



January 31, 2025

SENATE BILL No. 209

DIGEST OF SB 209 (Updated January 29, 2025 6:07 pm - DI 137)

Citations Affected: IC 4-32.3.

Synopsis: Electronic pull tabs in charity gaming. Allows for the use of electronic pull tab games, electronic pull tab devices, and electronic pull tab systems in charity gaming. Provides for a maximum number of electronic pull tab devices that may be present, for purposes of charity gaming, in a facility or location.

Effective: July 1, 2025.

**Walker K, Alting, Busch,
Niezgodski, Becker, Dernulc,
Maxwell, Jackson L, Pol Jr., Walker G**

January 8, 2025, read first time and referred to Committee on Public Policy.
January 30, 2025, amended, reported favorably — Do Pass.

SB 209—LS 6681/DI 107



January 31, 2025

First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

SENATE BILL No. 209

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 4-32.3-2-15.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2025]: **Sec. 15.3. "Electronic pull tab device"**
4 **means a:**

5 (1) **freestanding cabinet-style electronic device;**
6 (2) **stationary scaled-down table top version of a cabinet-style**
7 **device; or**
8 (3) **handheld mobile tablet, other than a phone or other**
9 **personal computing device;**
10 **that is used to play electronic pull tab games and approved by the**
11 **commission under IC 4-32.3-5-16.5.**

12 SECTION 2. IC 4-32.3-2-15.5 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2025]: **Sec. 15.5. "Electronic pull tab game"**
15 **means a unique electronic pull tab game with a unique form**
16 **number and the same unique serial number.**

17 SECTION 3. IC 4-32.3-2-15.7 IS ADDED TO THE INDIANA

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1 CODE AS A NEW SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2025]: **Sec. 15.7. "Electronic pull tab system"**
 3 **means an electronic pull tab device, an electronic pull tab game,**
 4 **and any computer or device, including all related hardware and**
 5 **software, used to facilitate the play of an electronic pull tab game.**

6 SECTION 4. IC 4-32.3-2-16.5 IS ADDED TO THE INDIANA
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2025]: **Sec. 16.5. "Flare" means the board or**
 9 **placard, or, in the case of an electronic pull tab game, an electronic**
 10 **representation of a board or placard, that accompanies each deal**
 11 **of pull tabs on which the following information is printed:**

- 12 (1) **The game name.**
- 13 (2) **The manufacturer's name or distinctive logo.**
- 14 (3) **The form number.**
- 15 (4) **The ticket count.**
- 16 (5) **The prize structure.**
- 17 (6) **The cost per play.**
- 18 (7) **The game serial number.**

19 SECTION 5. IC 4-32.3-2-22, AS ADDED BY P.L.58-2019,
 20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2025]: **Sec. 22. "Licensed supply" refers to any of the**
 22 **following:**

- 23 (1) **Bingo supplies.**
- 24 (2) **Pull tabs, including electronic pull tab devices, electronic**
 25 **pull tab games, and electronic pull tab systems.**
- 26 (3) **Punchboards.**
- 27 (4) **Tip boards.**
- 28 (5) **Game boards, including but not limited to, raffle and coin**
 29 **boards.**
- 30 (6) **Any other supplies, devices, or equipment designed to be used**
 31 **in allowable activities designated by rule of the commission.**

32 SECTION 6. IC 4-32.3-2-27, AS ADDED BY P.L.58-2019,
 33 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2025]: **Sec. 27. "Progressive or carryover pull tab" means a**
 35 **pull tab game played with a seal card, or, in the case of an electronic**
 36 **pull tab game, an electronic representation of a seal card, that is**
 37 **designed by the manufacturer to include a jackpot prize that is carried**
 38 **over to a subsequent deal of the same form number, in the event the**
 39 **jackpot prize is not won.**

40 SECTION 7. IC 4-32.3-2-28, AS ADDED BY P.L.58-2019,
 41 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2025]: **Sec. 28. "Pull tab" means either any of the following:**

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- (1) A game conducted in the following manner:
 - (A) A single folded or banded ticket or a two-ply card with perforated break-open tabs is bought by a player from a qualified organization.
 - (B) The face of each card is initially covered or otherwise hidden from view, concealing a number, letter, symbol, or set of letters or symbols.
 - (C) In each set of tickets or cards, a designated number of tickets or cards have been randomly designated in advance as winners.
 - (D) Winners, or potential winners if the game includes the use of a seal, are determined by revealing the faces of the tickets or cards. The player may be required to sign the player's name on numbered lines provided if a **paper** seal is used.
 - (E) The player with a winning pull tab ticket or numbered line receives the prize stated on the flare from the qualified organization. The prize must be fully and clearly described on the flare.

