



January 25, 2019

HOUSE BILL No. 1517

DIGEST OF HB 1517 (Updated January 23, 2019 4:31 pm - DI 107)

Citations Affected: IC 4-1; IC 4-29; IC 4-32.2; IC 4-32.3; IC 4-33; IC 4-35; IC 4-36; IC 5-2; IC 6-3; IC 7.1-3; IC 12-13; IC 33-26; IC 35-45; IC 35-52.

Synopsis: Charity gaming. Repeals the current charity gaming article and replaces it with a reorganized and revised charity gaming article. Raises the prize limits for when a qualified organization is not required to obtain a license for an allowable activity. Consolidates the current license types into an annual activity license, single activity license, convention raffle license, and annual affiliate license. Creates an expedited application processing fee. Repeals the door prize limits and qualified drawings. Renames the comprehensive charity gaming license to the annual affiliate license. Revises fee tables for license renewals.

Effective: July 1, 2019.

Smaltz

January 17, 2019, read first time and referred to Committee on Public Policy.
January 24, 2019, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

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January 25, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1517

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 4-1-8-1, AS AMENDED BY P.L.86-2018,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 1. (a) No individual may be compelled by any
4 state agency, board, commission, department, bureau, or other entity of
5 state government (referred to as "state agency" in this chapter) to
6 provide the individual's Social Security number to the state agency
7 against the individual's will, absent federal requirements to the
8 contrary. However, the provisions of this chapter do not apply to the
9 following:
10 (1) Department of state revenue.
11 (2) Department of workforce development.
12 (3) The programs administered by:
13 (A) the division of family resources;
14 (B) the division of mental health and addiction;
15 (C) the division of disability and rehabilitative services;
16 (D) the division of aging; and
17 (E) the office of Medicaid policy and planning;

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- 1 of the office of the secretary of family and social services.
 2 (4) Auditor of state.
 3 (5) State personnel department.
 4 (6) Secretary of state, with respect to the registration of
 5 broker-dealers, agents, and investment advisors.
 6 (7) The lobby registration commission, with respect to the
 7 registration of lobbyists.
 8 (8) Indiana department of administration, with respect to bidders
 9 on contracts.
 10 (9) Indiana department of transportation, with respect to bidders
 11 on contracts.
 12 (10) Indiana professional licensing agency.
 13 (11) Department of insurance, with respect to licensing of
 14 insurance producers.
 15 (12) The department of child services.
 16 (13) A pension fund administered by the board of trustees of the
 17 Indiana public retirement system.
 18 (14) The state police benefit system.
 19 (15) The alcohol and tobacco commission.
 20 (16) The state department of health, for purposes of licensing
 21 radiologic technologists under IC 16-41-35-29(c).
 22 (b) The bureau of motor vehicles may, notwithstanding this chapter,
 23 require the following:
 24 (1) That an individual include the individual's Social Security
 25 number in an application for an official certificate of title for any
 26 vehicle required to be titled under IC 9-17.
 27 (2) That an individual include the individual's Social Security
 28 number on an application for registration.
 29 (3) That a corporation, limited liability company, firm,
 30 partnership, or other business entity include its federal tax
 31 identification number on an application for registration.
 32 (4) That an individual include the individual's Social Security
 33 number on an application for a license, a permit, or an
 34 identification card.
 35 (c) The Indiana department of administration, the Indiana
 36 department of transportation, and the Indiana professional licensing
 37 agency may require an employer to provide its federal employer
 38 identification number.
 39 (d) The department of correction may require a committed offender
 40 to provide the offender's Social Security number for purposes of
 41 matching data with the Social Security Administration to determine
 42 benefit eligibility.



1 (e) The Indiana gaming commission may, notwithstanding this
2 chapter, require the following:

3 (1) That an individual include the individual's Social Security
4 number:

5 (A) in any application for a riverboat owner's license,
6 supplier's license, or occupational license; or

7 (B) in any document submitted to the commission in the
8 course of an investigation necessary to ensure that gaming
9 under ~~IC 4-32.2~~, **IC 4-32.3**, IC 4-33, and IC 4-35 is conducted
10 with credibility and integrity.

11 (2) That a sole proprietorship, a partnership, an association, a
12 fiduciary, a corporation, a limited liability company, or any other
13 business entity include its federal tax identification number on an
14 application for a riverboat owner's license or supplier's license.

15 (f) Notwithstanding this chapter, the department of education
16 established by IC 20-19-3-1 may require an individual who applies to
17 the department for a license or an endorsement to provide the
18 individual's Social Security number. The Social Security number may
19 be used by the department only for conducting a background
20 investigation, if the department is authorized by statute to conduct a
21 background investigation of an individual for issuance of the license or
22 endorsement.

23 SECTION 2. IC 4-29-1-1, AS ADDED BY P.L.255-2015,
24 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2019]: Sec. 1. This article does not apply to the following:

26 (1) A permit holder licensed to conduct a pari-mutuel wagering
27 horse racing meeting under IC 4-31.

28 (2) A qualified organization licensed to conduct charity gaming
29 events under ~~IC 4-32.2~~. **IC 4-32.3**.

30 (3) A licensed owner or operating agent operating a riverboat
31 under IC 4-33.

32 (4) A permit holder licensed to conduct gambling games under
33 IC 4-35.

34 (5) A person authorized to conduct type II gaming under IC 4-36.

35 SECTION 3. IC 4-32.2 IS REPEALED [EFFECTIVE JULY 1,
36 2019]. (Charity Gaming).

37 SECTION 4. IC 4-32.3 IS ADDED TO THE INDIANA CODE AS
38 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
39 2019]:

40 **ARTICLE 32.3. CHARITY GAMING**

41 **Chapter 1. General Provisions**

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



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

4 **(1) Bingo events, casino game nights, raffles, festivals, and**
 5 **other gaming activities approved by the commission.**

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

7 **(A) at bingo events, casino game nights, raffles, and**
 8 **festivals conducted by qualified organizations; or**

9 **(B) at any time on the premises owned or leased by**
 10 **qualified organizations and regularly used for the activities**
 11 **of qualified organizations.**

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

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

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

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

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

20 **(e) This article does not apply to a prize linked savings program**
 21 **that:**

22 **(1) is offered or conducted by an eligible financial institution**
 23 **under IC 28-1-23.2;**

24 **(2) is:**

25 **(A) offered or conducted by a credit union organized or**
 26 **reorganized under United States law; and**

27 **(B) conducted in the same manner as a prize linked savings**
 28 **program under IC 28-1-23.2; or**

29 **(3) is:**

30 **(A) offered or conducted by an insured depository**
 31 **institution (as defined in 12 U.S.C. 1813) that is:**

32 **(i) a national bank formed under 12 U.S.C. 21;**

33 **(ii) a state member bank (as defined in 12 U.S.C. 1813);**

34 **(iii) a state nonmember bank (as defined in 12 U.S.C.**
 35 **1813); or**

36 **(iv) a savings association (as defined in 12 U.S.C. 1813);**
 37 **and**

38 **(B) conducted in the same manner as a prize linked savings**
 39 **program under IC 28-1-23.2.**

40 **Sec. 2. The purpose of this article is to permit a licensed**
 41 **qualified organization:**

42 **(1) to conduct allowable activities; and**



1 (2) to sell pull tabs, punchboards, and tip boards;
2 as a fundraising activity for lawful purposes of the organization.

3 **Sec. 3. A bingo event, casino game night, raffle, festival, or other**
4 **charity gambling activity is not allowed in Indiana unless it is**
5 **conducted by a qualified organization in accordance with this**
6 **article.**

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

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

13 (1) All matters relating to the operation of bingo events,
14 casino game nights, or raffles.

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

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

21 **Chapter 2. Definitions**

22 **Sec. 1. The definitions in this chapter apply throughout this**
23 **article.**

24 **Sec. 2. "Allowable event" means:**

25 (1) a bingo event;

26 (2) a casino game night;

27 (3) a raffle;

28 (4) a festival;

29 (5) a sale of pull tabs, punchboards, or tip boards; or

30 (6) a gambling activity under IC 4-32.3-4-11;

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

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

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

41 (2) As the caller of the game announces a letter and number
42 combination, each player covers the square corresponding to



- 1 the announced number, letter, or combination of numbers and
2 letters.
- 3 **(3) The winner of each game is the player who is the first to**
4 **properly cover a predetermined and announced pattern of**
5 **squares upon the card used by the player.**
- 6 **Sec. 4. "Bona fide charitable organization" means an**
7 **organization operating in Indiana that is not for pecuniary profit**
8 **and is exempt from federal income taxation under Section 501(c)**
9 **of the Internal Revenue Code.**
- 10 **Sec. 5. "Bona fide civic organization" means a branch, lodge, or**
11 **chapter of a national or state organization that is not for pecuniary**
12 **profit or a local organization that is not for pecuniary profit and**
13 **not affiliated with a state or national organization whose written**
14 **constitution, charter, articles of incorporation, or bylaws provide**
15 **that the organization is organized primarily for civic, fraternal, or**
16 **charitable purposes.**
- 17 **Sec. 6. "Bona fide fraternal organization" means a type of bona**
18 **fide civic organization that:**
- 19 **(1) is a branch, lodge, or chapter of a national organization;**
20 **and**
- 21 **(2) exists for the common charitable purposes, brotherhood,**
22 **and other interests of its members.**
- 23 **Sec. 7. "Bona fide national foundation" refers to an**
24 **organization that:**
- 25 **(1) operates without profit to the organization's members;**
26 **(2) is exempt from taxation under Section 501 of the Internal**
27 **Revenue Code;**
- 28 **(3) is related in both its mission and organization to a bona**
29 **fide national organization; and**
- 30 **(4) has provided grants to Indiana organizations in aggregate**
31 **amounts that annually exceed fifty thousand dollars (\$50,000)**
32 **in the preceding calendar year in which the organization**
33 **applies for a license under this article.**
- 34 **Sec. 8. "Bona fide national organization" refers to an**
35 **organization that:**
- 36 **(1) operates without profit to the organization's members;**
37 **(2) is exempt from taxation under Section 501 of the Internal**
38 **Revenue Code;**
- 39 **(3) has a national membership; and**
40 **(4) has been continuously in existence in Indiana for at least**
41 **one (1) year.**
- 42 **Sec. 9. "Bona fide out of state charitable organization" refers to**



1 an organization that:

- 2 (1) operates without profit to the organization's members;
 3 (2) is exempt from taxation under Section 501 of the Internal
 4 Revenue Code;
 5 (3) has a constitution, articles, charter, or bylaws that contain
 6 a clause that provides that upon dissolution all remaining
 7 assets shall be used for the nonprofit's stated purposes; and
 8 (4) is otherwise ineligible to obtain a charity gaming license in
 9 Indiana.

10 Sec. 10. (a) "Bona fide political organization" means a party
 11 committee, association, fund, or other organization, whether
 12 incorporated or not, organized and operated primarily for the
 13 purpose of directly or indirectly accepting contributions or making
 14 expenditures, or both, for an exempt function (as defined in Section
 15 527 of the Internal Revenue Code).

16 (b) The term does not include a candidate's committee (as
 17 defined in IC 3-5-2-7).

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

- 22 (1) consists of individuals who are or were members of the
 23 armed forces of the United States; and
 24 (2) is organized for the mutual support and advancement of
 25 the organization's membership and patriotic causes.

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

- 29 (1) A card game approved by the commission.
 30 (2) A dice game approved by the commission.
 31 (3) A roulette wheel approved by the commission.
 32 (4) A spindle approved by the commission.

33 (b) The term does not include an event at which wagers are
 34 placed upon any of the following:

- 35 (1) Bookmaking.
 36 (2) A slot machine.
 37 (3) A one-ball machine or a variant of a one-ball machine.
 38 (4) A pinball machine that awards anything other than an
 39 immediate and unrecorded right of replay.
 40 (5) A policy or numbers game.
 41 (6) A banking or percentage game played with cards or
 42 counters, including the acceptance of a fixed share of the



- 1 stakes in a game.
- 2 **Sec. 13. "Commission"** means the Indiana gaming commission
3 established by IC 4-33-3-1.
- 4 **Sec. 14. "Department"** means the department of state revenue.
- 5 **Sec. 15. "Door prize"** means a prize awarded to a person based
6 solely upon the person's paid attendance at a charity fundraising
7 event or the purchase of a ticket to attend a charity fundraising
8 event.
- 9 **Sec. 16. "Executive director"** means the executive director of
10 the Indiana gaming commission appointed under IC 4-33-3-18.
- 11 **Sec. 17. "Full-time employee"** means an individual who:
12 (1) is and has been employed by a particular qualified
13 organization for at least thirty (30) consecutive days as of the
14 date of the qualified organization's allowable event; and
15 (2) works at least an average of thirty-two (32) hours per
16 week or one thousand six hundred sixty-two (1,662) hours per
17 year for the qualified organization in a capacity that is
18 primarily unrelated to the qualified organization's charity
19 gaming operations.
- 20 **Sec. 18. "Fund"** means the charity gaming enforcement fund
21 established by IC 4-32.3-7.
- 22 **Sec. 19. "Gross revenue"** mean gross receipts.
- 23 **Sec. 20. "Indiana affiliate"** refers to either of the following:
24 (1) An Indiana chapter or other subdivision of a bona fide
25 national organization that:
26 (A) operates without profit to the organization's members;
27 and
28 (B) is exempt from taxation under Section 501 of the
29 Internal Revenue Code.
30 (2) An association, whether incorporated or not, or a
31 committee of Indiana residents authorized by a bona fide
32 national foundation to conduct allowable activities and other
33 fundraising events for the benefit of the bona fide national
34 foundation.
- 35 **Sec. 21. "Key person"** means any:
36 (1) officer;
37 (2) director;
38 (3) executive;
39 (4) employee;
40 (5) trustee;
41 (6) substantial owner;
42 (7) independent owner;



1 (8) agent; or
 2 (9) any other individual adopted in rules under IC 4-22-2;
 3 of a business entity that has the power to exercise management or
 4 operating authority over the business entity or its affiliates.

5 Sec. 22. "Licensed supply" refers to any of the following:

- 6 (1) Bingo supplies.
 7 (2) Pull tabs.
 8 (3) Punchboards.
 9 (4) Tip boards.
 10 (5) Game boards, including but not limited to, raffle and coin
 11 boards.
 12 (6) Any other supplies, devices, or equipment designed to be
 13 used in allowable activities designated by rule of the
 14 commission.

