## **HOUSE BILL No. 1357**

#### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-32.3.

**Synopsis:** Contest based raffles. Creates contest based raffles for charity gaming. Defines a "contest based raffle" as the selling of tickets or chances to win a prize award based on the result of a specific event or contest, including a sport horse competition.

Effective: July 1, 2024.

# Genda

January 10, 2024, read first time and referred to Committee on Public Policy.



#### Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

### **HOUSE BILL No. 1357**

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

1	SECTION 1. IC 4-32.3-1-1, AS ADDED BY P.L.58-2019,
2	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2024]: Sec. 1. (a) This article applies only to a qualified
4	organization.
5	(b) This article applies only to the following approved gambling
6	activities conducted as fundraising activities by qualified organizations:
7	(1) Bingo events, casino game nights, raffles, festivals, contest
8	based raffles, and other gaming activities approved by the
9	commission.
10	(2) The sale of pull tabs, punchboards, and tip boards:
11	(A) at bingo events, casino game nights, raffles, contest based
12	raffles, and festivals conducted by qualified organizations; or
13	(B) at any time on the premises owned or leased by qualified
14	organizations and regularly used for the activities of qualified
15	organizations.
16	This article does not apply to any other sale of pull tabs,
17	punchboards, and tip boards.



1	(c) This article does not apply to a promotion offer subject to
2 3	IC 24-8.
<i>3</i>	(d) This article does not apply to the following:
5	(1) A type II gambling game authorized by IC 4-36.
6	(2) A raffle or other gambling game authorized by IC 4-36-5-1(b).
7	(e) This article does not apply to a prize linked savings program that:
8	
9	(1) is offered or conducted by an eligible financial institution
10	under IC 28-1-23.2; (2) is:
11	(A) offered or conducted by a credit union organized or
12	reorganized under United States law; and
13	(B) conducted in the same manner as a prize linked savings
14	program under IC 28-1-23.2; or
15	(3) is:
16	(A) offered or conducted by an insured depository institution
17	(as defined in 12 U.S.C. 1813) that is:
18	(i) a national bank formed under 12 U.S.C. 21;
19	(ii) a state member bank (as defined in 12 U.S.C. 1813);
20	(iii) a state nonmember bank (as defined in 12 U.S.C. 1813);
	or
21 22	(iv) a savings association (as defined in 12 U.S.C. 1813);
23	and
23 24 25	(B) conducted in the same manner as a prize linked savings
25	program under IC 28-1-23.2.
26	SECTION 2. IC 4-32.3-1-3, AS ADDED BY P.L.58-2019,
27	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28	JULY 1, 2024]: Sec. 3. A bingo event, casino game night, raffle,
29	<b>contest based raffle,</b> festival, or other charity gambling activity is not
30	allowed in Indiana unless it is conducted by a qualified organization in
31	accordance with this article.
32	SECTION 3. IC 4-32.3-1-5, AS ADDED BY P.L.58-2019,
33	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34	JULY 1, 2024]: Sec. 5. (a) Local governmental authority concerning
35	the following is preempted by the state under this article and IC 4-30:
36	(1) All matters relating to the operation of bingo events, casino
37	game nights, contest based raffles, or raffles.
38	(2) All matters relating to the possession, transportation,
39	advertising, sale, manufacture, printing, storing, or distribution of
40	pull tabs, punchboards, or tip boards.
41	(b) A county, municipality, or other political subdivision of the state
42	may not enact an ordinance relating to the commission's operations