(2) An electronic pull tab game played on an electronic pull tab device approved by the commission under IC 4-32.3-5-16.5.

(2) (3) Any game played in a similar fashion as a game described in subdivision (1) that is approved by the commission.

SECTION 8. IC 4-32.3-2-34, AS ADDED BY P.L.58-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 34. "Seal card" means a board or placard, **or, in the case of an electronic pull tab game, an electronic representation of a board or placard**, used with pull tabs that contains one (1) or more seals, that when removed or opened, reveals a predesignated winning number, letter, symbol, or monetary denomination.

SECTION 9. IC 4-32.3-3-3, AS AMENDED BY P.L.93-2024, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. The commission shall adopt rules under IC 4-22-2 for the following purposes:

- (1) Administering this article.
- (2) Establishing the conditions under which charity gaming in Indiana may be conducted, including the manner in which a qualified organization may supervise a qualified card game conducted under IC 4-32.3-5-11(b).
- (3) Providing for the prevention of practices detrimental to the public interest and providing for the best interests of charity gaming.



- 1 (4) Establishing rules concerning inspection of qualified
 2 organizations and the review of the licenses necessary to conduct
 3 charity gaming.
 4 (5) Imposing penalties for noncriminal violations of this article.
 5 (6) Establishing standards for independent audits conducted under
 6 IC 4-32.3-5-5(d).
 7 **(7) Establishing standards:**
 8 **(A) for the licensing of manufacturers of;**
 9 **(B) for required technical specifications for; and**
 10 **(C) to receive commission approval of;**
 11 **electronic pull tab systems.**
 12 **(8) Requiring that:**
 13 **(A) the manufacturer of an electronic pull tab system**
 14 **submit, at the manufacturer's own expense, the**
 15 **manufacturer's electronic pull tab system to an**
 16 **independent gaming testing laboratory for testing and**
 17 **certification as meeting the standards for required**
 18 **technical specifications adopted by the commission; and**
 19 **(B) an electronic pull tab system be approved by the**
 20 **commission before the electronic pull tab system may be**
 21 **used by a qualified organization under this article.**
 22 SECTION 10. IC 4-32.3-3-4, AS ADDED BY P.L.58-2019,
 23 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2025]: Sec. 4. (a) The commission has the sole authority to
 25 license entities under this article to sell, distribute, or manufacture a
 26 licensed supply.
 27 (b) The commission may not limit the number of qualified entities
 28 licensed under subsection (a).
 29 (c) The commission may deny a license to an applicant for a license
 30 to sell, manufacture, or distribute licensed supplies if the commission
 31 determines that at least one (1) of the following applies with respect to
 32 the applicant:
 33 (1) The applicant has:
 34 (A) violated a local ordinance, a state or federal statute, or an
 35 administrative rule or regulation and the violation would cause
 36 the commission to determine that the applicant, a key person,
 37 or a substantial owner of the applicant is not of good moral
 38 character or reputation; or
 39 (B) committed any other act that would negatively impact the
 40 integrity of charity gaming in Indiana.
 41 (2) The applicant has engaged in fraud, deceit, or
 42 misrepresentation.



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(3) The applicant has failed to provide information required by this article or a rule adopted under this article.

(4) The applicant meets one (1) or more of the following criteria:

(A) The applicant has been convicted of a felony or any gambling-related offense in any state or federal court of the United States within the ten (10) years prior to the date of the application.

(B) The applicant employs an officer or director who has been convicted of a felony or any gambling-related offense in any state or federal court of the United States within the ten (10) years prior to the date of the application.

(C) The applicant has completed a sentence for a felony or any gambling-related offense in any state or federal court of the United States within the ten (10) years prior to the date of the application.

(D) The applicant employs an officer or director who has completed a sentence for a felony or any gambling-related offense in any state or federal court of the United States within the ten (10) years prior to the date of the application.

~~(4)~~ **(5) Conduct prejudicial to public confidence in the commission or for any reason deemed necessary by the commission to ensure the integrity of charitable gaming in Indiana.**

(d) The commission may consider the following when determining whether to deny a permit application for an applicant to which subsection (c)(4) applies:

(1) If the applicant, or the key person, substantial owner, or affiliated entity of the applicant who engaged in or benefitted from illegal gambling has been pardoned or had its civil rights restored.

