

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 272 be amended to read as follows:

- 1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 6-2.5-1-28 IS ADDED TO THE INDIANA CODE  
4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE APRIL  
5 1, 2004]: **Sec. 28. "Riverboat hotel" means a hotel that is:**  
6           **(1) located not more than five (5) miles from a riverboat**  
7           **licensed under IC 4-33;**  
8           **(2) operated in conjunction with a riverboat licensed under**  
9           **IC 4-33; and**  
10           **(3) owned wholly or in part by a person having an ownership**  
11           **interest in a riverboat licensed under IC 4-33.**  
12           SECTION 2. IC 6-2.5-4-4.5, AS ADDED BY P.L.224-2003,  
13 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 APRIL 1, 2004]: **Sec. 4.5. (a) Beginning April 1, 2004, this section**  
15 **applies only to a person who operates a riverboat hotel.**  
16           **(b) A person is a retail merchant making a retail transaction when the**  
17 **person furnishes rooms or lodgings to another person on a**  
18 **complimentary basis if:**  
19           **(1) the rooms or lodgings are furnished for periods of less than**  
20 **thirty (30) days; and**  
21           **(2) the rooms or lodgings are located in a ~~riverboat hotel motel,~~**  
22 **~~inn, tourist camp, tourist cabin, or other place~~ where rooms or**  
23 **lodgings are regularly furnished for consideration.**

1        ~~(b)~~ (c) The state gross retail tax applicable to a retail transaction  
2 described in subsection ~~(a)~~ (b) is measured by the amount of gross  
3 retail income attributed to the transaction under this subsection. The  
4 amount of gross retail income attributed to a retail transaction described  
5 in subsection ~~(a)~~ (b) is equal to the amount of gross retail income  
6 received by the retail merchant from renting a comparable room or  
7 lodging on the date the complimentary room or lodging is provided. The  
8 state gross retail tax imposed on a retail transaction described in  
9 subsection ~~(a)~~ (b) is six percent (6%) of the gross retail income  
10 attributed to the transaction."

11        Page 9, after line 32, begin a new paragraph and insert:  
12        "SECTION 7. **An emergency is declared for this act.**"  
13        Renumber all SECTIONS consecutively.  
      (Reference is to ESB 272 as printed February 20, 2004.)

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Representative Espich