

## SENATE BILL No. 232

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-33-12-6.

**Synopsis:** Riverboat admissions tax distributions. Specifies that the \$0.65 of the riverboat admissions tax that is paid to the Indiana horse racing commission is to be distributed as follows: (1) \$0.23 to breed development funds established by the Indiana horse racing commission. (2) \$0.26 to racetracks approved by the Indiana horse racing commission for purses. (3) \$0.095 to racetracks approved by the Indiana horse racing commission for purses, promotions, and routine operations of the racetracks. (4) \$0.065 to the Indiana horse racing commission to promote horse racing and the development of the equine industry in Indiana.

**Effective:** July 1, 1998.

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January 7, 1998, read first time and referred to Committee on Finance.

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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.

## SENATE BILL No. 232



A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 4-33-12-6, AS AMENDED BY P.L.90-1997,
- 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 1998]: Sec. 6. (a) The department shall place in the state general
- 4 fund the tax revenue collected under this chapter.
- 5 (b) Except as provided by subsection (c), the treasurer of state shall
- 6 quarterly pay the following amounts:
- 7 (1) One dollar (\$1) of the admissions tax collected by the licensed
- 8 owner for each person embarking on a riverboat during the quarter
- 9 shall be paid to:
- 10 (A) the city in which the riverboat is docked, if the city:
- 11 (i) is described in IC 4-33-6-1(a)(1) through IC 4-33-6-1(a)(4)
- 12 or in IC 4-33-6-1(b); or
- 13 (ii) is contiguous to the Ohio River and is the largest city in the
- 14 county; and
- 15 (B) the county in which the riverboat is docked, if the riverboat
- 16 is not docked in a city described in clause (A).
- 17 (2) One dollar (\$1) of the admissions tax collected by the licensed

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1 owner for each person embarking on a riverboat during the quarter  
 2 shall be paid to the county in which the riverboat is docked. In the  
 3 case of a county described in subdivision (1)(B), this one dollar (\$1)  
 4 is in addition to the one dollar (\$1) received under subdivision  
 5 (1)(B).

6 (3) Ten cents (\$0.10) of the admissions tax collected by the licensed  
 7 owner for each person embarking on a riverboat during the quarter  
 8 shall be paid to the county convention and visitors bureau or  
 9 promotion fund for the county in which the riverboat is docked.

10 (4) Fifteen cents (\$0.15) of the admissions tax collected by the  
 11 licensed owner for each person embarking on a riverboat during a  
 12 quarter shall be paid to the state fair commission, for use in any  
 13 activity that the commission is authorized to carry out under  
 14 IC 15-1.5-3.

15 (5) Ten cents (\$0.10) of the admissions tax collected by the licensed  
 16 owner for each person embarking on a riverboat during the quarter  
 17 shall be paid to the division of mental health. The division shall  
 18 allocate at least twenty-five percent (25%) of the funds derived from  
 19 the admissions tax to the prevention and treatment of compulsive  
 20 gambling.

21 (6) Sixty-five cents (\$0.65) of the admissions tax collected by the  
 22 licensed owner for each person embarking on a riverboat during the  
 23 quarter shall be paid to the Indiana horse racing commission to be  
 24 distributed as follows ~~in amounts determined by the Indiana horse~~  
 25 ~~racing commission~~, for the promotion and operation of horse racing  
 26 in Indiana:

27 (A) **Twenty-three cents (\$0.23)** to one (1) or more breed  
 28 development funds established by the Indiana horse racing  
 29 commission under IC 4-31-11-10.

30 (B) **Twenty-six cents (\$0.26)** to a ~~racetrack~~ **one (1) or more**  
 31 **racetracks** that ~~was~~ **are** approved by the Indiana horse racing  
 32 commission under IC 4-31 ~~The commission may make a grant~~  
 33 ~~under this clause only~~ for purses.

34 (C) **Nine and one-half cents (\$0.095)** to one (1) or more  
 35 **racetracks that are approved by the Indiana horse racing**  
 36 **commission under IC 4-31 for purses**, promotions, and routine  
 37 operations of the ~~racetrack~~ **racetracks**. No grants shall be made  
 38 for long term capital investment or construction and no grants  
 39 shall be made before the racetrack becomes operational and is  
 40 offering a racing schedule.

41 (D) **Six and one-half cents (\$0.065)** to the Indiana horse  
 42 **racing commission to promote:**

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1                   **(i) horse racing; and**  
 2                   **(ii) the development of the equine industry;**  
 3                   **in Indiana.**

4           (c) With respect to tax revenue collected from a riverboat that operates  
 5 on Patoka Lake, the treasurer of state shall quarterly pay the following  
 6 amounts:

7           (1) The counties described in IC 4-33-1-1(3) shall receive one dollar  
 8 (\$1) of the admissions tax collected for each person embarking on  
 9 the riverboat during the quarter. This amount shall be divided  
 10 equally among the counties described in IC 4-33-1-1(3).

11           (2) The Patoka Lake development account established under  
 12 IC 4-33-15 shall receive one dollar (\$1) of the admissions tax  
 13 collected for each person embarking on the riverboat during the  
 14 quarter.

15           (3) The resource conservation and development program that:

16                   (A) is established under 16 U.S.C. 3451 et seq.; and

17                   (B) serves the Patoka Lake area;

18 shall receive forty cents (\$0.40) of the admissions tax collected for  
 19 each person embarking on the riverboat during the quarter.

20           (4) The state general fund shall receive fifty cents (\$0.50) of the  
 21 admissions tax collected for each person embarking on the riverboat  
 22 during the quarter.

23           (5) The division of mental health shall receive ten cents (\$0.10) of  
 24 the admissions tax collected for each person embarking on the  
 25 riverboat during the quarter. The division shall allocate at least  
 26 twenty-five percent (25%) of the funds derived from the admissions  
 27 tax to the prevention and treatment of compulsive gambling.

28           (d) Money paid to a unit of local government under subsection (b)(1)  
 29 through (b)(2) or subsection (c)(1):

30                   (1) must be paid to the fiscal officer of the unit and may be  
 31 deposited in the unit's general fund or riverboat fund established  
 32 under IC 36-1-8-9, or both;

33                   (2) may not be used to reduce the unit's maximum or actual levy  
 34 under IC 6-1.1-18.5; and

35                   (3) may be used for any legal or corporate purpose of the unit,  
 36 including the pledge of money to bonds, leases, or other obligations  
 37 under IC 5-1-14-4.

38           (e) Money paid by the treasurer of state under subsection (b)(3) shall  
 39 be:

40                   (1) deposited in:

41                           (A) the county convention and visitor promotion fund; or

42                           (B) the county's general fund if the county does not have a

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1           convention and visitor promotion fund; and  
2           (2) used only for the tourism promotion, advertising, and economic  
3           development activities of the county and community.  
4           (f) Money received by the division of mental health under subsections  
5           (b)(5) and (c)(5):  
6           (1) is annually appropriated to the division of mental health;  
7           (2) shall be distributed to the division of mental health at times  
8           during each state fiscal year determined by the budget agency; and  
9           (3) shall be used by the division of mental health for programs and  
10          facilities for the prevention and treatment of addictions to drugs,  
11          alcohol, and compulsive gambling, including the creation and  
12          maintenance of a toll free telephone line to provide the public with  
13          information about these addictions. The division shall allocate at  
14          least twenty-five percent (25%) of the money received to the  
15          prevention and treatment of compulsive gambling.

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