

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WITHDRAWN	Noes _____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

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

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 99, between lines 30 and 31, begin a new paragraph and insert:
- 2 "SECTION 38. IC 4-33-12-6, AS AMENDED BY P.L.96-2010,
- 3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2011]; Sec. 6. (a) The department shall place in the state
- 5 general fund the tax revenue collected under this chapter.
- 6 (b) Except as provided by subsections (c) and (d) and IC 6-3.1-20-7,
- 7 the treasurer of state shall quarterly pay the following amounts:
- 8 (1) Except as provided in subsection (k), one dollar (\$1) of the
- 9 admissions tax collected by the licensed owner for each person
- 10 embarking on a gambling excursion during the quarter or
- 11 admitted to a riverboat that has implemented flexible scheduling
- 12 under IC 4-33-6-21 during the quarter shall be paid to:
- 13 (A) the city in which the riverboat is docked, if the city:
- 14 (i) is located in a **LaPorte** County; ~~having a population of~~
- 15 ~~more than one hundred ten thousand (110,000) but less than~~
- 16 ~~one hundred fifteen thousand (115,000);~~ or
- 17 (ii) is contiguous to the Ohio River and is the largest city in
- 18 the county; and
- 19 (B) the county in which the riverboat is docked, if the
- 20 riverboat is not docked in a city described in clause (A).
- 21 (2) Except as provided in subsection (k), one dollar (\$1) of the
- 22 admissions tax collected by the licensed owner for each person:
- 23 (A) embarking on a gambling excursion during the quarter; or
- 24 (B) admitted to a riverboat during the quarter that has

- 1 implemented flexible scheduling under IC 4-33-6-21;  
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  
4 (\$1) is in addition to the one dollar (\$1) received under  
5 subdivision (1)(B).
- 6 (3) Except as provided in subsection (k), ten cents (\$0.10) of the  
7 admissions tax collected by the licensed owner for each person:  
8 (A) embarking on a gambling excursion during the quarter; or  
9 (B) admitted to a riverboat during the quarter that has  
10 implemented flexible scheduling under IC 4-33-6-21;  
11 shall be paid to the county convention and visitors bureau or  
12 promotion fund for the county in which the riverboat is docked.
- 13 (4) Except as provided in subsection (k), fifteen cents (\$0.15) of  
14 the admissions tax collected by the licensed owner for each  
15 person:  
16 (A) embarking on a gambling excursion during the quarter; or  
17 (B) admitted to a riverboat during a quarter that has  
18 implemented flexible scheduling under IC 4-33-6-21;  
19 shall be paid to the state fair commission, for use in any activity  
20 that the commission is authorized to carry out under IC 15-13-3.
- 21 (5) Except as provided in subsection (k), ten cents (\$0.10) of the  
22 admissions tax collected by the licensed owner for each person:  
23 (A) embarking on a gambling excursion during the quarter; or  
24 (B) admitted to a riverboat during the quarter that has  
25 implemented flexible scheduling under IC 4-33-6-21;  
26 shall be paid to the division of mental health and addiction. The  
27 division shall allocate at least twenty-five percent (25%) of the  
28 funds derived from the admissions tax to the prevention and  
29 treatment of compulsive gambling.
- 30 (6) Except as provided in subsection (k) and section 7 of this  
31 chapter, sixty-five cents (\$0.65) of the admissions tax collected by  
32 the licensed owner for each person embarking on a gambling  
33 excursion during the quarter or admitted to a riverboat during the  
34 quarter that has implemented flexible scheduling under  
35 IC 4-33-6-21 shall be paid to the Indiana horse racing commission  
36 to be distributed as follows, in amounts determined by the Indiana  
37 horse racing commission, for the promotion and operation of  
38 horse racing in Indiana:  
39 (A) To one (1) or more breed development funds established  
40 by the Indiana horse racing commission under IC 4-31-11-10.  
41 (B) To a racetrack that was approved by the Indiana horse  
42 racing commission under IC 4-31. The commission may make  
43 a grant under this clause only for purses, promotions, and  
44 routine operations of the racetrack. No grants shall be made  
45 for long term capital investment or construction, and no grants  
46 shall be made before the racetrack becomes operational and is

1 offering a racing schedule.

2 (c) With respect to tax revenue collected from a riverboat located in  
3 a historic hotel district, the treasurer of state shall quarterly pay the  
4 following:

5 (1) With respect to admissions taxes collected for a person  
6 admitted to the riverboat before July 1, 2010, the following  
7 amounts:

8 (A) Twenty-two percent (22%) of the admissions tax collected  
9 during the quarter shall be paid to the county treasurer of the  
10 county in which the riverboat is located. The county treasurer  
11 shall distribute the money received under this clause as  
12 follows:

13 (i) Twenty-two and seventy-five hundredths percent  
14 (22.75%) shall be quarterly distributed to the county  
15 treasurer of a county having a population of more than  
16 thirty-nine thousand six hundred (39,600) but less than forty  
17 thousand (40,000) for appropriation by the county fiscal  
18 body after receiving a recommendation from the county  
19 executive. The county fiscal body for the receiving county  
20 shall provide for the distribution of the money received  
21 under this item to one (1) or more taxing units (as defined in  
22 IC 6-1.1-1-21) in the county under a formula established by  
23 the county fiscal body after receiving a recommendation  
24 from the county executive.

