



Reprinted
April 11, 2019

ENGROSSED SENATE BILL No. 393

DIGEST OF SB 393 (Updated April 10, 2019 4:59 pm - DI 107)

Citations Affected: IC 4-32.3.

Synopsis: Annual casino night license. Allows the Indiana gaming commission (commission) to issue annual casino night licenses to certain bona fide civic organizations. Limits the number of bona fide civic organizations that may hold an annual casino 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**
(HOUSE SPONSORS — CLERE, SMALTZ, MANNING)

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.
February 15, 2019, engrossed.
February 18, 2019, read third time, passed. Yeas 47, nays 2.

HOUSE ACTION

February 26, 2019, read first time and referred to Committee on Public Policy.
April 4, 2019, amended, reported — Do Pass.
April 10, 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.

ENGROSSED 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 4-32.3-4-5, AS ADDED BY HEA 1517-2019,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 5. (a) The commission may issue an annual
4 activity license to a qualified organization if the qualified organization:
5 (1) meets the requirements of this section;
6 (2) submits an application; and
7 (3) pays a fee set by the commission under IC 4-32.3-6.
8 (b) The following information must be included in an annual
9 activity license:
10 (1) Whether the qualified organization is authorized to conduct
11 bingo, pull tabs, punchboards, tip boards, or raffle activities on
12 more than one (1) occasion during a one (1) year period.
13 (2) The location of the allowable activities.
14 (3) The expiration date of the license.
15 (c) A qualified organization may conduct casino game night
16 activities under an annual activity license if the requirements of
17 subsections (a) and (b) are met, and:

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1 (1) the organization is a qualified veteran **organization** or
 2 fraternal organization; and

3 (2) the annual casino night license requires that a facility or
 4 location may not be used for purposes of conducting an annual
 5 casino game night activity on more than three (3) calendar days
 6 per calendar week regardless of the number of qualified
 7 organizations conducting annual casino night activities at the
 8 facility or location.

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

13 SECTION 2. IC 4-32.3-4-5.5 IS ADDED TO THE INDIANA
 14 CODE AS A NEW SECTION TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2019]: **Sec. 5.5. (a) The commission may issue**
 16 **an annual casino night license to a bona fide civic organization for**
 17 **casino game night activities if:**

18 (1) the requirements of section 5(a) and 5(b) of this chapter
 19 are met;

20 (2) not more than three (3) qualified organizations in the
 21 county where the bona fide civic organization operates
 22 currently possess an annual casino night license; and

23 (3) the bona fide civic organization owns or leases a
 24 standalone building where the casino game night activities
 25 will be conducted.

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

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

33 (2) the bona fide civic organization's experience with and
 34 compliance in casino game night activities.

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

38 (c) A license issued under this section to a bona fide civic
 39 organization described in subsection (a) is valid for a period of two
 40 (2) years, subject to ongoing compliance with this article and
 41 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



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

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 393, 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 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 4-32.3-4-5, AS ADDED BY HEA 1517-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The commission may issue an annual activity license to a qualified organization if the qualified organization:

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

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

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

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

- (1) **subject to subsections (e) and (f)**, the organization is a qualified veteran **organization**, ~~or~~ fraternal organization, ~~or~~ **bona fide civic organization**; and
- (2) the annual casino night license requires that a facility or location may not be used for purposes of conducting an annual casino game night activity on more than three (3) calendar days per calendar week regardless of the number of qualified organizations conducting annual casino night activities at the



facility or location.

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

(e) A bona fide civic organization may apply for an annual activity license under this section if:

- (1) not more than three (3) qualified organizations in the county currently possess an annual activity license; and**
- (2) the bona fide civic organization owns or leases a standalone building where the charitable gaming activities will be conducted.**

(f) The number of bona fide civic organizations holding an annual activity license issued under this section in a particular county may not exceed one (1). In determining whether to grant an annual activity 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 activity license, the commission may award the license based on a random drawing.

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

Delete pages 2 through 3.

and when so amended that said bill do pass.

(Reference is to SB 393 as reprinted February 15, 2019.)

SMALTZ

Committee Vote: yeas 11, nays 0.



HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 393 be amended to read as follows:

Page 2, line 1, delete "subject to subsections (e) and (f),".

Page 2, line 2, delete "organization, or fraternal organization, or bona" and insert "**organization** or fraternal organization;"

Page 2, line 3, delete "fide civic organization;"

Page 2, delete lines 14 through 36, begin a new paragraph and insert:

"SECTION 2. IC 4-32.3-4-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.5. (a) The commission may issue an annual casino night license to a bona fide civic organization for casino game night activities if:**

(1) the requirements of section 5(a) and 5(b) of this chapter are met;

(2) not more than three (3) qualified organizations in the county where the bona fide civic organization operates currently possess an annual casino night license; and

(3) the bona fide civic organization owns or leases a standalone building where the casino game night activities will be conducted.

(b) The number of bona fide civic organizations holding a license issued under this section in a particular county may not exceed one (1). In determining whether to grant a license under this section 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 casino game night activities.

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

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

(Reference is to ESB 393 as printed April 5, 2019.)

CLERE

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