

#### **IC 4-32.2-4**

### **Chapter 4. Charity Gaming Licenses**

#### **IC 4-32.2-4-1**

##### **Authorized activities**

Sec. 1. A qualified organization may conduct the following activities in accordance with this article:

- (1) A bingo event.
- (2) A charity game night.
- (3) A raffle event.
- (4) A door prize event.
- (5) A festival.
- (6) The sale of pull tabs, punchboards, and tip boards.
- (7) Any other gambling event approved by the commission.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-2**

##### **License requirement**

Sec. 2. Except as provided in section 3 of this chapter, a qualified organization must obtain a license under this chapter to conduct an allowable event.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-2.5**

##### **Limitations on issuance**

Sec. 2.5. The commission may deny a license to an organization if the commission determines that at least one (1) of the following applies with respect to the organization:

- (1) The organization has:
  - (A) violated a local ordinance, a state or federal statute, or an administrative rule or regulation and the violation would cause the commission to determine that the applicant, a key person, or a substantial owner of the applicant is not of good moral character or reputation; or
  - (B) committed any other act that would negatively affect the integrity of charity gaming in Indiana.
- (2) The organization has engaged in fraud, deceit, or misrepresentation.
- (3) The organization has failed to provide information required by this article or a rule adopted under this article.
- (4) The organization has failed to provide sufficient information to enable the commission to determine that the organization is a qualified organization.

*As added by P.L.227-2007, SEC.16.*

#### **IC 4-32.2-4-3**

##### **Exceptions to license requirement; notice requirement; record keeping**

Sec. 3. (a) A qualified organization is not required to obtain a license from the commission if the value of all prizes awarded at the bingo event, charity game night, raffle event, door prize event, festival event, or other event licensed under section 16 of this chapter, including prizes from pull tabs, punchboards, and tip boards, does not exceed one thousand dollars (\$1,000) for a single event and not more than three thousand dollars (\$3,000) during a calendar year.

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

- (1) The estimated frequency of the planned allowable events.
- (2) The location or locations where the qualified organization plans to hold the allowable events.
- (3) The estimated value of all prizes awarded at each allowable event.

(c) The notice required under subsection (b) must be filed before the earlier of the following:

- (1) March 1 of each year.
- (2) One (1) week before the qualified organization holds the first allowable event of the year.

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

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.17.*

#### **IC 4-32.2-4-4**

##### **License applications**

Sec. 4. (a) Each organization applying for a bingo license, a special bingo license, a charity game night license, a raffle license, a door prize drawing license, a festival license, or a license to conduct any other gambling event approved by the commission must submit to the commission a written application on a form prescribed by the commission. An organization applying for an annual comprehensive charity gaming license must submit an application under section 19 of this chapter.

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

- (1) The name and address of the organization.
- (2) The names and addresses of the officers of the organization.
- (3) The type of event the organization proposes to conduct.
- (4) The location where the organization will conduct the allowable event.
- (5) The dates and times for the proposed allowable event.
- (6) Sufficient facts relating to the organization or the

organization's incorporation or founding to enable the commission to determine whether the organization is a qualified organization.

(7) The name of each proposed operator and sufficient facts relating to the proposed operator to enable the commission to determine whether the proposed operator is qualified to serve as an operator.

(8) A sworn statement signed by the presiding officer and secretary of the organization attesting to the eligibility of the organization for a license, including the nonprofit character of the organization.

(9) Any other information considered necessary by the commission.

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

(1) the workers who will participate in the qualified organization's proposed allowable event are eligible to participate under this article; and

(2) the organization has not conducted any other allowable events in the calendar year.

*As added by P.L.91-2006, SEC.3. Amended by P.L.94-2012, SEC.8.*

#### **IC 4-32.2-4-5**

##### **Issuance of license; hearings authorized; protest procedures; reissuance**

Sec. 5. (a) The commission may issue a bingo license to a qualified organization if:

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

(2) the qualified organization:

(A) submits an application; and

(B) pays a fee set by the commission under IC 4-32.2-6.

(b) The commission may hold a public hearing to obtain input on the proposed issuance of an annual bingo license to an applicant that has never held an annual bingo license under this article.

(c) The first time that a qualified organization applies for an annual bingo license, the qualified organization shall publish notice that the application has been filed by publication at least two (2) times, seven (7) days apart, as follows:

(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

event 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 bingo license.
- (2) The location where the bingo 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 bingo 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 bingo events on more than one (1) occasion during a period of one (1) year;
- (2) must state the locations of the permitted bingo 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 bingo 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 bingo operation.
- (3) A public hearing is considered necessary by the commission.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.18.*

#### **IC 4-32.2-4-6**

##### **Special bingo license**

Sec. 6. The commission may issue a special bingo license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a bingo event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the authorized bingo event.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-7**

##### **Charity game night license**

Sec. 7. The commission may issue a charity game night license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a charity game night at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the charity game night.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-7.5**

##### **Annual charity game night license**

Sec. 7.5. (a) This section applies only to a qualified organization described in subsection (h). The commission may issue an annual charity game night license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
  - (A) submits an application; and
  - (B) pays a fee set by the commission under IC 4-32.2-6.

