



January 12, 2018

SENATE BILL No. 134

DIGEST OF SB 134 (Updated January 10, 2018 3:43 pm - DI 106)

Citations Affected: IC 4-32.2.

Synopsis: Licensing veterans organizations in charity gaming. Allows for the gaming commission to issue a five year charity gaming license to qualified organizations that are veterans organizations.

Effective: July 1, 2018.

Bohacek, Ford, Alting, Niezgodski

January 3, 2018, read first time and referred to Committee on Public Policy.
January 11, 2018, amended, reported favorably — Do Pass.

SB 134—LS 6264/DI 109



January 12, 2018

Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 134

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 4-32.2-4-4, AS AMENDED BY P.L.94-2012,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]: Sec. 4. (a) Each organization applying for a bingo
4 license, a special bingo license, a charity game night license, a raffle
5 license, a door prize drawing license, a festival license, or a license to
6 conduct any other gambling event approved by the commission must
7 submit to the commission a written application on a form prescribed by
8 the commission. An organization applying for an annual
9 comprehensive charity gaming license must submit an application
10 under section 19 of this chapter. **A bona fide veterans organization**
11 **applying for a five (5) year charity gaming license must submit an**
12 **application under section 21 of this chapter only once every five (5)**
13 **years.**

14 (b) Except as provided in subsection (c), the application must
15 include the information that the commission requires, including the
16 following:

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

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- 1 (2) The names and addresses of the officers of the organization.
- 2 (3) The type of event the organization proposes to conduct.
- 3 (4) The location where the organization will conduct the
- 4 allowable event.
- 5 (5) The dates and times for the proposed allowable event.
- 6 (6) Sufficient facts relating to the organization or the
- 7 organization's incorporation or founding to enable the commission
- 8 to determine whether the organization is a qualified organization.
- 9 (7) The name of each proposed operator and sufficient facts
- 10 relating to the proposed operator to enable the commission to
- 11 determine whether the proposed operator is qualified to serve as
- 12 an operator.
- 13 (8) A sworn statement signed by the presiding officer and
- 14 secretary of the organization attesting to the eligibility of the
- 15 organization for a license, including the nonprofit character of the
- 16 organization.
- 17 (9) Any other information considered necessary by the
- 18 commission.

19 (c) This subsection applies only to a qualified organization that
 20 conducts only one (1) allowable event in a calendar year. The
 21 commission may not require the inclusion in the qualified
 22 organization's application of the Social Security numbers of the
 23 workers who will participate in the qualified organization's proposed
 24 allowable event. A qualified organization that files an application
 25 described in this subsection must attach to the application a sworn
 26 statement signed by the presiding officer and secretary of the
 27 organization attesting that:

- 28 (1) the workers who will participate in the qualified organization's
- 29 proposed allowable event are eligible to participate under this
- 30 article; and
- 31 (2) the organization has not conducted any other allowable events
- 32 in the calendar year.

33 SECTION 2. IC 4-32.2-4-21 IS ADDED TO THE INDIANA CODE
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2018]: **Sec. 21. (a) A bona fide veterans organization applying for**
 36 **a five (5) year charity gaming license must submit to the**
 37 **commission a written application on a form prescribed by the**
 38 **commission.**

39 (b) **The application must include the information that the**
 40 **commission requires, including the following:**

- 41 (1) **The name and address of the organization.**
- 42 (2) **The names and addresses of the officers of the**



- 1 organization.
- 2 (3) The types of events the organization proposes to conduct.
- 3 (4) The location where the organization will conduct the
- 4 allowable events.
- 5 (5) The dates and times for the proposed allowable events.
- 6 (6) Sufficient facts relating to the organization or the
- 7 organization's incorporation or founding to enable the
- 8 commission to determine whether the organization is a
- 9 qualified organization.
- 10 (7) The name of each proposed operator and sufficient facts
- 11 relating to the proposed operator to enable the commission to
- 12 determine whether the proposed operator is qualified to serve
- 13 as an operator.
- 14 (8) A sworn statement signed by the presiding officer and
- 15 secretary of the organization attesting to the eligibility of the
- 16 organization for a license, including the nonprofit character
- 17 of the organization.
- 18 (9) Any other information considered necessary by the
- 19 commission.
- 20 SECTION 3. IC 4-32.2-4-22 IS ADDED TO THE INDIANA CODE
- 21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 22 1, 2018]: **Sec. 22. (a) This section applies only to a qualified**
- 23 **organization that is a bona fide veterans organization.**
- 24 **(b) The commission may issue a five (5) year charity gaming**
- 25 **license to a qualified organization if:**
- 26 **(1) the provisions of this section are satisfied; and**
- 27 **(2) the organization:**
- 28 **(A) submits an annual report to the commission that**
- 29 **includes:**
- 30 **(i) information described in section 21(b)(1) through**
- 31 **21(b)(7) of this chapter;**
- 32 **(ii) a financial report; and**
- 33 **(iii) a gross receipts report; and**
- 34 **(B) pays the applicable fees under IC 4-32.2-6-2.**
- 35 **(c) A license issued under this section authorizes a qualified**
- 36 **organization to conduct any of the following allowable events:**
- 37 **(1) A bingo event.**
- 38 **(2) A charity game night.**
- 39 **(3) A raffle.**
- 40 **(4) A door prize drawing.**
- 41 **(5) A festival.**
- 42 **(6) A sale of pull tabs, punchboards, or tip boards.**



