

SENATE BILL No. 218

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-32.2-5.

Synopsis: Charity gaming proceeds. Specifies that a qualified organization under the charity gaming law may use money deposited into its separate charity gaming account to pay wages, salaries, and wage and salary related expenses.

Effective: July 1, 2015.

Boots

January 6, 2015, read first time and referred to Committee on Public Policy.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 218

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 4-32.2-5-3, AS AMENDED BY P.L.227-2007,
- 2 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2015]: Sec. 3. (a) ~~As~~ **Subject to section 5(b) of this chapter,**
- 4 **the** net proceeds from an allowable event and related activities may be
- 5 used only for the lawful purposes of the qualified organization.
- 6 (b) To determine the net proceeds from an allowable event, a
- 7 qualified organization shall subtract the following from the gross
- 8 receipts received from the allowable event:
- 9 (1) An amount equal to the total value of the prizes, including
- 10 door prizes, awarded at the allowable event.
- 11 (2) The sum of the purchase prices paid for licensed supplies
- 12 dispensed at the allowable event.
- 13 (3) An amount equal to the qualified organization's license fees
- 14 attributable to the allowable event.
- 15 (4) An amount equal to the advertising expenses incurred by the
- 16 qualified organization to promote the allowable event.



1 (5) An amount not to exceed two hundred dollars (\$200) per day
 2 for rent paid for facilities leased for an allowable event.

3 SECTION 2. IC 4-32.2-5-5, AS AMENDED BY P.L.94-2012,
 4 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2015]: Sec. 5. (a) A qualified organization shall maintain
 6 accurate records of all financial aspects of an allowable event under
 7 this article. A qualified organization shall make accurate reports of all
 8 financial aspects of an allowable event to the commission within the
 9 time established by the commission. The commission may prescribe
 10 forms for this purpose. A qualified organization conducting raffle
 11 events and door prize events under an annual comprehensive charity
 12 gaming license issued under IC 4-32.2-4-20 shall comply with the
 13 reporting requirements of this subsection in the manner specified by
 14 subsection (d). For purposes of this section, a qualified organization is
 15 not required to record the name, signature, driver's license number, or
 16 other identifying information of a prize winner unless the qualified
 17 organization is required to withhold adjusted gross income tax from the
 18 prize winner under IC 6-3-4-8.2(d).

19 (b) The commission shall, by rule, require a qualified organization
 20 to deposit funds received from an allowable event in a separate and
 21 segregated account set up for that purpose. A qualified organization
 22 conducting raffle events and door prize events under an annual
 23 comprehensive charity gaming license shall deposit the funds received
 24 from each raffle or door prize event conducted by its separate Indiana
 25 affiliates into a single account maintained by a financial institution
 26 physically located in Indiana. All expenses of the qualified organization
 27 with respect to an allowable event shall be paid from the separate
 28 account. **A qualified organization may use money deposited into the
 29 separate account to pay the following with respect to the employees
 30 of the qualified organization:**

31 (1) **Wages and salaries.**

32 (2) **Wage and salary related expenses.**

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

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

40 (1) An event summary report for each raffle or door prize event
 41 conducted under the license. Reports required under this
 42 subdivision may be submitted by the Indiana affiliate of the



- 1 qualified organization.
- 2 (2) One (1) annual license financial report.
- 3 (3) One (1) annual license gross receipts report.

