



Adopted	Rejected
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## COMMITTEE REPORT

YES:	9
NO:	0

**MR. SPEAKER:**

*Your Committee on Public Policy, to which was referred Senate Bill 245, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1           Page 1, between the enacting clause and line 1, begin a new
- 2           paragraph and insert:
- 3           "SECTION 1. IC 4-30-3-20 IS ADDED TO THE INDIANA CODE
- 4           AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
- 5           1, 2021]: **Sec. 20. Unless specifically granted authority by a statute**
- 6           **passed by the general assembly, the commission and Indiana**
- 7           **gaming commission shall not, independently or by public private**
- 8           **partnership, operate or authorize the use or operation of the**
- 9           **following:**
- 10           **(1) A lottery game operated through a video lottery terminal.**
- 11           **(2) A video lottery game.**
- 12           **(3) A gambling game played on an electronic device.**
- 13           **(4) The sale of lottery tickets over the internet.**
- 14           SECTION 2. IC 4-32.3-2-1.5 IS ADDED TO THE INDIANA
- 15           CODE AS A **NEW SECTION TO READ AS FOLLOWS**

1 [EFFECTIVE JULY 1, 2021]: **Sec. 1.5. "Accounting period" means**  
 2 **the period of time for which a licensed entity reports to the gaming**  
 3 **commission the entity's income, expenses, and charitable**  
 4 **contributions.**

5 SECTION 3. IC 4-32.3-4-5, AS ADDED BY P.L.188-2019,  
 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2021]: Sec. 5. (a) The commission may issue an annual  
 8 activity license to a qualified organization if the qualified organization:

- 9 (1) meets the requirements of this section;
- 10 (2) submits an application; and
- 11 (3) pays a fee set by the commission under IC 4-32.3-6.

12 (b) The following information must be included in an annual  
 13 activity license:

- 14 (1) Whether the qualified organization is authorized to conduct  
 15 bingo, pull tabs, punchboards, tip boards, or raffle activities on  
 16 more than one (1) occasion during a one (1) year period.
- 17 (2) The location of the allowable activities.
- 18 (3) The expiration date of the license.

19 (c) A qualified organization may conduct casino game night  
 20 activities under an annual activity license if the requirements of  
 21 subsections (a) and (b) are met, and:

- 22 (1) the organization is a qualified veteran organization or fraternal  
 23 organization; and
- 24 (2) the annual ~~casino night~~ **casino night activity** license requires that a facility  
 25 or location may not be used for purposes of conducting an annual  
 26 casino game night activity on more than three (3) calendar days  
 27 per calendar week regardless of the number of qualified  
 28 organizations conducting annual casino night activities at the  
 29 facility or location.

30 (d) An annual activity license may be reissued annually upon the  
 31 submission of an application for reissuance on a form prescribed by the  
 32 commission after the qualified organization has paid the fee under  
 33 IC 4-32.3-6.

34 SECTION 4. IC 4-32.3-4-5.5, AS ADDED BY P.L.188-2019,  
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2021]: Sec. 5.5. (a) The commission may issue an annual  
 37 ~~casino night~~ **casino night activity** license to a bona fide civic organization for casino  
 38 game night activities if:

- 1 (1) the requirements of section 5(a) and 5(b) of this chapter are
- 2 met;
- 3 (2) not more than three (3) qualified organizations in the county
- 4 where the bona fide civic organization operates currently possess
- 5 an annual ~~casino night activity~~ license **for casino game night**
- 6 **activities**; and
- 7 (3) the bona fide civic organization owns or leases a standalone
- 8 building where the casino game night activities will be conducted.

9 (b) The number of bona fide civic organizations holding a license  
 10 issued under this section in a particular county may not exceed one (1).  
 11 In determining whether to grant a license under this section to a bona  
 12 fide civic organization, the commission shall consider:

- 13 (1) the character and reputation of the bona fide civic organization
- 14 in furthering its charitable purpose; and
- 15 (2) the bona fide civic organization's experience with and
- 16 compliance in casino game night activities.