25 (ii) Twenty-two and seventy-five hundredths percent  
26 (22.75%) shall be quarterly distributed to the county  
27 treasurer of a county having a population of more than ten  
28 thousand seven hundred (10,700) but less than twelve  
29 thousand (12,000) for appropriation by the county fiscal  
30 body. The county fiscal body for the receiving county shall  
31 provide for the distribution of the money received under this  
32 item to one (1) or more taxing units (as defined in  
33 IC 6-1.1-1-21) in the county under a formula established by  
34 the county fiscal body after receiving a recommendation  
35 from the county executive.

36 (iii) Fifty-four and five-tenths percent (54.5%) shall be  
37 retained by the county where the riverboat is located for  
38 appropriation by the county fiscal body after receiving a  
39 recommendation from the county executive.

40 (B) Five percent (5%) of the admissions tax collected during  
41 the quarter shall be paid to a town having a population of more  
42 than two thousand two hundred (2,200) but less than three  
43 thousand five hundred (3,500) located in a county having a  
44 population of more than nineteen thousand three hundred  
45 (19,300) but less than twenty thousand (20,000). At least  
46 twenty percent (20%) of the taxes received by a town under

- 1 this clause must be transferred to the school corporation in  
 2 which the town is located.
- 3 (C) Five percent (5%) of the admissions tax collected during  
 4 the quarter shall be paid to a town having a population of more  
 5 than three thousand five hundred (3,500) located in a county  
 6 having a population of more than nineteen thousand three  
 7 hundred (19,300) but less than twenty thousand (20,000). At  
 8 least twenty percent (20%) of the taxes received by a town  
 9 under this clause must be transferred to the school corporation  
 10 in which the town is located.
- 11 (D) Twenty percent (20%) of the admissions tax collected  
 12 during the quarter shall be paid in equal amounts to each town  
 13 that:
- 14 (i) is located in the county in which the riverboat is located;
  - 15 and
  - 16 (ii) contains a historic hotel.
- 17 At least twenty percent (20%) of the taxes received by a town  
 18 under this clause must be transferred to the school corporation  
 19 in which the town is located.
- 20 (E) Ten percent (10%) of the admissions tax collected during  
 21 the quarter shall be paid to the Orange County development  
 22 commission established under IC 36-7-11.5. At least one-third  
 23 (1/3) of the taxes paid to the Orange County development  
 24 commission under this clause must be transferred to the  
 25 Orange County convention and visitors bureau.
- 26 (F) Thirteen percent (13%) of the admissions tax collected  
 27 during the quarter shall be paid to the West Baden Springs  
 28 historic hotel preservation and maintenance fund established  
 29 by IC 36-7-11.5-11(b).
- 30 (G) Twenty-five percent (25%) of the admissions tax collected  
 31 during the quarter shall be paid to the Indiana economic  
 32 development corporation to be used by the corporation for the  
 33 development and implementation of a regional economic  
 34 development strategy to assist the residents of the county in  
 35 which the riverboat is located and residents of contiguous  
 36 counties in improving their quality of life and to help promote  
 37 successful and sustainable communities. The regional  
 38 economic development strategy must include goals concerning  
 39 the following issues:
- 40 (i) Job creation and retention.
  - 41 (ii) Infrastructure, including water, wastewater, and storm  
 42 water infrastructure needs.
  - 43 (iii) Housing.
  - 44 (iv) Workforce training.
  - 45 (v) Health care.
  - 46 (vi) Local planning.

