

Enforcement

**An operator must be a member in good standing of a qualified organization for at least one year.
IC 4-32-9-28.**

During FY05, the Criminal Investigation Division (CID) conducted in-depth investigation on Charity Gaming License applicants. The results are as follows:

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| Denials: | Dearborn County | United States Bowling Congress |
| | Howard County | Kokomo Fire Dragons Inc. |
| | Madison County | Fraternal Order of Police No. 48 |
| | Madison County | Independent Order of Oddfellows No. 131 |
| | St. Joseph County | Gold Wing Road Riders Assn. of Indiana |

Violations of Statutes

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| IC 4-32-6-17 | The definition of an “operator” means an individual who is responsible for conducting an allowable event for a qualified organization under this article in accordance with Indiana law. Number of Violations: 5 Penalty Assessed: 10 year suspensions |
| IC 4-32-9-2 | Except as provided in Section 3 of this chapter, a qualified organization must obtain a license from the Department to conduct an allowable event. Number of Violations: 12 Penalty Assessed: \$27,250 |
| IC 4-32-9-4 | Each organization applying for an Annual Bingo License, Special Bingo License, Charity Game License, Raffle License, Door-Prize Drawing License or Festival License must submit to the Department a written application on a form prescribed by the Department. Number of Violations: 10 Penalty Assessed: \$23,250 |
| IC 4-32-9-16 | A qualified organization that receives 90 percent or more of the organization’s total gross receipts from any events licensed under this article is required to donate 60 percent of its gross Charitable Gaming receipts --less prize payout -- to another qualified organization. Number of Violations: 3 Penalty Assessed: \$7,250 |

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| Contracting with an individual or group to operate a gaming event on a qualified organization's behalf is a Class D felony IC 4-32-12-4 (b). | IC 4-32-9-17 | A qualified organization shall maintain accurate records of all financial aspects of an allowable event. A qualified organization shall make accurate reports of all financial aspects of an allowable event to the Department within the time established by the Department. Number of Violations: 11 Penalty Assessed: 41,500 |
| | IC 4-32-9-19 | A qualified organization may not conduct more than four charity-game nights during a calendar year. Number of Violations: 1 Penalty Assessed: \$2,500 |
| | IC 4-32-9-25 | An operator or worker may not receive remuneration for preparing, conducting, assisting in conducting, cleaning up after or taking any other action in connection with an allowable event. Number of Violations: 6 Penalty Assessed: \$12,000 |
| | IC 4-32-9-34 | The following persons may not play or participate in any manner in an allowable event: an employee of the Department or a person less than 18 years of age. A person less than 18 years of age may sell tickets or chances for a raffle. Number of Violations: 3 Penalty Assessed: \$3,000 |
| | IC 4-32-11-3 | The license fee that is charged to a qualified organization that renews the license must be based on the total gross revenue of the qualified organization from allowable events and related activities in the preceding year. Number of Violations: 2 Penalty Assessed: \$7,500 |
| | IC 4-32-12-1 | The Department may suspend or revoke the license of, or levy a penalty against, a qualified organization or an individual under this article for conduct prejudicial to public confidence. Number of Violations: 3 Penalty Assessed: \$3,200 |
| | IC 4-32-14-1 | A Bingo event, charity game night, raffle or door-prize drawing is not allowed in Indiana except those authorized by the Department under this article. Number of Violations: 1 Penalty Assessed: \$1,000 |

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In FY05, the total amount of penalties assessed was \$134,450, versus \$188,800 in FY04.

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| 45 IAC 18-1-18 | “Conduct prejudicial to the public confidence in the Department” means conduct that gives the appearance of impropriety, including the failure to file tax returns, conducting a gaming event without a license, sports betting, operating a gambling device, using or possessing a computer or other technologic aid. Number of Violations: 2 | Penalty Assessed: \$5,000 |
| 45 IAC 18-3-2 (i) | A legible sign of adequate dimension must be prominently posted during an event stating that the operator and workers are not allowed to accept tips. Number of Violations: 1 | Penalty Assessed: \$250 |
| 45 IAC 18-3-2 (j) | The organization must use operators and workers who are qualified members of the organization. An operator has to have been a member of a qualified organization in good standing for at least one year, and a worker has to have been a member in good standing for at least 30 days. Number of Violations: 1 | Penalty Assessed: \$750 |

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| Total Violations: 61 | Total Penalties Assessed: \$134,450 |
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