



Reprinted
February 15, 2019

SENATE BILL No. 393

DIGEST OF SB 393 (Updated February 14, 2019 2:38 pm - DI 106)

Citations Affected: IC 4-32.2.

Synopsis: Annual charity game night license. Allows certain bona fide civic organizations to apply to the Indiana gaming commission (commission) for an annual charity game night license. Limits the number of bona fide civic organizations that may hold an annual charity game night license to one in each county and establishes criteria for the commission to apply in awarding a license. Specifies that a license is valid for two years.

Effective: July 1, 2019.

Houchin, Alting,
Randolph Lonnie M, Bohacek

January 14, 2019, read first time and referred to Committee on Public Policy.
January 31, 2019, reported favorably — Do Pass.
February 14, 2019, read second time, amended, ordered engrossed.

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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.

SENATE BILL No. 393

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

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

- 1 SECTION 1. IC 4-32.2-4-7.5, AS AMENDED BY P.L.108-2009,
- 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2019]: Sec. 7.5. (a) This section applies only to a qualified
- 4 organization described in subsection (h). The commission may issue an
- 5 annual charity game night license to a qualified organization if:
- 6 (1) the provisions of this section are satisfied; and
- 7 (2) the qualified organization:
- 8 (A) submits an application; and
- 9 (B) pays a fee set by the commission under IC 4-32.2-6.
- 10 (b) The commission may hold a public hearing to obtain input on
- 11 the proposed issuance of an annual charity game night license to an
- 12 applicant that has never held an annual charity game night license
- 13 under this article.
- 14 (c) The first time that a qualified organization applies for an annual
- 15 charity game night license, the qualified organization shall publish
- 16 notice that the application has been filed by publication at least two (2)
- 17 times, seven (7) days apart, as follows:

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

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

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

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

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

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

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

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

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

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

(f) A license issued under this section:

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

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

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

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

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

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

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

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



(h) **Subject to subsections (j) and (k)**, a qualified organization may apply for an annual charity game night license under this section if the qualified organization is:

(1) a bona fide fraternal organization; **or**

(2) a bona fide veterans organization; **or**

(3) a bona fide civic organization;

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

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

(j) A bona fide civic organization may apply for an annual charity game night license under this section if:

(1) not more than three (3) qualified organizations in the county currently possess an annual charity game night license; and

(2) the bona fide civic organization owns or leases a standalone building where the charitable gaming activities will be conducted.

(k) The number of bona fide civic organizations holding an annual charity game night license issued under this section in a particular county may not exceed one (1). In determining whether to grant an annual charity game night license to a bona fide civic organization, the commission shall consider:

(1) the character and reputation of the bona fide civic organization in furthering its charitable purpose; and

(2) the bona fide civic organization's experience with and compliance in conducting charitable gaming activities.

If more than one (1) otherwise qualified bona fide civic organization applies for an annual charity game night license, the commission may award the license based on a random drawing.

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



COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 393, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 393 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 10, Nays 0

SENATE MOTION

Madam President: I move that Senate Bill 393 be amended to read as follows:

Page 3, line 1, delete "subsection (j)," and insert "**subsections (j) and (k),**".

Page 3, delete lines 13 through 15, begin a new paragraph, and insert:

"(j) A bona fide civic organization may apply for an annual charity game night license under this section if:

(1) not more than three (3) qualified organizations in the county currently possess an annual charity game night license; and

(2) the bona fide civic organization owns or leases a standalone building where the charitable gaming activities will be conducted.

(k) The number of bona fide civic organizations holding an annual charity game night license issued under this section in a particular county may not exceed one (1). In determining whether to grant an annual charity game night license to a bona fide civic organization, the commission shall consider:

(1) the character and reputation of the bona fide civic organization in furthering its charitable purpose; and

(2) the bona fide civic organization's experience with and compliance in conducting charitable gaming activities.

If more than one (1) otherwise qualified bona fide civic organization applies for an annual charity game night license, the commission may award the license based on a random drawing.

(l) A license issued under this section to a bona fide civic

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organization described in subsection (j) is valid for a period of two (2) years, subject to ongoing compliance with this article and commission rules."

(Reference is to SB 393 as printed February 1, 2019.)

HOUCHIN