15 Sec. 23. "Marketing sheet" means additional information
 16 published about a wagering game that describes winnings.

17 Sec. 24. "Member" means any of the following:

- 18 (1) An individual entitled to membership in a qualified
 19 organization under the bylaws, articles of incorporation,
 20 charter, or rules of the qualified organization.
 21 (2) A member of the qualified organization's auxiliary.
 22 (3) In the case of a qualified organization that is a public or
 23 nonpublic school (as defined in IC 20-18-2-12), any of the
 24 following:
 25 (A) A parent of a child enrolled in the school.
 26 (B) A member of the school's parent organization.
 27 (C) A member of the school's alumni association.
 28 (D) An employee of the school.
 29 (E) An officer of the school.
 30 (F) A student enrolled in the school.
 31 (4) A member of a qualified organization's board of directors
 32 or board of trustees.

33 Sec. 25. "Operator" means an individual who is responsible for
 34 conducting an allowable activity for a qualified organization under
 35 this article in accordance with Indiana law.

36 Sec. 26. "Progressive bingo" means a bingo game in which, if no
 37 person matches the predetermined pattern of squares upon the
 38 card within a specified number of balls called, the same game will
 39 be played later:

- 40 (1) for an increased amount of money;
 41 (2) for increased balls called; or
 42 (3) as described in both subdivisions (1) and (2).



1 **Sec. 27. "Progressive or carryover pull tab" means a pull tab**
 2 **game played with a seal card that is designed by the manufacturer**
 3 **to include a jackpot prize that is carried over to a subsequent deal**
 4 **of the same form number, in the event the jackpot prize is not won.**

5 **Sec. 28. "Pull tab" means either of the following:**

6 **(1) A game conducted in the following manner:**

7 **(A) A single folded or banded ticket or a two-ply card with**
 8 **perforated break-open tabs is bought by a player from a**
 9 **qualified organization.**

10 **(B) The face of each card is initially covered or otherwise**
 11 **hidden from view, concealing a number, letter, symbol, or**
 12 **set of letters or symbols.**

13 **(C) In each set of tickets or cards, a designated number of**
 14 **tickets or cards have been randomly designated in advance**
 15 **as winners.**

16 **(D) Winners, or potential winners if the game includes the**
 17 **use of a seal, are determined by revealing the faces of the**
 18 **tickets or cards. The player may be required to sign the**
 19 **player's name on numbered lines provided if a seal is used.**

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

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

26 **Sec. 29. "Punchboard" means a card or board that contains a**
 27 **grid or section that hides the random opportunity to win a prize**
 28 **based on the results of punching a single section to reveal a symbol**
 29 **or prize amount.**

30 **Sec. 30. "Qualified card game" refers to any of the following**
 31 **card games:**

32 **(1) Euchre.**

33 **(2) Texas hold'em poker.**

34 **(3) Omaha poker.**

35 **(4) Any other card game designated by the executive director.**

36 **Sec. 31. (a) "Qualified organization" refers to any of the**
 37 **following:**

38 **(1) A bona fide charitable organization, including civic,**
 39 **fraternal, and veterans organizations, operating in Indiana**
 40 **that:**

41 **(A) has a constitution, articles, charter, or bylaws that**
 42 **contain a clause that provides that upon dissolution all**



- 1 remaining assets shall be used for the nonprofit's state
 2 purposes; and
 3 **(B) satisfies at least one (1) of the following requirements:**
 4 **(i) The organization is in existence in Indiana.**
 5 **(ii) The organization is affiliated with a parent**
 6 **organization that is in existence in Indiana.**
 7 **(iii) The organization has reorganized and is continuing**
 8 **its mission under a new name on file with the secretary**
 9 **of state of Indiana and with a new tax identification**
 10 **number after having satisfied the requirements set forth**
 11 **in either item (i) or (ii).**
 12 **(2) A bona fide political organization operating in Indiana**
 13 **that produces exempt function income (as defined in Section**
 14 **527 of the Internal Revenue Code).**
 15 **(3) A state educational institution (as defined in**
 16 **IC 21-7-13-32).**
 17 **(4) A bona fide national organization operating in Indiana.**
 18 **(5) A bona fide national foundation.**
 19 **(b) For purposes of IC 4-32.3-4-3, a "qualified organization"**
 20 **includes the following:**
 21 **(1) A hospital licensed under IC 16-21.**
 22 **(2) A health facility licensed under IC 16-28.**
 23 **(3) A psychiatric facility licensed under IC 12-25.**
 24 **(4) An organization defined in subsection (a).**
 25 **(c) Evidence that an organization satisfies subsection**
 26 **(a)(1)(B)(iii) includes the following:**
 27 **(1) Evidence of the organization's continued use of a service**
 28 **mark or trademarked logo associated with the organization's**
 29 **former name.**
 30 **(2) Evidence of the continuity of the organization's activities**
 31 **as shown in the federal income tax returns filed for the**
 32 **organization.**
 33 **(3) Evidence of the continuity of the organization's activities**
 34 **as shown by the most recent annual external financial reviews**
 35 **of the organization prepared by a certified public accountant.**
 36 **(4) Any other information considered sufficient by the**
 37 **commission.**
 38 **(d) Unless the construction is plainly repugnant to the intent of**
 39 **the general assembly or the context of the statute, "qualified**
 40 **organization" refers to an Indiana affiliate of a bona fide national**
 41 **organization or bona fide national foundation.**
 42 **(e) Any organization seeking to be a "qualified organization"**



1 must complete all forms required by the commission.

2 **Sec. 32. "Qualified recipient" means:**

- 3 (1) a hospital or medical center operated by the federal
4 government;
5 (2) a hospital licensed under IC 16-21;
6 (3) a hospital subject to IC 16-22;
7 (4) a hospital subject to IC 16-23;
8 (5) a health facility licensed under IC 16-28;
9 (6) a psychiatric facility licensed under IC 12-25;
10 (7) an organization described in section 31(a) of this chapter;
11 (8) an activity or a program of a local law enforcement agency
12 intended to reduce substance abuse;
13 (9) a charitable activity of a local law enforcement agency; or
14 (10) a veterans' home.

15 **Sec. 33. "Raffle" means the selling of tickets or chances to win**
16 **a prize awarded through a random drawing, including a door**
17 **prize.**

18 **Sec. 34. "Seal card" means a board or placard used with pull**
19 **tabs that contains one (1) or more seals, that when removed or**
20 **opened, reveals a predesignated winning number, letter, symbol,**
21 **or monetary denomination.**

22 **Sec. 35. "Substantial owner" means:**

- 23 (1) a person holding at least a five percent (5%) ownership
24 interest; or
25 (2) an institutional investor holding at least a fifteen percent
26 (15%) ownership interest;

27 **in a business entity.**

28 **Sec. 36. "Surplus revenue" means the amount of money in the**
29 **charity gaming enforcement fund that is not required to meet the**
30 **cost of administration and the cash flow need of the commission**
31 **under this article, IC 4-33-19, and IC 4-33-20.**

32 **Sec. 37. "Tip board" means a board, a placard, or other device**
33 **that is marked off in a grid or columns, with each section**
34 **containing a hidden number or numbers or other symbols that**
35 **determine a winner.**

36 **Sec. 38. "Veterans' home" means either of the following:**

- 37 (1) The Indiana Veterans' Home.
38 (2) The VFW National Home for Children.

39 **Sec. 39. "Volunteer ticket agent" means a person acting on**
40 **behalf of a qualified organization that:**

- 41 (1) receives no compensation from the qualified organization;
42 (2) sells tickets at a raffle licensed under IC 4-32.3-4-6, a



1 festival under IC 4-32.3-4-7, or a gambling activity under
2 IC 4-32.3-4-11; and
3 (3) does not assist the qualified organization in conducting the
4 allowable activity in any other way.

5 Sec. 40. (a) Except as provided in subsection (b), "worker"
6 means an individual who helps or participates in any manner in
7 conducting or assisting in conducting an allowable activity under
8 this article.

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

- 11 (1) A patron dealing cards under IC 4-32.3-5-11(b).
- 12 (2) A volunteer ticket agent.

13 **Chapter 3. Powers and Duties of the Commission**

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

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

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

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

- 26 (1) Administer oaths.
- 27 (2) Take depositions.
- 28 (3) Issue subpoenas.
- 29 (4) Compel the attendance of witnesses and the production of
30 books, papers, documents, and other evidence.

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

- 33 (1) Administering this article.
- 34 (2) Establishing the conditions under which charity gaming in
35 Indiana may be conducted, including the manner in which a
36 qualified organization may supervise a qualified card game
37 conducted under IC 4-32.3-5-11(b).
- 38 (3) Providing for the prevention of practices detrimental to
39 the public interest and providing for the best interests of
40 charity gaming.
- 41 (4) Establishing rules concerning inspection of qualified
42 organizations and the review of the licenses necessary to



- 1 conduct charity gaming.
- 2 (5) Imposing penalties for noncriminal violations of this
- 3 article.
- 4 (6) Establishing standards for independent audits conducted
- 5 under IC 4-32.3-5-5(d).
- 6 (b) The commission may adopt emergency rules under
- 7 IC 4-22-2-37.1 if the commission determines that:
- 8 (1) the need for a rule is so immediate and substantial that
- 9 rulemaking procedures under IC 4-22-2-13 through
- 10 IC 4-22-2-36 are inadequate to address the need; and
- 11 (2) an emergency rule is likely to address the need.
- 12 Sec. 4. (a) The commission has the sole authority to license
- 13 entities under this article to sell, distribute, or manufacture a
- 14 licensed supply.
- 15 (b) The commission may not limit the number of qualified
- 16 entities licensed under subsection (a).
- 17 (c) The commission may deny a license to an applicant for a
- 18 license to sell, manufacture, or distribute licensed supplies if the
- 19 commission determines that at least one (1) of the following applies
- 20 with respect to the applicant:
- 21 (1) The applicant has:
- 22 (A) violated a local ordinance, a state or federal statute, or
- 23 an administrative rule or regulation and the violation
- 24 would cause the commission to determine that the
- 25 applicant, a key person, or a substantial owner of the
- 26 applicant is not of good moral character or reputation; or
- 27 (B) committed any other act that would negatively impact
- 28 the integrity of charity gaming in Indiana.
- 29 (2) The applicant has engaged in fraud, deceit, or
- 30 misrepresentation.
- 31 (3) The applicant has failed to provide information required
- 32 by this article or a rule adopted under this article.
- 33 (4) Conduct prejudicial to public confidence in the
- 34 commission or for any reason deemed necessary by the
- 35 commission to ensure the integrity of charitable gaming in
- 36 Indiana.
- 37 Sec. 5. The commission shall charge appropriate fees to the
- 38 following:
- 39 (1) An applicant for a license to conduct an allowable event.
- 40 (2) An applicant seeking a license to distribute a licensed
- 41 supply.
- 42 (3) An applicant seeking a license to manufacture a licensed



- 1 supply.
- 2 **Sec. 6.** The commission may own, sell, and lease real and
- 3 personal property necessary to carry out the commission's
- 4 responsibilities under this article.
- 5 **Sec. 7.** The commission may employ investigators and other
- 6 staff necessary to carry out this article. However, the restrictions
- 7 and limitations on the operators and workers set forth in
- 8 IC 4-32.3-5-7 apply to staff employed under this article. The
- 9 employees hired by the commission under this article may be the
- 10 same as the commission's employees hired under IC 4-33.
- 11 **Chapter 4. Licenses**
- 12 **Sec. 1.** Except as provided in section 3 of this chapter, a
- 13 qualified organization must obtain a license under this chapter to
- 14 conduct an allowable activity.
- 15 **Sec. 1.5.** A license issued under IC 4-32.2-4 (repealed) before
- 16 July 1, 2019, is valid until that license expires.
- 17 **Sec. 2.** The commission may deny a license or reissuance of a
- 18 license to an organization if the commission determines that at
- 19 least one (1) of the following applies with respect to the
- 20 organization:
- 21 (1) The organization has:
- 22 (A) violated a local ordinance, a state or federal statute, or
- 23 an administrative rule or regulation and the violation
- 24 would cause the commission to determine that the
- 25 applicant, a key person, or a substantial owner of the
- 26 applicant is not of good moral character or reputation; or
- 27 (B) committed any other act that would negatively affect
- 28 the integrity of charity gaming in Indiana.
- 29 (2) The organization has engaged in fraud, deceit, or
- 30 misrepresentation.
- 31 (3) The organization has failed to provide information
- 32 required by this article or a rule adopted under this article.
- 33 (4) The organization has failed to provide sufficient
- 34 information to enable the commission to determine that the
- 35 organization is a qualified organization.
- 36 (5) Conduct prejudicial to public confidence in the
- 37 commission for any reason deemed necessary by the
- 38 commission to ensure the integrity of charitable gaming in
- 39 Indiana.
- 40 **Sec. 3. (a)** A qualified organization is not required to obtain a
- 41 license from the commission if the value of all prizes awarded at
- 42 the allowable activity does not exceed two thousand five hundred



1 dollars (\$2,500) for a single activity and not more than seven
2 thousand five hundred dollars (\$7,500) during a calendar year.

3 (b) A qualified organization that plans to hold an allowable
4 activity described in subsection (a) more than one (1) time a year
5 shall send an annual written notice to the commission informing
6 the commission of the following:

7 (1) The estimated frequency of the planned allowable
8 activities.

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

11 (3) The estimated value of all prizes awarded at each
12 allowable activity.

13 (c) The notice required under subsection (b) must be filed not
14 later than thirty (30) days before the qualified organization holds
15 the first allowable activity of the year.

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

20 Sec. 4. (a) Each qualified organization applying for a license
21 under this chapter must submit to the commission a written
22 application on a form prescribed by the commission.

23 (b) The application must include the information that the
24 commission requires, including the following:

25 (1) The name and address of the organization.

26 (2) The names and addresses of the officers of the
27 organization.

28 (3) The type of activity the organization proposes to conduct.

29 (4) The location where the organization will conduct the
30 allowable activity.

31 (5) The dates and times for the proposed allowable activity.

32 (6) Any other information considered necessary by the
33 commission.

34 Sec. 5. (a) The commission may issue an annual activity license
35 to a qualified organization if the qualified organization:

36 (1) meets the requirements of this section;

37 (2) submits an application; and

38 (3) pays a fee set by the commission under IC 4-32.3-6.