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

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

3 **(2) may be reissued after the expiration of the five (5) year**
 4 **period upon the submission of an application for reissuance**
 5 **on the form established by the commission and upon the**
 6 **licensee's payment of a fee in the amount set by IC 4-32.2-6.**

7 SECTION 4. IC 4-32.2-5-5, AS AMENDED BY P.L.94-2012,
 8 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2018]: Sec. 5. (a) A qualified organization shall maintain
 10 accurate records of all financial aspects of an allowable event under
 11 this article. A qualified organization shall make accurate reports of all
 12 financial aspects of an allowable event to the commission within the
 13 time established by the commission. The commission may prescribe
 14 forms for this purpose. A qualified organization conducting raffle
 15 events and door prize events under an annual comprehensive charity
 16 gaming license issued under IC 4-32.2-4-20 shall comply with the
 17 reporting requirements of this subsection in the manner specified by
 18 subsection (d). For purposes of this section, a qualified organization is
 19 not required to record the name, signature, driver's license number, or
 20 other identifying information of a prize winner unless the qualified
 21 organization is required to withhold adjusted gross income tax from the
 22 prize winner under IC 6-3-4-8.2(d). **A qualified organization that is**
 23 **a bona fide veterans organization conducting allowable events**
 24 **under a five (5) year charity gaming license issued under**
 25 **IC 4-32.2-4-22 shall comply with the reporting requirements of this**
 26 **subsection in the manner specified by subsection (e) and pay the**
 27 **applicable annual fee in an amount determined under**
 28 **IC 4-32.2-6-3.7.**

29 (b) The commission shall, by rule, require a qualified organization
 30 to deposit funds received from an allowable event in a separate and
 31 segregated account set up for that purpose. A qualified organization
 32 conducting raffle events and door prize events under an annual
 33 comprehensive charity gaming license shall deposit the funds received
 34 from each raffle or door prize event conducted by its separate Indiana
 35 affiliates into a single account maintained by a financial institution
 36 physically located in Indiana. All expenses of the qualified organization
 37 with respect to an allowable event shall be paid from the separate
 38 account.

39 (c) The commission may require a qualified organization to submit
 40 any records maintained under this section for an independent audit by
 41 a certified public accountant selected by the commission. A qualified
 42 organization must bear the cost of any audit required under this section.



1 (d) The following reports must be submitted to the commission with
 2 respect to the raffle events and door prize events conducted under an
 3 annual comprehensive charity gaming license:

4 (1) An event summary report for each raffle or door prize event
 5 conducted under the license. Reports required under this
 6 subdivision may be submitted by the Indiana affiliate of the
 7 qualified organization.

8 (2) One (1) annual license financial report.

9 (3) One (1) annual license gross receipts report.

10 (e) **The following reports must be submitted to the commission**
 11 **with respect to the allowable events conducted under a five (5) year**
 12 **charity gaming license issued under IC 4-32.2-4-22:**

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

15 (2) **An annual financial report.**

16 (3) **An annual gross receipts report.**

17 SECTION 5. IC 4-32.2-6-2, AS AMENDED BY P.L.94-2012,
 18 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2018]: Sec. 2. (a) **Except as provided under subsection (c),**
 20 the license fee that is charged to a qualified organization in the first
 21 year that the qualified organization applies for a license is:

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

23 (2) the amount determined under subsection (b) for a qualified
 24 organization issued an annual comprehensive charity gaming
 25 license for the first time.

