\$11,750.00
<i>Total CONSERVATION</i>	<hr/> 17	<hr/> \$26,250.00
<b><u>NRAF ENDOWMENT</u></b>		
NRA FOUNDATION GENERAL ENDOWMENT	2	\$10,000.00
<i>Total NRAF ENDOWMENT</i>	<hr/> 2	<hr/> \$10,000.00
<b><u>RANGE DEVELOPMENT/ IMPROVEMENT</u></b>		
CONSTRUCTION	35	\$79,642.00
DEVELOPMENT & OPERATIONS RANGE	1	\$2,800.00
<i>Total RANGE DEVELOPMENT/ IMPROVEMENT</i>	<hr/> 36	<hr/> \$82,442.00
<b><u>STATE FUND ENDOWMENT</u></b>		
(No code specified)	6	\$18,500.00
<i>Total STATE FUND ENDOWMENT</i>	<hr/> 6	<hr/> \$18,500.00
<b><u>TRAINING/EDUCATION/SAFETY</u></b>		
BOW	1	\$500.00
EDUCATION & TRAINING	11	\$17,741.00
LAW ENFORCEMENT	3	\$6,500.00
RTBAV	3	\$2,008.92
TRAINING COURSE	3	\$3,597.83
WOMEN'S ISSUES	11	\$13,683.97
<i>Total TRAINING/EDUCATION/SAFETY</i>	<hr/> 32	<hr/> \$44,031.72
<b><u>YOUTH</u></b>		
4H	230	\$531,975.33
ADVENTURE CAMP	2	\$2,550.00
BSA PROGRAM	94	\$221,270.17
EXPLORER POST	2	\$4,000.00
NRA PROGRAMS	41	\$64,592.52
OTHER ORGANIZATIONS	38	\$98,555.09
SCHOOL	65	\$185,872.91
SHOOTING SPORTS CAMP	11	\$30,320.00
SPORTSFEST	14	\$51,341.77
SPORTSMAN CLUB	126	\$366,933.61
YOUTH CONSERVATION CLUB	39	\$99,137.32
<i>Total YOUTH</i>	<hr/> 662	<hr/> \$1,656,548.72
<b>Grand Total</b>	<hr/> 755	<hr/> \$1,837,772.44

**Indiana State Funded Grants  
Inception to Date**

755 grants totaling \$1,837,772



- YOUTH
- TRAINING/EDUCATION/SAFETY
- CONSERVATION
- RANGE DEVELOPMENT/ IMPROVEMENT
- NRAF ENDOWMENT
- STATE FUND ENDOWMENT



# THE NRA FOUNDATION

GRANTS - FUNDS



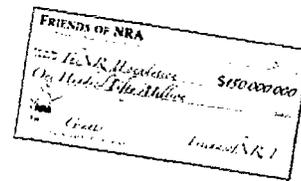
**VOLUNTEER COMMITTEES**

Every year, volunteers across the country gather to raise money for the future of the shooting sports- together these dedicated individuals form Friends of NRA committees and plan some of the most fun and exciting banquets around.



**FRIENDS OF NRA BANQUETS**

Friends of NRA banquets are known for three things- fun, fellowship, and fundraising. Last year alone, there were over 1,000 Friends of NRA events across the country raising over \$18.5 million dollars for The NRA Foundation.



**NRA FOUNDATION GRANTS**

Through the hardwork of our volunteers and the funds they raise through Friends of NRA banquets, The NRA Foundation has been able to provide critical funding to firearm programs on the local, state, and national levels.

## \$170,000,000+

Since its inception, Friends of NRA has held over 13,500 events, reached over two million attendees, and raised over \$170 million through its wildly-successful fundraising program for The NRA Foundation, a 501(c)(3) charitable organization.

### Give to NRA Foundation on Causes

Every year, The NRA Foundation allocates half of all net proceeds to go back into the state in which it was raised, where Friends of NRA State Fund Committees decide on programs and projects to fund on the local and state levels.

**50/50**

The other half of funds raised at Friends of NRA banquets is used to fund projects similar to those seen on the local and state levels but with a national scope. These funds help sustain over 180 NRA National Supported Programs across the country.

State Fund Grants...

Supported Programs...



The NRA Foundation has funded over 18,000 grants totaling over \$170 million, becoming America's leading charitable organization in the support of shooting sports. The NRA Foundation is celebrated as a Four Star Charity by Charity Navigator. Four stars is the highest rating a charity can receive and is based on both a charity's financial efficiency and financial

capacity.

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