39 (b) The following information must be included in an annual
40 activity license:

41 (1) whether the qualified organization is authorized to
42 conduct bingo, pull tabs, punchboards, tip boards, or raffle



1 activities on more than one (1) occasion during a one (1) year
2 period;

3 (2) the location of the allowable activities; and

4 (3) the expiration date of the license.

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

8 (1) the organization is a qualified veteran or fraternal
9 organization; and

10 (2) the annual casino night license requires that a facility or
11 location may not be used for purposes of conducting an
12 annual casino game night activity on more than three (3)
13 calendar days per calendar week regardless of the number of
14 qualified organizations conducting annual casino night
15 activities at the facility or location.

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

20 Sec. 6. (a) The commission may issue a single activity license to
21 a qualified organization if the qualified organization:

22 (1) submits an application; and

23 (2) pays the required fees under IC 4-32.3-6.

24 (b) A single activity license:

25 (1) may authorize:

26 (A) bingo;

27 (B) a casino game night; or

28 (C) a raffle;

29 at one (1) specific time and location;

30 (2) must state the:

31 (A) date;

32 (B) beginning times; and

33 (C) ending times;

34 of the authorized single activity; and

35 (3) may authorize a qualified organization to sell pull tabs,
36 punchboards, and tip boards.

37 Sec. 7. (a) The commission may issue a festival license to a
38 qualified organization if the qualified organization:

39 (1) submits an application; and

40 (2) pays the required fees under IC 4-32.3-6.

41 (b) The license may authorize the qualified organization:

42 (1) to conduct:



- 1 (A) bingo events;
 2 (B) casino game nights;
 3 (C) raffles; and
 4 (D) gambling activities licensed under section 11 of this
 5 chapter; and
 6 (2) to sell:
 7 (A) pull tabs;
 8 (B) punch boards; and
 9 (C) tip boards.
 10 (c) The license must state the location and the dates the activities
 11 may be conducted.
 12 (d) A festival cannot exceed five (5) consecutive days.
 13 (e) A qualified organization may apply for up to three (3)
 14 festival licenses each calendar year.
 15 (f) Festival licenses may not be used consecutively.
 16 **Sec. 8. (a) Only a:**
 17 (1) bona fide national organization; and
 18 (2) bona fide national foundation;
 19 may apply for an annual affiliate license under this section.
 20 (b) The commission may issue an annual affiliate license to a
 21 qualified organization described in subsection (a) if the qualified
 22 organization:
 23 (1) submits an application; and
 24 (2) pays the required fees under IC 4-32.3-6.
 25 (c) The application must include the information the
 26 commission requires, including the following:
 27 (1) The name and address of the organization.
 28 (2) The names and addresses of the officers of the
 29 organization.
 30 (3) The mailing address of each Indiana affiliate of the
 31 organization.
 32 (4) An estimate of the number and approximate locations of
 33 the bingo events and raffles the organization's Indiana
 34 affiliates plan to conduct.
 35 (5) The name of each proposed operator and sufficient facts
 36 relating to the proposed operator to enable the commission to
 37 determine whether the proposed operator is qualified.
 38 (6) A sworn statement signed by the presiding officer and
 39 secretary of the organization attesting to the eligibility of the
 40 organization for a license, including the nonprofit character
 41 of the organization.
 42 (d) An annual affiliate license:



1 (1) may authorize a qualified organization to conduct:

2 (A) bingo events; and

3 (B) raffles;

4 through the organization's Indiana affiliates on more than one

5 (1) occasion during a one (1) year period;

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

7 (3) may be reissued annually upon the submission of an

8 application for reissuance on a form prescribed by the

9 commission after the qualified organization has paid the fee

10 under IC 4-32.3-6.

11 (e) An Indiana affiliate of the qualified organization may not
12 conduct an activity under an annual affiliate license until the
13 affiliate has been in existence in Indiana for at least sixty (60) days.

14 (f) The following limitations apply to a qualified organization
15 holding an annual affiliate license:

16 (1) The qualified organization may not conduct more than ten
17 (10) activities under the annual affiliate license per week
18 through any combination of its Indiana affiliates.

19 (2) The qualified organization or the Indiana affiliate of a
20 qualified organization, except the Indiana affiliates that
21 decline affiliate status, may not hold a single activity license
22 for bingo or a raffle.

23 (g) A qualified organization conducting a bingo event or raffle
24 shall provide notice to the commission at least twenty-one (21) days
25 before the day of the allowable activity. Raffle tickets may not be
26 sold before providing notice to the commission. The notice
27 provided under this section must be on a form prescribed by the
28 commission.

29 Sec. 9. (a) This section applies only to an organization that is an
30 Indiana affiliate of a bona fide national organization.

31 (b) An organization may elect not to participate in charity
32 gaming under an annual affiliate gaming license. The organization
33 shall provide notice of the election to the commission on a form
34 prescribed by the commission.

35 (c) An election under this section disqualifies the organization
36 from conducting an allowable activity under the parent
37 organization's annual affiliate license for the term of the license.

38 (d) An organization making an election under this section may
39 participate in charity gaming if qualified and licensed under this
40 article in its own right. An organization making an election under
41 this section is considered a separate organization from its parent
42 bona fide national organization.



1 **Sec. 10. (a) An out of state charitable organization:**

- 2 (1) may apply for a license to conduct a single raffle; and
 3 (2) is prohibited from conducting any other allowable activity.

4 **(b) A raffle conducted under this section must occur:**

- 5 (1) during a conference conducted by the out of state
 6 charitable organization; and
 7 (2) at a designated Indiana convention center, as defined by
 8 IC 36-10-1-5, or at a location approved by the executive
 9 director.

10 **(c) The members of an out of state charitable organization may**
 11 **conduct a raffle under this section without meeting the**
 12 **requirements of IC 4-32.3-5-13 concerning the membership of a**
 13 **qualified organization.**

14 **Sec. 11. (a) This section applies to a gambling activity other than**
 15 **a bingo event, casino game night, festival, pull tabs, punchboards,**
 16 **tip boards, or raffle.**

17 **(b) The commission may issue a single activity license to conduct**
 18 **a gambling activity approved by the commission to a qualified**
 19 **organization upon the organization's submission of an application**
 20 **and payment of applicable fees under IC 4-32.3-6.**

21 **(c) A single activity license may:**

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

26 **(d) A annual activity license:**

- 27 (1) may authorize the qualified organization to conduct the
 28 activity on more than one (1) occasion during a period of one
 29 (1) year;
 30 (2) must state the locations of the permitted activities;
 31 (3) must state the expiration date of the license; and
 32 (4) may be reissued annually upon the submission of an
 33 application for reissuance on the form prescribed by the
 34 commission and upon the qualified organization's payment of
 35 the applicable fees under IC 4-32.3-6.

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

39 **Sec. 12. (a) With respect to any action authorized by this section,**
 40 **a candidate's committee (as defined in IC 3-5-2-7) is considered a**
 41 **bona fide political organization.**

42 **(b) A candidate's committee may apply for a license to conduct**



1 a raffle, but is prohibited from conducting any other kind of
2 allowable event.

3 (c) The members of a candidate's committee may conduct a
4 raffle without meeting the requirements of this article concerning
5 the membership of a qualified organization. A candidate's
6 committee licensed under this section must remain in good
7 standing with the election division or the county election board
8 having jurisdiction over the committee.

9 Sec. 13. (a) The commission may hold a public hearing to obtain
10 input on the proposed issuance of an annual activity license to an
11 applicant that is applying to conduct annual bingo events or casino
12 game night activities that has never previously held a license to
13 conduct such activities under this article.

14 (b) A qualified organization that applies for an initial annual
15 activity license to conduct annual bingo events or casino game
16 night activities shall publish notice that the application has been
17 filed by publication at least one (1) time in one (1) newspaper in the
18 county where the allowable activity will be conducted.

19 (c) The notification required by subsection (b) must contain the
20 following:

21 (1) The name of the qualified organization and the fact that it
22 has applied for an annual activity license to conduct annual
23 bingo events or casino game night activities.

24 (2) The location where the activities will be held.

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

27 (4) A statement that any person can protest the proposed
28 issuance of the annual activity license.

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

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

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

39 (e) The commission may hold a public hearing for the reissuance
40 of an annual activity license to conduct annual bingo events or
41 casino game night activities if at least one (1) of the following
42 conditions is met:



- 1 **(1) An applicant has been cited for a violation of law or a rule**
 2 **of the commission.**
- 3 **(2) The commission receives at least ten (10) protest letters**
 4 **concerning the qualified organization's bingo operation.**
- 5 **(3) A public hearing is considered necessary by the**
 6 **commission.**
- 7 **Sec. 14. (a) Except for raffles, pull tabs, punchboards, and tip**
 8 **boards conducted under an annual activity license, raffles**
 9 **conducted under an annual affiliate license, or an allowable**
 10 **activity conducted under a festival license, a qualified organization**
 11 **may not conduct more than three (3) allowable activities during a**
 12 **calendar week and not more than one (1) allowable activity each**
 13 **day.**
- 14 **(b) Not more than one (1) qualified organization may conduct**
 15 **an allowable event on the same day at the same location.**
- 16 **Sec. 15. (a) A bona fide veterans organization applying for a**
 17 **three (3) year charity gaming license must submit to the**
 18 **commission a written application on a form prescribed by the**
 19 **commission.**
- 20 **(b) The application under subsection (a) must include the**
 21 **information the commission requires including the following:**
- 22 **(1) The name and address of the organization.**
- 23 **(2) The names and addresses of the officers of the**
 24 **organization.**
- 25 **(3) The type of allowable events the organization proposes to**
 26 **conduct.**
- 27 **(4) The location where the organization will conduct the**
 28 **allowable events.**
- 29 **(5) The dates and times for the proposed allowable events.**
- 30 **(6) Sufficient facts relating to the organization or the**
 31 **organization's incorporation or founding to enable the**
 32 **commission to determine whether the organization is a**
 33 **qualified organization.**
- 34 **(7) The name of each proposed operator and sufficient facts**
 35 **relating to the proposed operator to enable the commission to**
 36 **determine whether the proposed operator is qualified to serve**
 37 **as an operator.**
- 38 **(8) A sworn statement signed by the presiding officer and**
 39 **secretary of the organization attesting to the eligibility of the**
 40 **organization for a license, including the nonprofit character**
 41 **of the organization.**
- 42 **(9) Any other information considered necessary by the**



1 **commission.**

2 **(c) To renew a three (3) year charity gaming license, a bona fide**
 3 **veterans organization must submit an application every three (3)**
 4 **years.**

5 **Sec. 16. (a) This section applies only to a qualified organization**
 6 **that is a bona fide veterans organization.**

7 **(b) The commission may issue a three (3) year charity gaming**
 8 **license, for any license issued under this chapter, to a qualified**
 9 **organization if:**

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

11 **(2) for each license held by the qualified organization, the**
 12 **organization:**

13 **(A) submits a report to the commission that includes:**

14 **(i) information described in section 15(b)(1) through**
 15 **15(b)(7) of this chapter;**

16 **(ii) a financial report; and**

17 **(iii) a gross receipts report; and**

18 **(B) pays the applicable fees under IC 4-32.3-6-3.**

19 **(c) A license issued under this section authorizes a qualified**
 20 **organization to conduct any of the following allowable events:**

21 **(1) A bingo event.**

22 **(2) A charity game night.**

23 **(3) A raffle.**

24 **(4) A festival.**

25 **(5) A sale of pull tabs, punch boards, or tip boards.**

26 **(6) Other gambling activities authorized under IC 4-32.3-4-11.**

27 **(d) A license issued under this section:**

28 **(1) must state the expiration date of the license; and**

29 **(2) may be reissued after the expiration of the three (3) year**
 30 **period upon the submission of an application for reissuance**

31 **on the form established by the commission and upon the**
 32 **licensee's payment of a fee in the amount set by**
 33 **IC 4-32.3-6-7.5.**

34 **Chapter 5. Conduct of Allowable Activities**

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

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



1 an allowable activity.

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

5 **(b) To determine the net proceeds from an allowable activity, a**
 6 **qualified organization shall subtract the following from the gross**
 7 **receipts received from the allowable activity:**

8 **(1) An amount equal to the total value of the prizes awarded**
 9 **at the allowable activity.**

10 **(2) The sum of the purchase prices paid for licensed supplies**
 11 **dispensed at the allowable activity.**

12 **(3) An amount equal to the qualified organization's license**
 13 **fees attributable to the allowable activity.**

14 **(4) An amount equal to the advertising expenses incurred by**
 15 **the qualified organization to promote the allowable activity.**

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

18 **Sec. 4. (a) A qualified organization that receives at least ninety**
 19 **percent (90%) of the organization's total gross receipts from any**
 20 **activity under this article must donate sixty percent (60%) of its**
 21 **gross charitable gaming receipts less prize payout to a qualified**
 22 **recipient that is not an affiliate, a parent, or a subsidiary**
 23 **organization of the qualified organization.**

24 **(b) For purposes of this section, a veterans' home or hospital are**
 25 **not considered to be an affiliate, a parent, or a subsidiary**
 26 **organization of a qualified organization that is a bona fide veterans**
 27 **organization.**

28 **Sec. 5. (a) A qualified organization shall maintain and submit to**
 29 **the commission accurate records of all financial aspects of an**
 30 **allowable event as set forth in rules adopted by the commission**
 31 **under IC 4-22-2. A qualified organization shall make accurate**
 32 **reports of all financial aspects of an allowable activity to the**
 33 **commission within the time established by the commission as set**
 34 **forth in rules adopted by the commission under IC 4-22-2.**

35 **(b) Except for a candidate's committee, convention license, and**
 36 **an exempt event, a qualified organization shall deposit funds**
 37 **received from an allowable activity in a separate and segregated**
 38 **account set up for that purpose.**

39 **(c) A qualified organization conducting a bingo event or raffle**
 40 **under an annual affiliate license shall deposit the funds received**
 41 **from each activity conducted by its separate Indiana affiliates into**
 42 **a single account maintained by a financial institution physically**



1 located in Indiana. All expenses of the qualified organization with
 2 respect to an allowable activity shall be paid from the separate
 3 account.

4 (d) The commission may require a qualified organization to
 5 submit any records maintained under this section for an
 6 independent audit by a certified public accountant selected by the
 7 commission. A qualified organization must bear the cost of any
 8 audit required under this section.

