

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 36 be amended to read as follows:

- 1 Page 2, between lines 20 and 21, begin a new paragraph and insert:
- 2 "SECTION 2. IC 4-33-2-7.5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 7.5. "Flexible
- 4 scheduling" refers to the practice of conducting gambling games and
- 5 allowing the continuous ingress and egress of ~~passengers~~ **patrons** for
- 6 the purpose of gambling. ~~while a riverboat is docked.~~
- 7 SECTION 3. IC 4-33-2-17, AS AMENDED BY P.L.96-2010,
- 8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2011]: Sec. 17. "Riverboat" means ~~either~~ **any** of the following
- 10 on which lawful gambling is authorized under this article:
- 11 (1) A self-propelled excursion boat located in a county described
- 12 in IC 4-33-1-1(1) or IC 4-33-1-1(2) that complies with
- 13 IC 4-33-6-6(a).
- 14 (2) A casino located in a historic hotel district.
- 15 **(3) A permanently moored craft operating from a county**
- 16 **described in IC 4-33-1-1(1) or IC 4-33-1-1(2).**
- 17 SECTION 4. IC 4-33-4-13 IS AMENDED TO READ AS
- 18 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 13. (a) This section
- 19 does not apply to a riverboat located in a historic hotel district.
- 20 (b) After consulting with the United States Army Corps of
- 21 Engineers, the commission may do the following:
- 22 (1) Determine the waterways that are navigable waterways for
- 23 purposes of this article.
- 24 (2) Determine the navigable waterways that are suitable for the

- 1 operation of riverboats under this article.
 2 (c) In determining the navigable waterways on which riverboats may
 3 operate, the commission shall do the following:
 4 (1) Obtain any required approvals from the United States Army
 5 Corps of Engineers for the operation of riverboats on those
 6 waterways.
 7 (2) Consider the economic benefit that riverboat gambling
 8 provides to Indiana.
 9 (3) Seek to ensure that all regions of Indiana share in the
 10 economic benefits of riverboat gambling.

11 **(d) Before approving a plan submitted under IC 4-33-6-23 for:**
 12 **(1) the construction of a new permanently moored craft; or**
 13 **(2) the conversion of a self-propelled excursion boat into a**
 14 **permanently moored craft;**
 15 **the commission shall obtain any required approvals from the**
 16 **United States Army Corps of Engineers and the United States**
 17 **Coast Guard."**

18 SECTION 5. IC 4-33-4-13.5 IS ADDED TO THE INDIANA CODE
 19 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 20 1, 2011]: **Sec. 13.5. The commission shall:**

- 21 **(1) determine the appropriate marine structural and life**
 22 **safety standards for a permanently moored craft approved**
 23 **under section 13 of this chapter; and**
 24 **(2) establish maintenance requirements and an inspection**
 25 **schedule to enforce the standards.**

26 **This section does not require a licensed owner converting a**
 27 **self-propelled excursion boat into a permanently moored craft to**
 28 **substantially alter the marine structural and life safety systems of**
 29 **the excursion boat that were required to comply with IC 4-33-6-6**
 30 **if the self-propelled excursion boat was in service before January**
 31 **1, 2011.**

32 SECTION 6. IC 4-33-6-6, AS AMENDED BY P.L.170-2005,
 33 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2011]: Sec. 6. (a) **Except as provided in subsection (c),** a
 35 riverboat that operates in a county described in IC 4-33-1-1(1) or
 36 IC 4-33-1-1(2) must:

- 37 (1) have either:
 38 (A) a valid certificate of inspection from the United States
 39 Coast Guard for the carrying of at least five hundred (500)
 40 passengers; or
 41 (B) a valid certificate of compliance with marine structural and
 42 life safety standards determined by the commission; and
 43 (2) be at least one hundred fifty (150) feet in length.

44 (b) This subsection applies only to a riverboat that operates on the
 45 Ohio River. A riverboat must replicate, as nearly as possible, historic
 46 Indiana steamboat passenger vessels of the nineteenth century.

1 However, steam propulsion or overnight lodging facilities are not
2 required under this subsection.

3 **(c) A riverboat described in IC 4-33-2-17(3) must have a valid**
4 **certificate of compliance with the marine structural and life safety**
5 **standards determined by the commission under IC 4-33-4-13.5 for**
6 **a permanently moored craft.**

7 SECTION 7. IC 4-33-6-23 IS ADDED TO THE INDIANA CODE
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2011]: **Sec. 23. (a) A licensed owner may submit to the**
10 **commission a plan for:**

11 **(1) constructing a permanently moored craft to replace the**
12 **licensed owner's self-propelled excursion boat; or**

13 **(2) converting the licensed owner's self-propelled excursion**
14 **boat into a permanently moored craft.**

15 **(b) Upon receiving the commission's approval of a conversion**
16 **plan submitted under subsection (a), a licensed owner may disable**
17 **the propulsion and navigation equipment that had been required**
18 **to comply with section 6(a) of this chapter.**

19 **(c) A licensed owner operating a permanently moored craft is**
20 **not required to employ personnel that had been required to**
21 **operate a self-propelled excursion boat."**

22 Renumber all SECTIONS consecutively.

(Reference is to ESB 36 as printed April 1, 2011.)

Representative Riecken