

SENATE MOTION

MADAM PRESIDENT:

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

- 1 Page 5, between lines 3 and 4, begin a new paragraph and insert:
2 "SECTION 8. IC 6-8.1-3-13 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) The attorney
4 general and the respective county prosecuting attorneys have
5 concurrent jurisdiction in conducting criminal prosecutions of tax
6 matters. Either the attorney general or the respective prosecuting
7 attorney may initiate criminal tax proceedings, and appear before grand
8 juries to report violations, give legal advice, or interrogate witnesses.
9 (b) **Except as provided in subsection (c)**, upon request by the
10 department, the attorney general shall prosecute a civil action to collect
11 unpaid taxes, penalties, and interest and to enforce the department's
12 powers.
13 (c) **The attorney general, with the assistance of the department**
14 **of state revenue, shall represent the state and the department of**
15 **state revenue in all civil actions (including proceedings in a United**
16 **States bankruptcy court) concerning:**
17 **(1) the determination or collection of slot machine wagering**
18 **tax due under IC 4-35; or**

- 1 **(2) a claim for the refund of slot machine wagering tax due**
- 2 **under IC 4-35."**
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 140 as printed January 26, 2012.)

Senator KENLEY