17 If more than one (1) otherwise qualified bona fide civic organization  
 18 applies for a license under this section, the commission may award the  
 19 license based on a random drawing.

20 (c) A license issued under this section to a bona fide civic  
 21 organization described in subsection (a) is valid for a period of two (2)  
 22 years, subject to ongoing compliance with this article and commission  
 23 rules.

24 SECTION 5. IC 4-32.3-4-11, AS ADDED BY P.L.58-2019,  
 25 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2021]: Sec. 11. (a) This section applies to a gambling activity  
 27 other than a bingo event, casino game night, festival, pull tabs,  
 28 punchboards, tip boards, or raffle.

29 (b) The commission may issue a single activity license **or an**  
 30 **annual activity license** to conduct a gambling activity approved by the  
 31 commission to a qualified organization upon the organization's  
 32 submission of an application and payment of applicable fees under  
 33 IC 4-32.3-6.

- 34 (c) A single activity license may:
- 35 (1) authorize the qualified organization to conduct the gambling
- 36 event at only one (1) time and location; and
- 37 (2) state the date, beginning and ending times, and location of the
- 38 gambling event.

1 (d) An annual activity license:  
 2 (1) may authorize the qualified organization to conduct the  
 3 activity on more than one (1) occasion during a period of one (1)  
 4 year;  
 5 (2) must state the locations of the permitted activities;  
 6 (3) must state the expiration date of the license; and  
 7 (4) may be reissued annually upon the submission of an  
 8 application for reissuance on the form prescribed by the  
 9 commission and upon the qualified organization's payment of the  
 10 applicable fees under IC 4-32.3-6.

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

14 Page 1, line 5, delete "including infrastructure improvements of"  
 15 and insert "**including the:**

16 (1) **repair;**  
 17 (2) **maintenance; or**  
 18 (3) **improvement;**  
 19 **of owned real property used for the lawful purposes of the**  
 20 **qualified organization."**

21 Page 1, delete line 6.

22 Page 2, between lines 2 and 3, begin a new paragraph and insert:

23 "SECTION 7. IC 4-32.3-5-6, AS ADDED BY P.L.58-2019,  
 24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2021]: Sec. 6. ~~(a) This section does not apply to a festival~~  
 26 ~~license.~~

27 ~~(b) (a)~~ If a facility, location, or personal property is leased for an  
 28 allowable activity, the rent may not be based in whole or in part on the  
 29 revenue generated from the event.

30 ~~(c) (b) Subject to the additional restrictions on the use of a facility~~  
 31 ~~or location for an annual casino game night,~~ A facility or location may  
 32 not be rented for more than three (3) days during a calendar week for  
 33 an allowable activity. **This subsection does not apply to a festival**  
 34 **license.**

35 SECTION 8. IC 4-32.3-5-11, AS ADDED BY P.L.188-2019,  
 36 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2021]: Sec. 11. (a) Except as provided in subsections (c)  
 38 through (e), an operator or a worker may not directly or indirectly

1 participate, other than in a capacity as an operator or a worker, in an  
2 allowable activity that the operator or worker is conducting.

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

5 (1) the card game in which the patron deals the cards is a  
6 qualified card game;

7 (2) the patron deals the cards in the manner required in the  
8 ordinary course of the qualified card game; and

9 (3) the qualified card game is played under the supervision of the  
10 qualified organization conducting the casino game night in  
11 accordance with section 12 of this chapter (in the case of a game  
12 of Texas hold'em poker or Omaha poker) and any rules adopted  
13 by the commission.

14 A patron who deals the cards in a qualified card game conducted under  
15 this subsection is not considered a worker or an operator for purposes  
16 of this article.

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

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

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

25 (d) A worker at a bingo event:

26 (1) whose duties are limited to:

27 (A) selling bingo supplies;

28 (B) selling tickets for a raffle conducted at the bingo event; or

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

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

32 (3) who is not engaged as a worker at any other time during the  
33 bingo event;

34 may participate as a player in any gaming activity offered at the bingo  
35 event following the completion of the worker's duties at the bingo  
36 event.