26 (b) When a qualified organization is issued an annual
 27 comprehensive charity gaming license under IC 4-32.2-4-20 for the
 28 first time, the initial license fee is determined as follows:

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

31 (A) has not previously conducted an allowable event; and

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

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

39 (A) An amount equal to the sum of the license renewal fees
 40 determined under section 3(c) of this chapter for the
 41 organization's Indiana affiliates in 2011.

42 (B) An amount equal to the sum of the license renewal fees



1 determined under section 3(c) of this chapter for the
 2 organization's Indiana affiliates during the twelve (12) month
 3 period ending on the date the qualified organization's license
 4 application is filed.

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

6 **(c) The license fee that is charged to a qualified organization**
 7 **that is a bona fide veterans organization issued a five (5) year**
 8 **charity gaming license under IC 4-32.2-4-22 for the first time is**
 9 **fifty dollars (\$50).**

10 **(d) The license fee that is charged to a qualified organization**
 11 **that is a bona fide veterans organization that currently holds a**
 12 **license issued under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8,**
 13 **IC 4-32.2-4-10, IC 4-32.2-4-12, or IC 4-32.2-4-20 for the first time**
 14 **is equal to the amount the bona fide veterans organization paid for**
 15 **the license it held under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8,**
 16 **IC 4-32.2-4-10, IC 4-32.2-4-12, or IC 4-32.2-4-20 the prior fiscal**
 17 **year.**

18 SECTION 6. IC 4-32.2-6-3, AS AMENDED BY P.L.94-2012,
 19 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2018]: Sec. 3. (a) This subsection does not apply to the
 21 renewal of a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7,
 22 IC 4-32.2-4-8, IC 4-32.2-4-10, IC 4-32.2-4-12, ~~or~~ IC 4-32.2-4-20, ~~or~~
 23 **IC 4-32.2-4-22**, or a single event license issued under IC 4-32.2-4-16.
 24 A qualified organization's adjusted gross revenue is an amount equal
 25 to the difference between:

- 26 (1) the qualified organization's total gross revenue from allowable
 27 events in the preceding year; minus
 28 (2) the sum of any amounts deducted under IC 4-32.2-5-3(b)(5)
 29 in the preceding year.

30 (b) This subsection applies only to the renewal of a license issued
 31 under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8, IC 4-32.2-4-10, or
 32 IC 4-32.2-4-12, or a single event license issued under IC 4-32.2-4-16.
 33 A qualified organization's adjusted gross revenue is an amount equal
 34 to the difference between:

- 35 (1) the qualified organization's total gross revenue from the
 36 preceding event; minus
 37 (2) any amount deducted under IC 4-32.2-5-3(b)(5) for the
 38 preceding event.

39 (c) This subsection does not apply to the renewal of an annual
 40 comprehensive charity gaming license issued under IC 4-32.2-4-20 ~~or~~
 41 **IC 4-32.2-4-22**. The license fee that is charged to a qualified
 42 organization that renews a license is equal to the amount determined



1 according to the following schedule using the adjusted gross revenue
 2 of the qualified organization as specified by subsection (a) or (b), as
 3 applicable:

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
4			
5			
6	A	\$ 0	\$ 15,000
7	B	\$ 15,000	\$ 25,000
8	C	\$ 25,000	\$ 50,000
9	D	\$ 50,000	\$ 75,000
10	E	\$ 75,000	\$ 100,000
11	F	\$ 100,000	\$ 150,000
12	G	\$ 150,000	\$ 200,000
13	H	\$ 200,000	\$ 250,000
14	I	\$ 250,000	\$ 300,000
15	J	\$ 300,000	\$ 400,000
16	K	\$ 400,000	\$ 500,000
17	L	\$ 500,000	\$ 750,000
18	M	\$ 750,000	\$ 1,000,000
19	N	\$ 1,000,000	\$ 1,250,000
20	O	\$ 1,250,000	\$ 1,500,000
21	P	\$ 1,500,000	\$ 1,750,000
22	Q	\$ 1,750,000	\$ 2,000,000
23	R	\$ 2,000,000	\$ 2,250,000
24	S	\$ 2,250,000	\$ 2,500,000
25	T	\$ 2,500,000	\$ 3,000,000
26	U	\$ 3,000,000	\$ 26,000

27 (d) This subsection applies only to the renewal of an annual
 28 comprehensive charity gaming license issued under IC 4-32.2-4-20.
 29 The license fee that is charged to a qualified organization that renews
 30 a license is equal to the amount determined according to the following
 31 schedule using the aggregate adjusted gross revenue of the Indiana
 32 affiliates of the qualified organization as specified by section 3.5 of this
 33 chapter:

Class	Adjusted Gross Revenues		Fee
	At Least	But Less Than	
34			
35			
36	A	\$ 0	\$ 15,000
37	B	\$ 15,000	\$ 25,000
38	C	\$ 25,000	\$ 50,000
39	D	\$ 50,000	\$ 75,000
40	E	\$ 75,000	\$ 100,000
41	F	\$ 100,000	\$ 150,000
42	G	\$ 150,000	\$ 200,000



1	H	\$ 200,000	\$ 250,000	\$ 1,800
2	I	\$ 250,000	\$ 300,000	\$ 2,500
3	J	\$ 300,000	\$ 400,000	\$ 3,250
4	K	\$ 400,000	\$ 500,000	\$ 5,000
5	L	\$ 500,000	\$ 750,000	\$ 6,750
6	M	\$ 750,000	\$ 1,000,000	\$ 9,000
7	N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
8	O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
9	P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
10	Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
11	R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
12	S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
13	T	\$ 2,500,000	\$ 3,000,000	\$ 24,000
14	U	\$ 3,000,000		\$ 26,000

15 SECTION 7. IC 4-32.2-6-3.7 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2018]: **Sec. 3.7. (a) This section applies only**
 18 **to the renewal of a five (5) year charity gaming license issued under**
 19 **IC 4-32.2-4-22.**

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

22 **(1) the qualified organization's total gross revenue from**
 23 **events conducted under the five (5) year charity gaming**
 24 **license in the year prior to the expiration of the license; minus**

25 **(2) the sum of any amounts deducted under**
 26 **IC 4-32.2-5-3(b)(5) with respect to the allowable events**
 27 **described in subdivision (1) in the year prior to the expiration**
 28 **of the license.**

29 **(c) The license fee that is charged to a qualified organization**
 30 **that renews a license is equal to the amount determined according**
 31 **to the following schedule using the adjusted gross revenue of the**
 32 **qualified organization as specified by subsection (b):**

Class	Adjusted Gross Revenues		Fee	
	At Least	But Less Than		
35	A	\$ 0	\$ 15,000	\$ 50
36	B	\$ 15,000	\$ 25,000	\$ 100
37	C	\$ 25,000	\$ 50,000	\$ 300
38	D	\$ 50,000	\$ 75,000	\$ 400
39	E	\$ 75,000	\$ 100,000	\$ 700
40	F	\$ 100,000	\$ 150,000	\$ 1,000
41	G	\$ 150,000	\$ 200,000	\$ 1,500
42	H	\$ 200,000	\$ 250,000	\$ 1,800



1	I	\$ 250,000	\$ 300,000	\$ 2,500
2	J	\$ 300,000	\$ 400,000	\$ 3,250
3	K	\$ 400,000	\$ 500,000	\$ 5,000
4	L	\$ 500,000	\$ 750,000	\$ 6,750
5	M	\$ 750,000	\$ 1,000,000	\$ 9,000
6	N	\$ 1,000,000	\$ 1,250,000	\$ 11,000
7	O	\$ 1,250,000	\$ 1,500,000	\$ 13,000
8	P	\$ 1,500,000	\$ 1,750,000	\$ 15,000
9	Q	\$ 1,750,000	\$ 2,000,000	\$ 17,000
10	R	\$ 2,000,000	\$ 2,250,000	\$ 19,000
11	S	\$ 2,250,000	\$ 2,500,000	\$ 21,000
12	T	\$ 2,500,000	\$ 3,000,000	\$ 24,000
13	U	\$ 3,000,000		\$ 26,000



COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 134, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 12, delete "chapter." and insert "**chapter only once every five (5) years.**".

Page 3, line 33, delete "a fee of fifty dollars (\$50)." and insert "**the applicable fees under IC 4-32.2-6-2.**".

Page 4, line 25, delete "(e)." and insert "**(e) and pay the applicable annual fee in an amount determined under IC 4-32.2-6-3.7.**".

Page 6, between lines 6 and 7, begin a new paragraph and insert:

"(d) The license fee that is charged to a qualified organization that is a bona fide veterans organization that currently holds a license issued under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8, IC 4-32.2-4-10, IC 4-32.2-4-12, or IC 4-32.2-4-20 for the first time is equal to the amount the bona fide veterans organization paid for the license it held under IC 4-32.2-4-6, IC 4-32.2-4-7, IC 4-32.2-4-8, IC 4-32.2-4-10, IC 4-32.2-4-12, or IC 4-32.2-4-20 the prior fiscal year."

and when so amended that said bill do pass.

(Reference is to SB 134 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 9, Nays 0.

