

IC 4-36-2

Chapter 2. Definitions

IC 4-36-2-1

Application of definitions

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-2

"Commission"

Sec. 2. "Commission" means the alcohol and tobacco commission created by IC 7.1-2-1-1.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-3

"Deal"

Sec. 3. "Deal" means each separate game or series of pull tab tickets with a specific form number and a unique serial number.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-4

"Department"

Sec. 4. "Department" refers to the department of state revenue.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-5

"Distributor"

Sec. 5. "Distributor" means a person licensed to distribute pull tabs, punchboards, and tip boards under IC 4-32.2.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-6

"Electronic gaming device"

Sec. 6. "Electronic gaming device" has the meaning set forth in IC 35-45-5-1.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-7

"Flare"

Sec. 7. "Flare" means the board or placard that accompanies each deal of pull tabs on which the following information is printed:

- (1) The game name.
- (2) The manufacturer's name or distinctive logo.
- (3) The form number.
- (4) The ticket count.
- (5) The prize structure.
- (6) The cost per play.
- (7) The game serial number.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-8**"Form number"**

Sec. 8. "Form number" means the unique number or alphanumeric code that identifies a game's cost per play, ticket count, payout structure, and extended payout structure, if any.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-9**"Gross receipts"**

Sec. 9. (a) "Gross receipts" means the total amount of money exchanged for the purchase of:

- (1) pull tabs;
- (2) punchboards;
- (3) tip boards; and
- (4) raffle tickets purchased in a qualified drawing in which the retailer retains the profits of the qualified drawing;

by the patrons of a type II gaming operation.

(b) The term does not include any amount wagered on qualified drawings conducted by a retailer under IC 4-36-5-1(c) in which the total amount wagered is returned to the retailer's patrons in the form of prizes.

As added by P.L.95-2008, SEC.13. Amended by P.L.108-2009, SEC.14; P.L.19-2011, SEC.1.

IC 4-36-2-10**"Licensed premises"**

Sec. 10. "Licensed premises" has the meaning set forth in IC 7.1-1-3-20.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-11**"Licensee"**

Sec. 11. "Licensee" means a person holding a license issued under this article.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-12**"Manufacturer"**

Sec. 12. "Manufacturer" means a person licensed to manufacture pull tabs, punchboards, and tip boards under IC 4-32.2.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-13**"Person"**

Sec. 13. "Person" means an individual, a sole proprietorship, a partnership, an association, a fiduciary, a corporation, a limited liability company, or any other business entity.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-13.5

"Profits"

Sec. 13.5. "Profits" means the difference between:

- (1) the total amount of money exchanged for the purchase of a raffle ticket in a qualified drawing; minus
- (2) the total cost of the prizes awarded in the qualified drawing.

As added by P.L.19-2011, SEC.2.

IC 4-36-2-14

"Pull tab"

Sec. 14. "Pull tab" has the meaning set forth in IC 4-32.2-2-22.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-15

"Punchboard"

Sec. 15. "Punchboard" has the meaning set forth in IC 4-32.2-2-23.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-15.5

"Qualified drawing"

Sec. 15.5. "Qualified drawing" means a random drawing to award one (1) or more prizes that is conducted in the manner required by IC 4-36-5-1(c).

As added by P.L.108-2009, SEC.15.

IC 4-36-2-16

"Raffle"

Sec. 16. "Raffle" means the selling of tickets or chances to win a prize awarded through a random drawing.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-17

"Retailer"

Sec. 17. "Retailer" means a person that:

- (1) is licensed to sell alcoholic beverages under IC 7.1-3 to customers for consumption on the licensed premises of the person's tavern; and
- (2) holds an endorsement to conduct type II gambling games that was issued by the commission under IC 4-36-4.

As added by P.L.95-2008, SEC.13.

IC 4-36-2-18

"Tavern"

Sec. 18. "Tavern" means that part of a licensed premises:

- (1) that is a separate room from the public spaces of the licensed premises in which a minor may be present under IC 7.1-5-7-11(a)(16);
- (2) that is used primarily for the serving of alcoholic beverages by the drink to the general public; and
- (3) where food service is secondary to the primary use

described in subdivision (2) in the amount of sales.
As added by P.L.95-2008, SEC.13.

IC 4-36-2-19

"Tip board"

Sec. 19. "Tip board" has the meaning set forth in IC 4-32.2-2-28.
As added by P.L.95-2008, SEC.13.

IC 4-36-2-20

"Type II gambling game"

Sec. 20. "Type II gambling game" means a pull tab, punchboard, or tip board game approved by the Indiana gaming commission for play under IC 4-32.2.
As added by P.L.95-2008, SEC.13.

IC 4-36-2-21

"Type II gambling operation"

Sec. 21. "Type II gambling operation" means the conduct of gambling games authorized under this article in a tavern.
As added by P.L.95-2008, SEC.13.