37 (e) A worker at a raffle conducted by a qualified organization may  
38 purchase a raffle ticket for a particular drawing at the raffle, ~~unless:~~

1 **subject to the following restrictions:**

2 (1) ~~the worker personally sold tickets for;~~ or **The worker may**  
3 **not purchase a raffle ticket from himself or herself.**

4 (2) The worker ~~otherwise personally participated in the conduct~~  
5 ~~of;~~ **may not participate in the drawing of a winner.**  
6 ~~that particular drawing.~~

7 SECTION 9. IC 4-32.3-5-14, AS ADDED BY P.L.188-2019,  
8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2021]: Sec. 14. (a) Except as provided in:

10 (1) section 8(c) of this chapter; **and**

11 ~~(2) section 13 of this chapter;~~ **and**

12 ~~(3) (2) subsection (c);~~

13 a worker at an allowable event must be a member in good standing of  
14 the qualified organization that is conducting the allowable activity for  
15 at least thirty (30) days before the allowable activity.

16 (b) For purposes of this section, an individual is considered to be a  
17 member in good standing of the qualified organization if:

18 (1) the individual has been a member in good standing of the  
19 qualified organization for at least thirty (30) days; and

20 (2) the individual's authority to serve as a worker for the qualified  
21 organization has been acknowledged by the qualified organization  
22 on a form prescribed by the commission.

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

27 (1) the individual is a member of another qualified organization;  
28 and

29 (2) the individual's participation is approved by the commission.

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

- 1 (d) For purposes of:  
 2 (1) the licensing requirements of this article; and  
 3 (2) ~~section 9 of this chapter; IC 4-32.3-4-14(b);~~  
 4 a qualified organization that receives a share of the proceeds of an  
 5 allowable activity described in ~~IC 4-32.3-4-14(a)~~ **subsection (c)** is not  
 6 considered to be conducting an allowable activity.

7 SECTION 10. IC 4-32.3-5-15, AS ADDED BY P.L.58-2019,  
 8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2021]: Sec. 15. (a) The prize for:

- 10 (1) one (1) bingo game may not have a value of more than one  
 11 thousand dollars (\$1,000); and  
 12 (2) a progressive bingo game may not have a value of more than  
 13 two thousand dollars (\$2,000).

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

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

22 ~~(d)~~ **(c)** The commission may, by express authorization, allow a  
 23 qualified organization to conduct a bingo event in which the total prizes  
 24 for the event may exceed ~~ten six~~ thousand dollars ~~(\$10,000)~~. **(\$6,000).**  
 25 **Bingo events authorized under this subsection may be conducted**  
 26 **at a festival.**

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

29 Page 2, between lines 17 and 18, begin a new paragraph and insert:  
 30 "SECTION 12. IC 4-32.3-5-17, AS ADDED BY P.L.58-2019,  
 31 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2021]: Sec. 17. (a) Except as provided in subsections ~~(b)~~ **and**  
 33 **(b), (c), and (e)**, the following persons may not play or participate in  
 34 any manner in an allowable activity:

- 35 (1) A member or an employee of the commission.  
 36 (2) A person less than eighteen (18) years of age.  
 37 (b) A member or employee of the commission may participate in an  
 38 allowable activity if that person:

1 (1) has received written authorization from the executive director  
2 to participate in an allowable activity; and

3 (2) is participating only to the extent approved by the executive  
4 director.

5 (c) Except as provided in subsection (b), an employee of the  
6 commission or a relative of an employee of the commission living in  
7 the same household with the employee may not be an operator, worker,  
8 or a volunteer ticket taker.

9 (d) An employee, officer, or owner of a manufacturer or distributor  
10 is prohibited from participating in or affiliating in any way with the  
11 charity gaming operations of a qualified organization that an employee,  
12 officer, or owner is a member.

13 **(e) A person less than eighteen (18) years of age may sell tickets**  
14 **or chances for a raffle."**

15 Page 2, between lines 27 and 28, begin a new paragraph and insert:

16 "SECTION 14. IC 4-32.3-6-3, AS ADDED BY P.L.58-2019,  
17 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2021]: Sec. 3. (a) A qualified organization holding a license  
19 under IC 4-32.2-4 (repealed) on June 30, 2019, is exempt from fees  
20 required under this section.