- 1 (vii) Land use.
- 2 (viii) Assistance to regional economic development groups.
- 3 (ix) Other regional development issues as determined by the
- 4 Indiana economic development corporation.
- 5 (2) With respect to admissions taxes collected for a person
- 6 admitted to the riverboat after June 30, 2010, the following
- 7 amounts:
- 8 (A) Twenty-nine and thirty-three hundredths percent (29.33%)
- 9 to the county treasurer of Orange County. The county treasurer
- 10 shall distribute the money received under this clause as
- 11 follows:
- 12 (i) Twenty-two and seventy-five hundredths percent
- 13 (22.75%) to the county treasurer of Dubois County for
- 14 distribution in the manner described in subdivision
- 15 (1)(A)(i).
- 16 (ii) Twenty-two and seventy-five hundredths percent
- 17 (22.75%) to the county treasurer of Crawford County for
- 18 distribution in the manner described in subdivision
- 19 (1)(A)(ii).
- 20 (iii) Fifty-four and five-tenths percent (54.5%) to be retained
- 21 by the county treasurer of Orange County for appropriation
- 22 by the county fiscal body after receiving a recommendation
- 23 from the county executive.
- 24 (B) Six and sixty-seven hundredths percent (6.67%) to the
- 25 fiscal officer of the town of Orleans. At least twenty percent
- 26 (20%) of the taxes received by the town under this clause must
- 27 be transferred to Orleans Community Schools.
- 28 (C) Six and sixty-seven hundredths percent (6.67%) to the
- 29 fiscal officer of the town of Paoli. At least twenty percent
- 30 (20%) of the taxes received by the town under this clause must
- 31 be transferred to the Paoli Community School Corporation.
- 32 (D) Twenty-six and sixty-seven hundredths percent (26.67%)
- 33 to be paid in equal amounts to the fiscal officers of the towns
- 34 of French Lick and West Baden Springs. At least twenty
- 35 percent (20%) of the taxes received by a town under this
- 36 clause must be transferred to the Springs Valley Community
- 37 School Corporation.
- 38 (E) Thirty and sixty-six hundredths percent (30.66%) to the
- 39 Indiana economic development corporation to be used in the
- 40 manner described in subdivision (1)(G).
- 41 (d) With respect to tax revenue collected from a riverboat that
- 42 operates from a Lake County, ~~having a population of more than four~~
- 43 ~~hundred thousand (400,000) but less than seven hundred thousand~~
- 44 ~~(700,000)~~, the treasurer of state shall quarterly pay the following
- 45 amounts:
- 46 (1) Except as provided in subsection (k), one dollar (\$1) of the

- 1 admissions tax collected by the licensed owner for each person:  
2 (A) embarking on a gambling excursion during the quarter; or  
3 (B) admitted to a riverboat during the quarter that has  
4 implemented flexible scheduling under IC 4-33-6-21;  
5 shall be paid to the city in which the riverboat is docked.  
6 (2) Except as provided in subsection (k) **and IC 4-33-13.5**, one  
7 dollar (\$1) of the admissions tax collected by the licensed owner  
8 for each person:  
9 (A) embarking on a gambling excursion during the quarter; or  
10 (B) admitted to a riverboat during the quarter that has  
11 implemented flexible scheduling under IC 4-33-6-21;  
12 shall be paid to the county in which the riverboat is docked.  
13 (3) Except as provided in subsection (k), nine cents (\$0.09) of the  
14 admissions tax collected by the licensed owner for each person:  
15 (A) embarking on a gambling excursion during the quarter; or  
16 (B) admitted to a riverboat during the quarter that has  
17 implemented flexible scheduling under IC 4-33-6-21;  
18 shall be paid to the county convention and visitors bureau or  
19 promotion fund for the county in which the riverboat is docked.  
20 (4) Except as provided in subsection (k), one cent (\$0.01) of the  
21 admissions tax collected by the licensed owner for each person:  
22 (A) embarking on a gambling excursion during the quarter; or  
23 (B) admitted to a riverboat during the quarter that has  
24 implemented flexible scheduling under IC 4-33-6-21;  
25 shall be paid to the northwest Indiana law enforcement training  
26 center.  
27 (5) Except as provided in subsection (k), fifteen cents (\$0.15) of  
28 the admissions tax collected by the licensed owner for each  
29 person:  
30 (A) embarking on a gambling excursion during the quarter; or  
31 (B) admitted to a riverboat during a quarter that has  
32 implemented flexible scheduling under IC 4-33-6-21;  
33 shall be paid to the state fair commission for use in any activity  
34 that the commission is authorized to carry out under IC 15-13-3.  
35 (6) Except as provided in subsection (k), ten cents (\$0.10) of the  
36 admissions tax collected by the licensed owner for each person:  
37 (A) embarking on a gambling excursion during the quarter; or  
38 (B) admitted to a riverboat during the quarter that has  
39 implemented flexible scheduling under IC 4-33-6-21;  
40 shall be paid to the division of mental health and addiction. The  
41 division shall allocate at least twenty-five percent (25%) of the  
42 funds derived from the admissions tax to the prevention and  
43 treatment of compulsive gambling.  
44 (7) Except as provided in subsection (k) and section 7 of this  
45 chapter, sixty-five cents (\$0.65) of the admissions tax collected by  
46 the licensed owner for each person embarking on a gambling

1 excursion during the quarter or admitted to a riverboat during the  
 2 quarter that has implemented flexible scheduling under  
 3 IC 4-33-6-21 shall be paid to the Indiana horse racing commission  
 4 to be distributed as follows, in amounts determined by the Indiana  
 5 horse racing commission, for the promotion and operation of  
 6 horse racing in Indiana:

7 (A) To one (1) or more breed development funds established  
 8 by the Indiana horse racing commission under IC 4-31-11-10.

9 (B) To a racetrack that was approved by the Indiana horse  
 10 racing commission under IC 4-31. The commission may make  
 11 a grant under this clause only for purses, promotions, and  
 12 routine operations of the racetrack. No grants shall be made  
 13 for long term capital investment or construction, and no grants  
 14 shall be made before the racetrack becomes operational and is  
 15 offering a racing schedule.