1	authorized by this article.
2	SECTION 4. IC 4-32.3-2-2, AS ADDED BY P.L.58-2019,
3	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4	JULY 1, 2024]: Sec. 2. "Allowable event" means:
5	(1) a bingo event;
6	(2) a casino game night;
7	(3) a raffle;
8	(4) a festival;
9	(5) a sale of pull tabs, punchboards, or tip boards; or
10	(6) a gambling activity under IC 4-32.3-4-11; or
11	(7) a contest based raffle;
12	conducted by a qualified organization in accordance with this article
13	and rules adopted by the commission under this article.
14	SECTION 5. IC 4-32.3-2-13.5 IS ADDED TO THE INDIANA
15	CODE AS A <b>NEW</b> SECTION TO READ AS FOLLOWS
16	[EFFECTIVE JULY 1, 2024]: Sec. 13.5. "Contest based raffle"
17	means the selling of tickets or chances to win a prize award based
18	on the result of a specific event or contest, including a sport horse
19	competition.
20	SECTION 6. IC 4-32.3-2-21.5 IS ADDED TO THE INDIANA
21	CODE AS A <b>NEW</b> SECTION TO READ AS FOLLOWS
22	[EFFECTIVE JULY 1, 2024]: Sec. 21.5. "Last chance raffle" means
23	a raffle:
24	(1) that occurs at the end of contest based raffle event;
25	(2) that contains the losing contest based raffle tickets
26	shuffled; and
27	(3) in which one (1) ticket is drawn for a prize.
28	SECTION 7. IC 4-32.3-2-34.5 IS ADDED TO THE INDIANA
29	CODE AS A <b>NEW</b> SECTION TO READ AS FOLLOWS
30	[EFFECTIVE JULY 1, 2024]: Sec. 34.5. "Sport horse competition"
31	means a gaming event with not more than twelve (12):
32	(1) thoroughbred race horses, quarter horses, or Indiana bred
33	standardbred horses participating in a sporting activity
34	including:
35	(A) racing; and
36	(B) harness racing; or
37	(2) retired American quarter horses and thoroughbred race
38	horses participating in a jumping event;
39	that occurs at a local event, a county fair, or the state fair.
10	SECTION 8. IC 4-32.3-2-39, AS ADDED BY P.L.58-2019,
11	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12	JULY 1, 2024]: Sec. 39. "Volunteer ticket agent" means a person



1	acting on behalf of a qualified organization that:
2	(1) receives no compensation from the qualified organization;
3	(2) sells tickets at a raffle <b>or contest based raffle</b> licensed under
4	IC 4-32.3-4-6, a festival under IC 4-32.3-4-7, or a gambling
5	activity under IC 4-32.3-4-11; and
6	(3) does not assist the qualified organization in conducting the
7	allowable activity in any other way.
8	SECTION 9. IC 4-32.3-4-5, AS AMENDED BY P.L.145-2021.
9	SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10	JULY 1, 2024]: Sec. 5. (a) The commission may issue an annual
11	activity license to a qualified organization if the qualified organization:
12	(1) meets the requirements of this section;
13	(2) submits an application; and
14	(3) pays a fee set by the commission under IC 4-32.3-6.
15	(b) The following information must be included in an annual
16	activity license:
17	(1) Whether the qualified organization is authorized to conduct
18	bingo, pull tabs, punchboards, tip boards, <b>contest based raffles</b> ,
19	or raffle activities on more than one (1) occasion during a one (1)
20	year period.
21	(2) The location of the allowable activities.
22	(3) The expiration date of the license.
23	(c) A qualified organization may conduct casino game night
24	activities under an annual activity license if the requirements of
25	subsections (a) and (b) are met, and:
26	(1) the organization is a qualified veteran organization or fraternal
27	organization; and
28	(2) the annual activity license requires that a facility or location
29	may not be used for purposes of conducting an annual casino
30	game night activity on more than three (3) calendar days per
31	calendar week regardless of the number of qualified organizations
32	conducting annual casino night activities at the facility or
33	location.
34	(d) An annual activity license may be reissued annually upon the
35	submission of an application for reissuance on a form prescribed by the
36	commission after the qualified organization has paid the fee under
37	IC 4-32.3-6.
38	SECTION 10. IC 4-32.3-4-6, AS ADDED BY P.L.58-2019.
39	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40	JULY 1, 2024]: Sec. 6. (a) The commission may issue a single activity
41	license to a qualified organization if the qualified organization:
42	(1) submits an application; and
	(1) sacrific air approacion, aira



1	(2) pays the required fees under IC 4-32.3-6.
2	(b) A single activity license:
3	(1) may authorize:
4	(A) bingo;
5	(B) a casino game night; or
6	(C) a raffle; <b>or</b>
7	(D) a contest based raffle;
8	at one (1) specific time and location;
9	(2) must state the:
10	(A) date;
11	(B) beginning times; and
12	(C) ending times;
13	of the authorized single activity; and
14	(3) may authorize a qualified organization to sell pull tabs,
15	punchboards, and tip boards.
16	SECTION 11. IC 4-32.3-4-7, AS ADDED BY P.L.58-2019,
17	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18	JULY 1, 2024]: Sec. 7. (a) The commission may issue a festival license
19	to a qualified organization if the qualified organization:
20	(1) submits an application; and
21	(2) pays the required fees under IC 4-32.3-6.
22	(b) The license may authorize the qualified organization:
23	(1) to conduct:
24	(A) bingo events;
25	(B) casino game nights;
26	(C) raffles; <del>and</del>
27	(D) contest based raffles; and
28	(D) (E) gambling activities licensed under section 11 of this
29	chapter; and
30	(2) to sell:
31	(A) pull tabs;
32	(B) punchboards; and
33	(C) tip boards.
34	(c) The license must state the location and the dates the activities
35	may be conducted.
36	(d) A festival cannot exceed five (5) consecutive days.
37	(e) A qualified organization may apply for up to three (3) festival
38	licenses each calendar year.
39	(f) Festival licenses may not be used consecutively.
40	SECTION 12. IC 4-32.3-4-8, AS ADDED BY P.L.58-2019,
41	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42	JULY 1, 2024]: Sec. 8. (a) Only a:



1	(1) bona fide national organization; and
2	(2) bona fide national foundation;
3	may apply for an annual affiliate license under this section.
4	(b) The commission may issue an annual affiliate license to a
5	qualified organization described in subsection (a) if the qualified
6	organization:
7	(1) submits an application; and
8	(2) pays the required fees under IC 4-32.3-6.
9	(c) The application must include the information the commission
10	requires, including the following:
11	(1) The name and address of the organization.
12	(2) The names and addresses of the officers of the organization.
13	(3) The mailing address of each Indiana affiliate of the
14	organization.
15	(4) An estimate of the number and approximate locations of the
16	bingo events, and raffles, and contest based raffles the
17	organization's Indiana affiliates plan to conduct.
18	(5) The name of each proposed operator and sufficient facts
19	relating to the proposed operator to enable the commission to
20	determine whether the proposed operator is qualified.
21	(6) A sworn statement signed by the presiding officer and
22	secretary of the organization attesting to the eligibility of the
23	organization for a license, including the nonprofit character of the
24	organization.
25	(d) An annual affiliate license:
26	(1) may authorize a qualified organization to conduct:
27	(A) bingo events; <del>and</del>
28	(B) raffles; and
29	(C) contest based raffles;
30	through the organization's Indiana affiliates on more than one (1)
31	occasion during a one (1) year period;
32	(2) must state the expiration date of the license; and
33	(3) may be reissued annually upon the submission of an
34	application for reissuance on a form prescribed by the
35	commission after the qualified organization has paid the fee under
36	IC 4-32.3-6.
37	(e) An Indiana affiliate of the qualified organization may not
38	conduct an activity under an annual affiliate license until the affiliate
39	has been in existence in Indiana for at least sixty (60) days.
40	(f) The following limitations apply to a qualified organization
41	holding an annual affiliate license:
42	(1) The qualified organization may not conduct more than ten



1	(10) activities under the annual affiliate license per week through
2	any combination of its Indiana affiliates.
2 3	(2) The qualified organization or the Indiana affiliate of a
4	qualified organization, except the Indiana affiliates that decline
5	affiliate status, may not hold a single activity license for bingo, or
6	a raffle, or a contest based raffle.
7	(g) A qualified organization conducting a bingo event, or raffle, or
8	contest based raffle shall provide notice to the commission at least
9	twenty-one (21) days before the day of the allowable activity. Raffle
10	tickets may not be sold before providing notice to the commission. The
11	notice provided under this section must be on a form prescribed by the
12	commission.
13	SECTION 13. IC 4-32.3-4-11, AS AMENDED BY P.L.145-2021,
14	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15	JULY 1, 2024]: Sec. 11. (a) This section applies to a gambling activity
16	other than a bingo event, casino game night, festival, pull tabs,
17	punchboards, tip boards, or raffle, or contest based raffle.
18	(b) The commission may issue a single activity license or an annual
19	activity license to conduct a gambling activity approved by the
20	commission to a qualified organization upon the organization's
21	submission of an application and payment of applicable fees under
22	IC 4-32.3-6.
23	(c) A single activity license may:
24	(1) authorize the qualified organization to conduct the gambling
25	event at only one (1) time and location; and
26	(2) state the date, beginning and ending times, and location of the
27	gambling event.
28	(d) An annual activity license:
29	(1) may authorize the qualified organization to conduct the
30	activity on more than one (1) occasion during a period of one (1)
31	year;
32	(2) must state the locations of the permitted activities;
33	(3) must state the expiration date of the license; and
34	(4) may be reissued annually upon the submission of an
35	application for reissuance on the form prescribed by the
36	commission and upon the qualified organization's payment of the
37	applicable fees under IC 4-32.3-6.
38	(e) The commission may impose any condition upon a qualified
39	organization that is issued a license to conduct a gambling activity
40	under this section.
41	SECTION 14. IC 4-32.3-4-14, AS ADDED BY P.L.58-2019,

SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



42

1	JULY 1, 2024]: Sec. 14. (a) Except for raffles, contest based raffles,
2	pull tabs, punchboards, and tip boards conducted under an annual
3	activity license, raffles and contest based raffles conducted under an
4	annual affiliate license, or an allowable activity conducted under a
5	festival license, a qualified organization may not conduct more than
6	three (3) allowable activities during a calendar week and not more than
7	one (1) allowable activity each day.
8	(b) Not more than one (1) qualified organization may conduct an
9	allowable event on the same day at the same location.
10	SECTION 15. IC 4-32.3-4-16, AS ADDED BY P.L.188-2019,
11	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12	JULY 1, 2024]: Sec. 16. (a) This section applies only to a qualified
13	organization that is a bona fide veterans organization.
14	(b) The commission may issue a three (3) year charity gaming
15	license, for any license issued under this chapter, to a qualified
16	organization if:
17	(1) the provisions of this section are satisfied; and
18	(2) for each license held by the qualified organization, the
19	organization:
20	(A) submits a report to the commission that includes:
21	(i) information described in section 15(b)(1) through
22	15(b)(7) of this chapter;
23	(ii) a financial report; and
24	(iii) a gross receipts report; and
25	(B) pays the applicable fees under IC 4-32.3-6-3.
26	(c) A license issued under this section authorizes a qualified
27	organization to conduct any of the following allowable events:
28	(1) A bingo event.
29	(2) A casino game night.
30	(3) A raffle.
31	(4) A festival.
32	(5) A sale of pull tabs, punchboards, or tip boards.
33	(6) A contest based raffle.
34	(6) (7) Other gambling activities authorized under section 11 of
35	this chapter.
36	(d) A license issued under this section:
37	(1) must state the expiration date of the license; and
38	(2) may be reissued after the expiration of the three (3) year
39	period upon the submission of an application for reissuance on the
40	form established by the commission and upon the licensee's
41	payment of a fee in the amount set by IC 4-32.3-6-7.5.
42	SECTION 16. IC 4-32.3-5-5, AS ADDED BY P.L.58-2019,



SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2024]: Sec. 5. (a) A qualified organization shall maintain and
submit to the commission accurate records of all financial aspects of an
allowable event as set forth in rules adopted by the commission under
IC 4-22-2. A qualified organization shall make accurate reports of all
financial aspects of an allowable activity to the commission within the
time established by the commission as set forth in rules adopted by the
commission under IC 4-22-2.

- (b) Except for a candidate's committee, a convention license, and an exempt event, a qualified organization shall deposit funds received from an allowable activity in a separate and segregated account set up for that purpose.
- (c) A qualified organization conducting a bingo event, or raffle, or contest based raffle under an annual affiliate license shall deposit the funds received from each activity conducted by its separate Indiana affiliates into a single account maintained by a financial institution physically located in Indiana. All expenses of the qualified organization with respect to an allowable activity shall be paid from the separate account.
- (d) 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.
- (e) A bona fide veterans organization holding a three (3) year charity gaming license issued under IC 4-32.3-4-16 must submit the following to the commission before the annual anniversary date of the issuance of the three (3) year charity gaming license:
  - (1) An event summary for each allowable event conducted under the license.
  - (2) An annual financial report.
  - (3) An annual gross receipts report.
- SECTION 17. IC 4-32.3-5-9, AS ADDED BY P.L.58-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) For each allowable activity conducted under this article, a qualified organization shall designate an individual to serve as the operator of the allowable activity. An individual designated under this section:
  - (1) must be qualified to serve as an operator under this article; and
  - (2) in the case of a qualified organization holding an annual affiliate license, must be a member of the Indiana affiliate conducting the particular activity.