21 (b) Except as provided under subsections (c), (d), and (e), the  
22 license fee that is charged to a qualified organization in the first year  
23 that the qualified organization applies for a license is:

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

25 (2) the amount determined under subsection (c) for a qualified  
26 organization issued an annual affiliate license for the first time.

27 (c) When a qualified organization is issued an annual affiliate  
28 license under IC 4-32.3-4-8 for the first time, the initial license fee is  
29 determined as follows:

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

32 (A) has not previously conducted an allowable activity; and

33 (B) consists of Indiana affiliates that have not previously  
34 conducted any allowable activities.

35 (2) In the case of a qualified organization that includes at least  
36 one (1) Indiana affiliate that conducted an allowable activity  
37 before the date the qualified organization applies for an annual  
38 affiliate license, the fee is equal to the greatest of the following:



1 (A) An amount equal to the sum of the license renewal fees  
2 determined under this chapter for the organization's Indiana  
3 affiliates in 2011.

4 (B) An amount equal to the sum of the license renewal fees  
5 determined under this chapter for the organization's Indiana  
6 affiliates during the twelve (12) month period ending on the  
7 date the qualified organization's license application is filed.

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

9 (d) The license fee that is charged to a qualified organization that is  
10 a bona fide veterans organization for a three (3) year charity gaming  
11 license under IC 4-32.3-4-16 for the first time the qualified  
12 organization has applied for that particular license type issued under  
13 IC 4-32.3-4 is fifty dollars (\$50).

14 (e) The license fee for a three (3) year charity gaming license that  
15 is charged **for the first time** to a qualified organization that is a bona  
16 fide veterans organization that currently holds a license issued under  
17 ~~IC 4-32.3-4-5, IC 4-32.3-4-6, IC 4-32.3-4-8, IC 4-32.3-4-5~~ or  
18 IC 4-32.3-4-11 **for the first time** is equal to the amount the bona fide  
19 veterans organization paid for the license it held under ~~IC 4-32.3-4-5,~~  
20 ~~IC 4-32.3-4-6, IC 4-32.3-4-8, IC 4-32.3-4-5~~ or IC 4-32.3-4-11.

21 SECTION 15. IC 4-32.3-10-3, AS ADDED BY P.L.58-2019,  
22 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2021]: Sec. 3. (a) The department shall establish procedures  
24 by which each licensed entity must account for the following:

- 25 (1) The tax collected under this chapter by the licensed entity.
- 26 (2) The pull tabs, punchboards, and tip boards sold by the  
27 licensed entity.
- 28 (3) The funds received for sales of pull tabs, punchboards, and tip  
29 boards by the licensed entity.

30 (b) **At least ninety (90) days before a licensed entity's license**  
31 **expires, the licensed entity may elect to have the entity's annual**  
32 **accounting period end sixty (60) days before the date the entity's**  
33 **license expires.**

34 SECTION 16. IC 4-36-2-9.5 IS ADDED TO THE INDIANA CODE  
35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
36 UPON PASSAGE]: Sec. 9.5. "Jumbo boat" has the meaning set  
37 forth in IC 7.1-1-3-19.6.

38 SECTION 17. IC 4-36-2-17, AS ADDED BY P.L.95-2008,

1 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 UPON PASSAGE]: Sec. 17. "Retailer" means a person that:

3 (1) is licensed to sell alcoholic beverages under IC 7.1-3 to  
4 customers for consumption:

5 (A) on the licensed premises of the person's tavern; **or**

6 (B) **on a jumbo boat**; and

7 (2) holds an endorsement to conduct type II gambling games that  
8 was issued by the commission under IC 4-36-4."