16 (e) Money paid to a unit of local government under subsection (b),  
 17 (c), or (d):

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

21 (2) may not be used to reduce the unit's maximum levy under  
 22 IC 6-1.1-18.5 but may be used at the discretion of the unit to  
 23 reduce the property tax levy of the unit for a particular year;

24 (3) may be used for any legal or corporate purpose of the unit,  
 25 including the pledge of money to bonds, leases, or other  
 26 obligations under IC 5-1-14-4; and

27 (4) is considered miscellaneous revenue.

28 (f) Money paid by the treasurer of state under subsection (b)(3) or  
 29 (d)(3) shall be:

30 (1) deposited in:

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

32 (B) the county's general fund if the county does not have a  
 33 convention and visitor promotion fund; and

34 (2) used only for the tourism promotion, advertising, and  
 35 economic development activities of the county and community.

36 (g) Money received by the division of mental health and addiction  
 37 under subsections (b)(5) and (d)(6):

38 (1) is annually appropriated to the division of mental health and  
 39 addiction;

40 (2) shall be distributed to the division of mental health and  
 41 addiction at times during each state fiscal year determined by the  
 42 budget agency; and

43 (3) shall be used by the division of mental health and addiction  
 44 for programs and facilities for the prevention and treatment of  
 45 addictions to drugs, alcohol, and compulsive gambling, including  
 46 the creation and maintenance of a toll free telephone line to

1 provide the public with information about these addictions. The  
 2 division shall allocate at least twenty-five percent (25%) of the  
 3 money received to the prevention and treatment of compulsive  
 4 gambling.

5 (h) This subsection applies to the following:

- 6 (1) Each entity receiving money under subsection (b).  
 7 (2) Each entity receiving money under subsection (d)(1) through  
 8 (d)(2).  
 9 (3) Each entity receiving money under subsection (d)(5) through  
 10 (d)(7).

11 The treasurer of state shall determine the total amount of money paid  
 12 by the treasurer of state to an entity subject to this subsection during  
 13 the state fiscal year 2002. The amount determined under this subsection  
 14 is the base year revenue for each entity subject to this subsection. The  
 15 treasurer of state shall certify the base year revenue determined under  
 16 this subsection to each entity subject to this subsection.

17 (i) This subsection applies to an entity receiving money under  
 18 subsection (d)(3) or (d)(4). The treasurer of state shall determine the  
 19 total amount of money paid by the treasurer of state to the entity  
 20 described in subsection (d)(3) during state fiscal year 2002. The  
 21 amount determined under this subsection multiplied by nine-tenths  
 22 (0.9) is the base year revenue for the entity described in subsection  
 23 (d)(3). The amount determined under this subsection multiplied by  
 24 one-tenth (0.1) is the base year revenue for the entity described in  
 25 subsection (d)(4). The treasurer of state shall certify the base year  
 26 revenue determined under this subsection to each entity subject to this  
 27 subsection.

28 (j) This subsection does not apply to an entity receiving money  
 29 under subsection (c). For state fiscal years beginning after June 30,  
 30 2002, the total amount of money distributed to an entity under this  
 31 section during a state fiscal year may not exceed the entity's base year  
 32 revenue as determined under subsection (h) or (i). If the treasurer of  
 33 state determines that the total amount of money distributed to an entity  
 34 under this section during a state fiscal year is less than the entity's base  
 35 year revenue, the treasurer of state shall make a supplemental  
 36 distribution to the entity under IC 4-33-13-5(g).

37 (k) This subsection does not apply to an entity receiving money  
 38 under subsection (c). For state fiscal years beginning after June 30,  
 39 2002, the treasurer of state shall pay that part of the riverboat  
 40 admissions taxes that:

- 41 (1) exceeds a particular entity's base year revenue; and  
 42 (2) would otherwise be due to the entity under this section;  
 43 to the state general fund instead of to the entity.

44 SECTION 6. IC 4-33-13-5, AS AMENDED BY P.L.96-2010,  
 45 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 46 JULY 1, 2011]: Sec. 5. (a) This subsection does not apply to tax

1 revenue remitted by an operating agent operating a riverboat in a  
 2 historic hotel district. After funds are appropriated under section 4 of  
 3 this chapter, each month the treasurer of state shall distribute the tax  
 4 revenue deposited in the state gaming fund under this chapter to the  
 5 following:

6 (1) The first thirty-three million dollars (\$33,000,000) of tax  
 7 revenues collected under this chapter shall be set aside for  
 8 revenue sharing under subsection (e).

9 (2) Subject to subsection (c) **and IC 4-33-13.5**, twenty-five  
 10 percent (25%) of the remaining tax revenue remitted by each  
 11 licensed owner shall be paid:

12 (A) to the city that is designated as the home dock of the  
 13 riverboat from which the tax revenue was collected, in the case  
 14 of:

15 (i) a city described in IC 4-33-12-6(b)(1)(A); or

16 (ii) a city located in a **Lake County**; ~~having a population of~~  
 17 ~~more than four hundred thousand (400,000) but less than~~  
 18 ~~seven hundred thousand (700,000);~~ or

19 (B) to the county that is designated as the home dock of the  
 20 riverboat from which the tax revenue was collected, in the case  
 21 of a riverboat whose home dock is not in a city described in  
 22 clause (A).