(2) If, since the applicant, or the key person, substantial owner, or affiliated entity of the applicant engaged in or benefitted from illegal gambling, the applicant has engaged in the kind of law abiding commerce and good citizenship that would reflect well upon the integrity of charity gaming in Indiana.

(3) If the applicant is a firm, an association, a partnership, a trust, a corporation, a limited liability company, or other entity, whether the applicant has terminated its relationship with the key person, substantial owner, or affiliated owner of



1 **the entity who engaged in or benefitted from illegal gambling.**
 2 SECTION 11. IC 4-32.3-4-2, AS ADDED BY P.L.188-2019,
 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2025]: Sec. 2. The commission may deny a license or
 5 reissuance of a license to an organization if the commission determines
 6 that at least one (1) of the following applies with respect to the
 7 organization:

8 (1) The organization has:

9 (A) violated a local ordinance, a state or federal statute, or an
 10 administrative rule or regulation and the violation would cause
 11 the commission to determine that the applicant, a key person,
 12 or a substantial owner of the applicant is not of good moral
 13 character or reputation; or

14 (B) committed any other act that would negatively affect the
 15 integrity of charity gaming in Indiana.

16 (2) The organization has engaged in fraud, deceit, or
 17 misrepresentation.

18 (3) The organization has failed to provide information required by
 19 this article or a rule adopted under this article.

20 (4) The organization has failed to provide sufficient information
 21 to enable the commission to determine that the organization is a
 22 qualified organization.

23 **(5) The organization intends to conduct, or has conducted,
 24 electronic pull tab games but does not intend to conduct, or
 25 has not conducted, paper pull tab games.**

26 ~~(5)~~ **(6)** Conduct prejudicial to public confidence in the
 27 commission or any reason deemed necessary by the commission
 28 to ensure the integrity of charitable gaming in Indiana.

29 SECTION 12. IC 4-32.3-5-16.5 IS ADDED TO THE INDIANA
 30 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2025]: **Sec. 16.5. (a) Electronic pull tab
 32 games must meet the following requirements:**

33 **(1) Each electronic pull tab game must have a predetermined
 34 and finite number of winning and losing tickets.**

35 **(2) Each electronic pull tab game series must have a
 36 predetermined prize structure and fixed prize amounts.**

37 **(3) Each electronic pull tab game series must have a unique
 38 serial number that is not regenerated.**

39 **(4) Each electronic pull tab in a game series must be sold for
 40 the same price.**

41 **(5) The reveal of the numbers or symbols on an electronic pull
 42 tab ticket or card must replicate a paper pull tab ticket.**



1 **(6) The reveal of the numbers or symbols on an electronic pull**
 2 **tab ticket or card may be designed with an entertainment**
 3 **theme, but may not include:**

4 **(A) spinning wheels resembling a slot machine;**

5 **(B) any replication of keno, blackjack, roulette, poker,**
 6 **craps, or any other casino table game;**

7 **(C) any replication of horse racing; or**

8 **(D) any replication of any other gambling game as defined**
 9 **in IC 4-33-2-9 and IC 4-35-2-5.**

10 **(7) Any extended play feature may not require additional**
 11 **payment or award any prize other than the predetermined**
 12 **prize associated with the initial electronic pull tab ticket or**
 13 **card.**

14 **(b) Electronic pull tab systems and electronic pull tab devices:**

15 **(1) must be approved by the commission;**

16 **(2) may only accept United States currency or a credit**
 17 **voucher; and**

18 **(3) may not directly dispense United States currency or any**
 19 **article or exchange of value other than a credit voucher.**

20 SECTION 13. IC 4-32.3-5-16.7 IS ADDED TO THE INDIANA
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2025]: **Sec. 16.7. The number of electronic**
 23 **pull tab devices permitted at any facility or location may not**
 24 **exceed the following:**

25 **(1) In the case of a facility or location with an occupancy limit**
 26 **of not more than ninety-nine (99) individuals, not more than**
 27 **five (5) electronic pull tab devices.**

28 **(2) In the case of a facility or location with an occupancy limit**
 29 **of at least one hundred (100) individuals, but not more than**
 30 **two hundred fifty (250) individuals, not more than seven (7)**
 31 **electronic pull tab devices.**

32 **(3) In the case of a facility or location with an occupancy limit**
 33 **of more than two hundred fifty (250) individuals, not more**
 34 **than ten (10) electronic pull tab devices.**