9 Page 2, line 33, delete "donation." and insert "**denomination.**".

10 Page 2, line 38, delete "IC 4-32.3" and insert "IC 4-32.3,".

11 Page 3, between lines 1 and 2, begin a new paragraph and insert:

12 "SECTION 19. IC 4-36-2-21, AS ADDED BY P.L.95-2008,  
13 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 UPON PASSAGE]: Sec. 21. "Type II gambling operation" means the  
15 conduct of gambling games authorized under this article in a tavern **or**  
16 **on a jumbo boat.**

17 SECTION 20. IC 4-36-4-1, AS ADDED BY P.L.95-2008,  
18 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 UPON PASSAGE]: Sec. 1. (a) Subject to section 13 of this chapter, the  
20 commission shall issue a retailer's endorsement to an applicant that  
21 satisfies the requirements of this article. A retailer's endorsement  
22 allows the retailer to conduct type II gaming at only the tavern **or**  
23 **jumbo boat** specified in the retailer's application under section 3(b)(2)  
24 of this chapter. An applicant must obtain a separate retailer's  
25 endorsement for each tavern **or jumbo boat** at which the applicant  
26 wishes to conduct type II gaming.

27 (b) The commission shall affix an endorsement issued under this  
28 chapter to the retailer's alcoholic beverage permit that authorizes the  
29 retailer to sell alcoholic beverages at the tavern **or jumbo boat**  
30 specified in the retailer's application under section 3(b)(2) of this  
31 chapter. An endorsement issued under this chapter is valid for one (1)  
32 year.

33 SECTION 21. IC 4-36-4-2, AS AMENDED BY P.L.58-2019,  
34 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 UPON PASSAGE]: Sec. 2. (a) To qualify for a retailer's endorsement,  
36 a person must operate a:

37 (1) tavern licensed under IC 7.1-3 to sell alcoholic beverages to  
38 customers for consumption on the premises of the tavern; **or**

- 1           **(2) jumbo boat and hold a:**
- 2           **(A) boat beer permit under IC 7.1-3-6-12 through**
- 3           **IC 7.1-3-6-14;**
- 4           **(B) boat liquor permit under IC 7.1-3-11-9 through**
- 5           **IC 7.1-3-11-10; or**
- 6           **(C) boat wine permit under IC 7.1-3-16-3 through**
- 7           **IC 7.1-3-16-4.**

8           (b) The following may not apply for a retailer's endorsement under  
 9 this article:

- 10           (1) A person holding a horse track permit under IC 7.1-3-17.7.
- 11           (2) A licensed owner of a riverboat licensed under IC 4-33.
- 12           (3) An operating agent who operates a riverboat in a historic hotel
- 13           district under IC 4-33.
- 14           (4) A qualified organization (as defined in IC 4-32.3-2-31).
- 15           (5) An organization that is eligible to apply for a charity gaming
- 16           license under IC 4-32.3.
- 17           (6) A person holding a gambling game license issued under
- 18           IC 4-35-5.

19           **(7) Except for a person holding a boat permit that operates a**  
 20           **jumbo boat,** a person holding a permit issued under IC 7.1-3 for  
 21           a licensed premises that is not a tavern, including holders of the  
 22           following:

- 23           (A) A boat permit.
- 24           (B) A hotel permit.
- 25           (C) A fraternal club permit.
- 26           (D) A resort hotel permit.
- 27           (E) An airport permit.
- 28           (F) A satellite facility permit.
- 29           (G) A microbrewery permit.
- 30           (H) A social club permit.
- 31           (I) A civic center permit.
- 32           (J) A catering hall permit.
- 33           (K) A dining car permit.
- 34           (L) A temporary event permit.
- 35           (M) A permit for any of the following facilities:
- 36           (i) A stadium.
- 37           (ii) An automobile race track.
- 38           (iii) A concert hall.

1 SECTION 22. IC 4-36-4-3, AS ADDED BY P.L.95-2008,  
2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 3. (a) To obtain a retailer's endorsement, a  
4 person must submit an application form to the commission.

5 (b) An application submitted under this section must include at least  
6 the following:

7 (1) The name and address of the applicant and of any person  
8 holding at least a ten percent (10%) interest in the applicant.