(b) The commission may hold a public hearing to obtain input on the proposed issuance of an annual charity game night license to an applicant that has never held an annual charity game night license under this article.

(c) The first time that a qualified organization applies for an annual charity game night license, the qualified organization shall publish notice that the application has been filed by publication at least two (2) times, seven (7) days apart, as follows:

- (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) 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;

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.

*As added by P.L.227-2007, SEC.19. Amended by P.L.108-2009, SEC.7.*

#### **IC 4-32.2-4-8**

##### **Raffle license**

Sec. 8. The commission may issue a raffle license to a qualified

organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a raffle event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the raffle event.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.20.*

#### **IC 4-32.2-4-9**

##### **Annual raffle license**

Sec. 9. (a) The commission may issue an annual raffle license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
  - (A) submits an application; and
  - (B) pays a fee set by the commission under IC 4-32.2-6.

(b) The application for an annual raffle prize license must contain the following:

- (1) The name of the qualified organization.
- (2) The location where the raffle events will be held.
- (3) The names of the operator and officers of the qualified organization.

(c) A license issued under this section:

- (1) must authorize the qualified organization to conduct raffle events at any time during a period of one (1) year;
- (2) must state the locations of the permitted raffle 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.

(d) A license issued under this section is not required for raffles permitted under section 13 of this chapter at events held under a bingo license, a special bingo license, a charity game night license, a door prize license, or an annual door prize license.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.21; P.L.95-2008, SEC.6.*

#### **IC 4-32.2-4-10**

##### **Door prize license**

Sec. 10. The commission may issue a door prize license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a door prize event at only one (1) time and location; and

- (2) state the date, beginning and ending times, and location of the door prize event.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.22.*

#### **IC 4-32.2-4-11**

##### **Annual door prize license**

Sec. 11. (a) The commission may issue an annual door prize license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
  - (A) submits an application; and
  - (B) pays a fee set by the commission under IC 4-32.2-6.

(b) The application for an annual door prize license must contain the following:

- (1) The name of the qualified organization.
- (2) The location where the door prize events will be held.
- (3) The names of the operator and officers of the qualified organization.

(c) A license issued under this section:

- (1) may authorize the qualified organization to conduct door prize events on more than one (1) occasion during a period of one (1) year;
- (2) must state the locations of the permitted door prize 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.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.23.*

#### **IC 4-32.2-4-12**

##### **Festival license**

Sec. 12. (a) The commission may issue a festival license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must authorize the qualified organization to conduct bingo events, charity game nights, raffle events, gambling events licensed under section 16 of this chapter, and door prize events and to sell pull tabs, punchboards, and tip boards. The license must state the location and the dates, not exceeding five (5) consecutive days, on which these activities may be conducted.

(b) Except as provided in IC 4-32.2-5-6(c), a qualified organization may not conduct more than one (1) festival each year.

(c) The raffle event authorized by a festival license is not subject to the prize limits set forth in this chapter. Bingo events, charity game nights, and door prize events conducted at a festival are subject



to the prize limits set forth in this chapter.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.24; P.L.104-2011, SEC.4.*

#### **IC 4-32.2-4-13**

##### **Additional activities authorized**

Sec. 13. (a) A bingo license or special bingo license may also authorize a qualified organization to conduct raffle events and door prize drawings and sell pull tabs, punchboards, and tip boards at the bingo event.

(b) A charity game night license may also authorize a qualified organization to:

(1) conduct raffle events and door prize drawings; and

(2) sell pull tabs, punchboards, and tip boards;

at the charity game night.

(c) A raffle license or an annual raffle license may also authorize a qualified organization to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the raffle event.

(d) A door prize license or an annual door prize license may also authorize a qualified organization to conduct a raffle event and to sell pull tabs, punchboards, and tip boards at the door prize event.

(e) A PPT license may also authorize a qualified organization to conduct on the premises described in section 16.5(b) of this chapter winner take all drawings and other qualified drawings in the manner required by IC 4-32.2-5-26.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.25; P.L.95-2008, SEC.7; P.L.108-2009, SEC.8.*

#### **IC 4-32.2-4-13.5**

##### **Alcoholic beverage prizes**

Sec. 13.5. A qualified organization that gives an alcoholic beverage as a prize at an allowable event shall comply with IC 7.1-3-6.1.

*As added by P.L.153-2015, SEC.1.*

#### **IC 4-32.2-4-14**

##### **Multiple licenses**

Sec. 14. Except as provided in IC 4-32.2-5-29, a qualified organization may hold more than one (1) license at a time.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.26; P.L.94-2012, SEC.9.*

#### **IC 4-32.2-4-15**

##### **Prohibition on limiting the number of organizations licensed**

Sec. 15. The commission may not limit the number of qualified organizations licensed under this article.