35 SECTION 14. IC 4-32.3-8-1, AS ADDED BY P.L.58-2019,
 36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2025]: Sec. 1. (a) The commission may suspend or revoke the
 38 license of or levy a civil penalty against a qualified organization, a
 39 manufacturer, a distributor, or an individual under this article for any
 40 of the following:

41 (1) Violation of:

42 (A) a provision of this article, IC 35-45-5-3, IC 35-45-5-3.5,



- 1 IC 35-45-5-4, or a rule of the commission; or
2 (B) any other local ordinance, state or federal statute, or
3 administrative rule or regulation that would cause the
4 commission to determine that the person is not of good moral
5 character or reputation.
- 6 (2) Failure to accurately account for a licensed supply.
7 (3) Failure to accurately account for sales proceeds from an event
8 or activity licensed or permitted under this article.
9 (4) Commission of a fraud, deceit, or misrepresentation.
10 (5) Conduct prejudicial to public confidence in the commission.
11 (6) **Failure** to ensure the integrity of charitable gaming in Indiana.
12 (7) **Sale or lease of an electronic pull tab device or electronic**
13 **pull tab system that has not been approved by the commission**
14 **for use under this article.**
- 15 (b) If a violation is of a continuing nature, the commission may
16 impose a civil penalty upon a licensee or an individual for each day the
17 violation continues.
- 18 (c) For purposes of subsection (a), a finding that a person has
19 violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4 must be
20 supported by a preponderance of the evidence.



COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 209, 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 8, after "(3)" insert **"handheld mobile tablet, other than a phone or other"**.

Page 2, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 4. IC 4-32.3-2-16.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 16.5. "Flare" means the board or placard, or, in the case of an electronic pull tab game, an electronic representation of a 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."**

Page 4, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 10. IC 4-32.3-3-4, AS ADDED BY P.L.58-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) The commission has the sole authority to license entities under this article to sell, distribute, or manufacture a licensed supply.

(b) The commission may not limit the number of qualified entities licensed under subsection (a).

(c) The commission may deny a license to an applicant for a license to sell, manufacture, or distribute licensed supplies if the commission determines that at least one (1) of the following applies with respect to the applicant:

- (1) The applicant 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 impact the integrity of charity gaming in Indiana.



(2) The applicant has engaged in fraud, deceit, or misrepresentation.

(3) The applicant has failed to provide information required by this article or a rule adopted under this article.

(4) The applicant meets one (1) or more of the following criteria:

(A) The applicant has been convicted of a felony or any gambling-related offense in any state or federal court of the United States within the ten (10) years prior to the date of the application.

(B) The applicant employs an officer or director who has been convicted of a felony or any gambling-related offense in any state or federal court of the United States within the ten (10) years prior to the date of the application.

(C) The applicant has completed a sentence for a felony or any gambling-related offense in any state or federal court of the United States within the ten (10) years prior to the date of the application.

(D) The applicant employs an officer or director who has completed a sentence for a felony or any gambling-related offense in any state or federal court of the United States within the ten (10) years prior to the date of the application.

(4) (5) Conduct prejudicial to public confidence in the commission or for any reason deemed necessary by the commission to ensure the integrity of charitable gaming in Indiana.

(d) The commission may consider the following when determining whether to deny a permit application for an applicant to which subsection (c)(4) applies:

(1) If the applicant, or the key person, substantial owner, or affiliated entity of the applicant who engaged in or benefitted from illegal gambling has been pardoned or had its civil rights restored.

(2) If, since the applicant, or the key person, substantial owner, or affiliated entity of the applicant engaged in or benefitted from illegal gambling, the applicant has engaged in the kind of law abiding commerce and good citizenship that would reflect well upon the integrity of charity gaming in Indiana.

(3) If the applicant is a firm, an association, a partnership, a trust, a corporation, a limited liability company, or other



entity, whether the applicant has terminated its relationship with the key person, substantial owner, or affiliated owner of the entity who engaged in or benefitted from illegal gambling."

Page 5, line 10, delete "or".

Page 5, delete line 11, begin a new line double block indented and insert:

**"(B) any replication of keno, blackjack, roulette, poker, craps, or any other casino table game;
(C) any replication of horse racing; or
(D) any replication of any other gambling game as defined in IC 4-33-2-9 and IC 4-35-2-5."**

Page 6, line 14, after "device" insert "**or electronic pull tab system**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 209 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 10, Nays 0.