23 (3) Subject to subsection (d), the remainder of the tax revenue  
 24 remitted by each licensed owner shall be paid to the state general  
 25 fund. In each state fiscal year, the treasurer of state shall make the  
 26 transfer required by this subdivision not later than the last  
 27 business day of the month in which the tax revenue is remitted to  
 28 the state for deposit in the state gaming fund. However, if tax  
 29 revenue is received by the state on the last business day in a  
 30 month, the treasurer of state may transfer the tax revenue to the  
 31 state general fund in the immediately following month.

32 (b) This subsection applies only to tax revenue remitted by an  
 33 operating agent operating a riverboat in a historic hotel district. After  
 34 funds are appropriated under section 4 of this chapter, each month the  
 35 treasurer of state shall distribute the tax revenue remitted by the  
 36 operating agent under this chapter as follows:

37 (1) Thirty-seven and one-half percent (37.5%) shall be paid to the  
 38 state general fund.

39 (2) Nineteen percent (19%) shall be paid to the West Baden  
 40 Springs historic hotel preservation and maintenance fund  
 41 established by IC 36-7-11.5-11(b). However, at any time the  
 42 balance in that fund exceeds twenty million dollars  
 43 (\$20,000,000), the amount described in this subdivision shall be  
 44 paid to the state general fund.

45 (3) Eight percent (8%) shall be paid to the Orange County  
 46 development commission established under IC 36-7-11.5.

- 1 (4) Sixteen percent (16%) shall be paid in equal amounts to each
- 2 town that is located in the county in which the riverboat is located
- 3 and contains a historic hotel. The following apply to taxes
- 4 received by a town under this subdivision:
  - 5 (A) At least twenty-five percent (25%) of the taxes must be
  - 6 transferred to the school corporation in which the town is
  - 7 located.
  - 8 (B) At least twelve and five-tenths percent (12.5%) of the
  - 9 taxes imposed on adjusted gross receipts received after June
  - 10 30, 2010, must be transferred to the Orange County
  - 11 development commission established by IC 36-7-11.5-3.5.
- 12 (5) Nine percent (9%) shall be paid to the county treasurer of the
- 13 county in which the riverboat is located. The county treasurer
- 14 shall distribute the money received under this subdivision as
- 15 follows:
  - 16 (A) Twenty-two and twenty-five hundredths percent (22.25%)
  - 17 shall be quarterly distributed to the county treasurer of a
  - 18 county having a population of more than thirty-nine thousand
  - 19 six hundred (39,600) but less than forty thousand (40,000) for
  - 20 appropriation by the county fiscal body after receiving a
  - 21 recommendation from the county executive. The county fiscal
  - 22 body for the receiving county shall provide for the distribution
  - 23 of the money received under this clause to one (1) or more
  - 24 taxing units (as defined in IC 6-1.1-1-21) in the county under
  - 25 a formula established by the county fiscal body after receiving
  - 26 a recommendation from the county executive.
  - 27 (B) Twenty-two and twenty-five hundredths percent (22.25%)
  - 28 shall be quarterly distributed to the county treasurer of a
  - 29 county having a population of more than ten thousand seven
  - 30 hundred (10,700) but less than twelve thousand (12,000) for
  - 31 appropriation by the county fiscal body after receiving a
  - 32 recommendation from the county executive. The county fiscal
  - 33 body for the receiving county shall provide for the distribution
  - 34 of the money received under this clause to one (1) or more
  - 35 taxing units (as defined in IC 6-1.1-1-21) in the county under
  - 36 a formula established by the county fiscal body after receiving
  - 37 a recommendation from the county executive.
  - 38 (C) Fifty-five and five-tenths percent (55.5%) shall be retained
  - 39 by the county in which the riverboat is located for
  - 40 appropriation by the county fiscal body after receiving a
  - 41 recommendation from the county executive.
- 42 (6) Five percent (5%) shall be paid to a town having a population
- 43 of more than two thousand two hundred (2,200) but less than
- 44 three thousand five hundred (3,500) located in a county having a
- 45 population of more than nineteen thousand three hundred
- 46 (19,300) but less than twenty thousand (20,000). At least forty