1	(b) A qualified organization holding an annual affiliate license may
2	do the following:
3	(1) Designate an individual qualified under subsection (a)(2) to
4	serve as the operator of raffles or contest based raffles
5	conducted by two (2) or more Indiana affiliates of the qualified
6	organization.
7	(2) Designate a full-time employee of the qualified organization
8	as the operator of a raffle <b>or contest based raffle</b> conducted by
9	an Indiana affiliate of the qualified organization if the employee
10	is qualified under subsection (a)(2).
11	SECTION 18. IC 4-32.3-5-11, AS AMENDED BY P.L.145-2021,
12	SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13	JULY 1, 2024]: Sec. 11. (a) Except as provided in subsections (c)
14	through (e), an operator or a worker may not directly or indirectly
15	participate, other than in a capacity as an operator or a worker, in an
16	allowable activity that the operator or worker is conducting.
17	(b) A patron at a casino game night may deal the cards in a card
18	game if:
19	(1) the card game in which the patron deals the cards is a
20	qualified card game;
21	(2) the patron deals the cards in the manner required in the
22	ordinary course of the qualified card game; and
23	(3) the qualified card game is played under the supervision of the
24	qualified organization conducting the casino game night in
25	accordance with section 12 of this chapter (in the case of a game
26	of Texas hold'em poker or Omaha poker) and any rules adopted
27	by the commission.
28	A patron who deals the cards in a qualified card game conducted under
29	this subsection is not considered a worker or an operator for purposes
30	of this article.
31	(c) A worker at a festival event may participate as a player in any
32	gaming activity offered at the festival event except as follows:
33	(1) A worker may not participate in any game during the time in
34	which the worker is conducting or helping to conduct the game.
35	(2) A worker who conducts or helps to conduct a pull tab,
36	punchboard, or tip board event during a festival event may not
37	participate as a player in a pull tab, punchboard, or tip board
38	event conducted on the same calendar day.
39	(d) A worker at a bingo event:
40	(1) whose duties are limited to:
41	(A) selling bingo supplies;
42	(B) selling tickets for a raffle or contest based raffle



1	conducted at the bingo event; or
2	(C) the duties described in both clauses (A) and (B);
3	(2) who has completed all of the worker's duties before the start
4	of the first bingo game of the bingo event; and
5	(3) who is not engaged as a worker at any other time during the
6	bingo event;
7	may participate as a player in any gaming activity offered at the bingo
8	event following the completion of the worker's duties at the bingo
9	event.
10	(e) A worker at a raffle or contest based raffle conducted by a
11	qualified organization may purchase a raffle ticket or contest based
12	raffle ticket for a particular drawing at the raffle or contest based
13	raffle, subject to the following restrictions:
14	(1) The worker may not purchase a raffle ticket or contest based
15	raffle ticket from himself or herself.
16	(2) The worker may not participate in the drawing of a winner.
17	SECTION 19. IC 4-32.3-5-22, AS ADDED BY P.L.58-2019,
18	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19	JULY 1, 2024]: Sec. 22. The following apply to a qualified
20	organization's use of a volunteer raffle ticket agent or volunteer
21	contest based raffle ticket agent:
22	(1) Before using volunteer ticket agents to sell tickets to an
23	allowable activity, a qualified organization shall provide a list
24	containing the following information to the commission:
25	(A) The name, address, and telephone number of each retail
26	establishment whose employees will serve as volunteer ticket
27	agents.
28	(B) The name of the general manager of each retail
29	establishment listed under clause (A).
30	(2) A volunteer ticket agent may not sell pull tabs, punchboards,
31	or tip boards.
32	(3) A volunteer ticket agent is not required to be a member in
33	good standing of the qualified organization.
34	(4) A volunteer ticket agent may participate as a patron in any
35	allowable activity conducted by the qualified organization.
36	(5) A qualified organization must include on each ticket or entry
37	sold by a volunteer ticket agent the name of the qualified
38	organization, the date of the allowable activity, and a valid license
39	number for the allowable activity.
40	(6) All tickets sold by volunteer ticket agents must be numbered
41	sequentially.
42	(7) After tickets to the allowable activity are sold, the qualified



1	organization shall provide to the commission the name, address,
2	and telephone number of each person who served as a volunteer
3	ticket agent.
4	SECTION 20. IC 4-32.3-5-24 IS ADDED TO THE INDIANA
5	CODE AS A <b>NEW</b> SECTION TO READ AS FOLLOWS
6	[EFFECTIVE JULY 1, 2024]: Sec. 24. (a) The number of different
7	ticket numbers available to be sold in a contest based raffle must
8	be based on the number of contestants in each event.
9	(b) A purchaser of a ticket for a contest based raffle may pick
10	the event for the ticket, but the ticket number within the contest
11	based raffle must be sold randomly.
12	(c) At a contest based raffle event, the qualified organization or
13	the operator shall:
14	(1) designate a ticket seller or ticket sellers;
15	(2) designate a cashier who will pay a winning ticket;
16	(3) indicate the value of a winning ticket on a flyer distributed
17	to players before the contest based raffle occurs;
18	(4) record all ticket sales; and
19	(5) create a report that indicates winning tickets.
20	(d) The sale of a contest based raffle must end before the contest
21	begins.
22	(e) A winning contest based raffle ticket must be cashed not
23	later than one (1) hour after the last contest of the day.
24	(f) The qualified organization or the operator may offer a last
25	chance raffle.