9 (e) A bona fide veterans organization holding a three (3) year
 10 charity gaming license issued under IC 4-32.3-4-16 must submit the
 11 following to the commission before the annual anniversary date of
 12 the issuance of the three (3) year charity gaming license:

13 (1) An event summary for each allowable event conducted
 14 under the license.

15 (2) An annual financial report.

16 (3) An annual gross receipts report.

17 Sec. 6. (a) This section does not apply to a festival license.

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

21 (c) Subject to the additional restrictions on the use of a facility
 22 or location for an annual casino game night, a facility or location
 23 may not be rented for more than three (3) days during a calendar
 24 week for an allowable activity.

25 Sec. 7. An operator or a worker may not be a person who has
 26 been convicted of or entered a plea of nolo contendere to a felony
 27 committed in the preceding ten (10) years, regardless of the
 28 adjudication, unless the commission determines that:

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

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

35 Sec. 8. (a) Except as provided in subsection (b) or (c), an
 36 operator, a worker, or a volunteer ticket agent who is not a
 37 full-time employee may not receive remuneration for:

38 (1) conducting; or

39 (2) assisting in conducting;

40 an allowable activity.

41 (b) A qualified organization that conducts an allowable activity
 42 may:



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

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

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

8 (c) In the case of a qualified organization selling pull tabs,
9 punchboards, or tip boards under an annual activity license, any
10 employee of the qualified organization may:

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

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

16 Sec. 9. (a) For each allowable activity conducted under this
17 article, a qualified organization shall designate an individual to
18 serve as the operator of the allowable activity. An individual
19 designated under this section:

20 (1) must be qualified to serve as an operator under this
21 article; and

22 (2) in the case of a qualified organization holding an annual
23 affiliate license, must be a member of the Indiana affiliate
24 conducting the particular activity.

25 (b) A qualified organization holding an annual affiliate license
26 may do the following:

27 (1) Designate an individual qualified under subsection (a)(2)
28 to serve as the operator of raffles conducted by two (2) or
29 more Indiana affiliates of the qualified organization.

30 (2) Designate a full-time employee of the qualified
31 organization as the operator of a raffle conducted by an
32 Indiana affiliate of the qualified organization if the employee
33 is qualified under subsection (a)(2).

34 Sec. 10. (a) For purposes of this section, the Indiana affiliates of
35 a qualified organization holding an annual gaming license are not
36 considered separate qualified organizations.

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

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



1 qualified organization.

2 Sec. 11. (a) Except as provided in subsections (c) through (e), an
3 operator or a worker may not directly or indirectly participate,
4 other than in a capacity as an operator or a worker, in an
5 allowable activity that the operator or worker is conducting.

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

8 (1) the card game in which the patron deals the cards is a
9 qualified card game;

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

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

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

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

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

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

29 (d) A worker at a bingo event:

30 (1) whose duties are limited to:

31 (A) selling bingo supplies;

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

33 or

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

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

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

39 may participate as a player in any gaming activity offered at the
40 bingo event following the completion of the worker's duties at the
41 bingo event.

42 (e) A worker at a raffle conducted by a qualified organization



1 holding an annual activity license may purchase a raffle ticket for
2 a particular drawing at the raffle unless:

- 3 (1) the worker personally sold tickets for; or
4 (2) the worker otherwise personally participated in the
5 conduct of;

6 that particular drawing.

7 Sec. 12. The following rules apply when a patron at a casino
8 game night deals the cards in a game of Texas hold'em poker or
9 Omaha poker under section 11(b) of this chapter:

- 10 (1) Patrons may take turns dealing, but a patron may not play
11 in a hand for which the patron deals the cards.
12 (2) The dealer shall submit the deck of cards to be cut to the
13 nearest player to the right of the dealer.
14 (3) A blank card must be at the bottom of the deck of cards.
15 (4) The operator or a worker shall deal the cards at the final
16 table of a tournament.

17 Sec. 13. (a) For purposes of this section, an operator is
18 considered to be a member in good standing of the qualified
19 organization if:

- 20 (1) the operator is an Indiana resident;
21 (2) the operator has been a member in good standing of a
22 bona fide national organization that is related to the bona fide
23 national foundation for at least sixty (60) days; and
24 (3) the operator's authority to serve as an operator for the
25 qualified organization has been acknowledged by the qualified
26 organization on a form prescribed by the commission.

27 (b) An operator must be a member in good standing of the
28 qualified organization that is conducting the allowable activity for
29 at least six (6) months at the time of the allowable activity.

30 Sec. 14. (a) Except as provided in:

- 31 (1) section 8(c) of this chapter;
32 (2) section 13 of this chapter; and
33 (3) subsection (c);

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

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

- 39 (1) the individual is an Indiana resident;
40 (2) the individual has been a member in good standing of a
41 bona fide national organization that is related to the bona fide
42 national foundation for at least thirty (30) days; and



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

4 (c) A qualified organization may allow an individual who is not
5 a member of the qualified organization to participate in an
6 allowable activity as a worker if the individual is a full-time
7 employee of the qualified organization that is conducting the
8 allowable activity; or if:

9 (1) the individual is a member of another qualified
10 organization; and

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

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

23 (d) For purposes of:

24 (1) the licensing requirements of this article; and

25 (2) section 9 of this chapter;

26 a qualified organization that receives a share of the proceeds of an
27 allowable activity described in IC 4-32.3-4-14(a) is not considered
28 to be conducting an allowable activity.

29 Sec. 15. (a) The prize for:

30 (1) one (1) bingo game may not have a value of more than one
31 thousand dollars (\$1,000); and

32 (2) a progressive bingo game may not have a value of more
33 than two thousand dollars (\$2,000).

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

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

42 (d) The commission may, by express authorization, allow a



1 qualified organization to conduct a bingo event in which the total
2 prizes for the event may exceed ten thousand dollars (\$10,000).

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

5 Sec. 16. (a) The total prizes awarded for one (1) pull tab,
6 punchboard, or tip board game may not exceed ten thousand
7 dollars (\$10,000).

8 (b) A single prize awarded:

9 (1) for one (1) winning ticket in a pull tab, punchboard, or tip
10 board game may not exceed five hundred ninety-nine dollars
11 (\$599);

12 (2) in a game using a seal card may not exceed one thousand
13 dollars (\$1,000); and

14 (3) in a progressive or carryover pull tab game may not
15 exceed five thousand dollars (\$5,000).

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

18 Sec. 17. (a) Except as provided in subsections (b) and (c), the
19 following persons may not play or participate in any manner in an
20 allowable activity:

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

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

23 (b) A member or employee of the commission may participate
24 in an allowable activity if that person:

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

27 (2) is participating only to the extent approved by the
28 executive director.

29 (c) Except as provided in subsection (b), an employee of the
30 commission or a relative of an employee of the commission living
31 in the same household with the employee may not be an operator,
32 worker or a volunteer ticket taker.

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

37 Sec. 18. An advertisement for an allowable activity in radio
38 broadcast media must announce, within the advertisement, the
39 name of the qualified organization conducting the allowable
40 activity.

41 Sec. 19. If a qualified organization is required to report a
42 patron's gambling winnings to the Internal Revenue Service for



1 federal income tax purposes, the winning patron shall provide the
 2 qualified organization with the information necessary to comply
 3 with all applicable state and federal tax laws.

4 Sec. 20. (a) Except as provided in subsection (b), a qualified
 5 organization shall obtain licensed supplies from an entity licensed
 6 by the commission as a distributor.

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

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

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

11 (c) A qualified organization may pay for licensed supplies only
 12 with a check drawn on or by an electronic funds transfer from the
 13 qualified organization's gaming account.

14 Sec. 21. (a) A licensed distributor may obtain licensed supplies
 15 to be used in charity gaming only from an entity licensed by the
 16 commission as a manufacturer or distributor unless the supplies
 17 are obtained from a qualified organization if:

18 (1) the qualified organization has ceased gaming;

19 (2) the qualified organization is upgrading equipment; or

20 (3) the licensed distributor notifies and obtains permission
 21 from the commission.

22 (b) A licensed distributor may provide supplies to be used in
 23 charity gaming only to:

24 (1) a qualified organization that has obtained a license from
 25 the commission to conduct allowable activities; or

26 (2) a qualified organization that is exempt from obtaining a
 27 license under IC 4-32.3-4-3.

28 Sec. 22. The following apply to a qualified organization's use of
 29 a volunteer raffle ticket agent:

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

33 (A) The name, address, and telephone number of each
 34 retail establishment whose employees will serve as
 35 volunteer ticket agents.

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

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

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

42 (4) A volunteer ticket agent may participate as a patron in any



1 allowable activity conducted by the qualified organization.

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

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

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

12 **Sec. 23. (a)** Subject to subsection (b), a qualified organization
13 may accept credit cards at an allowable activity for the purchase
14 of:

15 (1) food and beverages;

16 (2) merchandise; and

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

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

20 (1) chance to play any game of chance offered at an allowable
21 activity; or

22 (2) licensed supplies.

23 **Chapter 6. License Fees**

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

26 **Sec. 2. (a)** An organization may request the commission to
27 expedite the reviews of its charity gaming application to ten (10)
28 business days by paying an expedited application processing fee at
29 the time of filing the application.

30 (b) The expedited application fee is:

31 (1) One hundred dollars (\$100) if the qualified organization is
32 applying for an initial license; or

33 (2) One hundred dollars (\$100) or ten percent (10%) of the
34 organization's renewal fee, whichever amount is greater, if the
35 organization is seeking a reissuance of a license.

36 **Sec. 3. (a)** A qualified organization holding a license under
37 IC 4-32.2-4 (repealed) on June 30, 2019, is exempt from fees
38 required under this section.

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

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



- 1 **(2) the amount determined under subsection (c) for a qualified**
 2 **organization issued an annual affiliate license for the first**
 3 **time.**
- 4 **(c) When a qualified organization is issued an affiliate license**
 5 **under IC 4-32.3-4-8 for the first time, the initial license fee is**
 6 **determined as follows:**
- 7 **(1) The fee is an amount equal to fifty dollars (\$50) per**
 8 **Indiana affiliate in the case of a qualified organization that:**
- 9 **(A) has not previously conducted an allowable activity; and**
 10 **(B) consists of Indiana affiliates that have not previously**
 11 **conducted any allowable activities.**
- 12 **(2) In the case of a qualified organization that includes at least**
 13 **one (1) Indiana affiliate that conducted an allowable activity**
 14 **before the date the qualified organization applies for an**
 15 **annual affiliate license, the fee is equal to the greatest of the**
 16 **following:**
- 17 **(A) An amount equal to the sum of the license renewal fees**
 18 **determined under section 5(c) of this chapter for the**
 19 **organization's Indiana affiliates in 2011.**
- 20 **(B) An amount equal to the sum of the license renewal fees**
 21 **determined under section 5(c) of this chapter for the**
 22 **organization's Indiana affiliates during the twelve (12)**
 23 **month period ending on the date the qualified**
 24 **organization's license application is filed.**
- 25 **(C) Fifty dollars (\$50) per Indiana affiliate.**
- 26 **(d) The license fee that is charged to a qualified organization**
 27 **that is a bona fide veterans organization for a three (3) year**
 28 **charity gaming license under IC 4-32.3-4-16 for the first time the**
 29 **qualified organization has applied for that particular license type**
 30 **issued under IC 4-32.3-4 is fifty dollars (\$50).**
- 31 **(e) The license fee for a three (3) year charity gaming license**
 32 **that is charged to a qualified organization that is a bona fide**
 33 **veterans organization that currently holds a license issued under**
 34 **IC 4-32.3-4-5, IC 4-32.3-4-6, IC 4-32.3-4-8, or IC 4-32.3-4-11 for**
 35 **the first time is equal to the amount the bona fide veterans**
 36 **organization paid for the license it held under IC 4-32.3-4-5,**
 37 **IC 4-32.3-4-6, IC 4-32.3-4-8, or IC 4-32.3-4-11.**
- 38 **Sec. 4. This section applies to an annual activity license under**
 39 **IC 4-32.3-4-5 and an annual gambling activity license under**
 40 **IC 4-32.3-4-11. A qualified organization's adjusted gross revenue**
 41 **is an amount equal to the difference between:**
- 42 **(1) the qualified organization's total gross revenue from**



1 allowable activities in the preceding year; minus
 2 (2) the sum of any amounts deducted under
 3 IC 4-32.3-5-3(b)(5) in the preceding year.
 4 Sec. 5. (a) This section applies only to the renewal of a single
 5 activity license issued under IC 4-32.3-4-6, a single gambling
 6 activity license issued under IC 4-32.3-4-11, and a festival license
 7 issued under IC 4-32.3-4-7.
 8 (b) A qualified organization's adjusted gross revenue is an
 9 amount equal to the difference between:
 10 (1) the qualified organization's total gross revenue from the
 11 preceding activity; minus
 12 (2) the sum of any amounts deducted under
 13 IC 4-32.3-5-3(b)(5) in the preceding year.
 14 Sec. 6. (a) This section applies only to the renewal of an annual
 15 affiliate license under IC 4-32.3-4-8.
 16 (b) A qualified organization's adjusted gross revenue is an
 17 amount equal to the difference between:
 18 (1) the qualified organization's total gross revenue; minus
 19 (2) any amount deducted under IC 4-32.3-5-3(b)(5) for the
 20 preceding activity.
 21 (c) For purposes of determining adjusted gross revenue under
 22 subsection (a), a qualified organization must aggregate:
 23 (1) the gross revenue from all activities by the qualified
 24 organization's Indiana affiliates under the qualified
 25 organization's annual affiliate license in a particular year;
 26 and
 27 (2) the deductions taken with respect to the activities
 28 described in subsection (b) by all of the qualified
 29 organization's Indiana affiliates in particular year.
 30 Sec. 7. The license fee that is charged to a qualified organization
 31 that renews a license is equal to the amount determined according
 32 to the following schedule using the adjusted gross revenue of the
 33 qualified organization that held a license under IC 4-32.2-4
 34 (repealed) on June 30, 2019, or a qualified organization as
 35 described in sections 4, 5, and 6 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



