

# HOUSE BILL No. 1191

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-29; IC 4-31-5-0.5; IC 4-31-5.5-0.5; IC 4-33-6-0.5.

**Synopsis:** Gambling moratorium. Provides that until the governor certifies that the National Gambling Impact Study Commission has completed its study on the social and economic effects of gambling in the United States, or December 31, 1999, whichever occurs first: (1) a form of gambling that is not lawful under an Indiana statute in effect on January 1, 1998, may not become lawful under an Indiana statute; (2) a statute in effect in Indiana on January 1, 1998, that permits a form of gambling may not be amended to expand the scope of gambling permitted by the statute; (3) a tribal-state compact to allow tribal gaming may not be made between the state and an Indian tribe; (4) a meeting permit to conduct pari-mutuel wagering that has not been issued by January 1, 1998, may not be issued; (5) a satellite facility license that has not been issued by January 1, 1998, may not be issued; and (6) the maximum number of riverboat licenses authorized by law on January 1, 1998, may not be increased.

**Effective:** January 1, 1998 (retroactive).

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## Warner

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January 8, 1998, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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Introduced

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. 1191

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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 4-29 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 1998 (RETROACTIVE)]:

4 **ARTICLE 29. GAMBLING MORATORIUM**

5 **Chapter 1. Moratorium on New Forms of Gambling**

6 **Sec. 1. A form of gambling or gaming that is not lawful under**  
7 **an Indiana statute in effect on January 1, 1998, may not become**  
8 **lawful under an Indiana statute until:**

9 (1) the date the governor certifies that the National  
10 Gambling Impact Study Commission established by 18  
11 U.S.C. 1955 has completed its study of the social and  
12 economic impact of gambling in the United States and has  
13 made the results of the study available to the state; or

14 (2) December 31, 1999;

15 whichever occurs first.

16 **Chapter 2. Moratorium on Expansion of Gambling**

17 **Sec. 1. An Indiana statute in effect on January 1, 1998, that**

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1 allows a form of gambling may not be amended to expand the  
2 scope of the gambling allowed by the statute until:

3 (1) the date the governor certifies that the National  
4 Gambling Impact Study Commission established by 18  
5 U.S.C. 1955 has completed its study of the social and  
6 economic impact of gambling in the United States and has  
7 made the results of the study available to the state; or

8 (2) December 31, 1999;

9 whichever occurs first.

10 **Chapter 3. Moratorium on Gambling Compacts Between the**  
11 **State and Indian Tribes**

12 **Sec. 1. A compact between the state and an Indian tribe to**  
13 **allow tribal gambling under 25 U.S.C. 2710 may not be made**  
14 **between the state and an Indian tribe until:**

15 (1) the date the governor certifies that the National  
16 Gambling Impact Study Commission established by 18  
17 U.S.C. 1955 has completed its study of the social and  
18 economic impact of gambling in the United States and has  
19 made the results of the study available to the state; or

20 (2) December 31, 1999;

21 whichever occurs first.

22 SECTION 2. IC 4-31-5-0.5 IS ADDED TO THE INDIANA CODE  
23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
24 JANUARY 1, 1998 (RETROACTIVE)]: **Sec. 0.5. After December 31,**  
25 **1997, the Indiana horse racing commission may not issue a meeting**  
26 **permit to conduct pari-mutuel wagering under this chapter until:**

27 (1) the date the governor certifies that the National  
28 Gambling Impact Study Commission established by 18  
29 U.S.C. 1955 has completed its study of the social and  
30 economic impact of gambling in the United States and has  
31 made the results of the study available to the state; or

32 (2) December 31, 1999;

33 whichever occurs first.

34 SECTION 3. IC 4-31-5.5-0.5 IS ADDED TO THE INDIANA  
35 CODE AS A NEW SECTION TO READ AS FOLLOWS  
36 [EFFECTIVE JANUARY 1, 1998 (RETROACTIVE)]: **Sec. 0.5. After**  
37 **December 31, 1997, the Indiana horse racing commission may not**  
38 **issue a satellite facility license under this chapter until:**

39 (1) the date the governor certifies that the National  
40 Gambling Impact Study Commission established by 18  
41 U.S.C. 1955 has completed its study of the social and  
42 economic impact of gambling in the United States and has



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1           **made the results of the study available to the state; or**  
2           **(2) December 31, 1999;**  
3           **whichever occurs first.**

4           SECTION 4. IC 4-33-6-0.5 IS ADDED TO THE INDIANA  
5           CODE AS A NEW SECTION TO READ AS FOLLOWS  
6           [EFFECTIVE JANUARY 1, 1998 (RETROACTIVE)]: **Sec. 0.5. After**  
7           **December 31, 1997, the maximum number of riverboat licenses**  
8           **authorized under this chapter as of January 1, 1998, may not be**  
9           **increased until:**

10           (1) **the date the governor certifies that the National**  
11           **Gambling Impact Study Commission established by 18**  
12           **U.S.C. 1955 has completed its study of the social and**  
13           **economic impact of gambling in the United States and has**  
14           **made the results of the study available to the state; or**  
15           **(2) December 31, 1999;**  
16           **whichever occurs first.**

17           SECTION 5. [EFFECTIVE JANUARY 1, 1998  
18           (RETROACTIVE)]: **This act does not affect a:**

- 19           (1) **meeting permit to conduct pari-mutuel wagering;**
- 20           (2) **satellite facility license; and**
- 21           (3) **riverboat license;**
- 22           **issued before January 1, 1998.**

23           SECTION 6. **An emergency is declared for this act.**

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