

January 23, 1998

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## HOUSE BILL No. 1153

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DIGEST OF HB 1153 (Updated January 21, 1998 7:44 pm - DI 87)

**Citations Affected:** IC 4-33; IC 34-4.

**Synopsis:** Riverboat gambling. Makes it a Class C misdemeanor for a person: (1) to knowingly or intentionally aid, induce, or cause a person less than 21 years of age to enter or attempt to enter a riverboat; and (2) who is less than 21 years of age to knowingly or intentionally enter or attempt to enter a riverboat. Provides that a person that owns a licensed riverboat may not recover more than the person's actual damages in an action to recover a debt arising from the extension of credit by the person to a patron of the riverboat to allow the patron to place a wager on a gambling game.

**Effective:** July 1, 1998.

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**Bailey**

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January 13, 1998, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.  
January 22, 1998, amended, reported — Do Pass.

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HB 1153—LS 6855/DI 69+



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January 23, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

## HOUSE BILL No. 1153

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 4-33-10-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. **(a)** A person who  
3 knowingly or intentionally:  
4 (1) makes a false statement on an application submitted under this  
5 article;  
6 (2) operates a gambling excursion in which wagering is conducted  
7 or is to be conducted in a manner other than the manner required  
8 under this article;  
9 (3) permits a person less than twenty-one (21) years of age to  
10 make a wager;  
11 **(4) aids, induces, or causes a person less than twenty-one (21)**  
12 **years of age to enter or attempt to enter a riverboat;**  
13 ~~(4)~~ **(5)** wagers or accepts a wager at a location other than a  
14 riverboat; or  
15 ~~(5)~~ **(6)** makes a false statement on an application submitted to the  
16 commission under this article;  
17 commits a Class A misdemeanor.

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1           **(b) A person who:**

2               **(1) is less than twenty-one (21) years of age; and**

3               **(2) knowingly or intentionally enters or attempts to enter a**  
4               **riverboat;**

5           **commits a Class C misdemeanor.**

6           SECTION 2. IC 34-4-30-1 IS AMENDED TO READ AS  
7           FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. **Except as provided**  
8           **in section 4 of this chapter**, if a person suffers a pecuniary loss as a  
9           result of a violation of IC 35-43, IC 35-42-3-3, IC 35-42-3-4, or  
10           IC 35-45-9, the person may bring a civil action against the person who  
11           caused the loss for the following:

12           (1) An amount not to exceed three (3) times the person's actual  
13           damages.

14           (2) The costs of the action.

15           (3) A reasonable attorney's fee.

16           (4) Actual travel expenses that are not otherwise reimbursed  
17           under subdivisions (1) through (3) and are incurred by the person  
18           suffering loss to:

19               (A) have the person suffering loss or an employee or agent of  
20               that person file papers and attend court proceedings related to  
21               the recovery of a judgment under this chapter; or

22               (B) provide witnesses to testify in court proceedings related to  
23               the recovery of a judgment under this chapter.

24           (5) A reasonable amount to compensate the person suffering loss  
25           for time used to:

26               (A) file papers and attend court proceedings related to the  
27               recovery of a judgment under this chapter; or

28               (B) travel to and from activities described in clause (A).

29           (6) Actual direct and indirect expenses incurred by the person  
30           suffering loss to compensate employees and agents for time used  
31           to:

32               (A) file papers and attend court proceedings related to the  
33               recovery of a judgment under this chapter; or

34               (B) travel to and from activities described in clause (A).

35           (7) All other reasonable costs of collection.

36           SECTION 3. IC 34-4-30-4 IS ADDED TO THE INDIANA CODE  
37           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
38           1, 1998]: **Sec. 4. Notwithstanding section 1(1) of this chapter, a**  
39           **person that owns a riverboat that is licensed under IC 4-33 may**  
40           **not recover more than the person's actual damages in an action to**  
41           **recover a debt arising from the extension of credit by the person:**

42               **(1) to a patron of the riverboat; and**

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1           **(2) to allow the patron to place a wager on a gambling game**  
2           **authorized under IC 4-33.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1153, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 5, delete "Class A" and insert "**Class C**".

and when so amended that said bill do pass.

(Reference is to House Bill 1153 as introduced.)

BAILEY, Chair

Committee Vote: yeas 12, nays 0.

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