

PROPOSED AMENDMENT

SB 376 # 4

DIGEST

Charitable government services organization. Removes provisions in the bill that: (1) allow a qualified organization to accept credit cards for the purchase of licensed supplies or a chance to play any game of chance offered at an allowable activity; and (2) specify that certain credit card payments may be made on the Internet. Defines a "charitable government services organization". Provides that a charitable government services organization and other specified individuals may accept payment by credit card for the purchase of a chance to enter a raffle or water race offered at an allowable activity if the transaction satisfies particular requirements.

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- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 4-32.3-2-12.5 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2022]: **Sec. 12.5. "Charitable government
5 services organization" means a bona fide charitable organization
6 that meets the following requirements:**
7 **(1) The organization:**
8 **(A) operates; and**
9 **(B) is in existence;**
10 **in Indiana.**
11 **(2) The organization has a constitution, articles, charter, or**
12 **bylaws that contain a clause that provides that upon**
13 **dissolution all remaining assets shall be used for the**
14 **nonprofit's stated purposes.**
15 **(3) The organization is exempt from federal income taxation**
16 **under Section 501(c)(3) of the Internal Revenue Code.**
17 **(4) The organization has a contract with the department of**
18 **child services to provide child welfare services.**
19 SECTION 2. IC 4-32.3-5-23, AS ADDED BY P.L.58-2019,
20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2022]: Sec. 23. (a) Subject to ~~subsection~~ **subsections (b) and**
22 **(c)**, a qualified organization may accept credit cards at an allowable
23 activity for the purchase of:
24 (1) food and beverages;

- 1 (2) merchandise; and
- 2 (3) retail goods and services offered at a benefit auction.
- 3 **(b) Except as provided in subsection (c), a qualified organization**
- 4 **may not accept credit cards or extend credit to a player for the purchase**
- 5 **of:**
- 6 (1) a chance to play any game of chance offered at an allowable
- 7 activity; or
- 8 (2) licensed supplies.
- 9 **(c) A charitable government services organization, including a**
- 10 **worker, or a volunteer ticket agent assisting the charitable**
- 11 **government services organization may accept payment by credit**
- 12 **card for the purchase of a chance to enter a raffle or water race**
- 13 **offered at an allowable activity if the transaction satisfies the**
- 14 **following requirements:**
- 15 **(1) The payment is made face to face and not on the Internet.**
- 16 **(2) The proceeds from an entry purchased for the allowable**
- 17 **activity are used:**
- 18 **(A) by the charitable government services organization to**
- 19 **provide child welfare services; or**
- 20 **(B) to:**
- 21 **(i) purchase a prize for; or**
- 22 **(ii) pay prize money to;**
- 23 **a winner of the allowable activity.**
- 24 **(3) It is the only allowable activity in a calendar year for**
- 25 **which the charitable government services organization**
- 26 **accepts payment by credit card for a chance to enter a raffle**
- 27 **or water race under this subsection. This subdivision does not**
- 28 **limit the number of times that a person may purchase by**
- 29 **credit card a chance to enter a raffle or water race under this**
- 30 **subsection."**
- 31 Delete page 2.
(Reference is to SB 376 as printed January 28, 2022.)