1	F	\$ 100,000	\$ 150,000	\$ 1,000
2	G	\$ 150,000	\$ 200,000	\$ 1,500
3	H	\$ 200,000	\$ 250,000	\$ 1,800
4	I	\$ 250,000	\$ 300,000	\$ 2,500
5	J	\$ 300,000	\$ 400,000	\$ 3,250
6	K	\$ 400,000	\$ 500,000	\$ 5,000
7	L	\$ 500,000	\$ 750,000	\$ 6,750
8	M	\$ 750,000	\$ 1,000,000	\$ 9,000
9	N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
10	O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
11	P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
12	Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
13	R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
14	S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
15	T	\$ 2,500,000	\$ 2,750,000	\$ 23,000
16	U	\$ 2,750,000	\$ 3,000,000	\$ 25,000
17	V	\$ 3,000,000	\$ 3,250,000	\$ 27,000
18	W	\$ 3,250,000	\$ 3,500,000	\$ 29,000
19	X	\$ 3,500,000	\$ 3,750,000	\$ 31,000
20	Y	\$ 3,750,000	\$ 4,000,000	\$ 33,000
21	Z	\$ 4,000,000	\$ 4,250,000	\$ 35,000
22	AA	\$ 4,250,000	\$ 4,500,000	\$ 37,000
23	BB	\$ 4,500,000	\$ 4,750,000	\$ 39,000
24	CC	\$ 4,750,000	\$ 5,000,000	\$ 41,000

25 **Sec. 7.5. (a) This section applies only to a three (3) year charity**
 26 **gaming license issued under IC 4-32.3-4-16.**

27 **(b) A qualified organization's adjusted gross revenue is an**
 28 **amount equal to the difference between:**

29 **(1) the qualified organization's total gross revenue from**
 30 **allowable activities conducted under the three (3) year charity**
 31 **gaming license in the year prior to the annual anniversary**
 32 **date of the issuance of the three (3) year charity gaming**
 33 **license; minus**

34 **(2) the sum of any amounts deducted under**
 35 **IC 4-32.3-5-3(b)(5) with respect to the allowable events**
 36 **described in subdivision (1) in the year prior to the annual**
 37 **anniversary date of the issuance of the three (3) year charity**
 38 **gaming license.**

39 **(c) A qualified organization shall pay an annual fee determined**
 40 **under this section before the annual anniversary date of the**
 41 **issuance of the three (3) year charity gaming license, including a**
 42 **license issued under IC 4-32.2-4 (repealed). The annual fee that is**



1 charged to a qualified organization holding a three (3) year charity
 2 gaming license is equal to the amount determined according to the
 3 following schedule using the adjusted gross revenue of the qualified
 4 organization as specified by subsection (b):

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
7 A	\$ 0	\$ 15,000	\$ 50
8 B	\$ 15,000	\$ 25,000	\$ 100
9 C	\$ 25,000	\$ 50,000	\$ 300
10 D	\$ 50,000	\$ 75,000	\$ 400
11 E	\$ 75,000	\$ 100,000	\$ 700
12 F	\$ 100,000	\$ 150,000	\$ 1,000
13 G	\$ 150,000	\$ 200,000	\$ 1,500
14 H	\$ 200,000	\$ 250,000	\$ 1,800
15 I	\$ 250,000	\$ 300,000	\$ 2,500
16 J	\$ 300,000	\$ 400,000	\$ 3,250
17 K	\$ 400,000	\$ 500,000	\$ 5,000
18 L	\$ 500,000	\$ 750,000	\$ 6,750
19 M	\$ 750,000	\$ 1,000,000	\$ 9,000
20 N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
21 O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
22 P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
23 Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
24 R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
25 S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
26 T	\$ 2,500,000	\$ 2,750,000	\$ 23,000
27 U	\$ 2,750,000	\$ 3,000,000	\$ 25,000
28 V	\$ 3,000,000	\$ 3,250,000	\$ 27,000
29 W	\$ 3,250,000	\$ 3,500,000	\$ 29,000
30 X	\$ 3,500,000	\$ 3,750,000	\$ 31,000
31 Y	\$ 3,750,000	\$ 4,000,000	\$ 33,000
32 Z	\$ 4,000,000	\$ 4,250,000	\$ 35,000
33 AA	\$ 4,250,000	\$ 4,500,000	\$ 37,000
34 BB	\$ 4,500,000	\$ 4,750,000	\$ 39,000
35 CC	\$ 4,750,000	\$ 5,000,000	\$ 41,000

36 Sec. 8. The fee for an organization applying for a convention
 37 raffle license is two hundred fifty dollars (\$250) due at the time of
 38 filing the application.

39 Sec. 9. The commission shall establish a license fee schedule for
 40 the renewal of licenses for manufacturers and distributors.

41 Sec. 10. The commission shall deposit license fees collected
 42 under this chapter in the charity gaming enforcement fund



1 established by IC 4-32.3-7-1.

2 **Chapter 7. Charity Gaming Enforcement Fund**

3 **Sec. 1. The charity gaming enforcement fund is established. The**
4 **commission shall administer the fund.**

5 **Sec. 2. The fund consists of the following:**

- 6 (1) License fees collected under IC 4-32.3-6.
7 (2) Civil penalties collected under IC 4-32.3-8.
8 (3) Charity gaming card excise taxes received under
9 IC 4-32.3-10.

10 **Sec. 3. Money in the fund does not revert to the state general**
11 **fund at the end of a state fiscal year. The treasurer of state shall**
12 **invest the money in the fund not currently needed to meet the**
13 **obligations of the fund in the same manner as other public funds**
14 **may be invested.**

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

19 **Sec. 5. Before the last business day of January, April, July, and**
20 **October, the commission shall, upon approval of the budget**
21 **agency, transfer the surplus revenue to the treasurer of state for**
22 **deposit in the build Indiana fund.**

23 **Chapter 8. Penalties**

24 **Sec. 1. (a) The commission may suspend or revoke the license of**
25 **or levy a civil penalty against a qualified organization, a**
26 **manufacturer, a distributor, or an individual under this article for**
27 **any of the following:**

- 28 (1) Violation of:
29 (A) a provision of this article, IC 35-45-5-3, IC 35-45-5-3.5,
30 IC 35-45-5-4, or a rule of the commission; or
31 (B) any other local ordinance, state or federal statute, or
32 administrative rule or regulation that would cause the
33 commission to determine that the person is not of good
34 moral character or reputation.
35 (2) Failure to accurately account for a licensed supply.
36 (3) Failure to accurately account for sales proceeds from an
37 event or activity licensed or permitted under this article.
38 (4) Commission of a fraud, deceit, or misrepresentation.
39 (5) Conduct prejudicial to public confidence in the
40 commission.
41 (6) To ensure the integrity of charitable gaming in Indiana.
42 (b) If a violation is of a continuing nature, the commission may



1 impose a civil penalty upon a licensee or an individual for each day
2 the violation continues.

3 (c) For purposes of subsection (a), a finding that a person has
4 violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4 must be
5 supported by a preponderance of the evidence.

6 Sec. 2. A civil penalty imposed by the commission upon a
7 qualified organization or an individual under section 1 of this
8 chapter may not exceed the following amounts:

9 (1) One thousand dollars (\$1,000) for the first violation.

10 (2) Two thousand five hundred dollars (\$2,500) for the second
11 violation.

12 (3) Five thousand dollars (\$5,000) for each additional
13 violation.

14 Sec. 3. In addition to imposing a penalty described in section 2
15 of this chapter, the commission may do all or any of the following:

16 (1) Lengthen a period of suspension of the license.

17 (2) Prohibit an operator or an individual who has been found
18 to be in violation of this article from associating with charity
19 gaming conducted by a qualified organization.

20 (3) Impose an additional civil penalty of not more than one
21 hundred dollars (\$100) for each day the civil penalty goes
22 unpaid.

23 Sec. 4. (a) Except as provided in subsection (b), a person or a
24 organization that recklessly, knowingly, or intentionally violates a
25 provision of this article commits a Class B misdemeanor.

26 (b) An individual, a corporation, a partnership, a limited
27 liability company, or other association that recklessly, knowingly,
28 or intentionally enters into a contract or other agreement with a
29 qualified organization in violation of IC 4-32.3-5-2 commits a Level
30 6 felony.

31 Sec. 5. The commission shall deposit civil penalties collected
32 under this chapter in the charity gaming enforcement fund
33 established by IC 4-32.3-7-1.

34 Chapter 9. Security

35 Sec. 1. (a) The commission may employ investigators and other
36 individuals necessary to carry out this chapter.

37 (b) An employee of the commission engaged in the enforcement
38 of this article is vested with the necessary police powers to enforce
39 this article. The police powers granted by this subsection are
40 limited to the enforcement of this article.

41 (c) An employee described in subsection (b) may not:

42 (1) issue a summons for an infraction or a misdemeanor



- 1 violation of any law other than this article;
 2 (2) act as an officer for the arrest of offenders for the violation
 3 of an Indiana law other than this article; or
 4 (3) exercise any other police power with respect to the
 5 enforcement of any state or local law other than this article.

6 **Sec. 2. An employee of the commission may do any of the**
 7 **following:**

- 8 (1) Investigate an alleged violation of this article.
 9 (2) Arrest an alleged violator of this article.
 10 (3) Enter upon the premises where a charitable gaming
 11 activity is being conducted for the performance of the
 12 employee's lawful duties.
 13 (4) Take necessary equipment from the premises for further
 14 investigation.
 15 (5) Obtain full access to all financial records of the entity upon
 16 request.
 17 (6) If there is a reason to believe that a violation has occurred,
 18 search and inspect the premises where the violation is alleged
 19 to have occurred or is occurring. A search under this
 20 subdivision may not be conducted unless a warrant has first
 21 been obtained by the executive director. A contract entered
 22 into by the executive director may not include a provision
 23 allowing for warrantless searches. A warrant may be obtained
 24 in the county where the search will be conducted or in Marion
 25 County.
 26 (7) Seize or take possession of any items associated with the
 27 charitable gaming activities related to an alleged violation of
 28 this article or commission regulations.

29 **Sec. 3. (a) The commission shall conduct investigations**
 30 **necessary to ensure the security and integrity of the operation of**
 31 **games of chance under this article. The commission may conduct**
 32 **investigations of the following:**

- 33 (1) Licensed qualified organizations.
 34 (2) Applicants for licenses issued under this article.
 35 (3) Entities that sell, manufacture, or distribute licensed
 36 supplies.
 37 (4) Employees of the commission under this article.
 38 (5) Applicants for contracts or employment with the
 39 commission under this article.
 40 (6) Individuals engaged in conducting allowable activities.

41 (b) The commission may require persons subject to an
 42 investigation under subsection (a) to provide information,



- 1 including fingerprints, that is:
 2 (1) required by the commission to carry out the investigation;
 3 or
 4 (2) otherwise needed to facilitate access to state and criminal
 5 history information.
- 6 Sec. 4. (a) The state police department shall, at the request of the
 7 executive director, provide the following:
 8 (1) Assistance in obtaining criminal history information
 9 relevant to investigations required for honest, secure,
 10 exemplary operations under this article.
 11 (2) Any other assistance requested by the executive director
 12 and agreed to by the superintendent of the state police
 13 department.
- 14 (b) Any other state agency, including the alcohol and tobacco
 15 commission and the Indiana professional licensing agency, shall
 16 upon request provide the executive director with information
 17 relevant to an investigation conducted under this article.
- 18 Sec. 5. A marketing sheet published in connection with a
 19 wagering game must be maintained for the lesser of:
 20 (1) three (3) years after the year in which the marketing sheet
 21 was published; or
 22 (2) the end of an audit in which the marketing sheet and
 23 similar records are audited.
- 24 Sec. 6. (a) This section applies only to products sold in Indiana.
 25 (b) If a licensed manufacturer or distributor destroys,
 26 discontinues, or otherwise renders unusable a licensed supply, the
 27 manufacturer or distributor shall provide the commission with a
 28 written list of the items destroyed, discontinued, or rendered
 29 otherwise unusable.
 30 (c) The list required under subsection (b) must contain the
 31 following information concerning the items destroyed,
 32 discontinued, or rendered otherwise unusable:
 33 (1) The quantity.
 34 (2) A description.
 35 (3) The serial numbers.
 36 (4) The date the items were destroyed, discontinued, or
 37 rendered otherwise unusable.
- 38 (d) Notwithstanding subsection (b), this section does not apply
 39 to a product considered defective by the manufacturer or
 40 distributor.
- 41 Sec. 7. Records of a manufacturer or distributor must be
 42 produced upon request by the commission within seventy-two (72)



1 hours or by another mutually agreed upon time if production of
 2 the requested documents within seventy-two (72) hours is
 3 impractical or burdensome.

4 **Sec. 8. (a)** A manufacturer or distributor of a licensed supply to
 5 be used in charity gaming in Indiana must file a quarterly report
 6 listing the manufacturer's or distributor's sales of the licensed
 7 supply.

8 **(b)** A licensed distributor that sells any licensed supply with a
 9 prize value that would require reporting of a patron's gambling
 10 winnings to the:

11 **(1)** Internal Revenue Service for federal income tax purposes;
 12 or

13 **(2)** department of revenue for state income tax purposes;
 14 must notify the commission of the sale in the quarterly reports
 15 described in subsection (a).

16 **Sec. 9. (a)** Information obtained by the commission during the
 17 course of an investigation conducted under this chapter is
 18 confidential.

19 **(b)** A driver's license number or other identifying information
 20 of an operator or worker that is submitted to the commission on an
 21 application for a license under this article is confidential.

22 **Chapter 10. Gaming Card Excise Tax**

23 **Sec. 1.** An excise tax is imposed on the distribution of pull tabs,
 24 punchboards, and tip boards in the amount of ten percent (10%)
 25 of the price paid by the qualified organization that purchases the
 26 pull tabs, punchboards, and tip boards.

27 **Sec. 2.** A licensed entity distributing pull tabs, punchboards, or
 28 tip boards under this article is liable for the tax. The tax is imposed
 29 at the time the licensed entity:

30 **(1)** brings or causes the pull tabs, punchboards, or tip boards
 31 to be brought into Indiana for distribution;

32 **(2)** distributes pull tabs, punchboards, or tip boards in
 33 Indiana; or

34 **(3)** transports pull tabs, punchboards, or tip boards to
 35 qualified organizations in Indiana for resale by those qualified
 36 organizations.

37 **Sec. 3.** The department shall establish procedures by which each
 38 licensed entity must account for the following:

39 **(1)** The tax collected under this chapter by the licensed entity.

40 **(2)** The pull tabs, punchboards, and tip boards sold by the
 41 licensed entity.

42 **(3)** The funds received for sales of pull tabs, punchboards, and



1 tip boards by the licensed entity.