9 (2) The name and address of the tavern **or jumbo boat** for which  
10 the applicant seeks a retailer's endorsement.

11 (3) The applicant's consent to credit investigations and criminal  
12 record searches.

13 (4) Waivers and releases signed by the applicant that the  
14 commission believes are necessary to ensure a full and complete  
15 review of the application.

16 (c) An applicant must furnish all information requested by the  
17 commission, including financial data and documents, certifications,  
18 consents, waivers, and individual histories.

19 (d) The commission shall review the applications for a retailer's  
20 endorsement under this chapter and shall inform each applicant of the  
21 commission's decision concerning the issuance of a retailer's  
22 endorsement.

23 SECTION 23. IC 4-36-4-5, AS AMENDED BY P.L.108-2009,  
24 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 UPON PASSAGE]: Sec. 5. (a) The commission shall charge the  
26 following fees for the issuance of a person's initial annual endorsement  
27 or license under this chapter:

28 (1) Two hundred fifty dollars (\$250) for a retailer's endorsement  
29 to conduct a type II gambling operation in the retailer's tavern **or**  
30 **on the retailer's jumbo boat.**

31 (2) One thousand dollars (\$1,000) for a distributor's license.

32 (3) One thousand five hundred dollars (\$1,500) for a  
33 manufacturer's license.

34 (b) The commission shall charge the following fees for the renewal  
35 of a person's annual endorsement or license under this chapter:

36 (1) The following amounts for a retailer's endorsement:

37 (A) One hundred dollars (\$100) in the case of a retailer that  
38 had adjusted gross revenues of less than twenty-five thousand

- 1           dollars (\$25,000) in the previous year.
- 2           (B) Two hundred fifty dollars (\$250) in the case of a retailer
- 3           that had adjusted gross revenues of at least twenty-five
- 4           thousand dollars (\$25,000) but less than fifty thousand dollars
- 5           (\$50,000) in the previous year.
- 6           (C) Five hundred dollars (\$500) in the case of a retailer that
- 7           had adjusted gross revenues of at least fifty thousand dollars
- 8           (\$50,000) but less than one hundred thousand dollars
- 9           (\$100,000) in the previous year.
- 10          (D) One thousand dollars (\$1,000) in the case of a retailer that
- 11          had adjusted gross revenues of at least one hundred thousand
- 12          dollars (\$100,000) in the previous year.
- 13          (2) One thousand dollars (\$1,000) for a distributor's license.
- 14          (3) One thousand five hundred dollars (\$1,500) for a
- 15          manufacturer's license.
- 16          (c) A retailer shall report the amount of the retailer's adjusted gross
- 17          receipts on the form required to renew the retailer's endorsement. The
- 18          renewal fee required under subsection (b)(1) must be submitted with
- 19          the renewal form.
- 20          (d) The commission shall deposit all fees collected under this
- 21          chapter into the enforcement and administration fund established under
- 22          IC 7.1-4-10."
- 23          Page 3, line 7, delete "drawings on the premises of the retailer's
- 24          tavern. A qualified" and insert "drawings:
- 25                 **(1) on the premises of the retailer's tavern; or**
- 26                 **(2) on the retailer's jumbo boat.**
- 27          A qualified drawing must be conducted in the manner required by this
- 28          section."
- 29          Page 3, delete line 8.
- 30          Page 6, line 11, after "(1)" delete "a" and insert "A".
- 31          Page 6, between lines 15 and 16, begin a new paragraph and insert:
- 32                 "SECTION 25. IC 4-36-5-2, AS AMENDED BY P.L.19-2011,
- 33                 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34                 UPON PASSAGE]: Sec. 2. (a) A type II gambling game may be sold
- 35                 under this article only on the premises of the retailer's tavern **or jumbo**
- 36                 **boat.**
- 37                 (b) Type II gambling games and qualified drawings conducted under
- 38                 section 1(c) of this chapter may not be offered in any part of the

1 retailer's licensed premises in which a minor may be present under  
2 IC 7.1-5-7-11(a)(16).