- 1 percent (40%) of the taxes received by a town under this  
 2 subdivision must be transferred to the school corporation in which  
 3 the town is located.
- 4 (7) Five percent (5%) shall be paid to a town having a population  
 5 of more than three thousand five hundred (3,500) located in a  
 6 county having a population of more than nineteen thousand three  
 7 hundred (19,300) but less than twenty thousand (20,000). At least  
 8 forty percent (40%) of the taxes received by a town under this  
 9 subdivision must be transferred to the school corporation in which  
 10 the town is located.
- 11 (8) Five-tenths percent (0.5%) of the taxes imposed on adjusted  
 12 gross receipts received after June 30, 2010, shall be paid to the  
 13 Indiana economic development corporation established by  
 14 IC 5-28-3-1.
- 15 (c) For each city and county receiving money under subsection  
 16 (a)(2), the treasurer of state shall determine the total amount of money  
 17 paid by the treasurer of state to the city or county during the state fiscal  
 18 year 2002. The amount determined is the base year revenue for the city  
 19 or county. The treasurer of state shall certify the base year revenue  
 20 determined under this subsection to the city or county. The total  
 21 amount of money distributed to a city or county under this section  
 22 during a state fiscal year may not exceed the entity's base year revenue.  
 23 For each state fiscal year, the treasurer of state shall pay that part of the  
 24 riverboat wagering taxes that:
- 25 (1) exceeds a particular city's or county's base year revenue; and
  - 26 (2) would otherwise be due to the city or county under this  
 27 section;
- 28 to the state general fund instead of to the city or county.
- 29 (d) Each state fiscal year the treasurer of state shall transfer from the  
 30 tax revenue remitted to the state general fund under subsection (a)(3)  
 31 to the build Indiana fund an amount that when added to the following  
 32 may not exceed two hundred fifty million dollars (\$250,000,000):
- 33 (1) Surplus lottery revenues under IC 4-30-17-3.
  - 34 (2) Surplus revenue from the charity gaming enforcement fund  
 35 under IC 4-32.2-7-7.
  - 36 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.
- 37 The treasurer of state shall make transfers on a monthly basis as needed  
 38 to meet the obligations of the build Indiana fund. If in any state fiscal  
 39 year insufficient money is transferred to the state general fund under  
 40 subsection (a)(3) to comply with this subsection, the treasurer of state  
 41 shall reduce the amount transferred to the build Indiana fund to the  
 42 amount available in the state general fund from the transfers under  
 43 subsection (a)(3) for the state fiscal year.
- 44 (e) Before August 15 of each year, the treasurer of state shall  
 45 distribute the wagering taxes set aside for revenue sharing under  
 46 subsection (a)(1) to the county treasurer of each county that does not

1 have a riverboat according to the ratio that the county's population  
 2 bears to the total population of the counties that do not have a  
 3 riverboat. Except as provided in subsection (h), the county auditor shall  
 4 distribute the money received by the county under this subsection as  
 5 follows:

6 (1) To each city located in the county according to the ratio the  
 7 city's population bears to the total population of the county.

8 (2) To each town located in the county according to the ratio the  
 9 town's population bears to the total population of the county.

10 (3) After the distributions required in subdivisions (1) and (2) are  
 11 made, the remainder shall be retained by the county.

12 (f) Money received by a city, town, or county under subsection (e)  
 13 or (h) may be used for any of the following purposes:

14 (1) To reduce the property tax levy of the city, town, or county for  
 15 a particular year (a property tax reduction under this subdivision  
 16 does not reduce the maximum levy of the city, town, or county  
 17 under IC 6-1.1-18.5).

18 (2) For deposit in a special fund or allocation fund created under  
 19 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and  
 20 IC 36-7-30 to provide funding for debt repayment.

21 (3) To fund sewer and water projects, including storm water  
 22 management projects.

23 (4) For police and fire pensions.

24 (5) To carry out any governmental purpose for which the money  
 25 is appropriated by the fiscal body of the city, town, or county.

26 Money used under this subdivision does not reduce the property  
 27 tax levy of the city, town, or county for a particular year or reduce  
 28 the maximum levy of the city, town, or county under  
 29 IC 6-1.1-18.5.

30 (g) This subsection does not apply to an entity receiving money  
 31 under IC 4-33-12-6(c). Before September 15 of each year, the treasurer  
 32 of state shall determine the total amount of money distributed to an  
 33 entity under IC 4-33-12-6 during the preceding state fiscal year. If the  
 34 treasurer of state determines that the total amount of money distributed  
 35 to an entity under IC 4-33-12-6 during the preceding state fiscal year  
 36 was less than the entity's base year revenue (as determined under  
 37 IC 4-33-12-6), the treasurer of state shall make a supplemental  
 38 distribution to the entity from taxes collected under this chapter and  
 39 deposited into the state general fund. Except as provided in subsection  
 40 (i), the amount of an entity's supplemental distribution is equal to:

41 (1) the entity's base year revenue (as determined under  
 42 IC 4-33-12-6); minus

43 (2) the sum of:

44 (A) the total amount of money distributed to the entity during  
 45 the preceding state fiscal year under IC 4-33-12-6; plus

46 (B) any amounts deducted under IC 6-3.1-20-7.

1 (h) This subsection applies only to a county containing a  
 2 consolidated city. The county auditor shall distribute the money  
 3 received by the county under subsection (e) as follows:

4 (1) To each city, other than a consolidated city, located in the  
 5 county according to the ratio that the city's population bears to the  
 6 total population of the county.