2 Sec. 4. A payment by a licensed entity to the department may
3 not be in cash. All payments must be in the form of a check, a draft,
4 an electronic funds transfer, or another financial instrument
5 authorized by the commissioner. The department may require
6 licensed entities to establish separate electronic funds transfer
7 accounts for the purpose of making payments to the department.

8 Sec. 5. All taxes imposed on a licensed entity under this chapter
9 shall be remitted to the department at the times and as directed by
10 the department. The department is responsible for all
11 administrative functions related to the receipt of funds. The
12 department may require each licensed entity to file with the
13 department reports of the licensed entity's receipts and
14 transactions in the sale of pull tabs, punchboards, and tip boards.
15 The department shall prescribe the form of the reports and the
16 information to be contained in the reports. For purposes of this
17 section, a qualified organization is not required to report the name,
18 signature, or driver's license number of a prize winner unless the
19 qualified organization is required to withhold adjusted gross
20 income tax from the prize winner under IC 6-3-4-8.2(d).

21 Sec. 6. The department may at any time perform an audit of the
22 books and records of a licensed entity to ensure compliance with
23 this chapter.

24 Sec. 7. IC 4-32.3-8 applies to licensed entities.

25 Sec. 8. The department shall transfer all taxes collected under
26 this chapter to the commission for deposit in the charity gaming
27 enforcement fund established by IC 4-32.3-7-1.

28 SECTION 5. IC 4-33-13-5, AS AMENDED BY P.L.212-2018(ss),
29 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2019]: Sec. 5. (a) This subsection does not apply to tax
31 revenue remitted by an operating agent operating a riverboat in a
32 historic hotel district. After funds are appropriated under section 4 of
33 this chapter, each month the treasurer of state shall distribute the tax
34 revenue deposited in the state gaming fund under this chapter to the
35 following:

36 (1) An amount equal to the following shall be set aside for
37 revenue sharing under subsection (e):

38 (A) Before July 1, 2021, the first thirty-three million dollars
39 (\$33,000,000) of tax revenues collected under this chapter
40 shall be set aside for revenue sharing under subsection (e).

41 (B) After June 30, 2021, if the total adjusted gross receipts
42 received by licensees from gambling games authorized under



1 this article during the preceding state fiscal year is equal to or
 2 greater than the total adjusted gross receipts received by
 3 licensees from gambling games authorized under this article
 4 during the state fiscal year ending June 30, 2020, the first
 5 thirty-three million dollars (\$33,000,000) of tax revenues
 6 collected under this chapter shall be set aside for revenue
 7 sharing under subsection (e).

8 (C) After June 30, 2021, if the total adjusted gross receipts
 9 received by licensees from gambling games authorized under
 10 this article during the preceding state fiscal year is less than
 11 the total adjusted gross receipts received by licensees from
 12 gambling games authorized under this article during the state
 13 year ending June 30, 2020, an amount equal to the first
 14 thirty-three million dollars (\$33,000,000) of tax revenues
 15 collected under this chapter multiplied by the result of:

16 (i) the total adjusted gross receipts received by licensees
 17 from gambling games authorized under this article during
 18 the preceding state fiscal year; divided by

19 (ii) the total adjusted gross receipts received by licensees
 20 from gambling games authorized under this article during
 21 the state fiscal year ending June 30, 2020;

22 shall be set aside for revenue sharing under subsection (e).

23 (2) Subject to subsection (c), twenty-five percent (25%) of the
 24 remaining tax revenue remitted by each licensed owner shall be
 25 paid:

26 (A) to the city that is designated as the home dock of the
 27 riverboat from which the tax revenue was collected, in the case
 28 of:

29 (i) a city described in IC 4-33-12-6(b)(1)(A); or

30 (ii) a city located in a county having a population of more
 31 than four hundred thousand (400,000) but less than seven
 32 hundred thousand (700,000); or

33 (B) to the county that is designated as the home dock of the
 34 riverboat from which the tax revenue was collected, in the case
 35 of a riverboat whose home dock is not in a city described in
 36 clause (A).

37 (3) Subject to subsection (d), the remainder of the tax revenue
 38 remitted by each licensed owner shall be paid to the state general
 39 fund. In each state fiscal year, the treasurer of state shall make the
 40 transfer required by this subdivision not later than the last
 41 business day of the month in which the tax revenue is remitted to
 42 the state for deposit in the state gaming fund. However, if tax



1 revenue is received by the state on the last business day in a
2 month, the treasurer of state may transfer the tax revenue to the
3 state general fund in the immediately following month.

4 (b) This subsection applies only to tax revenue remitted by an
5 operating agent operating a riverboat in a historic hotel district after
6 June 30, 2015. After funds are appropriated under section 4 of this
7 chapter, each month the treasurer of state shall distribute the tax
8 revenue remitted by the operating agent under this chapter as follows:

9 (1) Fifty-six and five-tenths percent (56.5%) shall be paid to the
10 state general fund.

11 (2) Forty-three and five-tenths percent (43.5%) shall be paid as
12 follows:

13 (A) Twenty-two and four-tenths percent (22.4%) shall be paid
14 as follows:

15 (i) Fifty percent (50%) to the fiscal officer of the town of
16 French Lick.

17 (ii) Fifty percent (50%) to the fiscal officer of the town of
18 West Baden Springs.

19 (B) Fourteen and eight-tenths percent (14.8%) shall be paid to
20 the county treasurer of Orange County for distribution among
21 the school corporations in the county. The governing bodies
22 for the school corporations in the county shall provide a
23 formula for the distribution of the money received under this
24 clause among the school corporations by joint resolution
25 adopted by the governing body of each of the school
26 corporations in the county. Money received by a school
27 corporation under this clause must be used to improve the
28 educational attainment of students enrolled in the school
29 corporation receiving the money. Not later than the first
30 regular meeting in the school year of a governing body of a
31 school corporation receiving a distribution under this clause,
32 the superintendent of the school corporation shall submit to
33 the governing body a report describing the purposes for which
34 the receipts under this clause were used and the improvements
35 in educational attainment realized through the use of the
36 money. The report is a public record.

37 (C) Thirteen and one-tenth percent (13.1%) shall be paid to the
38 county treasurer of Orange County.

39 (D) Five and three-tenths percent (5.3%) shall be distributed
40 quarterly to the county treasurer of Dubois County for
41 appropriation by the county fiscal body after receiving a
42 recommendation from the county executive. The county fiscal



1 body for the receiving county shall provide for the distribution
 2 of the money received under this clause to one (1) or more
 3 taxing units (as defined in IC 6-1.1-1-21) in the county under
 4 a formula established by the county fiscal body after receiving
 5 a recommendation from the county executive.
 6 (E) Five and three-tenths percent (5.3%) shall be distributed
 7 quarterly to the county treasurer of Crawford County for
 8 appropriation by the county fiscal body after receiving a
 9 recommendation from the county executive. The county fiscal
 10 body for the receiving county shall provide for the distribution
 11 of the money received under this clause to one (1) or more
 12 taxing units (as defined in IC 6-1.1-1-21) in the county under
 13 a formula established by the county fiscal body after receiving
 14 a recommendation from the county executive.
 15 (F) Six and thirty-five hundredths percent (6.35%) shall be
 16 paid to the fiscal officer of the town of Paoli.
 17 (G) Six and thirty-five hundredths percent (6.35%) shall be
 18 paid to the fiscal officer of the town of Orleans.
 19 (H) Twenty-six and four-tenths percent (26.4%) shall be paid
 20 to the Indiana economic development corporation established
 21 by IC 5-28-3-1 for transfer as follows:
 22 (i) Beginning after December 31, 2017, ten percent (10%)
 23 of the amount transferred under this clause in each calendar
 24 year shall be transferred to the South Central Indiana
 25 Regional Economic Development Corporation or a
 26 successor entity or partnership for economic development
 27 for the purpose of recruiting new business to Orange County
 28 as well as promoting the retention and expansion of existing
 29 businesses in Orange County.
 30 (ii) The remainder of the amount transferred under this
 31 clause in each calendar year shall be transferred to Radius
 32 Indiana or a successor regional entity or partnership for the
 33 development and implementation of a regional economic
 34 development strategy to assist the residents of Orange
 35 County and the counties contiguous to Orange County in
 36 improving their quality of life and to help promote
 37 successful and sustainable communities.
 38 To the extent possible, the Indiana economic development
 39 corporation shall provide for the transfer under item (i) to be
 40 made in four (4) equal installments. However, an amount
 41 sufficient to meet current obligations to retire or refinance
 42 indebtedness or leases for which tax revenues under this



1 section were pledged before January 1, 2015, by the Orange
 2 County development commission shall be paid to the Orange
 3 County development commission before making distributions
 4 to the South Central Indiana Regional Economic Development
 5 Corporation and Radius Indiana or their successor entities or
 6 partnerships. The amount paid to the Orange County
 7 development commission shall proportionally reduce the
 8 amount payable to the South Central Indiana Regional
 9 Economic Development Corporation and Radius Indiana or
 10 their successor entities or partnerships.

11 (c) For each city and county receiving money under subsection
 12 (a)(2), the treasurer of state shall determine the total amount of money
 13 paid by the treasurer of state to the city or county during the state fiscal
 14 year 2002. The amount determined is the base year revenue for the city
 15 or county. The treasurer of state shall certify the base year revenue
 16 determined under this subsection to the city or county. The total
 17 amount of money distributed to a city or county under this section
 18 during a state fiscal year may not exceed the entity's base year revenue.
 19 For each state fiscal year, the treasurer of state shall pay that part of the
 20 riverboat wagering taxes that:

- 21 (1) exceeds a particular city's or county's base year revenue; and
- 22 (2) would otherwise be due to the city or county under this
- 23 section;

24 to the state general fund instead of to the city or county.

25 (d) Each state fiscal year the treasurer of state shall transfer from the
 26 tax revenue remitted to the state general fund under subsection (a)(3)
 27 to the build Indiana fund an amount that when added to the following
 28 may not exceed two hundred fifty million dollars (\$250,000,000):

- 29 (1) Surplus lottery revenues under IC 4-30-17-3.
- 30 (2) Surplus revenue from the charity gaming enforcement fund
- 31 under ~~IC 4-32.2-7-7~~. **IC 4-32.3-7-3.**
- 32 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

33 The treasurer of state shall make transfers on a monthly basis as needed
 34 to meet the obligations of the build Indiana fund. If in any state fiscal
 35 year insufficient money is transferred to the state general fund under
 36 subsection (a)(3) to comply with this subsection, the treasurer of state
 37 shall reduce the amount transferred to the build Indiana fund to the
 38 amount available in the state general fund from the transfers under
 39 subsection (a)(3) for the state fiscal year.

40 (e) Except as provided in subsections (l) and (m), before August 15
 41 of each year, the treasurer of state shall distribute the wagering taxes
 42 set aside for revenue sharing under subsection (a)(1) to the county



1 treasurer of each county that does not have a riverboat according to the
 2 ratio that the county's population bears to the total population of the
 3 counties that do not have a riverboat. Except as provided in subsection
 4 (h), the county auditor shall distribute the money received by the
 5 county under this subsection as follows:

6 (1) To each city located in the county according to the ratio the
 7 city's population bears to the total population of the county.

8 (2) To each town located in the county according to the ratio the
 9 town's population bears to the total population of the county.

10 (3) After the distributions required in subdivisions (1) and (2) are
 11 made, the remainder shall be retained by the county.

12 (f) Money received by a city, town, or county under subsection (e)
 13 or (h) may be used for any of the following purposes:

14 (1) To reduce the property tax levy of the city, town, or county for
 15 a particular year (a property tax reduction under this subdivision
 16 does not reduce the maximum levy of the city, town, or county
 17 under IC 6-1.1-18.5).

18 (2) For deposit in a special fund or allocation fund created under
 19 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and
 20 IC 36-7-30 to provide funding for debt repayment.

21 (3) To fund sewer and water projects, including storm water
 22 management projects.

23 (4) For police and fire pensions.

24 (5) To carry out any governmental purpose for which the money
 25 is appropriated by the fiscal body of the city, town, or county.
 26 Money used under this subdivision does not reduce the property
 27 tax levy of the city, town, or county for a particular year or reduce
 28 the maximum levy of the city, town, or county under
 29 IC 6-1.1-18.5.

30 (g) Before July 15 of each year, the treasurer of state shall determine
 31 the total amount of money distributed to an entity under IC 4-33-12-6
 32 or IC 4-33-12-8 during the preceding state fiscal year. If the treasurer
 33 of state determines that the total amount of money distributed to an
 34 entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state
 35 fiscal year was less than the entity's base year revenue (as determined
 36 under IC 4-33-12-9), the treasurer of state shall make a supplemental
 37 distribution to the entity from taxes collected under this chapter and
 38 deposited into the state general fund. Except as provided in subsection
 39 (i), the amount of an entity's supplemental distribution is equal to:

40 (1) the entity's base year revenue (as determined under
 41 IC 4-33-12-9); minus

42 (2) the sum of:



- 1 (A) the total amount of money distributed to the entity and
 2 constructively received by the entity during the preceding state
 3 fiscal year under IC 4-33-12-6 or IC 4-33-12-8; plus
 4 (B) the amount of any admissions taxes deducted under
 5 IC 6-3.1-20-7.
- 6 (h) This subsection applies only to a county containing a
 7 consolidated city. The county auditor shall distribute the money
 8 received by the county under subsection (e) as follows:
- 9 (1) To each city, other than a consolidated city, located in the
 10 county according to the ratio that the city's population bears to the
 11 total population of the county.
- 12 (2) To each town located in the county according to the ratio that
 13 the town's population bears to the total population of the county.
- 14 (3) After the distributions required in subdivisions (1) and (2) are
 15 made, the remainder shall be paid in equal amounts to the
 16 consolidated city and the county.
- 17 (i) This subsection applies to a supplemental distribution made after
 18 June 30, 2017. The maximum amount of money that may be distributed
 19 under subsection (g) in a state fiscal year is equal to the following:
- 20 (1) Before July 1, 2021, forty-eight million dollars (\$48,000,000).
 21 (2) After June 30, 2021, if the total adjusted gross receipts
 22 received by licensees from gambling games authorized under this
 23 article during the preceding state fiscal year is equal to or greater
 24 than the total adjusted gross receipts received by licensees from
 25 gambling games authorized under this article during the state
 26 fiscal year ending June 30, 2020, the maximum amount is
 27 forty-eight million dollars (\$48,000,000).
 28 (3) After June 30, 2021, if the total adjusted gross receipts
 29 received by licensees from gambling games authorized under this
 30 article during the preceding state fiscal year is less than the total
 31 adjusted gross receipts received by licensees from gambling
 32 games authorized under this article during the state fiscal year
 33 ending June 30, 2020, the maximum amount is equal to the result
 34 of:
- 35 (A) forty-eight million dollars (\$48,000,000); multiplied by
 36 (B) the result of:
- 37 (i) the total adjusted gross receipts received by licensees
 38 from gambling games authorized under this article during
 39 the preceding state fiscal year; divided by
 40 (ii) the total adjusted gross receipts received by licensees
 41 from gambling games authorized under this article during
 42 the state fiscal year ending June 30, 2020.