*As added by P.L.91-2006, SEC.3.*

**IC 4-32.2-4-16****Other events authorized; conditions**

Sec. 16. (a) This section applies to a gambling event that is described in neither:

- (1) section 1(1) through 1(6) of this chapter; nor
- (2) IC 4-32.2-2-12(b).

(b) The commission may issue a single event license or an annual event license to conduct a gambling event approved by the commission to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6.

(c) A single event license must:

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

(d) An annual event license:

- (1) must authorize the qualified organization to conduct the events on more than one (1) occasion during a period of one (1) year;
- (2) must state the locations of the permitted 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.

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

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.27.*

**IC 4-32.2-4-16.5****Annual PPT license**

Sec. 16.5. (a) The commission may issue an annual PPT license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6.

(b) A license issued under this section authorizes a qualified organization to sell pull tabs, punchboards, and tip boards at any time on the premises owned or leased by the qualified organization and regularly used for the activities of the qualified organization.

(c) A license issued under this section is not required for the sale of pull tabs, punchboards, and tip boards at another allowable event as permitted under section 13 of this chapter.

(d) The application for an annual PPT license must contain the following:

- (1) The name of the qualified organization.
- (2) The location where the qualified organization will sell pull

tabs, punchboards, and tip boards.

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

*As added by P.L.227-2007, SEC.28.*

#### **IC 4-32.2-4-17**

##### **Worker Social Security numbers**

Sec. 17. A qualified organization described in section 4(c) of this chapter may not require an individual who wishes to participate in the qualified organization's allowable event as a worker to submit the individual's Social Security number to the qualified organization.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-18**

##### **Candidates' committees authorized to obtain raffle licenses and conduct door prize drawings at raffle events**

Sec. 18. (a) With respect to any action authorized by this section, a candidate's committee (as defined in IC 3-5-2-7) is considered a bona fide political organization.

(b) A candidate's committee may apply for a license under section 8 of this chapter to conduct a raffle event. A candidate's committee may also conduct a door prize drawing at the raffle event but is prohibited from conducting any other kind of allowable event.

(c) The following are subject to this chapter and IC 4-32.2-6:

(1) A candidate's committee that applies for a license under section 8 of this chapter.

(2) A raffle event or door prize drawing conducted by a candidate's committee.

(d) The members of a candidate's committee may conduct an event under this section without meeting the requirements of this article concerning the membership of a qualified organization. A candidate's committee licensed under this section must remain in good standing with the election division or the county election board having jurisdiction over the committee.

*As added by P.L.91-2006, SEC.3. Amended by P.L.227-2007, SEC.29.*

#### **IC 4-32.2-4-19**

##### **Annual comprehensive charity gaming license**

Sec. 19. (a) An organization applying for an annual comprehensive charity gaming license must submit to the commission a written application on a form prescribed by the commission.

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

(1) The name and address of the organization.

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

(3) The mailing address of each Indiana affiliate of the

organization.

(4) An estimate of the number and approximate locations of the raffle events and door prize events the organization's Indiana affiliates plan to conduct.

(5) Sufficient facts relating to the organization or the organization's incorporation or founding to enable the commission to determine whether the organization is a bona fide national organization or a bona fide national foundation.

(6) The name of each proposed operator and sufficient facts relating to the proposed operator to enable the commission to determine whether the proposed operator is qualified to serve as an operator.

(7) A sworn statement signed by the presiding officer and secretary of the organization attesting to the eligibility of the organization for a license, including the nonprofit character of the organization.

*As added by P.L.94-2012, SEC.10.*

#### **IC 4-32.2-4-20**

##### **Annual comprehensive charity gaming license; events authorized**

Sec. 20. (a) This section applies only to a qualified organization that is a:

- (1) bona fide national organization;
- (2) bona fide national foundation;
- (3) bona fide state organization; or
- (4) bona fide state foundation.

(b) The commission may issue an annual comprehensive charity gaming license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the organization:
  - (A) submits an application in compliance with section 19 of this chapter; and
  - (B) pays a fee in the amount set by IC 4-32.2-6.

(c) A license issued under this section:

- (1) may authorize the qualified organization to conduct raffle events and door prize events through the organization's Indiana affiliates on more than one (1) occasion during a period of one (1) year;
- (2) must state the expiration date of the license; and
- (3) 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 in the amount set by IC 4-32.2-6.

(d) A license issued under this section authorizes a qualified organization to:

- (1) conduct door prize drawings at a raffle event held under the license; and
- (2) conduct raffles at a door prize event held under the license.

*As added by P.L.94-2012, SEC.11. Amended by P.L.253-2015,  
SEC.6.*