7 (2) To each town located in the county according to the ratio that  
 8 the town's population bears to the total population of the county.

9 (3) After the distributions required in subdivisions (1) and (2) are  
 10 made, the remainder shall be paid in equal amounts to the  
 11 consolidated city and the county.

12 (i) This subsection applies only to the Indiana horse racing  
 13 commission. For each state fiscal year the amount of the Indiana horse  
 14 racing commission's supplemental distribution under subsection (g)  
 15 must be reduced by the amount required to comply with  
 16 IC 4-33-12-7(a).

17 SECTION 39. IC 4-33-13.5 IS ADDED TO THE INDIANA CODE  
 18 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2011]:

20 **Chapter 13.5. Tax Distributions for the Little Calumet River**  
 21 **Basin Development Commission**

22 **Sec. 1. This chapter applies to riverboat taxes remitted by the**  
 23 **riverboats located in Lake County.**

24 **Sec. 2. As used in this chapter, "fund" means the Little Calumet**  
 25 **River project development fund created under IC 14-13-2.**

26 **Sec. 3. As used in this chapter, "riverboat taxes" refers to:**

27 (1) admission taxes remitted under IC 4-33-12; and

28 (2) wagering taxes remitted under IC 4-33-13.

29 **Sec. 4. Subject to section 6 of this chapter, the treasurer of state**  
 30 **shall reduce the aggregate amount of riverboat taxes payable**  
 31 **under IC 4-33-12-6(d)(2) to Lake County and IC 4-33-13-5 to Gary**  
 32 **and Hammond by the following amounts:**

33 (1) Six million eight hundred thousand dollars (\$6,800,000) in  
 34 state fiscal year 2012.

35 (2) Three million five hundred thousand dollars (\$3,500,000)  
 36 in state fiscal year 2013 and each state fiscal year thereafter.

37 **Sec. 5. Subject to section 6 of this chapter, the treasurer of state**  
 38 **shall transfer an amount of riverboat taxes equal to the amount of**  
 39 **reductions made under section 4 of this chapter to the Little**  
 40 **Calumet River basin development commission for deposit in the**  
 41 **fund. Amounts deposited in the fund under this section must be**  
 42 **kept in a segregated account within the fund.**

43 **Sec. 6. (a) If on July 1 of a calendar year the balance in the**  
 44 **segregated account within the fund exceeds seven million dollars**  
 45 **(\$7,000,000), the treasurer of state shall suspend distributions to**  
 46 **the Little Calumet River basin development commission:**

47 (1) for at least twelve (12) months; and

1           (2) until the balance in the segregated account within the fund  
2           is less than seven million dollars (\$7,000,000).

3           (b) If the treasurer of state suspends distributions to the Little  
4 Calumet River basin development commission and later resumes  
5 making distributions as permitted by this subsection, the treasurer  
6 of state may reduce the amount of money otherwise payable to the  
7 political subdivisions listed in section 7 of this chapter only the  
8 amount in the aggregate that is necessary to restore a balance of  
9 seven million dollars (\$7,000,000) in the segregated account within  
10 the fund. If the amount of a political subdivision's riverboat taxes  
11 is subject to a reduction under this subsection, the amount of the  
12 reduction must be proportional to the amount of the reduction  
13 specified for the political subdivision in section 7 of this chapter.

14           Sec. 7. Subject to section 6(b) of this chapter, the reductions in  
15 riverboat tax distributions required by this chapter must be  
16 allocated as follows:

17           (1) From the amount otherwise payable to Lake County under  
18 IC 4-33-12-6(d)(2) after subtracting the amount that must be  
19 distributed under IC 4-33-12.5-6, the following amounts:

20           (A) Three million four hundred thousand dollars  
21 (\$3,400,000) in state fiscal year 2012.

22           (B) One million seven hundred fifty thousand dollars  
23 (\$1,750,000) in state fiscal year 2013 and each state fiscal  
24 year thereafter.

25           (2) From the amounts otherwise payable to eligible  
26 municipalities under IC 4-33-12.5-6, the following amounts  
27 for state fiscal year 2012 and each state fiscal year thereafter:

28           (A) Three thousand seven hundred twelve dollars (\$3,712)  
29 from the amount otherwise payable to Cedar Lake.

30           (B) Seven thousand nine hundred twenty-two dollars  
31 (\$7,922) from the amount otherwise payable to Crown  
32 Point.

33           (C) Five thousand five hundred fifty-eight dollars (\$5,558)  
34 from the amount otherwise payable to Dyer.

35           (D) Six thousand nine hundred thirty-four dollars (\$6,934)  
36 from the amount otherwise payable to Griffith.

37           (E) Nine thousand four hundred eighteen dollars (\$9,418)  
38 from the amount otherwise payable to Highland.

39           (F) Twelve thousand two hundred dollars (\$12,200) from  
40 the amount otherwise payable to Merrillville.

41           (G) Eight thousand six hundred four dollars (\$8,604) from  
42 the amount otherwise payable to Munster.

