

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WITHDRAWN	Noes _____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

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

MR. SPEAKER:

I move that Engrossed Senate Bill 140 be amended to read as follows:

- 1 Page 1, line 11, delete "." and insert "**and IC 4-35-8.5.**".
- 2 Page 4, delete line 32, begin a new line block indented and insert:
- 3 "**(2) the appropriate percentage as follows:**
- 4 **(A) Eighty-two percent (82%) for a particular day**
- 5 **occurring before the licensee's county slot machine**
- 6 **wagering fee satisfaction date as determined by the**
- 7 **department under section 5 of this chapter.**
- 8 **(B) Eighty-five percent (85%) for:**
- 9 **(i) the licensee's county slot machine wagering fee**
- 10 **satisfaction date as determined by the department under**
- 11 **section 5 of this chapter; and**
- 12 **(ii) the remainder of that state fiscal year."**
- 13 Page 5, between lines 3 and 4, begin a new paragraph and insert:
- 14 "**SECTION 8. IC 4-35-8-5 IS ADDED TO THE INDIANA CODE**
- 15 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
- 16 **UPON PASSAGE]: Sec. 5. (a) As used in this section, "county slot**
- 17 **machine wagering fee satisfaction date" means the date on which**
- 18 **the department determines that a licensee will satisfy its obligation**
- 19 **to pay a county slot machine wagering fee by reaching the**
- 20 **maximum amount of county slot machine wagering fees payable in**
- 21 **a state fiscal year under IC 4-35-8.5-1.**
- 22 **(b) Using the adjusted gross receipts reported each day by a**
- 23 **licensee, the department shall determine the county slot machine**
- 24 **wagering fee satisfaction date for the licensee. The department**

1 shall certify the date determined under this section to the licensee  
2 in sufficient time to enable the licensee to properly remit taxes due  
3 under this chapter.  
4 (c) The department shall allow a licensee to annually reconcile  
5 amounts actually paid under IC 4-35-8.5 in the previous state fiscal  
6 year with the amounts excluded from the determination of the  
7 licensee's daily taxable receipts under section 1.5(e) of this chapter.  
8 The reconciliation must be made on a form prescribed by the  
9 department.  
10 (d) The commission shall provide the department any assistance  
11 necessary to carry out the department's duties under this section."  
12 Renumber all SECTIONS consecutively.  
(Reference is to ESB 140 as printed February 27, 2012.)

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Representative Eberhart