1 If the total amount determined under subsection (g) exceeds the
 2 maximum amount determined under this subsection, the amount
 3 distributed to an entity under subsection (g) must be reduced according
 4 to the ratio that the amount distributed to the entity under IC 4-33-12-6
 5 or IC 4-33-12-8 bears to the total amount distributed under
 6 IC 4-33-12-6 and IC 4-33-12-8 to all entities receiving a supplemental
 7 distribution.

8 (j) This subsection applies to a supplemental distribution, if any,
 9 payable to Lake County, Hammond, Gary, or East Chicago under
 10 subsections (g) and (i). Beginning in July 2016, the treasurer of state
 11 shall, after making any deductions from the supplemental distribution
 12 required by IC 6-3.1-20-7, deduct from the remainder of the
 13 supplemental distribution otherwise payable to the unit under this
 14 section the lesser of:

- 15 (1) the remaining amount of the supplemental distribution; or
- 16 (2) the difference, if any, between:
 - 17 (A) three million five hundred thousand dollars (\$3,500,000);
 - 18 minus
 - 19 (B) the amount of admissions taxes constructively received by
 - 20 the unit in the previous state fiscal year.

21 The treasurer of state shall distribute the amounts deducted under this
 22 subsection to the northwest Indiana redevelopment authority
 23 established under IC 36-7.5-2-1 for deposit in the development
 24 authority revenue fund established under IC 36-7.5-4-1.

25 (k) Money distributed to a political subdivision under subsection
 26 (b):

- 27 (1) must be paid to the fiscal officer of the political subdivision
- 28 and may be deposited in the political subdivision's general fund
- 29 or riverboat fund established under IC 36-1-8-9, or both;
- 30 (2) may not be used to reduce the maximum levy under
- 31 IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate
- 32 of a school corporation, but, except as provided in subsection
- 33 (b)(2)(B), may be used at the discretion of the political
- 34 subdivision to reduce the property tax levy of the county, city, or
- 35 town for a particular year;
- 36 (3) except as provided in subsection (b)(2)(B), may be used for
- 37 any legal or corporate purpose of the political subdivision,
- 38 including the pledge of money to bonds, leases, or other
- 39 obligations under IC 5-1-14-4; and
- 40 (4) is considered miscellaneous revenue.

41 Money distributed under subsection (b)(2)(B) must be used for the
 42 purposes specified in subsection (b)(2)(B).



1 (l) After June 30, 2020, the amount of wagering taxes that would
 2 otherwise be distributed to South Bend under subsection (e) shall be
 3 deposited as being received from all riverboats whose supplemental
 4 wagering tax, as calculated under IC 4-33-12-1.5(b), is over three and
 5 five-tenths percent (3.5%). The amount deposited under this
 6 subsection, in each riverboat's account, is proportionate to the
 7 supplemental wagering tax received from that riverboat under
 8 IC 4-33-12-1.5 in the month of July. The amount deposited under this
 9 subsection must be distributed in the same manner as the supplemental
 10 wagering tax collected under IC 4-33-12-1.5. This subsection expires
 11 June 30, 2021.

12 (m) After June 30, 2021, the amount of wagering taxes that would
 13 otherwise be distributed to South Bend under subsection (e) shall be
 14 withheld and deposited in the state general fund.

15 SECTION 6. IC 4-33-18-5, AS AMENDED BY P.L.91-2006,
 16 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2019]: Sec. 5. The department shall research and analyze data
 18 and public policy issues relating to all aspects of gaming in Indiana for
 19 the enhancement of:

- 20 (1) the Indiana lottery under IC 4-30;
- 21 (2) pari-mutuel horse racing under IC 4-31;
- 22 (3) charity gaming under ~~IC 4-32-2~~; **IC 4-32.3**; and
- 23 (4) riverboat casino gambling under IC 4-33.

24 SECTION 7. IC 4-33-18-9, AS AMENDED BY P.L.233-2007,
 25 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2019]: Sec. 9. (a) Nothing in this chapter may be construed to
 27 limit the powers or responsibilities of:

- 28 (1) the state lottery commission under IC 4-30;
- 29 (2) the Indiana horse racing commission under IC 4-31; or
- 30 (3) the Indiana gaming commission under ~~IC 4-32-2~~; **IC 4-32.3**,
 31 IC 4-33, or IC 4-35.

32 (b) The department may not exercise any administrative or
 33 regulatory powers with respect to:

- 34 (1) the Indiana lottery under IC 4-30;
- 35 (2) pari-mutuel horse racing under IC 4-31;
- 36 (3) charity gaming under ~~IC 4-32-2~~; **IC 4-32.3**;
- 37 (4) riverboat casino gambling under IC 4-33; or
- 38 (5) gambling games conducted at a racetrack (as defined in
 39 IC 4-35-2-9) under IC 4-35.

40 SECTION 8. IC 4-33-19-2, AS ADDED BY P.L.227-2007,
 41 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2019]: Sec. 2. As used in this chapter, "licensed entity" means



- 1 a person holding:
- 2 (1) a charity gaming license issued under ~~IC 4-32.2~~; **IC 4-32.3**;
- 3 (2) a retail merchant's certificate issued under IC 6-2.5-8;
- 4 (3) a tobacco sales certificate issued under IC 7.1-3-18.5; or
- 5 (4) an alcoholic beverage permit issued under IC 7.1-3.
- 6 SECTION 9. IC 4-33-19-5, AS ADDED BY P.L.227-2007,
- 7 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2019]: Sec. 5. The division shall carry out the commission's
- 9 duties under ~~IC 4-32.2-8~~ **IC 4-32.3-8** and ~~IC 4-32.2-9~~ **IC 4-32.3-9** with
- 10 respect to any person that is:
- 11 (1) licensed under ~~IC 4-32.2~~; **IC 4-32.3**; and
- 12 (2) suspected of violating IC 35-45-5-3, IC 35-45-5-3.5, or
- 13 IC 35-45-5-4.
- 14 SECTION 10. IC 4-33-20-5, AS ADDED BY P.L.227-2007,
- 15 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JULY 1, 2019]: Sec. 5. The commission shall:
- 17 (1) pay all personnel costs incurred by the division; and
- 18 (2) purchase all property, supplies, and equipment for the
- 19 division;
- 20 from money deposited in the charity gaming enforcement fund
- 21 established by ~~IC 4-32.2-7-3~~. **IC 4-32.3-7-1**.
- 22 SECTION 11. IC 4-35-4-1, AS ADDED BY P.L.233-2007,
- 23 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2019]: Sec. 1. (a) The commission shall regulate and
- 25 administer gambling games conducted by a licensee under this article.
- 26 (b) The commission has the following powers and duties for the
- 27 purpose of administering, regulating, and enforcing the system of
- 28 gambling games at racetracks authorized under this article:
- 29 (1) All powers and duties specified in this article.
- 30 (2) All powers necessary and proper to fully and effectively
- 31 execute this article.
- 32 (3) Jurisdiction and supervision over the following:
- 33 (A) All gambling game operations in Indiana.
- 34 (B) All persons at racetracks where gambling games are
- 35 conducted.
- 36 (4) The power to investigate and reinvestigate applicants and
- 37 licensees and determine the eligibility of applicants for licenses.
- 38 (5) The power to take appropriate administrative enforcement or
- 39 disciplinary action against a licensee.
- 40 (6) The power to investigate alleged violations of this article.
- 41 (7) The power to conduct hearings.
- 42 (8) The power to issue subpoenas for the attendance of witnesses



- 1 and subpoenas duces tecum for the production of books, records,
2 and other relevant documents.
- 3 (9) The power to administer oaths and affirmations to the
4 witnesses.
- 5 (10) The power to prescribe forms to be used by licensees.
- 6 (11) The power to revoke, suspend, or renew licenses issued
7 under this article.
- 8 (12) The power to hire employees to gather information, conduct
9 investigations, and carry out other tasks under this article. The
10 employees hired by the commission under this article may be the
11 same as the commission's employees hired under ~~IC 4-32.2~~
12 **IC 4-32.3** or IC 4-33.
- 13 (13) The power to take any reasonable or appropriate action to
14 enforce this article.
- 15 (c) The commission may by resolution assign to the executive
16 director any duty imposed upon the commission by this article.
- 17 (d) The executive director shall perform the duties assigned to the
18 executive director by the commission. The executive director may
19 exercise any power conferred upon the commission by this article that
20 is consistent with the duties assigned to the executive director under
21 subsection (c).
- 22 SECTION 12. IC 4-36-1-3, AS AMENDED BY P.L.255-2015,
23 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2019]: Sec. 3. This article does not apply to the following:
- 25 (1) The Indiana state lottery established under IC 4-30.
26 (2) Pari-mutuel horse racing under IC 4-31.
27 (3) Charity gaming under ~~IC 4-32.2~~ **IC 4-32.3**.
28 (4) Riverboat gambling under IC 4-33.
29 (5) Wagering on gambling games under IC 4-35.
- 30 SECTION 13. IC 4-36-2-5, AS ADDED BY P.L.95-2008,
31 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2019]: Sec. 5. "Distributor" means a person licensed to
33 distribute pull tabs, punchboards, and tip boards under ~~IC 4-32.2~~
34 **IC 4-32.3**.
- 35 SECTION 14. IC 4-36-2-12, AS ADDED BY P.L.95-2008,
36 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2019]: Sec. 12. "Manufacturer" means a person licensed to
38 manufacture pull tabs, punchboards, and tip boards under ~~IC 4-32.2~~
39 **IC 4-32.3**.
- 40 SECTION 15. IC 4-36-2-14, AS ADDED BY P.L.95-2008,
41 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2019]: Sec. 14. "Pull tab" has the meaning set forth in



1 ~~IC 4-32.2-2-22~~. **IC 4-32.3-2-28.**

2 SECTION 16. IC 4-36-2-15, AS ADDED BY P.L.95-2008,
3 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2019]: Sec. 15. "Punchboard" has the meaning set forth in
5 ~~IC 4-32.2-2-23~~. **IC 4-32.3-2-29.**

6 SECTION 17. IC 4-36-2-19, AS ADDED BY P.L.95-2008,
7 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2019]: Sec. 19. "Tip board" has the meaning set forth in
9 ~~IC 4-32.2-2-28~~. **IC 4-32.3-2-37.**

10 SECTION 18. IC 4-36-2-20, AS ADDED BY P.L.95-2008,
11 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2019]: Sec. 20. "Type II gambling game" means a pull tab,
13 punchboard, or tip board game approved by the Indiana gaming
14 commission for play under ~~IC 4-32.2~~. **IC 4-32.3.**

15 SECTION 19. IC 4-36-4-2, AS ADDED BY P.L.95-2008,
16 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2019]: Sec. 2. (a) To qualify for a retailer's endorsement, a
18 person must operate a tavern licensed under IC 7.1-3 to sell alcoholic
19 beverages to customers for consumption on the premises of the tavern.

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

- 22 (1) A person holding a horse track permit under IC 7.1-3-17.7.
23 (2) A licensed owner of a riverboat licensed under IC 4-33.
24 (3) An operating agent who operates a riverboat in a historic hotel
25 district under IC 4-33.
26 (4) A qualified organization (as defined in ~~IC 4-32.2-2-24~~).
27 **IC 4-32.3-2-31).**
28 (5) An organization that is eligible to apply for a charity gaming
29 license under ~~IC 4-32.2~~. **IC 4-32.3.**
30 (6) A person holding a gambling game license issued under
31 IC 4-35-5.
32 (7) A person holding a permit issued under IC 7.1-3 for a licensed
33 premises that is not a tavern, including holders of the following:
34 (A) A boat permit.
35 (B) A hotel permit.
36 (C) A fraternal club permit.
37 (D) A resort hotel permit.
38 (E) An airport permit.
39 (F) A satellite facility permit.
40 (G) A microbrewery permit.
41 (H) A social club permit.
42 (I) A civic center permit.