3 SECTION 26. IC 4-36-5-4, AS AMENDED BY P.L.19-2011,  
4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 UPON PASSAGE]: Sec. 4. (a) A retailer shall maintain accurate  
6 records of all financial aspects of the retailer's type II gambling  
7 operation. A retailer shall make accurate reports of all financial aspects  
8 of the type II gambling operation to the commission within the time  
9 established by the commission. The commission shall prescribe forms  
10 for this purpose. The forms prescribed under this subsection must  
11 enable a retailer to report the amount of qualified drawing profits  
12 retained by the retailer during the reporting period.

13 (b) As long as a retailer's receipts from the retailer's type II gambling  
14 operation remain on the premises of the retailer's tavern **or jumbo**  
15 **boat**, the receipts may not be commingled with the receipts of the  
16 retailer's alcoholic beverage sales, food sales, and other related  
17 nongambling activities."

18 Page 6, line 28, after "carryover" insert "**pull tab**".

19 Page 6, after line 33, begin a new paragraph and insert:

20 "SECTION 28. IC 4-36-7-2, AS ADDED BY P.L.95-2008,  
21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 UPON PASSAGE]: Sec. 2. The commission may do any of the  
23 following:

- 24 (1) Investigate an alleged violation of this article.
- 25 (2) Enter the following premises for the performance of the  
26 commission's lawful duties:
  - 27 (A) A retailer's tavern.
  - 28 **(B) A jumbo boat.**
  - 29 ~~(B)~~ **(C)** A place in which type II gambling games are being  
30 purchased, sold, manufactured, printed, or stored.
- 31 (3) Take necessary equipment from the premises referred to in  
32 subdivision (2) for further investigation.
- 33 (4) Obtain full access to all financial records of the alleged  
34 violator on request.
- 35 (5) If there is a reason to believe that a violation has occurred,  
36 search and inspect the premises where the violation is alleged to  
37 have occurred or is occurring. A search under this subdivision  
38 may not be conducted unless a warrant has first been obtained by

1 the commission. A contract entered into by the commission may  
2 not include a provision allowing for warrantless searches. A  
3 warrant may be obtained in the county in which the search will be  
4 conducted or in Marion County.

5 (6) Seize or take possession of:

- 6 (A) papers;
- 7 (B) records;
- 8 (C) tickets;
- 9 (D) currency; or
- 10 (E) other items;

11 related to an alleged violation.

12 SECTION 29. IC 7.1-1-3-19.6, AS ADDED BY P.L.285-2019,  
13 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 UPON PASSAGE]: Sec. 19.6. The term "jumbo boat" means a ~~United~~  
15 ~~States Coast Guard approved~~ vessel having a length of at least one  
16 hundred thirty-five (135) feet and a width of at least thirty-five (35)  
17 feet. The term does not include a riverboat (as defined in  
18 IC 4-33-2-17).

19 SECTION 30. IC 7.1-3-6-14, AS AMENDED BY P.L.285-2019,  
20 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 UPON PASSAGE]: Sec. 14. (a) Except as provided in subsection (b),  
22 the holder of a boat beer permit may purchase beer, possess it, and sell  
23 it at retail for consumption only in the dining room of the boat  
24 described in the application. The permit holder may sell beer only in  
25 the course of a run and only one (1) hour before the boat embarks on  
26 the run.

27 (b) This subsection applies only to the holder of a boat beer permit  
28 who operates a jumbo boat. Subject to the approval of the local board  
29 of each county where the jumbo boat docks, the holder of a boat beer  
30 permit may purchase beer, possess it, ~~and~~ sell it at retail for  
31 consumption ~~only~~ on the jumbo boat described in the application, **and**  
32 **sell it for carryout**. The permit holder may sell beer during the time

- 1 periods specified under IC 7.1-3-1-14.
- 2 SECTION 31. **An emergency is declared for this act."**
- 3 Renumber all SECTIONS consecutively.  
(Reference is to SB 245 as reprinted February 23, 2021.)

**and when so amended that said bill do pass.**

**Representative Smaltz**

*Rep Smaltz*