43           (H) Three thousand three hundred fifty-three dollars  
44 (\$3,353) from the amount otherwise payable to St. John.

45           (I) Nine thousand nine hundred forty dollars (\$9,940) from  
46 the amount otherwise payable to Schererville.

47           (3) From the amount otherwise payable to Gary under

- 1           **IC 4-33-13-5, the following amounts:**
- 2           **(A) One million seven hundred sixty-six thousand one**
- 3           **hundred fifty dollars (\$1,766,150) in state fiscal year 2012.**
- 4           **(B) Eight hundred ninety-one thousand six hundred fifty**
- 5           **dollars (\$891,650) in state fiscal year 2013 and each state**
- 6           **fiscal year thereafter.**
- 7           **(4) From the amount otherwise payable to Hammond under**
- 8           **IC 4-33-13-5, the following amounts:**
- 9           **(A) One million five hundred sixty-six thousand two**
- 10           **hundred nine dollars (\$1,566,209) in state fiscal year 2012.**
- 11           **(B) Seven hundred ninety thousand seven hundred nine**
- 12           **dollars (\$790,709) in state fiscal year 2013 and each state**
- 13           **fiscal year thereafter."**

14           Page 115, between lines 1 and 2, begin a new paragraph and insert:  
 15           "SECTION 60. IC 14-13-2-4 IS AMENDED TO READ AS  
 16           FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. The general purposes  
 17           of this chapter are to do the following:

- 18           (1) Promote the general health and welfare of citizens of Indiana.
- 19           (2) Provide for the creation, development, maintenance,
- 20           administration, ~~and~~ operation of park, recreation, marina, **levees,**
- 21           flood control and other public works projects.
- 22           (3) Create a commission with the authority to carry out the
- 23           purposes of this chapter.
- 24           (4) Create a commission capable of entering into and fulfilling the
- 25           requirements of a nonfederal interest (as defined by 42 U.S.C.
- 26           1962d-5b).

27           SECTION 61. IC 14-13-2-7, AS AMENDED BY P.L.181-2009,  
 28           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29           JULY 1, 2011]: Sec. 7. (a) The commission has five (5) members  
 30           appointed by the governor.

31           (b) The governor shall appoint members of the commission so that  
 32           the following requirements are met:

- 33           (1) One (1) member must be a representative of the department of
- 34           natural resources. The member may not be an employee or elected
- 35           official of a city, town, or county governmental unit.
- 36           (2) The remaining four (4) members must meet the following
- 37           requirements:
- 38           (A) Four (4) members, must reside in a:
- 39           (i) city;
- 40           (ii) town; or
- 41           (iii) township (if the member resides in an unincorporated
- 42           area of the county);
- 43           that borders the Little Calumet River.
- 44           (B) At least three (3) of the members must have a background
- 45           in:
- 46           (i) construction;

- 1 (ii) project management; or
- 2 (iii) flood control;
- 3 or a similar professional background.
- 4 (C) A member may not be an employee or elected official of
- 5 a city, town, or county governmental unit.
- 6 **(D) At least one (1) member must reside in Gary.**
- 7 **(E) At least one (1) member must reside in Hammond.**
- 8 **(c) Not more than three (3) members of the commission may be**
- 9 **members of the same political party.**

10 SECTION 62. IC 14-13-2-19 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 19. (a) The Little  
 12 Calumet River project development fund is created. The commission  
 13 shall make expenditures from the fund only to accomplish the purposes  
 14 of this chapter.

- 15 (b) The commission shall do the following:
- 16 (1) Hold the fund in the name of the commission.
- 17 (2) Administer the fund.
- 18 (3) Make all expenditures from the fund.
- 19 **(4) Hold money received under IC 4-33-13.5 in a segregated**
- 20 **account within the fund.**

21 (c) The money in the fund at the end of a fiscal year remains in the  
 22 fund and does not revert to any other fund.

23 SECTION 63. IC 14-13-2-19.5 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2011]: **Sec. 19.5. (a) Money received under**  
 26 **IC 4-33-13.5 shall be deposited into a segregated account within the**  
 27 **fund. Money deposited into the account:**

- 28 **(1) except as provided in subsection (b), may be used only for**
- 29 **expenses directly related to the operation, repair, and**
- 30 **maintenance of flood protection systems within the**
- 31 **watershed; and**
- 32 **(2) may not be transferred into other accounts within the**
- 33 **fund.**

34 **(b) The commission shall annually transfer three hundred**  
 35 **thousand dollars (\$300,000) from the segregated account referred**  
 36 **to in subsection (a) to the northwest Indiana regional development**  
 37 **authority established by IC 36-7.5-2-1. However, the aggregate**  
 38 **amount paid to the northwest Indiana regional development**

- 1 **authority may not exceed six million dollars (\$6,000,000). This**
- 2 **subsection expires December 31, 2032."**
- 3     Renumber all SECTIONS consecutively.  
      (Reference is to HB 1001 as printed February 21, 2011.)

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Representative Soliday