- 1 (J) A catering hall permit.
 2 (K) A dining car permit.
 3 (L) A temporary event permit.
 4 (M) A permit for any of the following facilities:
 5 (i) A stadium.
 6 (ii) An automobile race track.
 7 (iii) A concert hall.
- 8 SECTION 20. IC 4-36-4-9, AS ADDED BY P.L.95-2008,
 9 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2019]: Sec. 9. (a) To obtain a distributor's license or a
 11 manufacturer's license, a person must submit an application to the
 12 commission on a form prescribed by the commission. An applicant
 13 shall furnish all information required by the commission.
 14 (b) To qualify for a distributor's license or a manufacturer's license
 15 under this chapter, a person must also be a licensed distributor or
 16 manufacturer under ~~IC 4-32-2~~. **IC 4-32.3.**
- 17 SECTION 21. IC 5-2-1-2, AS AMENDED BY P.L.180-2017,
 18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2019]: Sec. 2. For the purposes of this chapter, and unless the
 20 context clearly denotes otherwise, the following definitions apply
 21 throughout this chapter:
 22 (1) "Law enforcement officer" means an appointed officer or
 23 employee hired by and on the payroll of the state, any of the
 24 state's political subdivisions, or a public or private postsecondary
 25 educational institution whose board of trustees has established a
 26 police department under IC 21-17-5-2 or IC 21-39-4-2 who is
 27 granted lawful authority to enforce all or some of the penal laws
 28 of the state of Indiana and who possesses, with respect to those
 29 laws, the power to effect arrests for offenses committed in the
 30 officer's or employee's presence. However, the following are
 31 expressly excluded from the term "law enforcement officer" for
 32 the purposes of this chapter:
 33 (A) A constable.
 34 (B) A special officer whose powers and duties are described
 35 in IC 36-8-3-7 or a special deputy whose powers and duties are
 36 described in IC 36-8-10-10.6.
 37 (C) A county police reserve officer who receives compensation
 38 for lake patrol duties under IC 36-8-3-20(f)(3).
 39 (D) A conservation reserve officer who receives compensation
 40 for lake patrol duties under IC 14-9-8-27.
 41 (E) An employee of the gaming commission whose powers
 42 and duties are described in ~~IC 4-32-2-9~~. **IC 4-32.3-9.**



- 1 (F) A correctional police officer described in IC 11-8-9.
 2 (2) "Board" means the law enforcement training board created by
 3 this chapter.
 4 (3) "Executive training program" means the police chief executive
 5 training program developed by the board under section 9 of this
 6 chapter.
 7 (4) "Law enforcement training council" means one (1) of the
 8 confederations of law enforcement agencies recognized by the
 9 board and organized for the sole purpose of sharing training,
 10 instructors, and related resources.
 11 (5) "Training regarding the lawful use of force" includes
 12 classroom and skills training in the proper application of hand to
 13 hand defensive tactics, use of firearms, and other methods of:
 14 (A) overcoming unlawful resistance; or
 15 (B) countering other action that threatens the safety of the
 16 public or a law enforcement officer.
 17 (6) "Hiring or appointing authority" means:
 18 (A) the chief executive officer, board, or other entity of a
 19 police department or agency with authority to appoint and hire
 20 law enforcement officers; or
 21 (B) the governor, mayor, board, or other entity with the
 22 authority to appoint a chief executive officer of a police
 23 department or agency.
 24 (7) "Crisis intervention team" refers to a local coalition with a
 25 goal of improving the manner in which law enforcement and the
 26 community respond to crisis situations in which an individual is
 27 experiencing a mental health or addictive disorder crisis.
 28 SECTION 22. IC 6-3-4-8.2, AS AMENDED BY P.L.212-2018(ss),
 29 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2019]: Sec. 8.2. (a) Each person in Indiana who is required
 31 under the Internal Revenue Code to withhold federal tax from winnings
 32 shall deduct and retain adjusted gross income tax at the time and in the
 33 amount described in withholding instructions issued by the department.
 34 (b) In addition to amounts withheld under subsection (a), every
 35 person engaged in a gambling operation (as defined in IC 4-33-2-10)
 36 or a gambling game (as defined in IC 4-35-2-5) and making a payment
 37 in the course of the gambling operation (as defined in IC 4-33-2-10) or
 38 a gambling game (as defined in IC 4-35-2-5) of:
 39 (1) winnings (not reduced by the wager) valued at one thousand
 40 two hundred dollars (\$1,200) or more from slot machine play; or
 41 (2) winnings (reduced by the wager) valued at one thousand five
 42 hundred dollars (\$1,500) or more from a keno game;



1 shall deduct and retain adjusted gross income tax at the time and in the
 2 amount described in withholding instructions issued by the department.
 3 The department's instructions must provide that amounts withheld shall
 4 be paid to the department on the twenty-fourth calendar day of each
 5 month. Any taxes collected during the month but after the day on which
 6 the taxes are required to be paid shall be paid to the department at the
 7 same time the following month's taxes are due. Slot machine and keno
 8 winnings from a gambling operation (as defined in IC 4-33-2-10) or a
 9 gambling game (as defined in IC 4-35-2-5) that are reportable for
 10 federal income tax purposes shall be treated as subject to withholding
 11 under this section, even if federal tax withholding is not required.

12 (c) The adjusted gross income tax due on prize money or prizes:

13 (1) received from a winning lottery ticket purchased under
 14 IC 4-30; and

15 (2) exceeding one thousand two hundred dollars (\$1,200) in
 16 value;

17 shall be deducted and retained at the time and in the amount described
 18 in withholding instructions issued by the department, even if federal
 19 withholding is not required.

20 (d) In addition to the amounts withheld under subsection (a), a
 21 qualified organization (as defined in ~~IC 4-32.2-2-24(a)~~
 22 **IC 4-32.3-2-31(a)**) that awards a prize under ~~IC 4-32.2~~ **IC 4-32.3**
 23 exceeding one thousand two hundred dollars (\$1,200) in value shall
 24 deduct and retain adjusted gross income tax at the time and in the
 25 amount described in withholding instructions issued by the department.
 26 The department's instructions must provide that amounts withheld shall
 27 be paid to the department before the close of the business day following
 28 the day the winnings are paid, actually or constructively.

29 SECTION 23. IC 7.1-3-6.1-1, AS ADDED BY P.L.153-2015,
 30 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2019]: Sec. 1. As used in this chapter, "allowable event" has
 32 the meaning set forth in ~~IC 4-32.2-2-2~~ **IC 4-32.3-2-2**.

33 SECTION 24. IC 7.1-3-6.1-2, AS ADDED BY P.L.153-2015,
 34 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2019]: Sec. 2. As used in this chapter, "qualified organization"
 36 has the meaning set forth in ~~IC 4-32.2-2-24~~ **IC 4-32.3-2-31**.

37 SECTION 25. IC 7.1-3-6.1-3, AS ADDED BY P.L.153-2015,
 38 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2019]: Sec. 3. A qualified organization that holds a license
 40 under ~~IC 4-32.2-4~~ **IC 4-32.3-4** may give an alcoholic beverage as a
 41 prize at an allowable event without obtaining an alcoholic beverage
 42 permit under this title.



1 SECTION 26. IC 7.1-3-6.2-1, AS ADDED BY P.L.153-2015,
 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2019]: Sec. 1. As used in this chapter, "qualified organization"
 4 has the meaning set forth in ~~IC 4-32.2-2-24~~. **IC 4-32.3-2-31.**

5 SECTION 27. IC 12-13-14-4.5, AS AMENDED BY P.L.197-2013,
 6 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2019]: Sec. 4.5. (a) Except as provided in this section, the
 8 division may distribute cash assistance benefits to a person who is
 9 eligible for assistance under the Title IV-A assistance program though
 10 an automated teller machine or a point of sale terminal that is
 11 connected to the EBT system.

12 (b) The following establishments shall post a sign next to each
 13 automated teller machine or point of sale terminal located on the
 14 premises informing a potential user that the automated teller machine
 15 or point of sale terminal may not be used to receive cash assistance
 16 benefits under the Title IV-A assistance program:

17 (1) A horse racing establishment:

18 (A) where the pari-mutuel system of wagering is authorized;
 19 and

20 (B) for which a permit is required under IC 4-31-5.

21 (2) A satellite facility:

22 (A) where wagering on horse racing is conducted; and

23 (B) for which a license is required under IC 4-31-5.5.

24 (3) An allowable event required to be licensed by the Indiana
 25 gaming commission under ~~IC 4-32.2~~. **IC 4-32.3.**

26 (4) A riverboat or other facility required to be licensed by the
 27 Indiana gaming commission under IC 4-33.

28 (5) A store or other establishment:

29 (A) where the primary business is the sale of firearms (as
 30 defined in IC 35-47-1-5); and

31 (B) that sells handguns for which a license to sell handguns is
 32 required under IC 35-47-2.

33 (6) A store or other establishment where the primary business is
 34 the sale of alcoholic beverages for which a permit is required
 35 under IC 7.1-3.

36 (7) An adult entertainment establishment.

37 (c) An:

38 (1) establishment that does not post the sign required under
 39 subsection (b); or

40 (2) individual who attempts to use an automated teller machine or
 41 point of sale terminal with a sign posted as required under
 42 subsection (b) to access cash assistance benefits under the Title



1 IV-A assistance program in violation of subsection (b);
2 commits a Class C misdemeanor.

3 (d) The owner, vendor, or third party processor of an automated
4 teller machine or point of sale terminal shall disable or have disabled
5 access to electronic cash assistance benefits in a location described in
6 subsection (b) unless the location has been approved by the federal
7 Food and Nutrition Services. The division shall provide assistance to
8 an owner, vendor, or third party processor under this subsection. A
9 person that violates this subsection commits a Class B infraction.

10 (e) The division shall adopt rules under IC 4-22-2 to carry out this
11 section.

12 SECTION 28. IC 33-26-3-6, AS AMENDED BY P.L.91-2006,
13 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]: Sec. 6. (a) The tax court does not have jurisdiction over
15 a case that is an appeal from a final determination made by the Indiana
16 gaming commission under ~~IC 4-32-2~~: **IC 4-32.3**.

17 (b) The tax court has jurisdiction over a case that is an appeal from
18 a final determination made by the department of state revenue
19 concerning the gaming card excise tax established under ~~IC 4-32-2-10~~:
20 **IC 4-32.3-10**.

21 SECTION 29. IC 33-26-6-2, AS AMENDED BY P.L.91-2006,
22 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2019]: Sec. 2. (a) A taxpayer who wishes to initiate an original
24 tax appeal must file a petition in the tax court to set aside the final
25 determination of the department of state revenue or the Indiana board
26 of tax review. If a taxpayer fails to comply with any statutory
27 requirement for the initiation of an original tax appeal, the tax court
28 does not have jurisdiction to hear the appeal.

29 (b) A taxpayer who wishes to enjoin the collection of a tax pending
30 the original tax appeal must file a petition with the tax court to enjoin
31 the collection of the tax. The petition must set forth a summary of:

- 32 (1) the issues that the petitioner will raise in the original tax
33 appeal; and
34 (2) the equitable considerations for which the tax court should
35 order the collection of the tax to be enjoined.

36 (c) After a hearing on the petition filed under subsection (b), the tax
37 court may enjoin the collection of the tax pending the original tax
38 appeal, if the tax court finds that:

- 39 (1) the issues raised by the original tax appeal are substantial;
40 (2) the petitioner has a reasonable opportunity to prevail in the
41 original tax appeal; and
42 (3) the equitable considerations favoring the enjoining of the



1 collection of the tax outweigh the state's interests in collecting the
2 tax pending the original tax appeal.

3 (d) This section does not apply to a final determination of the
4 Indiana gaming commission under ~~IC 4-32.2~~: **IC 4-32.3**.

5 (e) This section applies to a final determination made by the
6 department of state revenue concerning the gaming card excise tax
7 established under ~~IC 4-32.2-10~~: **IC 4-32.3-10**.

8 SECTION 30. IC 35-45-5-7, AS AMENDED BY P.L.186-2015,
9 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2019]: Sec. 7. This chapter does not apply to the publication
11 or broadcast of an advertisement, a list of prizes, or other information
12 concerning:

13 (1) pari-mutuel wagering on horse races or a lottery authorized by
14 the law of any state;

15 (2) a game of chance operated in accordance with ~~IC 4-32.2~~;
16 **IC 4-32.3**;

17 (3) a gambling game operated in accordance with IC 4-35; or

18 (4) a prize linked savings program that:

19 (A) is offered or conducted by an eligible financial institution
20 under IC 28-1-23.2;

21 (B) is:

22 (i) offered or conducted by a credit union organized or
23 reorganized under United States law; and

24 (ii) conducted in the same manner as a prize linked savings
25 program under IC 28-1-23.2; or

26 (C) is offered or conducted by an insured depository institution
27 (as defined in 12 U.S.C. 1813) that is:

28 (i) a national bank formed under 12 U.S.C. 21;

29 (ii) a state member bank (as defined in 12 U.S.C. 1813);

30 (iii) a state nonmember bank (as defined in 12 U.S.C. 1813);
31 or

32 (iv) a savings association (as defined in 12 U.S.C. 1813);

33 if the prize linked savings program is conducted in the same
34 manner as a prize linked savings program under IC 28-1-23.2.

35 SECTION 31. IC 35-45-5-8, AS AMENDED BY P.L.91-2006,
36 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2019]: Sec. 8. This chapter does not apply to the sale or use
38 of gambling devices authorized under ~~IC 4-32.2~~: **IC 4-32.3**.

39 SECTION 32. IC 35-52-4-23, AS ADDED BY P.L.169-2014,
40 SECTION 2, IS AMENDED TO READ AS FOLLOWS: Sec. 23.
41 ~~IC 4-32.2-8-4~~ **IC 4-32.3-8-4** defines a crime concerning charity
42 gaming.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1517, 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:

Page 15, between lines 14 and 15, begin a new paragraph and insert:

"Sec. 1.5. A license issued under IC 4-32.2-4 (repealed) before July 1, 2019, is valid until that license expires."

Page 18, line 4, delete "(5)" and insert "(2)".

Page 21, line 8, delete "bingo" and insert "activity".

Page 21, line 8, delete "or".

Page 21, line 9, delete "annual casino game license".

Page 21, line 9, delete "has never held an" and insert **"is applying to conduct annual bingo events or casino game night activities that has never previously held a license to conduct such activities"**.

Page 21, line 10, delete "annual bingo license".

Page 21, line 12, delete "bingo" and insert "activity".

Page 21, line 12, delete "or annual casino game night license" and insert **"to conduct annual bingo events or casino game night activities"**.

Page 21, line 19, delete "bingo" and insert "activity".

Page 21, line 19, delete "or an annual casino" and insert **"to conduct annual bingo events or casino game night activities."**

Page 21, delete line 20.

Page 21, line 25, delete "bingo license casino game night license." and insert **"activity license."**

Page 21, line 37, delete "bingo" and insert "activity".

Page 21, line 37, delete "or an annual casino game license" and insert **"to conduct annual bingo events or casino game night activities"**.

Page 22, between lines 39 and 40, begin a new paragraph and insert:

"(c) To renew a three (3) year charity gaming license, a bona fide veterans organization must submit an application every three (3) years."

Page 25, between lines 1 and 2, begin a new paragraph and insert:

"(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."

Page 27, line 17, delete "door prize drawing or".

Page 28, line 18, delete "(b);" and insert "(c);".

Page 32, line 19, delete "last".

Page 32, line 21, after "(a)" insert "**A qualified organization holding a license under IC 4-32.2-4 (repealed) on June 30, 2019, is exempt from fees required under this section.**

(b)".

Page 32, line 21, delete "subsection (b)," and insert "**subsections (c), (d), and (e),"**

Page 32, line 25, delete "(b)" and insert "(c)".

Page 32, line 28, delete "(b)" and insert "(c)".

Page 33, between lines 7 and 8, begin a new paragraph and insert:

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

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

Page 34, line 3, after "organization" insert "**that held a license under IC 4-32.2-4 (repealed) on June 30, 2019, or a qualified organization"**.

Page 35, line 10, delete "license." and insert "**license, including a license issued under IC 4-32.2-4 (repealed)."**

and when so amended that said bill do pass.

(Reference is to HB 1517 as introduced.)

SMALTZ

Committee Vote: yeas 13, nays 0.

